

MULTI AGENCY PUBLIC PROTECTION ARRANGEMENTS FOR CAMBRIDGESHIRE AND PETERBOROUGH JANUARY 2017

PROTOCOL FOR HOUSING HIGH RISK OF SERIOUS HARM OFFENDERS

1. Introduction

In the interests of public protection, it is essential that the Police, Probation Area and Prison Service are able to control and monitor the behaviour and activities of High Risk of Serious Harm (HROSH) offenders. These are offenders whose offence, behaviours/actions and intents suggest that they pose a risk of serious harm to others in the community. Stable appropriate accommodation is a constant requirement in the successful management of HROSH offenders and the protection of the public.

MAPPA brings together the Police, Probation and Prison Service into what is known as the MAPPA Responsible Authority for each MAPPA Area. MAPPA areas are aligned with police force areas. Local Housing Authorities have a duty to co-operate with the Responsible Authority for each MAPPA area.

The aim of the protocol is to ensure that all the relevant agencies and organisations in Cambridgeshire and Peterborough work together to address the housing and support needs of HROSH offenders, taking into consideration the type and level of risk they may present to the community.

This protocol sets out the principles agreed between the Cambridgeshire and Peterborough Local Housing Authorities in relation to the process for housing HROSH offenders. The Cambridgeshire and Peterborough Local Housing Authorities are in agreement that the responsibility for housing offenders should be shared between authorities and that jointly agreed protocols should be in place. It is also recognised that the supply of social housing is limited.

Although the benefits and potential stability of a social housing tenancy are recognised, the limited supply of properties means that this is not always achievable and so a Housing Options approach should be developed. Ideally, the offender's original housing authority should be responsible for providing housing advice and assistance and it is agreed that this is the starting point of investigation for all cases. However, it is recognised that for a small number of MAPPA Offenders, it may not be possible for the offender to return to their original place of residence. This protocol clarifies which people this applies to and how their need for housing should be assessed and met.

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2. Context of the Protocol

Multi-Agency Public Protection Arrangements (MAPPA) were introduced in 2001 as a framework for managing the risks to the public posed by violent and

MULTI AGENCY PUBLIC PROTECTION ARRANGEMENTS FOR CAMBRIDGESHIRE AND PETERBOROUGH JANUARY 2017

PROTOCOL FOR HOUSING HIGH RISK OF SERIOUS HARM OFFENDERS

sexual offenders living in the community or returning to the community from Prison or Hospital. MAPPAs exist to identify, assess and manage those offenders whose previous offences or current behaviour suggest that they could pose a risk of serious harm. 'Serious harm' is defined as "where a risk is life threatening and/or traumatic and from which recovery, whether physical or psychological, can be expected to be difficult or impossible"

There are three categories of cases managed by the MAPPA –

Category 1 - Registered Sex Offenders

Offenders required to comply with the notification requirements set out in the Sex Offenders Act 1997 and Sexual Offences Act 2003. They cease to be MAPPA eligible when registration expires.

Category 2 – Non-Registered Sex

Offenders and Violent Offenders Offenders who:
Receive a qualifying sentence for a violent or sexual offence specified in Schedule 15 of the Criminal Justice Act 2003, or; Those who are subject to a Disqualification Order (disqualifying the offender from working with children for life) under Sections 28-29a Criminal Justice and Court Services Act 2000. They cease to be MAPPA eligible when the sentence (usually a licence) expires or a disqualification order is revoked.

Category 3 – Other Offenders likely to pose a risk of serious harm

These do not fall into either category 1 or 2 by virtue of the offence they have committed or sentence received, but are considered by MAPPA to pose a risk of serious harm to the public which requires active multi-agency management. They are identified according to two criteria; firstly it has to be established that the person has committed an offence which indicates they are capable of causing serious harm to the public, and, secondly, that it must be reasonably considered the person may cause serious harm to the public.

There are three levels at which risk is assessed and managed under the MAPPA:

Level 1 – Where the offender does not require active multi-agency management and can be dealt with by one agency (e.g. Police, Probation, Youth Offending Team (YOT) or Community Mental Health Teams in liaison with other agencies as necessary.

Level 2 – Where there is a need for the active involvement of more than one agency, but the level of risk or the complexity of the case is not so great that it requires management at Level 3 (see below)

Level 3 – Reserved for the "critical few" offenders who pose the highest risk of harm to the public or where the complexity of the case or the notoriety of the

MULTI AGENCY PUBLIC PROTECTION ARRANGEMENTS FOR CAMBRIDGESHIRE AND PETERBOROUGH JANUARY 2017

PROTOCOL FOR HOUSING HIGH RISK OF SERIOUS HARM OFFENDERS

offender requires the highest level of risk management.

