



Lettings

Multi-Agency Public Protection Arrangements (MAPPA) Policy

Regulation and Legislation	This policy links to The Criminal Justice Act (2003); the MAPPA Guidance 2012 (versions 4 and 4.5) issued by the Ministry of Justice, National Offender Management Service and HM Prison Service; Neighbourhood and Community Standard (RSH Regulatory Standard).
Supporting documents	Anti-Social Behaviour Policy, Domestic Abuse Policy, Hate Incidents Policy, Lettings Policy, Safeguarding Policy, Tenure Policy, Tenancy Fraud Policy, Account Markers Policy
Scope	This policy outlines the role and responsibility of Orbit as Registered Provider in working together with other professional organisations in managing certain sexual and violent offenders. It relates to any person our employees, agents or contractors come into contact with whilst at work.
Reference to "Orbit" means Orbit Group which consists of Orbit Group Limited, Orbit Housing Association Limited, Orbit Homes (2020) Limited, Orbit Treasury Limited and Orbit Capital Plc.	

1. Introduction

- 1.1 This policy demonstrates our strong commitment to supporting MAPPA and outlines our response to requests to house individuals released into the community from prison and other secure establishments.
- 1.2 This policy links to a number of our policies including Lettings and Allocations, Anti-Social Behaviour, Domestic Abuse, Hate Incidents, Safeguarding and Tenancy Fraud. It also links to our Tenancy Policy and to the Neighbourhood and Community Standard (RSH Regulatory Standard).
- 1.3 This policy relates to any person our employees, agents or contractors come into contact with whilst at work.
- 1.4 The Criminal Justice Act 2003 provided for the establishment of MAPPA in each of the criminal justice areas in England and Wales. This Policy is designed to ensure that we work in accordance with the guidance set out in the MAPPA Guidance 2012 (versions 4 and 4.5) issued by the Ministry of Justice, National Offender Management Service and HM Prison Service and located at <https://www.gov.uk/government/publications/multi-agency-public-protection-arrangements-mappa--2>

2. Policy statement

- 2.1 MAPPAs are a set of arrangements to assess and manage the risk posed by certain sexual and violent offenders. They bring together the Police, Probation and Prison Services into what is known as the 'Responsible Authority' (RA). MAPPAs are not a statutory body but are the mechanism through which agencies can better discharge their statutory responsibilities and protect the public in a coordinated manner.
- 2.2 The Responsible Authority is the primary agency for MAPPAs and has a duty to ensure that the risks posed by specified sexual and violent offenders are assessed and managed appropriately.
- 2.3 The purpose of MAPPAs is to ensure more comprehensive risk assessments are completed by taking advantage of coordinated information sharing across agencies and to direct the available resources to best protect the public from serious harm.
- 2.4 A number of other agencies are under a duty to co-operate with the Responsible Authority, and these include:
- Adult Social Services
 - Children's Services
 - Electronic Monitoring Providers
 - Health Trusts and Authorities
 - Local Authority Housing
 - Registered Providers
 - Youth Offending Teams
- 2.5 These are known as Duty to Co-operate (DTC) agencies and their purpose is to co-operate with the Responsible Authority in its task of assessing and managing risk and we acknowledge our role as a DTC agency.
- 2.6 **Section 325(6)** of the Criminal Justice Act 2003 ("CJA 2003") sets out a reciprocal duty on the Responsible Authority to co-operate with us as a DTC agency.
- 2.7 It should be noted under the Act that we are required to co-operate as far as we can do so and only if consistent with the exercise of our other statutory functions and obligations and that these are not compromised by MAPPAs. Further, the guidance states that we should not feel pressured to agree to a course of action which we consider to be in conflict with our statutory obligations and wider responsibility for public protection.
- 2.8 **Section 325(4)** of the CJA 2003 states that the duty to co-operate may include the exchange of information (see chapter 9 of the guidance).
- 2.9 **Section 325(5)** of the CJA 2003 requires the Responsible Authority and each DTC agency to draw up a memorandum setting out how they are to co-operate.
- 2.10 There are three categories of offenders eligible for MAPPAs:
- **Registered Sexual Offenders (Category 1)** - Sexual offenders who are required to notify the police of their name, address and other personal details and of any subsequent changes;

- **Violent Offenders (Category 2)** - Offenders sentenced to imprisonment/detention for 12 months or more, or detained under hospital orders. This category also includes a small number of sexual offenders who do not qualify for registration and offenders disqualified from working with children;
 - **Other Dangerous Offenders (Category 3)** - Offenders who do not qualify under Category 1 or 2 but who currently pose a risk of serious harm, there is a link between the offending and risk posed and they require active multi-agency management.
- 2.11 All offenders are assessed to establish the level of risk of harm they pose to the public and from this, a risk management plans is formulated.
- 2.12 There are three levels of risk management mainly based on the level of multi- agency co-operation required and offenders will be moved up and down levels as appropriate:
- **Level 1** - Ordinary management arrangements for offenders who can be managed by one or two agencies e.g. the Police and/or the Probation Service. This will involve the sharing of information where appropriate;
 - **Level 2** - Active multi-agency arrangements for offenders where the ongoing involvement of several agencies is needed. Once at Level 2 there will be regular MAPPA meetings held about the offender;
 - **Level 3** - The same arrangements as Level 2, but tending to be more demanding on resources and requiring the involvement of senior people from agencies who can authorise the use of extra resources e.g. surveillance or emergency accommodation.
- 2.13 The types of sexual and violent offences covered include:
- All registered sex offenders
 - Anyone who poses a sexual or violent risk
 - Domestic Abuse
 - Offences involving violence (even if the conviction wasn't for a violence offence)
 - Specific sexual AND/OR violent offences under Schedule 15 Criminal Justice Act 2003

3. Managing cases

- 3.1 The Responsible Authority is the primary agency and has a duty to ensure that the risks posed by specified sexual and violent offenders are assessed and managed appropriately.
- 3.2 As a Duty to Co-operate (DTC) agency, we recognise our role in co-operating with the Responsible Authority and we will share information as appropriate with a clear aim of protecting our employees, agents, contractors, customers and the wider community.
- 3.3 As a Registered Provider, we may be asked to attend meetings if the subject is directly connected to us in our role as a landlord and we will do so where relevant, or where our contribution would be useful or necessary.
- 3.4 Monitoring of cases within Supported Housing will be completed by the Area Manager for Supported Housing and will feed into the overall reporting for the OML and Head of Support and Service Development.

