

National Accommodation Strategy for Sex Offenders

**Guidance on Parameters and Minimum
Standards for Conducting Environmental
Risk Assessments**

November 2017



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1.0 Document Information

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|------------------|---|
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The effectiveness and on-going relevance of this document will be subject to review by the relevant agencies. The next review of this document is due November 2018; however, it will be updated according to significant legislative and policy changes and re-released earlier, if required.

The Scottish Government would like to thank all the practitioners who have contributed their time and expertise during the development of this guidance and in particular those who participated in the multi-agency working group.

2.0 Introduction

It is important to recognise that whilst these recommended parameters and minimum standards are provided as additional guidance to the Responsible Authorities. They are only intended for use by the Responsible Authorities to the extent that such activities are compatible with the exercise by the Responsible Authorities of their statutory functions.

Information held by Responsible Authorities about individuals is covered by the Data Protection Act 1998. The Data Sharing Code of Practice issued by the Information Commissioner <https://ico.org.uk/> deals with a number of important issues such as Data Sharing and the Law; Fairness and Transparency; Security; Governance; and Individuals' Rights, which will help Responsible Authorities comply with these legal obligations. Further advice on information sharing is also detailed in chapter 12 of the MAPPA National Guidance 2016

2.1 Overview

The National Accommodation Strategy for Sex Offenders (NASSO) forms part of the Multi Agency Public Protection Arrangements (MAPPA) and outlines how housing forms an integral part of this process.

The NASSO sets out arrangements for housing offenders who are subject to the sex offender notification requirements (SONR) with particular focus on assessing and managing the risks posed by such offenders living in a particular community, location and property.

Local Authorities, the Police and the Scottish Prison Service as Responsible Authorities (RAs) are required to work together to minimise the potential risk each sex offender may pose.

The effective management of offender's is enhanced by close working relationships and meaningful information sharing arrangements. This would include health boards /NHS and registered social landlords (RSLs). Health boards / NHS and RSLs are duty to co-operate agencies and will work alongside the RAs to identify where applicable, manageable housing and support the management of potential risk.

The prime consideration when assessing the manageability of accommodation for offenders is the safety of the community.

2.2 Purpose

The HM Inspectorate of Constabulary in Scotland and the Care Inspectorate Joint Thematic Review of MAPPA in Scotland published in November 2015 detailed the following recommendation:

“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.”

An “environmental risk assessment” is carried out by the Responsible Authorities to identify whether there are any housing-related risks associated with a particular offender. The assessment brings together information on the offender, proposed property and location and nearby households. This informs the responsible authorities’ decisions on housing the offender in a way that can be used in the risk management of that offender to minimise risks to the community.

Environmental risk assessments must be done collaboratively with individual agencies providing the relevant information that they hold. Where an ERA is required all agencies are implicit in carrying out the assessment.

The Responsible Authority is the lead agency in all cases. Given the ERA process will commence when an individual is convicted and their address registered, in the majority of initial cases the lead agency will be Police Scotland. Criminal Justice Social Work will be the lead agency in all cases where the registered sex offender is subject to any Criminal Justice Licence or Order.

This guidance has been designed to provide Responsible Authorities with minimum practice standards which must be used when carrying out ERAs. Individual agencies will ensure compliance with these standards.

The purpose of these minimum practice standards is to:

- ensure national consistency of the data and information which is considered when carrying out an ERA across all Responsible Authorities;
- provide clear guidance on the information that must be checked when assessing the manageability of accommodation when housing registered sex offenders in local communities.

This document should be read in conjunction with the [National Accommodation Strategy for Sex Offenders](#).

A model ERA template that is Violent and Sex Offender Register (ViSOR)

compatible is provided as part of this guidance. The Responsible Authorities are not obliged to use this if their current arrangements and forms cover the principles of this guidance and the minimum practice standards and guidance.

3.0 Offenders subject of Environmental Risk Assessments

Environmental Risk Assessments must be carried out by Responsible Authorities for:

- every new offender on initial registration and any subsequent change of address.