3. Scope of the Protocol

This protocol mainly applies to MAPPA Level 2 and Level 3 Offenders, but all relevant parties need to be aware of their 'Duty to Co-operate' with regard to all MAPPA offenders and should provide advice and assistance as requested for Level 1 MAPPA offenders.

Level 1 MAPPA cases are where it is considered that the risk posed by an individual offender can be managed by the agency responsible for the supervision of that offender. This does not mean that other agencies will not be involved, or that the offender is not high risk, only that it is not considered necessary to refer the case to a Level 2 or 3 MAPPP meeting as multiple agency involvement is not required.

An action plan to manage the risk presented by a Level 1 MAPPA offender is often developed by holding a local risk management meeting.

4. Partners in the Protocol

The key partners to this protocol are:

- Cambridge Constabulary
- National Probation service
- The Prison Service
- Local Housing Authorities (LHAs) – Housing Advice & Homelessness services and Allocations services
- Housing Providers – LHAs, RSLs and other Housing Associations and Voluntary and Community Sector Providers
- Specialist Housing Support Providers
- Voluntary agencies providing support in a housing setting

The following organisations also play a vital role in the delivery of this protocol:

- Agencies administering housing registers on behalf of LHAs
- Youth Offending Team (YOT)
- Adult Social Services
- Children's Services
- Mental Health Services
- Primary Care Trusts

The MAPPA Strategic Management Board (SMB), in association with the LHAs in Cambridgeshire and Peterborough and specified housing providers, are committed to partnership working to manage the risk posed by MAPPA HROSH offenders, supported by effective information-sharing arrangements.

MULTI AGENCY PUBLIC PROTECTION ARRANGEMENTS FOR CAMBRIDGESHIRE AND PETERBOROUGH JANUARY 2017

PROTOCOL FOR HOUSING HIGH RISK OF SERIOUS HARM OFFENDERS

5. MAPPP Meetings

MAPPA functions are carried out through a series of regular meetings between the various agencies relevant to the assessment, monitoring, control and support of HROSH Offenders. These meetings are called the Multi-Agency Public Protection Panel (MAPPP).

There are 2 types of MAPPP meetings (Level 2 and Level 3) according to the level of risk posed by the offender as outlined in Section 2. The members of the Panel consider information from all the agencies involved with individual HROSH offenders, assess the risk that each offender poses to the public and then develops an individually tailored Risk Management Plan that seeks to reduce each offender's risk of harm.

The Risk Management Plan could include some or all of the following:

- Suitable housing for the offender
- Placing controls on their behaviour through strict licence conditions or community orders
- Intensive supervision by a Probation Offender Manager or specialist police officer
- Completion of accredited programmes that address the causes of offending
- Appropriate mental health care
- Support networks (involving voluntary agencies)
- Electronic tagging
- Contingency planning and rapid response arrangements with the local police
- Covert police surveillance
- Rapid recall to prison when licence conditions are breached

MAPPP meetings are ideally scheduled 6 months before the HROSH offender is due to be released from prison, or discharged from hospital, to guarantee the attendance of all relevant partners, to enable comprehensive planning by the relevant agencies and in order to put Risk Management Plans in place in adequate time. MAPPP meetings are coordinated by the MAPPA Team and communications relating to the meetings are generated from their offices

6. Housing Input into MAPPP meetings

Each of the LHAs in Cambridge and Peterborough will nominate a manager with Housing Needs/Homelessness responsibilities to receive MAPPP invitations, meeting minutes and contact from other agencies under this protocol. This person will be the Single Point of Contact (SPOC) for that authority. A deputy SPOC will also be nominated to substitute for the SPOC should they not be available.

Local Authorities will not usually be aware of an Offender and their need for housing until a referral is made. Therefore the prison-based housing advice

MULTI AGENCY PUBLIC PROTECTION ARRANGEMENTS FOR CAMBRIDGESHIRE AND PETERBOROUGH JANUARY 2017

PROTOCOL FOR HOUSING HIGH RISK OF SERIOUS HARM OFFENDERS

service and/or other partners will be involved in starting the process of providing housing options advice. This should include exploring whether the Offender could return to any previously held accommodation and whether any options exist within family and other networks.

