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**To: Education and Children Policy Board**

**On: 21 January 2016**

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**Report by: Director of Children's Services**

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**Heading: Joint Thematic Review of Multi Agency Public Protection Arrangements (MAPPA) in Scotland**

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## **1. Summary**

- 1.1. The Education and Children Policy Board is asked to note the publication of the Joint Thematic Review of MAPPA in Scotland on 26 January 2016 by the HM Inspectorate of Constabulary in Scotland and the Care Inspectorate <http://cinsp.in/MAPPAreport>, its recommendations and areas for development. The report includes information with regards to the extent that North Strathclyde Community Justice Authority (NSCJA) and Renfrewshire Council's existing processes or planned developments address these, and where further work will be required.
- 1.2. A report was presented to the Social Work Health and Wellbeing Board in January 2015 advising of this planned review. The Care Inspectorate and HM Inspectorate of Constabulary in Scotland (HMICS) had given a commitment to work collaboratively with other scrutiny bodies to undertake a proportionate, risk-based and intelligence led review of MAPPA in Scotland. The report advised that the thematic review would take place at Community Justice Authority (CJA) level from October 2014 and would require a CJA self assessment and position statement to be provided and scrutiny activity including case file analysis, focus groups, fieldwork including observation of MAPPA meetings to be undertaken. The indication was that a national report would be published in Autumn 2015.
- 1.3. The review report was published on 26 November 2015. The main findings are positive. It identified that there is strong evidence that MAPPA is well established across Scotland and that Responsible Authorities (Local Authorities, the Scottish Prison Service, Police Scotland and Health Boards for Restricted Patients) through joint working and information sharing discharge their duties effectively. While MAPPA cannot entirely eliminate risk, arrangements are working effectively and make a critical contribution to keeping people and communities safe.

It also note that the overall efficiency in risk management could be improved by implementing a more proportionate and consistent approach through streamlining processes and reducing unnecessary bureaucracy.

- 1.4. The review report makes 10 recommendations which require a multi-agency response facilitated by the Scottish Government to set policy and a strategic framework to strengthen the future delivery of MAPPA in Scotland. It also highlighted 17 areas for development across key processes that can be delivered locally and at an operational level.
  - 1.5. The 10 recommendations include: attempts to establish consistency through setting minimum parameters for assessments informing accommodation, and for the management of level 1 offenders, guidance to assess risk of the increasing number of internet offenders, guidance for staff on assessing social media devices, a strategy to address the risks of 'sexting', overcoming burdens to VISOR use, a national public engagement strategy for MAPPA, trend analysis to assist planning and a process to maximise development from Initial and Significant Case Reviews.
  - 1.6. The 17 areas for development include: ensuring risk assessments are up to date, that staff are aware of how to assess and work with female and young sexual offenders, early intervention and diversionary measures for internet offenders, ensuring that MAPPA is part of a wider public protection strategy, that staff can contribute to organisational development, and that areas should have more structured approaches to self assessment.
  - 1.7. The Scottish Government and Responsible Authorities will be asked to provide an action plan in response to the recommendations and progress against the plan will be monitored, and findings published in line with HMIC and Care Inspectorate annual reporting processes. Further information is required as to how this will be taken forward.
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## **2. Recommendations**

- 2.1. The Education and Children Policy Board is asked to note:
    - (a) The publication of the report, the Joint Thematic Review of MAPPA in Scotland on 26 November 2015.
    - (b) Work planned or undertaken across North Strathclyde Community Justice Authority and Renfrewshire Council to meet these recommendations or areas for development.
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## **3. Background**

- 3.1. On 13 January a report titled Update on Multi-Agency Public Protection Arrangements (MAPPA) was provided to the Social Work Health and Wellbeing Board.

- 3.2. The report informed that Multi-Agency Public Protection Arrangements (MAPPA) was established by the Management of Offenders (Scotland) Act 2005 and introduced in 2006. To date they have involved the management of sexual offenders. Whilst individual local authorities manage the operational arrangements for their service users, strategic oversight and management is undertaken across North Strathclyde Community Justice Authority (NSCJA), with one MAPPA co-ordination unit based in Inverclyde, and NSCJA operational and strategic groups. It had been recognised that no national review had taken place since the introduction of these arrangements.
- 3.3. The purpose of the joint thematic review was to assess the state, efficiency and effectiveness of the MAPPA in Scotland, in terms of keeping people safe and reducing the potential risk of serious harm by registered sex offenders in our communities. The review took place at Community Justice Authority (CJA) level.

