

WILTSHIRE COUNTY COUNCIL
INTER-DEPARTMENTAL PROTOCOL

UNAUTHORISED CAMPING

- 1.1 The Director of Environmental Services undertakes to inform the Director of Children and Education (Traveller Education Service) of:
- 1.1.1 the location of any new unauthorised encampment on the public highway and/or on Wiltshire County Council owned land, where any child(ren) of apparent pre-school age or school-age are unlawfully present, within two working days of any site visit taking place.
 - 1.1.2 any subsequent decision to either temporarily 'tolerate' or to commence legal proceedings against the attendant families of those children, within two working days of any decision being taken.
 - 1.1.3 any subsequent decision to forcibly evict the attendant families of those children, within two working days of any decision being taken.
- 1.2 The Director of Children and Education (Traveller Education Service) undertakes to inform the Director of Environmental Services of:
- 1.2.1 the location of any new unauthorised encampment on the public highway and/or on Wiltshire County Council owned land, where any child(ren) of apparent school-age are unlawfully present, within two working days of any site visit taking place.
 - 1.2.2 the subsequent enrolment of any child unlawfully present within that encampment in any formal educational establishment, to include the effective date of that enrolment, the name and date of birth of the child(ren) concerned, the name and address of the educational establishment concerned, and any identified special educational needs that the child(ren) concerned may have, within two working days of any enrolment being arranged.
 - 1.2.3 the subsequent enrolment (if known) of any child unlawfully present within that encampment in any alternative educational or charitable environment, to include the effective date of that enrolment, the name and date of birth of the child(ren) concerned, and any identified special educational needs that the child(ren) concerned may have, within two working days of any enrolment being arranged.
 - 1.2.4 any other specific educational welfare issues that may be relevant to the consideration of the attendant families' personal circumstances prior to possible enforcement action, within two working days of any request being made.

- 1.3 The Director of Environmental Services undertakes to inform the Director of Children and Education (Area Services/Special Needs Service) of:
 - 1.3.1 the location of any new unauthorised encampment on the public highway and/or on Wiltshire County Council owned land, where any vulnerable person under the age of 18 years with some apparent learning, or physical disability, or whom otherwise appears to be 'at risk' are unlawfully present, within two working days of any site visit taking place.
 - 1.3.2 any subsequent decision to either temporarily 'tolerate' or to commence legal proceedings against the attendant family of the vulnerable person under the age of 18 years concerned, within two working days of any decision being taken.
 - 1.3.3 any subsequent decision to forcibly evict the vulnerable attendant family of the vulnerable person under the age of 18 years concerned, within two working days of any decision being taken.
- 1.4 The Director of Children and Education (Area Services/Special Needs Service) undertakes to inform the Director of Environmental Services of:
 - 1.4.1 the location of any new unauthorised encampment on the public highway and/or on Wiltshire County Council owned land, where any vulnerable person under the age of 18 years with some apparent learning, other physical disability, or whom otherwise appears to be 'at risk' are unlawfully present, within two days of any site visit taking place.
 - 1.4.2 the intended relocation of any vulnerable person under the age of 18 years concerned to a 'place of safety' elsewhere, to include the effective date of that placement, the name and date of birth of the vulnerable persons concerned, the name and address of the 'place of safety' concerned, within two working days of any relocation being arranged.
 - 1.4.3 any other specific social or health care issues (including any 'confidential' personal issues, where appropriate to an Officer's health and/or safety) that may be relevant to the consideration of the vulnerable person under the age of 18 years personal circumstances prior to possible enforcement action, upon request, within two working days of any request being made.
- 2.1 The Director of Environmental Services undertakes to inform the Director of Adult and Community Services (Mental Health and Learning Disability Services/Older People and Physical Disability Services) of:
 - 2.1.1 the location of any new unauthorised encampment on the public highway and/or on Wiltshire County Council owned land, where any vulnerable persons over the age of 18 years with some apparent mental health needs, or learning, other physical disability, or whom otherwise appears to be 'at risk' are unlawfully present, within two working days of any site visit taking place.
 - 2.1.2 any subsequent decision to either temporarily 'tolerate' or to commence legal proceedings against the vulnerable persons over the age of 18 years concerned, within two working days of any decision being taken.
 - 2.1.3 any subsequent decision to forcibly evict the vulnerable persons over the age of 18 years concerned, within two working days of any decision being taken.