Where the prison based housing advice service and/or the Offender Manager believe that the options listed above are unsuitable or unrealistic, the Offender Manager will decide whether one of the Peterborough and Cambridgeshire Housing Authorities should be asked to consider providing housing advice and assistance and will then make a referral to this authorities Housing Advice and Options service.

A referral will be in the form of agency to agency contact and it is expected that the relevant Housing Options representative will be invited to attend a MAPPA level 2 or 3 meeting to discuss the housing options available to the offender. When determining which Housing Authority in the Cambridgeshire and Peterborough area to approach, consideration should be given to the following points:

- Any connection or support networks that an offender already has in place in the Cambridgeshire and Peterborough area
- A risk assessment as to the most suitable location to facilitate successful management
- Number and location of other high risk offenders in the area.

The geographical preferences expressed by the offender will also be considered, but where they are in conflict with the above, may be over-ruled.

The five Cambridgeshire District/City Councils and Peterborough City Council are in agreement that a quota system should not be adopted but that each case should be allocated on its own merits. It is also recognised that care should be taken not to over populate a specific district or area of the district with MAPP offenders.

The LHA SPOC will attend the MAPP meeting in order to contribute their specialist knowledge in the following areas:

- The availability of suitable accommodation
- Housing options (such as rent deposit schemes and links to specialist housing support agencies)
- Local knowledge of particular locations and types of accommodation
- Informal knowledge of the offender and associated links/accommodation history
- Housing/homelessness legislation, rights and responsibilities
- Advice on anti-social behaviour and rent arrears policies
- Advice on exclusions

MULTI AGENCY PUBLIC PROTECTION ARRANGEMENTS FOR CAMBRIDGESHIRE AND PETERBOROUGH JANUARY 2017

PROTOCOL FOR HOUSING HIGH RISK OF SERIOUS HARM OFFENDERS

The LHA SPOC should be made aware of the reasons why an offender is unable to return to their original place of residence. This is likely to include details of any licence conditions and a copy of the risk assessment illustrating why the risk of returning an offender to their original place of residence is not considered appropriate. In addition, LHA staff will require information on the offender's housing history in order to determine whether they have an interest in any other property. For example, if an offender is an owner-occupier, the housing authority will need to determine whether it is appropriate to consider an offer of social housing and/or access to financial resources (such as the Rent Deposit Scheme) in these circumstances.

The Housing Advice and Options Service will advise the Offender Manager as to any additional documentation they require on a case by case basis.

7. Eligibility for housing assistance under this protocol

The following HROSH Offenders come under the remit of this protocol:
MAPPA Offenders who:

MAPPA Offenders who:

- are serving a prison sentence and are due for release or are subject to a Community Order, who have been assessed as having an accommodation or resettlement need, and where this need has been assessed as being most appropriately met within Cambridgeshire and Peterborough, usually by virtue of a local connection to one or more of local authority areas or because they are unable to return to the area where a local connection is held (ie as a result of bail conditions).
- are likely to be owed a homelessness duty by one or more local authorities (this will be decided by the local authority to which the case is referred). In addition, the location and views of victims will also be taken into consideration by the housing authority as far as reasonably practical.

8. HOUSING OPTIONS APPROACH

It is recognised that many people consider a social housing tenancy to be preferable due to the perceived stability this offers. However, there a very high levels of demand for social housing and it is expected that organisations involved in supporting the offender must agree to a range of housing options being fully explored. It is expected that the Offender Manager will encourage the Offender to engage with the Housing Options process and will not assume that a social housing tenancy can automatically be provided.

It is also agreed that Housing Advice and Options Services will view the request for housing as flexibly as possible within the limits of available stock and existing allocation policies. For example, Housing Advice and Options staff could consider awarding a band B for homelessness prevention work and/or considering a direct let of social housing (subject to availability) rather

MULTI AGENCY PUBLIC PROTECTION ARRANGEMENTS FOR CAMBRIDGESHIRE AND PETERBOROUGH JANUARY 2017

PROTOCOL FOR HOUSING HIGH RISK OF SERIOUS HARM OFFENDERS

than encouraging an applicant to make a homeless application if there is a high risk of the applicant being found intentionally homeless.

This approach is consistent with the Housing Options approach already adopted by many Housing Advice and Options Teams and should not be viewed as offering undue preference to serious offenders but as the Local Housing Authority exercising its duty to co-operate under the terms of the MAPPA guidance. After a decision has been reached at a MAPP meeting, the appropriate Housing Advice and Options Service will arrange a Housing Options interview with the Offender (ideally this should be face to face, but could take place by telephone or video conferencing).