The review consisted of:

- Analysis of Significant Case Reviews and current research
  - A quantitative analysis of the Violent and Sex Offender Register (ViSOR)
  - Submission of a Position Statement from Strategic Oversight Groups
  - Fieldwork activity including case file analysis, observation of MAPPA meetings and focus groups with a range of key staff.
- 3.4. The report informed that a joint national report with recommendations would be published in Autumn 2015, provided to the Cabinet Secretary for Justice and made available on the care Inspectorate and HMIC websites, and that a report would be brought to board to update on the outcome and recommendations made.
- 3.5. On 26 November 2015 HMIC and the Care Inspectorate published the report The Joint Thematic Review of MAPPA in Scotland. <http://cinsp.in/MAPPAreport>
- 3.6. Key finding of the report were that:

Outcomes and impact:

- MAPPA arrangements were well established across the country and that the Responsible Authorities have robust arrangements in place to manage registered sex offenders (RSO) through joint working and information sharing. That whilst they cannot entirely eliminate risk, arrangements are working effectively and make a critical contribution to keeping people and communities safe.
- That a range of skilled professionals are working effectively on a multi-agency basis to protect communities from harm and promoting community integration.
- That RSOs are being managed at the appropriate risk management level ensuring effective assessment of risk and thus resources are being directed appropriately.

- Where an RSO comes to the attention of the police for further offending it is primarily for failure to comply with the notification requirements e.g. failure to register annually, or a change of address, bank details etc as opposed to the commission of serious offences either sexual or violent. Thus despite increasing numbers being managed in the community compliance with requirements is high and reoffending rates low.

#### Delivery of Services:

- That National risk assessment tools are being used effectively and in accordance with national guidance.
  - That the Sex Offender Liaison (SOLO) role within housing has strengthened the assessment and planning for manageable accommodation. That all Strategic Oversight Groups having environmental risk assessment (ERA) processes in place to assess accommodation and that there is evidence of effective communication and strong multi-agency working arrangements in the delivery of these assessments.
  - That increasing numbers of RSOs managed at Level 1 (routine risk management) relates partly to increasing numbers of internet offenders and an increased reporting of sexual crimes.
  - That level 2 (multi-agency risk management) meetings are well planned and meaningful however efficiency can be improved through the developments suggested.
  - That Level 3 (Multi Agency Public Protection Panels, MAPPP) for those posing greatest risk appropriately receive a more intensive level of management and are carried out to a very high standard and commensurate with the level of risk imposed.
- 3.7. The report highlighted that whilst MAPPA is effective in contributing to keeping people safe, overall efficiency in the management of risk could be improved by implementing a more proportionate and consistent approach through streamlining processes and reducing unnecessary bureaucracy.
- 3.8. The report made 10 recommendations which require a multi-agency response facilitated by the Scottish Government to set policy and a strategic framework to strengthen the future delivery of MAPPA in Scotland. It also highlighted 17 areas for development across key processes that can be delivered locally and at an operational level.
- 3.9. The following informs regarding the recommendations and areas for development and work undertaken or planned across NSCJA as they relate to the themes identified.

#### Recommendations:

**1: Scottish Government in partnership with Responsible Authorities should work together to produce additional guidance on the parameters and minimum practice standards for conducting an Environmental Risk Assessment which is proportionate, practicable and sustainable.**

This is currently being reviewed by a Scottish Government Short Life Working Group, whose membership includes Police and Social Work representatives. NSCJA has an agreed ERA process.

**2: Scottish Government in partnership with the Risk Management Authority and Responsible Authorities should provide additional guidance to enable staff to better assess the risk posed by internet offenders.**

A Practitioners Development Day focussing on Internet Offending has already been organised by NSCJA for the 15 December 2015.

**3: Scottish Government in partnership with Responsible Authorities should undertake a technical capacity and capability review of equipment, training and guidance required to support staff in monitoring the use of social media devices by registered sex offenders to ensure compliance with licence conditions.**

Within Renfrewshire a Practice Development session is being organised in early 2016 to enable greater confidence for staff with regards to these assessments.

**4: Scottish Government in partnership with Responsible Authorities should develop a strategy to address the risks posed to children and young people from 'sexting' in order to build healthy respect and avoid the potential for exploitation and criminalisation.**

This is an issue already identified by the Renfrewshire Child Protection committee. Work is already underway within Renfrewshire and criminal justice social work will link with Child Protection Committee partners to consider what further work is required.

**5: Scottish Government in partnership with Responsible Authorities should collaborate in order to develop minimum practice standards for the management of Level 1 registered sex offenders in order to support consistent and efficient practice.**

A Level 1 Audit Tool has been developed in NSCJA, piloted during 2015 and an audit will take place in early 2016.

**6: Scottish Government in partnership with Responsible Authorities should review the function and role of the MAPPA Co-ordinator to ensure compliance with agreed guidance and to meet the challenges of the MAPPA extension.**

Work is underway nationally to extend MAPPA to high risk violent offenders who require multi-agency management, and preparation is taking place locally to ensure that this can be taken forward.