Thereafter, an annual review will be carried out unless the Responsible Authorities record justifiable and defensible decisions for not completing one for:

- all offenders managed at MAPPA levels 2 and 3;
- all MAPPA level 1 high / very high risk offenders;
- those offenders who are subject of a Sexual Offences Prevention Order or a Risk of Sexual Harm Order;
- those offenders who have committed contact offences¹ against children or adults at risk of harm²;
- any other offender who is subject to notification and it is deemed necessary to do an ERA. For example home leave addresses and additional registered addresses.

¹ A contact offence is:

- any physical sexual contact perpetrated by an offender or performed on an offender;
- inducing a third party/parties to engage in physical sexual contact and
- grooming where an offender arranges to meet or meets with the victim with the intention of having physical sexual contact, whether sexual contact occurred or not.

² An adult at risk of harm is:

- a person who is 18 or over whose ability to protect himself or herself from physical or psychological harm is significantly impaired through physical or mental disability or illness, through old age, or otherwise (as defined for “vulnerable adult” in section 36 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016.

4.0 Timescales for Environmental Risk Assessments

An ERA is accurate at the time it is undertaken, but owing to the continual changing nature of communities, Responsible Authorities must keep them under review. Under MAPPA arrangements, at review meetings housing must be discussed and considered. All registered sex offenders will be subject of an initial ERA (including any subsequent address) and thereafter every year a full review of the ERA will be carried out.

If an annual review is not carried out the Responsible Authorities must fully consider the rationale for not doing so and must document their reasons for taking this decision.

Whilst it is recognised that some cases may be complex and require more in depth research it is recommended as a minimum that an initial ERA should be carried out by all agencies after notification within 7 clear working days (Sex Offender Liaison Officer to have 2 full working days and other agencies 5 full working days to carry out the checks).

As a minimum, an annual review should be carried out by all agencies within 21 clear working days of the date of renewal.

When it becomes known that the circumstances of the registered sex offender or the environment in which they live has changed, Responsible Authorities on a case by case basis can trigger the need for a review of the ERA. The review frequency should be in line with the risks posed. Any changes must be highlighted in ViSOR and any relevant internal management systems.

Responsible Authorities must routinely question registered sex offenders in relation to their current housing, including contact with neighbours and third party visitors such as health visitors and carers. All staff carrying out home visits to registered sex offenders must remain vigilant to changes in surrounding areas/environment/residents. Where concerns or progress are identified, Responsible Authorities must review the risk assessment.

5.0 Minimum Data Standards

5.1 Partner Agency Involvement

| Agency | Contact (Recommended) |
|---|---|
| Local Authority: <ul style="list-style-type: none">▪ Criminal Justice Social Work▪ Children and Families Social Work▪ Vulnerable Adults▪ Education | Team Manager (CJSW) |
| Local Authority Housing Service | Sex Offender Liaison Officer (SOLO) |
| Registered Social Landlord | Link Officer |
| National Health Service | Liaison Officers / Designated Area MAPPA Lead |
| Police | Detective Sergeant – Offender Management Unit |
| Scottish Prison Service | MAPPA Integrated Case Management Coordinator |
| Safeguarding Communities – Reducing Offending (or other organisations providing support where an offender has an intensive support package being provided) | Support Worker |

5.2 Database Checks

These checks are recommended. Not all these databases will need to be checked in every case but will be dependent on the offender and the property being considered. Which agency carries out the checks will depend on access to systems and agreement locally.

