

## PROCEDURES AND GUIDANCE

### Managing Individuals Who Pose a Risk of Harm to Children

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# MANAGING INDIVIDUALS WHO POSE A RISK OF HARM TO CHILDREN

## 1. INTRODUCTION

This section provides practice guidance and information about a range of mechanisms that are available when managing people who have been identified as presenting a risk or potential risk of harm to children. Areas covered include:

- collaborative working between organisations and agencies to identify and manage people who present a risk of harm to children;
- the Multi-Agency Public Protection Arrangements (MAPPA) which enable agencies to work together when dealing with people who require a greater degree of resources to manage the risk of harm they present to the public; and
- Other processes and mechanisms for working with people who present a risk to children.

## 2. COLLABORATIVE WORKING

The Children Act 1989 recognised that the identification and investigation of child abuse, together with the protection and support of victims and their families requires multi-agency collaboration. This has rightly focussed on the child and the supporting parent/carer. As part of that protection, action has been taken, usually by the Police and Children's Social Care, to prosecute known offenders or control their access to vulnerable children.

This work, whilst successful in addressing the safety of particular victims has not always acknowledged the on-going risk of harm that an individual perpetrator may present to other children in the future. A young person may also be a perpetrator and that the same young person may simultaneously be both suffering and likely to suffer harm, and present a risk of harm to other children and young people.

## 3. DEFINITION

The terms 'Schedule One offender' and 'Schedule One offence' were commonly used for anyone convicted of an offence against a child listed in Schedule One of the Children and Young Person's Act 1933. However, a conviction for an offence in Schedule One does not trigger any statutory requirement in relation to child protection issues and inclusion on the Schedule was determined solely by the age of the victim and offence for which the offender was sentenced and not by an assessment of future risk of harm to children.

**Therefore the term 'Schedule One offender' is no longer used; it has been replaced with Person Posing a Risk to Children.** This clearly indicates that the person has been identified as presenting a current risk or potential risk of harm to children. This guidance should be referred to for any individual identified as presenting a risk of serious harm to a child. Such harm may include violent and sexual behaviour, emotional harm and neglect.

Guidance in the form of Home Office Circular [1] has been issued explaining how to identify those people who present a potential risk or risk of harm to children. The Circular explains that the present method of automatically identifying an offender, who has been convicted of an offence listed in Schedule One of the Children and Young Person's Act 1933, as a risk to children, fails to focus on those who continue to present a risk.

Practitioners working in this area should use the list of offences included with the above circular as a 'trigger' to a further assessment, including consideration of previous offences and behaviours, to determine if an offender should be regarded as presenting a continued risk of harm to children [2]. This allows agencies to focus resources on the correct group of individuals and not include those who have been identified solely because a child was harmed during the offence, for example as in the

case of a road traffic accident. An offender who has harmed a child might not continue to present a risk towards that child or other children.

[1] Guidance on offences against children, Home Office Circular 16/2005 [2] List of Offences attached to above Circular.

[http://webarchive.nationalarchives.gov.uk/+tf\\_/http://www.homeoffice.gov.uk/about-us/home-office-circulars/circulars-2005/016-2005/](http://webarchive.nationalarchives.gov.uk/+tf_/http://www.homeoffice.gov.uk/about-us/home-office-circulars/circulars-2005/016-2005/)

Once an individual has been sentenced and identified as presenting a risk to children, agencies have a responsibility to work collaboratively to monitor and manage the risk of harm to others. Where the offender is given a community sentence, Probation Service Offender Managers (or Youth Offending Team workers) will monitor the individual's risk to others and behaviour and liaise with partner agencies as appropriate.

In cases where the offender has been sentenced to a period of custody, prison establishments will undertake a similar responsibility, and in addition, notify other agencies prior to any period of release.

Those who abuse or exploit children through prostitution should feel the full force of the law. The Sexual Offences Act 2003 introduced a number of new offences to deal with those who abuse and exploit children in this way. They protect children up to the age of 18 and can attract tough penalties. They include:

- paying for the sexual services of a child;
- causing or inciting child prostitution;
- arranging or facilitating child prostitution;
- controlling a child prostitute.

These are not the only charges that may be brought against those who use or abuse children through prostitution. Abusers and coercers often physically, sexually and emotionally abuse these children and may effectively imprison them. If a child is a victim of serious offences, the most serious charge that the evidence will support should always be used.