**7: Scottish Government should lead on the development and delivery of an action plan in order to overcome the barriers to the effective and efficient usage of Visor by Criminal Justice Social Work, outlining owners and timeframes.**

Visor National Systems Service has been liaising with the Home Office to develop an agreement and procedure to firstly allow the relocation of the Visor stand-alone terminal into an open plan office area and secondly the development of the introduction of Visor onto desktop terminals.

**8: Scottish Government in partnership with Responsible Authorities should design a national public engagement strategy regarding offender management that includes the management of registered sex offenders in the community.**

Within Renfrewshire the NSCJA MAPPA annual reports are provided on the Criminal Justice website and MAPPA was part of a wider public protection stall at the child protection conference in 2014. However guidance is required nationally given the emotive nature of this service user group which also generates extensive and growing media interest.

**9: Scottish Government in partnership with Responsible Authorities should establish a robust national governance structure to develop and utilise trend data relating to sex offending to better inform strategic planning for the continued effective and efficient delivery of MAPPA.**

This is required given increasing numbers and significant resource expectations regarding the management of this offender group.

**10: Scottish Government in partnership with Responsible Authorities should develop and introduce a structured and standardised process to maximise the learning and development emanating from both Initial Case Reviews and Significant Case Reviews (SCRs).**

Within NSCJA the MAPPA Operational Group considers the learning from all national and local SCR, enabling consideration within Renfrewshire of implications and areas for development. The NSCJA MAPPA Unit is developing training days for both Managers and practitioners in ICR and SCR.

**3.10 Areas for development:**

**The report identified 17 areas for development across key processes that can be delivered locally at an operational level. They are directed primarily at Strategic Oversight Groups and Responsible Authorities. The report advises that there is confidence that they have the capacity to take forward the areas for development and where implemented that this could improve overall efficiency in the management of registered sex offenders.**

**1: Responsible Authorities should ensure that all Stable and Acute 2007 (SA07) assessments are current and updated in accordance with national guidance and circulars.**

NSCJA created internal guidance to assist staff in understanding expectation and there is oversight by Social Work Managers through supervision and the chairing of MAPPA.

**2: We encourage Responsible Authorities to explore best practice approaches to ensure that staff are equipped to assess the risks and needs of female sex offenders.**



There are no specific tools for the assessment of female sexual offenders as numbers are very small, however when required up to date research is used to inform assessment and intervention. A joint awareness presentation is also being organised by NSCJA and Ayrshire CJA

**3: Strategic Oversight Groups should ensure that members of staff have the required knowledge and skills to undertake the assessment of the risk posed by young people subject to MAPPA.**

Within Renfrewshire criminal justice and youth justice staff are trained in the most up to date and nationally agreed tools for assessment and intervention.

**4: Whilst overall, MAPPA meetings were well planned and effective; we identified a number of areas for development which, if addressed, could improve the overall efficiency of the process. These are attendance, scrutiny of minutes and actions, use of pre information sharing and training.**

Within NSCJA pre-information sharing report templates are used for all MAPPA meetings, all actions are covered at each meeting to ensure compliance and minutes are approved at managerial level. Further MAPPA chair training is planned for 2016.

**5: As a result of the increasing number of internet related sex offenders becoming subject to MAPPA, early intervention and diversionary approaches aimed at addressing the risk posed by such offenders should be further scoped by Responsible Authorities in partnership with the Scottish Government.**

The Criminal Justice Services Manager in Renfrewshire, sits on the sex offender programme board chaired by Scottish Government, however this programme can be limited in relation to the range of risks presented by internet offenders, work is required in this area.

**6: Strategic Oversight Groups should ensure that MAPPA forms part of an integrated public protection strategy.**

Within Renfrewshire MAPPA reporting arrangements are to Public Protection Chief Officer's Group chaired by the Chief Executive. The Criminal Justice Services Manager provides regular updates to this Group. The Criminal Justice Services Manager sits on the Adult Protection Committee and is a member of the Alcohol and Drug Partnership Group.

**7: Strategic Oversight Groups and Responsible Authorities should develop and implement a more structured approach to self-assessment.**

Renfrewshire Criminal Justice Service has created additional quality assurance capacity in 2015 to assist with ongoing self-assessment. We also participate in the programme of performance management and audit led by the Strategic Oversight Group.

**8: Strategic Oversight Groups should introduce a mechanism which ensures that staff from Responsible Authorities are provided with key information regarding the strategic direction of MAPPA and have an opportunity to contribute to organisational development.**

The MAPPA Operational Group involves staff within development days, training and developmental working groups, however recognises that further work is required to fully involve staff in organisational development.