4. Partnership

- 4.1 As a Registered Provider we have a duty to cooperate, and we will work proactively with the Responsible Authority whilst always being clear about our responsibilities and capabilities. We will share information in line with our **Privacy Policy and the HM Prison & Probation Service MAPPA Guidance 2012 v4.5 (updated July 2019)**.
- 4.2 We will keep a register of MAPPA Coordinators contact details for each area that we operate in. This will be produced and updated annually by the Lettings Services Operations Lead.
- 4.3 We will cooperate with any Serious Case Reviews (SCR) and adopt any lessons learnt.
- 4.4 We will work with Local Authorities to assist them fulfilling their duty to prevent homelessness in line with our 'commitment to refer' obligations.

5. Support

- 5.1 When managing MAPPA cases we will consider early on the support needs of our employees, agents and contractors. Where support needs are identified we will make individuals aware of the support available to them, or we may with permission, make a specific support referral ourselves. We recognise that providing support may fall outside of our role as a landlord and it is in these circumstances that we may signpost to external organisations.

6. Data retention

- 6.1 MAPPA indicators will be reviewed annually, and accounts updated and data disposed of when the MAPPA classification no longer applies. The Lettings team will notify Tenancy Services where they receive notice from a customer with a safeguarding concern on their account (MAPPA will be shown as this so it is not visible in it's true definition) so that any data relating to MAPPA can be disposed of.

7. Roles and responsibilities

- 7.1 An Organisational MAPPA Lead (OML) will be appointed at all times. The OML will be the Head of Service (Lettings) and they will take leadership responsibility for the organisation's arrangements including drawing up memorandums with each Responsible Authority setting out how we will co-operate.
- 7.2 The Lettings Services Operations Lead will be the central point of contact for MAPPA Coordinators and all referrals received will be managed by this role to maintain strict data protection requirements.
- 7.3 As a Registered Provider, we may at our absolute discretion, agree to house Category 1, 2 or 3 offenders assessed at to be at Level 1, 2 or 3 managed via the risk assessment process. For the purpose of clarity, we reserve the right to refuse to house any applicant deemed by us to be a risk to the safety and wellbeing of our customers, employees, agents or contractors. We may also refuse to house any person where the Responsible Authority, or anyone acting on their behalf, fails to disclose information in order for us to make an informed decision.

- 7.4 Dependent on tenure type, the Head of Lettings or the Head of Independent Living will be the ultimate decision maker in respect of whether we agree or not to house an individual after a full assessment has been carried out.
- 7.5 In order to protect our employees, agents and contractors; individuals housed by us will have an 'Account Marker' placed on their tenancy file which will direct enquiries to the Tenancy Services Triage team in order that relevant information can be shared. In addition, and as an absolute minimum, all persons housed by us which are subject to MAPPA will be marked as a two person visit.
- 7.6 Within our Supported Housing Services, lettings are agreed on a local basis which is dependent on scheme specific allocation policies. The above procedures will still apply but this will be led by the head of support and service development, taking into account scheme specific support services and other customers residing at individual schemes which will form part of the multi-agency assessment and allocation procedure.

8. Performance controls and business risk

- 8.1 Monitoring of cases will be by the Lettings Services Operations Lead.
- 8.2 The Lettings Services Operations Lead will report to the OML each July, October, January and April and in-turn, the OML will formally report case numbers and type to the Customer Services Senior Management Team on an annual basis each May.
- 8.3 Orbit will carry out a fundamental review of this policy every three years subject to legal, regulatory changes or in accordance with the agreed Policy Review programme.

9. Essential information

- 9.1 All Orbit policies and procedures are developed in line with our approach to the following, data protection statement, equality diversity and inclusion (EDI) approach, complaints policy and our regulatory and legal obligations to ensure we deliver services in a lawful manner and treat people equally and fairly. Orbit's privacy policy can be accessed on our website www.orbitcustomerhub.org.uk/publications/policies/

EA	Equality Analysis was completed in Sept 2019 and is available to view.
DPIA	A DPIA was approved in July 2022 and is available to view.
Consultation	Internal: Independent Living, Lettings, Tenancy Services
	External: Customers were not consulted due to the legislative and statutory requirements of the policy
Applies to	All employees, agents and contractors

Document control

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Date

Approved by	Customer Services SMT Director of Customer Operations	Apr 2020 Mar 2024
Next review		Mar 2027

Extension date	Extension reason	Approved by

Revision History

Version Number	Date	Comments / Reason for revision
v1.0	Sept 2020	Published
v2.0	Mar 2024	Ownership of the policy has moved from Tenancy Services to Lettings Policy restriction removed (which was “only Category 1 and Category 2 offenders at Level 2 or below deemed through Risk Assessment to be low or no risk are housed”) and consider each case on its merits whilst retaining right of refusal Authorisation by the Head of Lettings (or the Head of Independent Living) rather than Head of Service <u>and</u> Director. 7.6 – added