#### **4. MULTI AGENCY PUBLIC PROTECTION ARRANGEMENTS (MAPPA)**

Multi Agency Public Protection Arrangements provide a national framework in England and Wales for the assessment and management of risk posed by serious and violent offenders. These arrangements are designed to protect the public, including previous victims of crime, from serious harm by sexual and violent offenders. This includes offenders who are considered to pose a risk or potential risk of harm to children. This framework imposes statutory requirements on the Police, Probation and Prison Services (the "Responsible Authority") to make these arrangements and places a duty to co-operate with the Responsible Authority on a number of agencies providing services to offenders, including Health, Housing, Children's Social Care, Education, Youth Offending Teams, Jobcentre plus, and electronic monitoring providers.

The current National Guidelines on implementing MAPPA were introduced in 2012 and was updated November 2017:

<https://www.gov.uk/government/publications/multi-agency-public-protection-arrangements-mappa-2>

The duties and obligations of the Responsible Authority are discharged through the Strategic Management Board. To provide consistency and a central awareness a Humberside Area Strategic Management Board is in place and comprises of Senior Representatives from the Responsible Authority and "Duty to Co-operate" Agencies ie; Children Social Care, Health Services, Youth Offending Services, Job Centre Plus, Housing etc. The SMB is responsible for managing MAPPA activity in its area and ensuring effective MAPP Arrangements are in place.

While MAPPA will not address the concerns of further serious harm posed by all perpetrators of child abuse, its purpose is to focus on convicted sexual and violent offenders returning to and in the community. The development of national databases, in particular ViSOR, will significantly enhance the capability to track offenders who move between communities and across organisational boundaries.

Practitioners, through rigorous risk assessment on an individual case basis, should, where appropriate, refer offenders to the MAPPA process. The Area MAPPA Co-ordinator, Chris Brookes, is supported by local co-ordinators in Probation field offices, and works closely with the Police MOSOVO Officers (Management of Sexual and Violent offenders) attached to the Protecting Vulnerable Persons Unit and can be contacted directly or via any of the local co-ordinators. Referrals to MAPPA or any queries in regard to the appropriateness of referrals should be made to any of the above contacts. Chris Brookes, MAPPA Co-ordinator can be contacted on 01482 480000 for further advice or guidance.

The full MAPPA Guidance and Area Annual MAPPA Reports, which include examples of Case Studies, are available on the following website.

<https://mappa.justice.gov.uk/connect.ti/MAPPA/view?objectId=5681072&exp=e1>

## **5. IDENTIFICATION OF MAPPA OFFENDERS**

Not all offenders are covered by the Multi Agency Public Protection Arrangements so effective multi-agency public protection needs to start with the efficient identification of those relevant offenders. Prompt and accurate identification then allows all agencies to gather and share relevant information and choose the appropriate risk management strategies.

MAPPA applies to certain categories of individuals who are currently being dealt with for a sexual or violent offence. In the main these offenders are registered sex offenders, i.e. those convicted or cautioned for certain sexual offences who are required to register with the Police, or violent and other sex offenders who generally have received a sentence of imprisonment of 12 months or more and will be supervised in the community by the Probation Service or Youth Offending Teams.

These offenders fall into two categories formally defined as;

Category 1: Registered sexual offenders as specified under Part 2 of the Sexual Offences Act 2003. i.e. those convicted or cautioned for certain sexual offences that are required to register with the Police.

Category 2: Violent Offenders and Other Sexual Offenders who generally have received a sentence of imprisonment of 12 months or more.

MAPPA additionally applies to those individuals whose previous convictions and behaviour indicate they are capable of causing serious harm and there is a current concern about the risk they present which requires multi agency management. Referrals in regard to this type of offender can and do arise from any of the agencies involved in MAPPA.

Again, the formal definition for offenders within this category is;

Category 3: Other offenders not in either of the above categories but who are considered to pose a current risk of serious harm to the public. The inclusion of these offenders under MAPPA is based on two considerations. First it must be established that the individual has a conviction for an offence which indicates they are capable of causing serious harm to the public. Secondly it must be reasonably considered that they may pose a current risk of serious harm to the public.

## 6. SHARING OF RELEVANT INFORMATION

Exchange of information is essential for effective public protection. The MAPPA Guidance clarifies how MAPPA agencies exchange information amongst themselves. Information Sharing Agreements are in place to ensure the exchange of information between the Responsible Authority and Duty to Cooperate Agencies that fall under MAPPA.

With regards to agencies that fall outside of MAPPA, individual Information Sharing protocols are signed as and when they become involved with MAPPA. Multi Agency Public Protection Panels (MAPPP's) can recommend that agencies disclose information about offenders to a number of third party agencies and voluntary groups, if this is in the interest of public safety.