| Agency | Database Checks |
|---|--|
| <p>Local Authority Criminal Justice Social Work</p> | <ul style="list-style-type: none"> • Internal Case Management Systems (including children and Families Social work checks) • Adult Protection |
| <p>Local Authority Housing (SOLO)</p> | <ul style="list-style-type: none"> • Council Tax • Housing Benefit Data • Electoral Register • Housing Management / Homeless systems • Private Landlord Registration • Care Inspectorate Website • Accommodation Information including; type, size, tenure type, entrance/door entry, room location and floor plans if available, any general location information considered relevant • Map |

| | |
|----------------------------------|--|
| <p>Police</p> | <ul style="list-style-type: none"> • Violent and Sex Offender Register (ViSOR) • STORM CALL Management System or equivalent • Criminal History System (CHS) • Police National Computer (PNC) • Scottish Intelligence Database (SID) • Vulnerable Persons Database (VPD) • Mapping • Community Officer Local Knowledge • Crime Recording Systems |
| <p>Local Authority Education</p> | <ul style="list-style-type: none"> • School Management Information System (SEEMIS) |
| <p>NHS</p> | <ul style="list-style-type: none"> • Internal Case Management Systems |
| <p>Scottish Prison Service</p> | <ul style="list-style-type: none"> • Prisoner Records Database • Prison Based Social Work File |

5.3 Physical Checks

Once a potential property has been identified for an offender, a physical check must be carried out to identify any potential risk to the community and to the offender. Any concerns must be documented in ViSOR and any other relevant internal management systems. The checks undertaken should take account of any risks that are identified and the specific victim profile. Checks should include the following:

Play Parks
Community Centres
Churches
Shops
Schools/Nurseries
Sheltered housing developments
CCTV Location
Licensed Premises
Children's toys / equipment within gardens
Children's window dressings
Any other significant evidence of a person fitting the victim profile

The majority of cases will be completed by Police Offender Management Unit in collaboration with Local Community Policing. These checks can be carried out by the best placed agency depending on the offender.

5.4 Minimum Parameters

When completing an Environmental Risk Assessment (ERA), the minimum requirement of the properties that should be included as part of the assessment are as follows:

- For multi-story properties; all the properties on the same floor as the address being reviewed.
- For tenement properties; all properties within the same tenement close as the address being reviewed.
- For shared accommodation – all occupants must be checked
- For cottage flats, semi-detached & detached properties; this will be determined on a case by case basis but should include all adjacent properties and may include properties where the garden boundaries border each other.

Depending on the risk the offender poses and taking account of the physical checks the RAs will need to consider on a case by case basis whether the parameters need to be extended beyond the minimum requirement.

5.5 Victims

As highlighted in the MAPPA guidance the RAs must satisfy themselves that they have thoroughly considered the potential risks to which any victim of the offender may be exposed and put in place appropriate robust plans to minimise the likelihood of the offender causing further serious harm. By adhering to these minimum practice guidelines when completing an ERA the RAs will minimise the likelihood of an offender being accommodated within the same neighbourhood locality as a victim.

5.6 Completion of ERA

Before proceeding with an allocation of a property or the annual review process individual agencies are required to sign off their agreement of the ERA. The lead agency will sign off the final decision. The lead agency in each case must thoroughly consider the views and comments provided by all agencies throughout the ERA process, take cognizance of any concerns raised, and fully document their conclusion and reasons for the decisions they have made. On occasions where there is disagreement, a meeting, if required will be called by the RAs and a decision will be reached.

TEMPLATE –ENVIRONMENTAL RISK ASSESSMENT

PART A

| |
|-------------------------|
| OFFENDER DETAILS |
|-------------------------|

| | |
|--|--|
| Name: | |
| D.O.B | |
| Current address: | |
| ViSOR No: | |
| MAPPA Level: | |
| Risk: | |
| Reg. Expires: | |
| | |
| Conviction M.O. (include age and sex of victim): | |
| Victim profile /Location of Victims /relationship to offender: | |
| | |
| Summary of offending behaviour: | |
| Health Issues / adaptation requirements: | |
| Any other relevant info e.g. alcohol, domestic violence: | |
| Reason for ERA request: | |

| | |
|------------------------|--|
| Name/Job title/Agency: | |
| Date referred: | |

