

National Accommodation Strategy for Sex Offenders in Scotland- Review 2018-19

1. Background and context

2. Responses to online survey received

3. Summary of responses by theme

3.1 Updates and references

3.2 Who is covered by NASSO

3.3 Information sharing

3.4 Environmental Risk Assessments

3.5 Roles and responsibilities

3.6 Assessing and managing risk

3.7 Identifying housing

3.8 Allocating housing

3.9 Managing housing

4. Responses by question

5. Practice examples

6. General comments on managing sex offenders in the community

NASSO Review Survey – summary of responses

1. Background and context

The NASSO, which is part of the Multi Agency Public Protection Arrangements (MAPPA), describes how the “Responsible Authorities” (local authorities; housing and social work, Police, Health Boards, Scottish Prison Service), work with the “duty to co-operate agencies”, such as registered social landlords (RSLs) in providing accommodation for released sex offenders. As the current version of the NASSO has been in place since 2012, the purpose of the review is to take account of updates and policy developments and seek views from practitioners on the working arrangements set out in the current strategy. A letter and online survey was sent to all local authority chief executives including MAPPA co-ordinators and sex offender liaison officers, RSL chief officers, all other Responsible Authorities and organisations SFHA, GWSF, CIH and ALACHO.

In addition feedback on NASSO was gathered at three Local Authority SOLO network forums events held in March and August 2018 and January 2019 and two RSL Link Officer events in May and December 2018. These five events were attended by a total of 107 RSL and local authority staff.

2. Responses to online survey received

44 responses to the survey were received, 13 from Local Authorities, 21 from Housing Associations of which 7 were identical to the 1 response received from the NASSO Awareness Group, 2 from Police Scotland, 1 from the Scottish Prison Service and 6 where no contact details were provided.

3. Summary of responses

Most of those who provided a view considered that NASSO was operating well at local level. Respondents gave a wide range of comments and suggestions for updating and including in the strategy.

These suggestions fell into eight key themes of; updates and references, who is covered by NASSO, information sharing, roles and responsibilities, assessing and managing risk, identifying housing, allocating housing, managing housing. Specific views and suggestions are set out below.

3.1 Updates and references

Update information sharing to reflect GDPR and data protection Act 2018.

Amend to include revised allocations reasonable preference categories Housing (Scotland) Act 2014 and Allocations Practice guidance.

Refer to welfare reform, housing benefit 13 week rules, and UC rules.

HARSAG recommendations should be mentioned, particularly focus on permanent housing for homeless groups.

Include reference to Community Justice (Scotland) Act 2016 which places duties on statutory partners who have a key role in improving community justice outcomes.

Should consider and refer to SHORE standards.

Update to refer to MAPPA guidance 2016 and ERA guidance 2017.

3.2 Who is covered by NASSO

Consider including other MAPPA risk groups such as Risk of Serious Harm Offenders along with Mentally Disordered Restricted Patients who are also managed under MAPPA within NASSO

It would be useful/helpful to refer to MAPPA offenders rather than RSOs to cover all categories of offenders managed by MAPPA.

3.3 Information sharing

Explain what Information sharing protocols are.

Cover staff protection arrangements to ensure that RSL and Local Authority housing staff are not being placed in danger when meeting sex offenders on tenancy issues without being informed of their status or through information being withheld.

Information needs to be shared with housing providers where they are being asked to house an individual under NASSO, where an existing tenant is convicted; where an RSO applies for re-housing or where an individual being monitored moves into a current tenancy.

It would be beneficial in managing allocations safely and effectively if information on the individual being managed could be shared

3.4 ERA's

Should include additional guidance on how to monitor changing household composition for ERA and an acknowledgement of resources required for increase in the number of checks.

ERAs do not consider all households using communal stairs etc and focus is on checking the floor where the house is located and those above and below it- this should be covered.

Need to explain what an Environment Risk assessment is.