## 7. ASSESSMENT OF THE RISK OF SERIOUS HARM

The National Probation Service assesses risk of harm using the Offender Assessment System (OASys). The Youth Justice Board use ASSET Plus for under eighteen year olds. The following describe each level of risk:

**Low:** No significant, current indicators of risk of harm.

**Medium:** There are identifiable indicators of risk of serious harm. The offender has the potential to cause serious harm but is unlikely to do so unless there is a change of circumstances (e.g. failure to take medication, loss of accommodation, relationship breakdown, drug or alcohol misuse).

**High:** There are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact would be serious.

**Very high:** There is an imminent risk of harm. The potential event is more likely than not to happen imminently and the impact would be serious.

Risk is categorised by reference to who may be the subject of that harm. This includes children who may be vulnerable to harm of various kinds, including violent or sexual behaviour, emotional harm or neglect. In this context, MAPPA will work closely with LSCBs to ensure the best, local joint arrangements can be made for any individual child being considered by either setting.

## 8. MANAGING RISK

Through MAPPA, the Responsible Authority seeks to ensure that strategies to address risk are identified and plans are developed, implemented and reviewed on a regular basis. Those plans include action to monitor the behaviour and attitudes of the offender and to intervene in their life in order to control and minimise the risk of serious harm to others.

Under the MAPPA framework there are three separate, but, connected levels, at which risk is managed. Although generally the higher the assessed level of risk the higher the level of management required this need not always be the case.

The risk management structure is based on the principle that cases should be managed at the lowest level consistent with providing a defensible risk management plan.

The three levels are;

**Level 1: Ordinary Agency Management;**

This is the level used in cases in which the risks posed by the offender can be managed by an agency without significantly involving other agencies. The majority of cases supervised by the Police or the Probation Services or the Youth Offending Teams are managed at level 1.

**Level 2: Active Multi Agency Management;**

This level of management is used where multi agency management adds value to the lead agency's management of the risk the offender poses. This includes cases assessed as posing a high or very high risk of harm, or the risk level is lower but the case requires active involvement and co-ordination of interventions from other agencies to manage the presenting risks.

**Level 3: Active Enhanced Multi Agency Management;**

This level deals with those "critical few" cases which are assessed as being a high or very high risk of causing serious harm; **AND** they present risks that can only be managed by a plan which requires co-operation at a senior level due to the complexities of the case and/or because of the unusual resource commitments required.

Additionally cases which are exceptional because of the high media scrutiny or public interest and there is a need to ensure public confidence in the criminal justice system is sustained are dealt with at this level.

MAPPA Level 2 Meetings are held on a monthly basis and are held at the Probation Office within their locality. These Meetings are chaired by the MAPPA Co-ordinator, or the Police Detective Inspector from the PVP Unit.

MAPPA Level 3 Meetings are scheduled on a Thursday and held as and when required. These are held within their locality and Chaired by the Head of Service from the National Probation Service, or the Detective Chief Superintendent from Humberside Police.

These MAPPA meetings result in clear actions which feed into the risk management plans laying down specific objectives for the management of the risk the offender presents. Responsibilities and tasks are clearly defined and firm timetables established. The plan needs to be able to deal with changing circumstances of the case and should ensure that all appropriate restraints on the offender are put in place.

## **9. OFFENDING BEHAVIOUR PROGRAMMES**

Rehabilitation of offenders is the best guarantee of long-term public protection. A range of treatment programmes have been 'tried and tested' at a national level, which have been developed or commissioned by the Prison and Probation Service. Examples include, Sex Offender Treatment Programmes, programmes for offenders convicted of Internet sexually related offences, and for perpetrators of domestic abuse.

## **10. DISQUALIFICATION FROM WORKING WITH CHILDREN**

The Criminal Justice and Court Services Act 2000 (CJCSA), as amended by the Criminal Justice Act 2003, provides for people to be disqualified from working with children. A person is disqualified by either:

- a Disqualification Order, made by the Crown Court when a person is convicted for an offence against a child (under 18) listed in Schedule 4 to the CJCSA. Schedule 4 includes sexual offences, violent offences and offences of selling Class A drugs to a child; or
- being included in a permanent capacity on the list of people who are unsuitable to work with children that is kept under Section 1 of the Protection of Children Act 1999 (see paragraph 11.29 below); or,
- being included on DCFS List 99 on the ground of being unsuitable to work with children (see paragraph 12.33 below).

