

PERTH AND KINROSS COUNCIL**Community Safety Committee****1 March 2017****Tayside MAPPA (Multi-Agency Public Protection Arrangements)
Annual Report 2015-16****Report by Director (Housing and Social Work)****PURPOSE OF REPORT**

This report introduces the Tayside Multi-Agency Public Protection Arrangements (MAPPA) report for 2015-16.

1. BACKGROUND / MAIN ISSUES

- 1.1 The Management of Offenders etc. (Scotland) Act 2005 introduced a statutory duty on Responsible Authorities (Local Authorities, Scottish Prison Service (SPS), Police Scotland and Health Boards) to establish joint arrangements for the assessment and management of the risk posed by certain offenders who constitute a risk of harm to the public. The Responsible Authorities are required to keep these arrangements under review and publish an annual report.
- 1.2 The development of Multi Agency Public Protection Arrangements (MAPPA) in 2007 introduced a consistent approach to the management of certain high risk offenders, Registered Sex Offenders (RSO) and Restricted Patients (RPs). The fundamental purposes of MAPPA are those of securing public safety and reducing serious harm.
- 1.3 A number of other agencies share a duty to co-operate with the Responsible Authorities. These are commonly known as Duty to Co-operate agencies and examples include housing providers, the voluntary sector and the Children's Reporter. The duty to co-operate includes sharing of information and is reciprocal, in that it is intended as a means of enabling different agencies to work together, within their legitimate or statutory role, whilst retaining responsibility for action.
- 1.4 To further strengthen local MAPPA structures, Strategic Oversight Groups were established in every Community Justice Authority area in Scotland. The Strategic Oversight Group is required to provide effective leadership in terms of the operation of MAPPA, including the governance of consistent policies and processes and robust performance monitoring. The Tayside Strategic Oversight Group meets quarterly to monitor the work of MAPPA and directs local approaches towards the management of high risk offenders. The group is currently chaired by Kathryn Lindsay, Chief Social Work Officer in Angus Council and has a membership of senior representatives from the responsible authorities, Area Procurator Fiscal and Victim Support Scotland. The MAPPA

Co-ordinator and the Chief Officer of the Tayside Community Justice Authority also attend.

- 1.5 Many of the members of this group are also members of other public protection partnerships within Tayside, thus ensuring appropriate links to child protection, violence against women and adults in need of support and protection. This group also scrutinises any national serious case reviews and critical incidents for learning points and monitors performance management of the MAPPA process within the Tayside area.
- 1.6 In March 2016, the MAPPA National Guidance was reviewed and can be found at <http://www.gov.scot/Resource/0049/00495086.pdf>

2. MAPPA ANNUAL REPORT

- 2.1 The Responsible Authorities are required to jointly prepare an annual report and submit it to the relevant Community Justice Authority area. The 2015-16 report for Tayside is attached at Appendix I. This will change following the dis-establishment of the Community Justice Authorities on 31 March 2017 when, the annual report for 2016-17 will be submitted to the newly established body, Community Justice Scotland.
- 2.2 The annual report indicates that the process for assessing and managing high risk of harm offenders continues to work well within Tayside evidenced by the positive partnership working and high rate of offender compliance.

3. JOINT THEMATIC REVIEW OF MAPPA

- 3.1 During 2015 the Care Inspectorate and HM Inspectorate of Constabulary in Scotland carried out a joint thematic inspection of MAPPA in Scotland. The report identified strong evidence that MAPPA was working across Scotland but made 10 recommendations to the Scottish Government to strengthen the future delivery of the process. In addition there were 17 areas for development identified across key processes. These were considered by the Tayside Strategic Oversight Group and incorporated into an action plan to address the relevant areas and ensure consistency of practice and delivery of the process across Tayside.
- 3.2 A copy of the Joint Thematic Review report can be found at <http://www.hmics.org/sites/default/files/publications/Joint%20Thematic%20Review%20of%20MAPPA%20in%20Scotland%20-%202015.pdf>