**9: Strategic Oversight Groups should explore additional opportunities for the delivery of multi-agency training.**

All NSCJA training directly provided or arranged is on a multi-agency basis.

**10: We found evidence of strong local engagement where co-location of staff responsible for delivery of MAPPA was established, providing an enriched understanding of roles, responsibilities and enhanced partnership working.**

There are some local authorities within Scotland where there are co-located police and social work staff to manage this service user group. However within Renfrewshire co-working relationships are extremely positive despite being based in different offices. Critically criminal justice social work staff are presently co-located with childcare and adult services social workers ensuring appropriate co-working across service user groups within the council.

Furthermore this client group although increasing remains a small part of the caseloads of criminal justice fieldwork staff. The creation of a small team to achieve co-location would result in reduced across the teams which would undermine the redesign of criminal justice services for the past few years to address this issue. This is also not an area of practice that many criminal justice staff would want to undertake on a full time basis.

**11: It is essential that Strategic Oversight Groups review Information Sharing Protocols to ensure that Registered Social Landlords (RSLs) are clear on their responsibilities and have signed relevant agreements.**

The Sex Offender Liaison Officer (SOLO) based within Renfrewshire Housing has clear agreements in place with RSLs enabling the housing of RSOs within a wider range of providers.

**12: Where the NHS had an integrated single point of contact at the Strategic Oversight Group for all MAPPA related matters, we saw enhanced information exchange which had a positive impact on risk management planning.**

NHS Greater Glasgow and Clyde is represented at the Strategic Oversight Group and a Central Point of Contact is in place. Within NSCJA the Criminal Justice Services Manager has led on the development of the health referral protocol. This seeks information from health staff and enables the provision of information to ensure that those involved are aware of potential risks. Where essential GPs and other health staff involved with RSOs will attend MAPPA meetings.

**13: Strategic Oversight Groups and NHS should deliver additional introductory level training for health and care staff.**

NSCJA has provided inputs to staff and health staff have been invited to multi-agency development days, an input is planned to Consultants in March 2016.



**14: Health Boards should ensure that there is an appropriate long term arrangement in place to maintain compliance with Visor standards.**

**15: The Scottish Prison Service (SPS) should monitor and maintain the continued improvement in the use of Visor.**

VISOR within SPS and Health Boards consists of a small number of terminals at Headquarters, present arrangements would require to be assessed.

**16: Responsible Authorities in partnership with the Scottish Government should provide opportunities to raise awareness of the release processes, including the role of the Parole Board, in order to enhance planning and mitigate risk for those released into communities.**

Within Renfrewshire pre-release MAPPA meetings are held to enable information provision and multi-agency discussion as early as required for those being released into communities. Renfrewshire criminal justice custody throughcare staff are also involved with such offenders for the duration of sentence.

**17: The process of engagement with victim support services could be further improved through involvement with Strategic Oversight Group chairs at a National Level.**

Victim Support Scotland are represented on the NSCJA MAPPA Operational Group within NSCJA. However this would require to be taken forward by the national group.

- 3.10. The report informs that the Scottish Government and Responsible Authorities will be asked to provide an action plan in response to the recommendations and progress against the plan will be monitored, and findings published in line with HMIC and Care Inspectorate annual reporting processes. This report is national and does not provide specific feedback on a CJA basis. Arrangements have been put in place for Inspectors to discuss the findings of the report with SOGs. This took place in NSCJA scheduled on 3 December 2015.

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## **Implications of this report**

### **1. Financial Implications**

The MAPPA budget is provided to Inverclyde Council to finance the MAPPA unit, there is no specific funding for operational management of the MAPPA process within S27 criminal justice funding. Work is underway to explore any potential costs associated with the extension to violent offenders.

### **2. HR and Organisational Development Implications**

None.

### **3. Community Plan/Council Plan Implications**

Safer and Stronger: Robust MAPPA arrangements manage the risks presented by Registered Sexual Offenders in Renfrewshire and thus contribute to Renfrewshire residents believing that Renfrewshire is a safer place to reside.

- 4. Legal Implications**  
None.
- 5. Property/Assets Implications**  
None.
- 6. Information Technology Implications**  
None known at this time, however changes to VISOR may impact on Council provision.
- 7. Equality and Human Rights Implications**  
The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because for example it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
- 8. Health and Safety Implications**  
None.
- 9. Procurement Implications**  
None.
- 10. Risk Implications**  
Renfrewshire Council is a Responsible Authority under the Management of Offenders Act 2005, any inability to manage the MAPPA processes would thus present a risk to the Council.
- 11. Privacy Impact**  
None.

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## List of Background Papers

None.

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**Children's Services**

AS/DH

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