When making a Disqualification Order the Court applies different provisions depending on the age of the offender and the sentence received:

- Adult offender who receives a qualifying sentence (12 months or more or equivalent) or relevant order for a specified offence: a Disqualification Order *must* be made *unless* the court is satisfied that it is *unlikely* that the individual will commit any further offence against a child.
- Juvenile offender who receives a qualifying sentence or relevant order: a Disqualification Order *must* be made *if* the court is satisfied that it is *likely* that the individual will commit a further offence against a child.
- Adult or Juvenile offender who does not receive a qualifying sentence or relevant order: a Disqualification Order *may* be made *if* the court is satisfied that the offender is *likely* to commit a further offence against a child.

A Disqualification Order is of indefinite duration (i.e. for life) but application can be made for an order to be reviewed by the Care Standards Tribunal after 10 years (or 5 years in the case of a juvenile).

Disqualification Orders are made as part of the sentence and, therefore, cannot be made on application. However, the Criminal Justice Act 2003 allows the Crown Prosecution Service to refer cases back to the courts where it appears that the court should have considered making a Disqualification Order but failed to do so. Therefore, if an offender is identified who it seems should have been made subject to a Disqualification Order the case should be discussed with other MAPPA agencies and the Crown Prosecution Service.

People who are disqualified from working with children are prohibited from applying for, offering to do, accepting, or doing, any work in a "regulated position". The positions covered are specified in Section 36 of the CJCSA and are broadly defined. They should include working with children in paid or unpaid positions whose normal duties involve caring for, training, supervising or being in sole charge of children. Positions whose normal duties involve unsupervised contact with children under arrangements made by a responsible person, for example, a parent. They include a broad range of work with children from babysitting to working as a School Teacher and from working in Local Authority Education or Children's Social Care to voluntary work at a boys' football club.

School Governor is a regulated position, as are other positions whose normal duties include the supervision or management of another individual who works in a regulated position.

A person who is disqualified commits an offence if he/she knowingly applies for, offers to do, accepts, or does, any work with children. It is also an offence for an individual knowingly to offer work with children to, or procure work with children for, an individual who is disqualified from working with children, or to allow such an individual to continue in such work. The Police should be contacted if such an offence is committed. The maximum penalty for breach is 5 years imprisonment.

## **11. THE PROTECTION OF CHILDREN ACT 1999 LIST**

This Act gives the Secretary of State power to keep a list of people who are unsuitable to work with children in childcare positions. Child care organisations in the regulated sector are required to make a report to the Secretary of State in specified circumstances. Principally if they dismiss a person for misconduct who has harmed a child or put a child at risk of harm, or if a person resigns in circumstances where s/he might have been dismissed for that reason. Other organisations that employ childcare workers can also make reports in those circumstances, but do not have to.

If there appear to be grounds for including the person on the List, his/her name will be added provisionally while further enquiries are made, and the person will be given the opportunity to make written observations about the case. If, at the end of that process the Secretary of State is of the opinion that:

- the referring organisation reasonably believed that the person was guilty of misconduct that harmed a child, or put a child at risk of harm; and,
- the person is unsuitable to work with children; the person will be added to the List on a permanent basis.

Anyone who is included on the List on a permanent basis can appeal to an independent tribunal, the Care Standards Tribunal, within 3 months of the decision.

Childcare organisations must check the List (and List 99) before employing someone in a childcare position.

SEE 'The Protection of Children Act 1999'

<http://lx.iriss.org.uk/sites/default/files/resources/046.%20The%20Protection%20of%20Children%20Act%201999%20-%20A%20Practical%20Guide.pdf>

## **12. DISCLOSURE AND BARRING SCHEME (DBS)**

The Disclosure and Barring Service (DBS) helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. It replaces the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA). The Disclosure and Barring Service (DBS) is responsible for:

- processing requests for criminal records checks (DBS checks)
- deciding whether it is appropriate for a person to be placed on or removed from a barred list
- placing or removing people from the DBS children's barred list and adults' barred list for England, Wales and Northern Ireland.

Access to the DBS checking service is only available to registered employers who are entitled by law to ask an individual to reveal their full criminal history (other than protected cautions and convictions), including spent convictions - also known as asking 'an exempted question'.