4. IMPLIMENTATION OF CATEGORY 3 OFFENDERS

- 4.1 On 31 March 2016, Category 3 (violent) offenders were included in the MAPPA process and are termed as *'any person who has been convicted of an offence if, by reason of that conviction, the person is considered by the responsible authorities to be a person who may cause harm to the public'. and: 'by virtue of that conviction is required to be under supervision by any enactment, Order or Licence, and the risk of serious harm posed is high or very high, and assessed as requiring active multi-agency management at MAPPA level 2 or3'*.
- 4.2 The Strategic Oversight Group was instrumental in the planning and preparation for this implementation which included comprehensive training for both social work and Police colleagues across Tayside. While there have always been mechanisms and process in place to manage such offenders, the introduction of this category has formalised the management of those deemed to pose a high and very high risk to the public through a well-established process.

5. CONCLUSION AND RECOMMENDATION(S)

- 5.1 The management of risk within the community presents many challenges and impacts on a number of agencies across organisational boundaries and not least, our communities. As explained in the annual report, it is not possible to entirely eliminate risk but the agencies within Tayside have prior to and since the inception of MAPPA, worked collaboratively and in partnership to manage those people who have committed offences and are a risk to the public. While there are changes ahead in respect of community justice, this will not detract from the purpose of MAPPA and the progress that has been made as we will continue to build on our robust risk management processes and effective and practice.
- 5.2 It is recommended that the Committee note and endorse this report.

Author(s)

Name	Designation	Contact Details
Diane Fraser / Colin Johnston	Heads of Adult Social Work and Social Care	DFraser@pkc.gov.uk / CJohnston@pkc.gov.uk

Approved

Name	Designation	Date
Bill Atkinson	Director (Housing and Social Work)	25 January 2017

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.

1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	Y
Corporate Plan	Y
Resource Implications	
Financial	N
Workforce	N
Asset Management (land, property, IST)	N
Assessments	
Equality Impact Assessment	N
Strategic Environmental Assessment	N
Sustainability (community, economic, environmental)	N
Legal and Governance	N
Risk	N
Consultation	
Internal	N
External	Tayside Community Justice Authority
Communication	
Communications Plan	N

1. Strategic Implications

Community Plan / Single Outcome Agreement

1.1 This report supports the following outcomes of the Community Plan / Single Outcomes Agreement in relation to the following priorities:

- (i) Giving every child the best start in life
- (ii) Developing educated, responsible and informed citizens
- (iii) Promoting a prosperous, inclusive and sustainable economy
- (iv) Supporting people to lead independent, healthy and active lives
- (v) Creating a safe and sustainable place for future generations

Corporate Plan

1.2 This report supports the following outcomes of the Community Plan / Single Outcomes Agreement in relation to the following priorities:

- (i) Giving every child the best start in life;
- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and
- (v) Creating a safe and sustainable place for future generations.

2. Resource Implications

Financial

2.1 There are no financial implications arising from this report.

Workforce

2.2 There are no workforce issues arising from this report.

Asset Management (land, property, IT)

2.3 There are no asset management issues arising from this report.

3. Assessments

3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties. This section should reflect that the proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

(i) Assessed as **not relevant** for the purposes of EqIA

Strategic Environmental Assessment

3.2 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals. However, no action is required as the Act does not apply to the matters presented in this report. This is because the Committee are requested to note the contents of the report only and the Committee are not being requested to approve, adopt or agree to an action or to set the framework for future decisions.

Sustainability

3.3 There are no issues in respect of sustainability.

Legal and Governance

3.4 This report contains no issues which would have a legal or governance impact on the Council.

3.6 There are no issues of risk arising from the proposals in this report.

4. Consultation

Internal

4.1 None

External

4.2 The Tayside Community Justice Authority has approved this report.

5. Communication

5.1 Not relevant to this report.

6. BACKGROUND PAPERS

No background papers were relied upon during the preparation of this report.

7. APPENDICES

7.1 Appendix 1 – Tayside MAPPA annual report 2015-16