It is important to highlight in the document that the ERA guidance is minimum guidance and that in many cases further checks are made.

There should be unambiguous national minimum standards for ERA's.

The latest ERA guidance should be reviewed.

3.5 Roles and responsibilities

Include information on the roles of RSL Link officer and Local Authority SOLO. For consistency.

3.6 Assessing and managing risk

Clarification required on who assesses risk-impact assessments should be carried out by the Responsible Authorities involving RSLs

The term “Stable housing” should be clearly defined.

The wording “manageable” and “ unmanageable” should be defined.

RSLs should be key players in the process where they provide housing.

3.7 Identifying housing

Due to finite stock availability, should include something on retention of existing accommodation on release.

Out of area placements need revised and formalised process introduced. Consider introduction of Scotland wide protocol.

RSLs need to have greater involvement in the process including representation at MAPPA meetings.

It is important that the SOLO is involved at the earliest stage possible and should be routinely invited to ICM at SPS or pre-planning/discharge meetings to enable forward planning and take into consideration of all aspects of risk management planning, including assessment of housing need and appropriate supports required to sustain accommodation in the community.

More flexibility needed in parole process- short notice releases and resource implications when holding a property.

3.8 Allocating housing

Need to highlight that if a person is a tenant they will have tenancy rights and cannot be forced to move, must have strong management grounds to do so.

Refer to additional pressures of an ageing population and suitable available stock that meets complex needs.

Concerns that allocating housing on a needs basis results in poorer areas with a higher turnover of housing disproportionately housing sex offenders.

Housing application forms should include a question on the requirement to register as a sex offender and sex offenders should be required to declare their status.

Housing context-The need for transparency and accountability in allocations should be recognised.

A reference to suitability of tower blocks in housing sex offenders should be included. Cosgrove refers- co-locating and the need to avoid networking by sex offenders.

Guidance on handling applications and bids from RSOs where CHRs operate would be helpful.

Clearer guidance on intentionally homeless/ homeless duty discharged would be helpful for consistency.

3.9 Managing Housing

System's need to be in place to record changes in communities where offender is in situ.

Include information on handling future allocations of properties close to where a sex offender lives and a robust system should be introduced to ensure that allocations in proximity to a sex offender are properly assessed through an ERA or equivalent.

RSLs Link Officers should be recognised as a key partner by all local authorities in the MAPPA process, for attendance at meetings, where the offender resides within their stock, this would enable further improvement in sharing appropriate information.

RSLs need to have greater involvement in the process including representation at MAPPA meetings.

4. Responses by question

Q1 - Are there particular sections of the NASSO that you would like to see revised?

YES: 52% (23 responses)	NO: 48% (21 responses)
Experience has been positive From a working experience NASSO fulfils the requirements and ensures public safety Quite happy with how things are working The strategy seems to remain fit for purpose.	

Q2- Should anything be added to NASSO to support practitioners to implement the strategy? If so tell us why

YES 40% (18 respondents)	NO 60% (26 respondents)
See section 3- responses by theme	

Q3 - In addition to the NASSO, practice guidance for local authority housing services and Registered Social Landlords was published by the Chartered Institute of Housing in Scotland in 2007? Are you aware of this?

YES 57%(25 respondents)	NO 43% (19 respondents)

Q4 - If this was updated would it help you to implement the strategy?

YES	68% (30 respondents)	NO	4% (2 respondents)
DON'T KNOW	11% (5 respondents)	OTHER	16% (7 respondents)
Would raise awareness amongst housing providers and would be helpful not just for housing organisations but also other responsible authorities Practitioner guidance is important to support sharing best practice and improve consistency across the sector The CIH guidance would need to be comprehensively reviewed and be relevant for small CBHA.			

Q5 – Do you have any local practice examples of implementing the NASSO that are working well or perhaps not working well that you would like to share with others?

Overview

Most respondents who answered this question highlighted positive examples of partnership working between housing providers and the Responsible Authorities when implementing the NASSO.