PART B

| |
|---------------------------------|
| ADDRESS BEING CONSIDERED |
|---------------------------------|

| | |
|------------------------------|--|
| House No: | |
| Street: | |
| Town: | |
| Postcode: | |
| Property Type/size/location: | |
| Property owner: | |

| | |
|------------------|-------|
| First ERA: | Y / N |
| Review ERA Date: | |

Appendix A contains all relevant addresses and known occupants.

| |
|---|
| CHECKS CONDUCTED – SOLOS / NASSO COORDINATOR |
|---|

| | |
|--------------------------------------|--|
| Date property identified / received: | |
| Date completed: | |

| | |
|---------------------------------|----------|
| Housing System / RSL's: | YES / NO |
| Council Tax / Housing benefits: | YES / NO |
| Private Landlord Registration: | YES / NO |
| Assessors / Voters Role: | YES / NO |
| Care inspectorate web check: | YES / NO |

Comments and Analysis:

Is address recommended as manageable: YES / NO

| | |
|-----------------|--|
| Name/Job title: | |
| Date: | |

| |
|----------------------------|
| SOCIAL WORK SYSTEMS |
|----------------------------|

| | |
|-----------------|--|
| Date received: | |
| Date completed: | |

| | |
|-------------------------|----------|
| CJ Cases: | YES / NO |
| C & F Cases: | YES / NO |
| Adults at Risk of Harm: | YES / NO |

CJ Social Worker Comments and Analysis:

Is address recommended as manageable: YES / NO

| | |
|-----------------|--|
| Name/Job title: | |
| Date: | |

POLICE CHECKS

| | |
|-----------------|--|
| Date received: | |
| Date completed: | |

Appendix Check List:

| | |
|-------------------------------|----------|
| IMAGE / STORM: | YES / NO |
| ViSOR: | YES / NO |
| PNC / CHS2: | YES / NO |
| VPD: | YES / NO |
| SID: | YES / NO |
| Local Crime / PPU Management: | YES / NO |
| OMIS: | YES / NO |
| Community Policing: | YES / NO |

| | |
|------------|--|
| Name/Rank: | |
| Date: | |

POLICE PHYSICAL CHECKS

| | | |
|--------------------------------------|-------|----------|
| ADDRESS | Date: | Officer: |
| PLAY PARKS | Date: | Officer: |
| COMMUNITY CENTRES / LIBRARIES | Date: | Officer: |
| SCHOOLS / NURSERIES | Date: | Officer: |
| SHOPS | Date: | Officer: |
| CHURCHES | Date: | Officer: |
| CHILDRENS TOYS / EQUIPMENT | Date: | Officer: |
| ANY OTHER EVIDENCE | Date: | Officer: |

OMU Analysis and Recommendations:

Is address recommended as manageable: YES / NO

| | |
|------------|--|
| Name/Rank: | |
| Date: | |

OTHER CHECKS – EDUCATION / NHS / SPS /

| | |
|-----------------|--|
| Date received: | |
| Date completed: | |

| | |
|--------------------------------------|----------|
| SEEMIS | YES / NO |
| HNS Internal Case Management Systems | YES / NO |
| SPS Intelligence checks: | YES / NO |

Comments and analysis:

PART C
Approval of Property

| | |
|-----------------|--|
| Date received: | |
| Date completed: | |

| | |
|----------------------|---------------------|
| Approval of Property | YES / NO / DEFFERED |
| Name/Position: | |
| Date: | |

PART D
Decision (where agreement cannot be reached by parties)

