 

Joint Operating Protocol

For

Multi Agency Public Protection Arrangements (MAPPA)

&

Adult Support and Protection

Reviewed September 2024

Review date: September 2026

**Background**

Multi Agency Public Protection Arrangements (MAPPA) and Adult Support and Protection (ASP) have existing operating protocols and information sharing protocols which will be enhanced by the development of this joint protocol.

Nothing in this joint protocol will compromise the statutory requirements or agreed multi agency protocols for both MAPPA and ASP.

**Aim**

The aim of this protocol is to establish a framework for MAPPA and ASP to work together to enhance public protection and the reduction of reoffending and the risk of harm to adults, whilst recognising the principal differences between MAPPA and ASP.

**Purpose**

This protocol is intended to:

* Enhance the relationship between Lanarkshire MAPPA and Lanarkshire’s Adult Support and Protection processes.
* Ensure the MAPPA and ASP processes successfully support one another
* Ensure that managers and practitioners from MAPPA and ASP understand and respect the commonality and differences between the two processes
* Identify how the two multi-agency forums will engage with each other
* Ensure that effective and proportionate information exchange takes place between MAPPA and ASP
* Set out clear processes to share information
* Establish inter forum referral criteria to ensure the details of offenders / perpetrators are shared between MAPPA and ASP
* Establish structured arrangements to allow the attendance of agency representatives at MAPPA and ASP meetings when appropriate
* Enable each meeting to maintain the most effective support/management plans based on the highest level of interagency cooperation specific to that victim or offender
* Ensure the confidentiality of information within respective partner agencies is adhered to.
* Establish arrangements to review and monitor the effectiveness of the protocol

**General Guidance**

The Chairs of MAPPA and ASP meetings will work together and use their professional judgement to ensure information sharing between both multi agency forums is relevant, necessary, justified and proportionate whilst taking into consideration the Data Protection Act 1998 and the Human Rights Act 1998.

**Information Sharing Between ASP and MAPPA**

All referrals to MAPPA, irrespective of their category or risk level, must be considered against the ASP 3 point criteria, and if the MAPPA Coordinator knows or believes the adult meets the criteria, they should arrange for the Lead Professional to submit an AP1 referral to the locality where the adult currently resides prior to any MAPPA meeting taking place.

This information should be shared within 24 hours so as to minimise risk and should be based on professional judgement, on the proportionality and necessity of subsequent information sharing with partners.

Where the ASP Inquiry with or without Investigative actions indicates a known MAPPA case or a MAPPA Concern, the ASP Lead Professional should contact, when open to Justice Services, the locality Justice Team Leader/ Senior Social Worker or if Police led, the Sex Offender Policing Unit (SOPU). The MAPPA Coordinator can be contacted to provide clarity, as required. The type of information that should be shared at this point is the **name, date of birth, address, need(s) and risk(s) of the perpetrator and any victim.** This information will be shared immediately the same day.

**Referral of Cases from ASP to MAPPA**

An ASP case conference may decide, as part of a protection plan to implement protective measures and minimise risk, by referring the adult at risk or a perpetrator to MAPPA for consideration provided he or she meets the MAPPA eligibility criteria[[1]](#footnote-1) threshold.

These referrals will be based on the level of risk posed by the adult or perpetrator, however, MAPPA will only consider individuals who meet the requirements of Section 10 (1) (a-e) of the Management of Offenders etc. (Scotland) Act 2005[[2]](#footnote-2) which sets out the categories of offender who can be subject to MAPPA. Other risk of serious harm offenders are detailed under section 10(1)(e) as those who, by reason of their conviction, are considered to pose a risk of serious harm to the public.

This category may include:

* offenders who are not required to comply with the Sex Offender Notification Requirements, or
* those who are not mentally disordered restricted patients
* who have been convicted of an offence, and by reason of that conviction are required to be subject to supervision in the community by any enactment, order or license
* are assessed by the MAPPA responsible authorities as posing a high or very high risk of **serious harm** to the public at large
* the risk is assessed as requiring active multi-agency management at MAPPA level 2 or 3.
* This category may also include terrorist or terrorism-risk offenders

The MAPPA Co-ordinator will advise the Chairs from MAPPA and ASP on whether the referral meets the relevant threshold to be managed within the MAPPA framework. For many ASP cases, the circumstances will be discussed before the conclusion of criminal proceedings and therefore the MAPPA and ASP Chair will jointly exercise their professional judgement in considering whether the referred individual poses a level of risk of serious harm to warrant multi agency risk management (as above).

**Attendance at MAPPA / ASP Meetings**

Prior to MAPPA and ASP meetings, the respective Chairs must clarify with the Lead Professional what information can be shared both within and out with MAPPA and ASP meetings.

Information that **should** be shared includes:

* Risk to the adult and others
* Level of risk
* Identified needs
* Protection plan
* Protective Factors
* Contingency Plan

Any further information sharing will be at the discretion of the MAPPA/ASP Chairs.

Where a case is referred between the multi agency forums, it is essential that the allocated Justice Services Social Worker or SOPU and Council Officer or delegate attends the ASP meeting or *vice versa* to represent the interests of either forum and share information. The MAPPA and ASP Chairs will liaise and exercise their professional judgement to ensure appropriate representation at meetings of mutual interest.

The MAPPA Chair will direct the appropriate Lead Professional to update the SWIS alert screen immediately after the meeting (please follow your own agency procedures for creating/amending an alert on SWIS).

**Sharing and Disclosure of Minutes**

MAPPA and ASP minutes will only be provided to those agencies who attended the meeting. If it is considered necessary to share the content of the MAPPA minute with another agency or individual, permission should be sought from the MAPPA chair together with the rationale for the aforementioned disclosure. Copies of minutes must be shared with both Chairs when there is an open MAPPA and ASP case.

**Review and Governance**

This protocol will be reviewed annually by the MAPPA and ASP Coordinator / Lead or sooner if required.

The MAPPA and ASP Coordinator / Lead will meet twice per year to ensure the protocol is operating effectively and efficiently.

1. http://www.gov.scot/publications/scottish-government-multi-agency-public-protection-arrangements-mappa-national-guidance/ [↑](#footnote-ref-1)
2. http://www.legislation.gov.uk/asp/2005/14/section/10 [↑](#footnote-ref-2)