Joint working - positive engagement between partners

- We work well with the RSLs as we are a stock transfer local authority
- RSL partners have all seen the benefit to signing information sharing protocols as duty to co-operate agencies, which in turn has supported the SOLO in finding manageable accommodation. RSL partners are happy to have the SOLO deal with all aspects of the housing application and are happy to provide updates.
- Since the ISP has been signed by RSLs and SOLO there has been quite a bit of correspondence in relation to MAPPA client group, been able to link with more RSLs in order to assist with the housing of offenders.
- The NASSO supports the open and regular communication between all agencies.
- Good practice, joint working between Police, SOLO and RSLs.
- Recently undertaken to review MAPPA Protocol with RSLs for housing sex offenders and high risk offenders within our community. These sessions were well attended by the SOLO and Link officers. We have a close working relationship with our SW operations manager and attend ICMs for RSOs due for release. Joint working is carried out in relation to each client's support and housing needs. This is also the same for our colleagues within the offender management unit, robust information sharing carried out daily and assistance with support visits for the more chaotic of clients. We have specialist housing support officers attached to the resettlement team supporting High Risk Offenders in the community, complimenting provision from both police and social work.
- We have a positive partnership approach across our authority and the confidence to work together and challenge practice to result in positive outcomes for all. Robust sharing of information that supports our role with Housing and this approach aids our partners to manage risk in the community. Through the MAPPA Operational group we have implemented a Housing Sub Group chaired by Housing with key partners such as Police, Social Work and Health, which gives consideration to changes in legislation, guidance and areas of improvement that currently impact on Housing or our service users and tenants.

Negative examples / concerns

- Anecdotal evidence of sex offenders being housed through Section 5 referrals, for example, without the RSL being informed of their status.
- There is a possibility that front line housing officers particularly in larger RSLs and Local Authorities are being placed in danger by meeting sex offenders at viewing and tenancy sign ups without being informed of their status.
- Lessons are not learned through recommendations made during Significant Case Reviews, in part, because they are not disseminated to RSL's. They are not generally disseminated widely at all. Although they are “published” on local authority web sites organisations need to look for these and they are hard to track down.

Q6 – Any other comments?

Incorporated into section 3 and section 6

6. General comments on management of sex offenders in the community

All of the following comments were received from the NASSO Awareness Group and the seven identical Housing Association responses.

There should be a review of the Cosgrove (2001) recommendations to revisit those that were not implemented- including a public information strategy on child abuse, publishing information on the incidence of sex offending, the behaviour of sex offenders, the operation of the Sex Offenders Act 1997, the responsibilities of statutory agencies to monitor and supervise offenders, government policy on disclosure, and information about the risks which result from the provision of uncontrolled information to the public about individual sex offenders and their whereabouts.

There is no effort to implement the Cosgrove principle that emphasises gaining the confidence of the public. No research has been carried out on what information can be released to the public or what form this might take. Assumption that public can't be trusted to behave reasonably is outdated. Responsible Authorities should consider and research potential benefits of sex offenders being monitored by the communities they live in.

There should be a comprehensive review of NASSO, involving RSLs. Even this current “review” is limited. The MAPPA review in 2015 specifically excluded NASSO.

Importance of housing-there is no clear or consistent advice on the impact of stable housing. The references cited don't provide evidence as established by ODS Housing registered sex offenders- literature review 2008,

New research into the impact of stable housing on behaviour of sex offenders and the impact of accommodating and managing sex offenders within the community should be carried out.

Research should also be carried out on the use of multi's to accommodate sex offenders.

Housing professionals should be part of internal and significant case reviews and be on the distribution list for significant case review findings. Review findings should be disseminated widely in order that lessons may be learned from their recommendations and recommendations implemented timeously.

There should be an audit of what accommodation might be available to sex offenders in each local authority area, as was required by the Justice 2 Sub Committee (2006) but never carried out.