During the housing options interview, a range of options will be discussed with the offender as appropriate. The options available to each Housing Authority will vary but are likely to include the following:

- Private Rented Housing – some authorities will have a rent deposit scheme and/or operate a Settled Homes scheme although eligibility may vary.
- Supported Housing –there is a range of supported accommodation throughout Cambridgeshire some of which will consider offenders subject to risk assessments. Provision includes hostels and accommodation with floating support.
- Social Rented Housing – demand for social housing is high and there is a limited supply, however in some cases this option may be possible.

In the event that a Housing Options service are required to provide temporary accommodation (TA) under the terms of the homeless legislation it is expected that the Housing Options Service will share information provided by the Probation and Police with the TA provider in order to ensure the safe management of the premises. It is also recognised by all parties that, unless the Local Housing Authority is given reasonable notice, it is unrealistic for other agencies to expect that appropriate accommodation can be identified.

9. REGISTERING AN OFFENDER FOR SOCIAL HOUSING

Following the Housing Options interview, if the offender chooses to register for social housing the Housing Options Service will be responsible for taking the application and assessing the relevant priority band. Peterborough Housing Options Service will note on the application that the offender requires housing under the MAPPA arrangements and the offender will then be expected to bid for properties.

In the event that they make a successful bid, it will be the landlord's responsibility to contact the Probation and Police service to make enquiries as to the suitability of the housing. Within Cambridgeshire the possibility exists to offer properties on a direct let basis in certain circumstances. A decision will be made at the MAPPA case meeting as to whether it is appropriate to allow

MULTI AGENCY PUBLIC PROTECTION ARRANGEMENTS FOR CAMBRIDGESHIRE AND PETERBOROUGH JANUARY 2017

PROTOCOL FOR HOUSING HIGH RISK OF SERIOUS HARM OFFENDERS

an offender to bid for properties or whether a greater likelihood of successful re-housing will be achieved through a direct let.

In any event, the offender's Home-link application will be red flagged so that landlords are aware that further information should be obtained before accepting the applicant for re-housing. In the event that a direct let is agreed, the relevant Housing Options Team will proactively contact social landlords in the area who may be able to offer an appropriate property. It is expected that in these circumstances the Housing Options Team will share information made available to them by the Police and Probation Service, although landlords can also contact the Police and Probation direct for further information.

10. MONITORING ARRANGEMENTS

Local Housing Authority partners require regular monitoring information on the placement of offenders. This is to allow the SMB an overview to understand the spread of offenders and to allow housing teams to make informed decisions about the number of offenders in any one area and about future placements. Exact monitoring information will be agreed annually at SMB.

11. INFORMATION SHARING ARRANGEMENTS

All social landlords and Local Authorities operating in Peterborough and Cambridgeshire will be encouraged to enter into an Information Sharing Agreement (ISA) although it is recognised that under data protection information can be shared in the interests of public safety.

MAPPP meeting, which will fully inform the risk management process. All information disclosed prior to and between MAPPP meetings must be in line with the appropriate information-sharing agreements relating to this protocol. All correspondence from LHAs, RSLs and housing register administrating agencies to the offender will be copied to a named individual specified by the MAPPP meeting, normally a representative of the Lead Agency

12. Freedom of Information Act and Data Protection Act Requests

Where a FOIA or DPA request is received, this should be passed to the MAPPA Manager who will discuss and agree the correct response (possibly in conjunction with the Police Data Protection Officer).

13. Media Interest

Where it is anticipated, or known, that media interest in a HROSH offender is likely, the MAPPA Manager must be notified at the earliest opportunity so that a MAPPP meeting can be convened to develop a media strategy and consider any implications. If hostile media interest occurs subsequently, it is important that the MAPPA Manager and the Police are immediately appraised

MULTI AGENCY PUBLIC PROTECTION ARRANGEMENTS FOR CAMBRIDGESHIRE AND PETERBOROUGH JANUARY 2017

PROTOCOL FOR HOUSING HIGH RISK OF SERIOUS HARM OFFENDERS

and that effective liaison takes place between the involved agencies. Any amendment to the Risk Assessment or housing recommendations resulting from media interest will be communicated to all involved parties by the MAPPA Manager at the earliest available opportunity.

14. Review

This protocol will be reviewed **annually** by the MAPPA Strategic Management Board, and any amendments will be added after consultation with and the consensus of all signatories.