- 2.2 The Director of Adult and Community Services (Mental Health and Learning Disability Services/Older People and Physical Disability Services) undertakes to inform the Director of Environmental Services of:
- 2.2.1 the location of any new unauthorised encampment on the public highway and/or on Wiltshire County Council owned land, where any vulnerable persons over the age of 18 years with some apparent mental health needs, or learning, other physical disability, or whom otherwise appears to be 'at risk' are unlawfully present, within two days of any site visit taking place.
 - 2.2.2 the intended relocation of any vulnerable persons concerned to a 'place of safety' elsewhere, to include the effective date of that placement, the name and date of birth of the vulnerable person over the age of 18 years concerned, the name and address of the 'place of safety' concerned, within two working days of any relocation being arranged.
 - 2.2.3 any other specific social or health care issues (including any 'confidential' personal issues, where appropriate to an Officer's health and/or safety) that may be relevant to the consideration of the vulnerable persons over the age of 18 years personal circumstances prior to possible enforcement action, upon request, within two working days of any request being made.
- 3.1 The Director of Environmental Services will instruct the Solicitor to the County Council in respect of any legal issues that arise.
- 3.1.1 The Solicitor to the County Council will provide advice under a Service Level Agreement.
 - 3.1.2 Where this is not possible for resourcing or other reasons, the Solicitor to the County Council will pass such instructions to his nominated agent and will advise the Director of Environmental Services accordingly, within two working days of any decision being taken.
- 4.1 The following list of Officers, have been designated as the first point of contact for their specific area of responsibility:
- Stephen Helsby , Principal Officer (Highways Enforcement), Environmental Services Department
 - Kathryn Yeaman, Head of Service, Traveller Education Service, Department of Children and Education
 - Heather Clewett, Acting Head of Area Services, Department of Children and Education
 - Mike Hennessey, Performance Planning Manager, Department of Adult and Community Services
 - Barbara Mills, Deputy Head of Legal Services, Corporate and Library Services Department
- 5.1 The Data Protection Act, 1998, regulates all matters relating to the disclosure of personal, social and health information. The provisions of this Inter-Departmental Protocol should be read in the context of the following Statement :

WILTSHIRE COUNTY COUNCIL

DISCLOSURE STATEMENT

The Data Protection Act, 1998 ("the Act"), applies both within and outside the County Council. The disclosure of information between different Departments of Wiltshire County Council ("the Authority") is regulated by the Act.

Personal, social and health information is confidential to the Service to whom it has been given and may only be used for the specific purpose(s) for which it is provided.

The disclosure of information to another party may take place with the subject's consent or, in exceptional circumstances, without that consent. Consent to the disclosure should always be sought by the party to whom the information was originally given.

In the case of information appertaining to a child, consent to disclosure can be given by any person(s) with parental responsibility for that child, dependent upon that child's age and understanding.

When consent to disclosure is refused, consideration should be given as to whether or not, justification for disclosure of information without consent exists. Disclosure without consent may be appropriate in the following circumstances :

- Child Protection – where a child might suffer significant harm if disclosure is not made. If consent has not been given, then the disclosure may still be justified. In exceptional circumstances, where delay might cause unnecessary risk to the child, it may be appropriate not to seek consent.
- Health and Safety of Other Persons – where the health and safety of other persons, including staff of the County Council and other bodies, and/or members of the public, are likely to be compromised; it may be appropriate to disclose information without consent.
- Other Exceptions – as set out in the Data Protection Act, 1998, and/or the Freedom of Information Act, 2000, which may apply.

The disclosure of information, without the subject's consent, should be limited to that specific information which it is necessary to give in order to minimise the risk perceived.

Advice should be sought if the holder of confidential information is in any doubt as to whether or not, disclosure should take place. This advice can be obtained from the Solicitor to the County Council, the Authority's Data Protection Officer, or any other responsible Officer.

**The information contained in this document
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