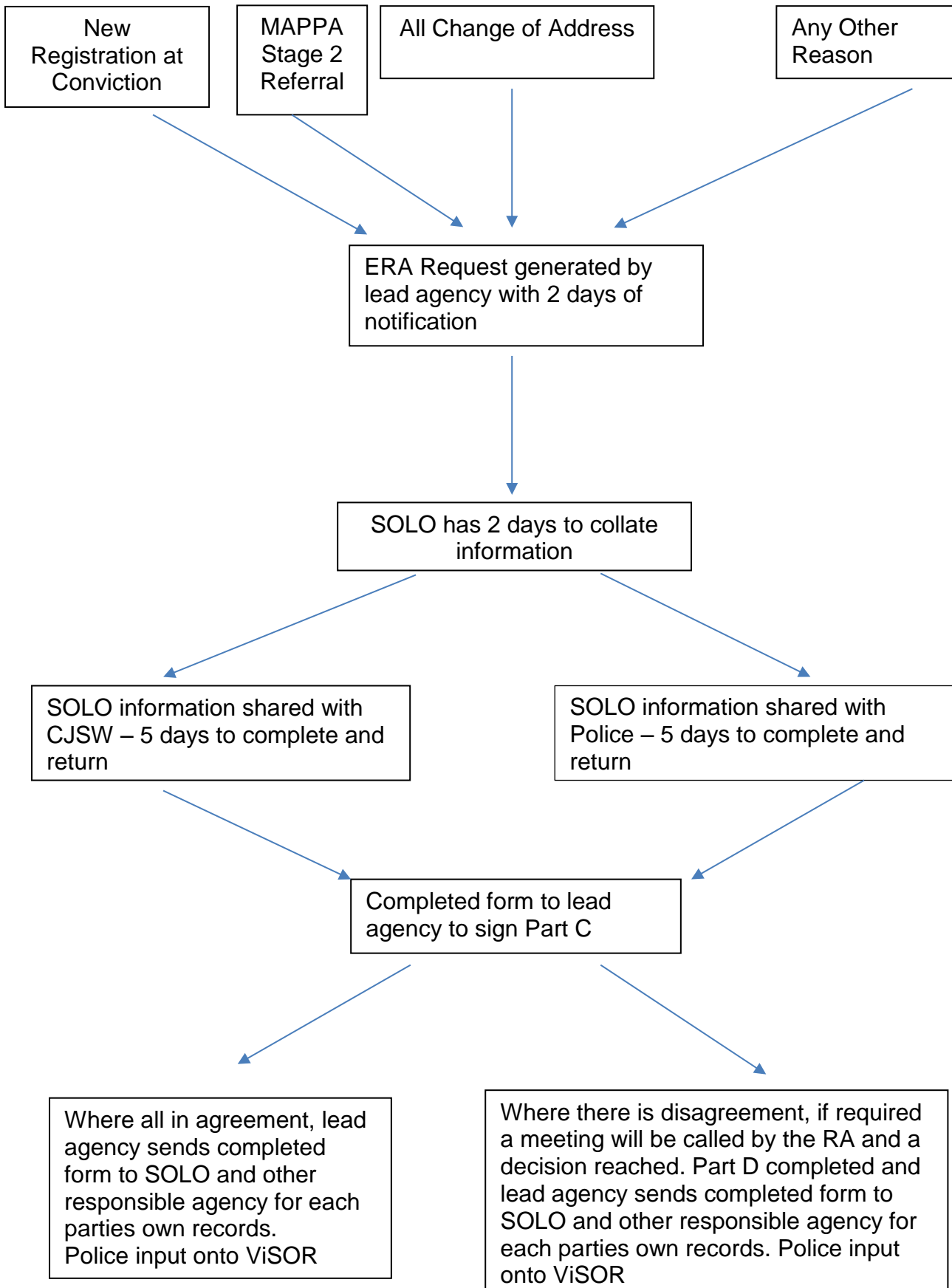
Approval of Property: YES / NO

Comments and Analysis:

| | |
|----------------|--|
| Name/Position: | |
| Date: | |

THIS ENVIRONMENTAL RISK ASSESSMENT WAS CORRECT AT THE TIME OF COMPLETION BASED ON THE ATTACHED COLLATED INFORMATION.

ENVIRONMENTAL RISK ASSESSMENT (ERA) PROCESS FOR EVERY NEW OFFENDER AND CHANGE OF ADDRESS





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