An exempted question applies when the individual will be working in specific occupations, for certain licenses and specified positions. These are covered by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. The minimum age at which someone can be asked to apply for a criminal record check is 16 years old. The Safeguarding Vulnerable Groups Act 2006 set out the scope and operation of the vetting and barring scheme:

<https://www.legislation.gov.uk/ukpga/2006/47/contents>

More detailed information on the Disclosure and Barring Scheme can be found at:

<https://www.gov.uk/government/organisations/disclosure-and-barring-service/about>

## **13. THE SEX OFFENDER REGISTER**

The notification requirements of Part 2 of the Sexual Offences Act 2003 (known as the Sex Offenders Register) are an automatic requirement on offenders who receive a conviction or caution for certain sexual offences. The notification requirements are intended to ensure that the Police are informed of the whereabouts of offenders in the community. The notification requirements do not bar offenders from certain types of employment, or from being alone with children etc.

Offenders must notify the Police of certain personal details within three days of their conviction or caution for a relevant sexual offence (or, if they are in prison on this date, within 3 days of their release).

Such an offender must then notify the Police, within 3 days, of any change to the notified details and whenever they spend 7 days or more at another address.

All offenders must reconfirm their details at least once every twelve months and notify the Police, 7 days in advance of any travel overseas for a period of 3 days or more.



The period of time that an offender must comply with these requirements depends on whether they received a conviction or caution for their offence and, where appropriate, the sentence they received.

Failure to comply with these requirements is a criminal offence with a maximum penalty of 5 years' imprisonment. The Police should be contacted if such an offence is committed.

#### **14. The Child Sex Offender (CSO) Disclosure Scheme**

The Disclosure Scheme is focused on disclosure and risk management where the subject is identified as being convicted (including cautions, reprimands and final warnings) of child sexual offences (CSO). For the purposes of this scheme a child sexual offence will be defined as any offence listed under Schedule 34A of the Criminal Justice Act 2003.

The principal aim of this scheme is to provide parents, guardians and carers with information that will enable them to better safeguard their children's safety and welfare. It is not an aim of this scheme to introduce a US-style Megan's Law or automatic disclosure of child sexual offender details to the general public, which could encourage offenders to go missing and therefore put children at greater risk of harm.

The disclosure process will include routes for managed access to information regarding individuals who are not convicted child sexual offenders but who pose a risk of harm to children. This may include:

- Persons who are convicted of other offences for example, serious domestic abuse; and
- Persons who are not convicted but about whom the police, or any other agency, hold intelligence indicating that they pose a risk of harm to children.

There would not however be a presumption to disclose such information. It is important that the disclosure of information about previous convictions, for offences which are not child sex offences, is able to continue as it is not the intention of the disclosure process to make access to information concerning safeguarding children more restricted.

It should be stressed that the disclosure process will build on existing procedures such as MAPPA and will provide a clear access route for the public to raise child protection concerns and be confident that action will follow.

It is of paramount importance to all involved in delivering this process that we ensure that children are being protected from harm. By making a request for disclosure, a parent, guardian or carer will often also be registering their concerns about possible risks to the safety of their child or children. For that reason, the Humberside Police, Youth Justice, Children's Social Care and East Riding Safeguarding Children Board work closely together to ensure that any possible risks of harm to the child or children are fully assessed and managed.

**The Child Sex Offender (CSO) Disclosure Scheme does not replace the ERSCB safeguarding procedures.**

Further details about the scheme and the guidance on disclosure can be accessed through the Home Office website. <https://www.gov.uk/government/publications/child-sex-offender-disclosure-scheme-guidance>

See also Humberside Police Child Sex Offender Disclosure <https://www.humberside.police.uk/abuse/child-sex-offender-disclosure-sarahs-law>

## **15. NOTIFICATION ORDER**

Notification Orders are intended to ensure that British citizens or residents, as well as foreign nationals, can be made subject to the notification requirements (the Sex Offenders Register) in the UK if they receive convictions or cautions for sexual offences overseas.

Notification Orders are made on application from the Police to a Magistrates' Court. Therefore, if an offender is identified who has received a conviction or caution for a sexual offence overseas the case should be referred to the local Police for action.

If a Notification Order is in force then the offender becomes subject to the requirements of Sex Offender Registration (see above).

For example: a Notification Order could ensure that the notification requirements will apply to a British man who, while on holiday in South East Asia, received a caution for a sexual offence on a child.

Any information that an individual has received a conviction or caution for a sexual offence overseas should, where appropriate, be shared with the Police.

## **16. SEXUAL HARM PREVENTION ORDERS (SHPO)**

Sexual Harm Prevention Orders (SHPOs) replaced the sexual offences prevention order. They are a measure available to the Court to use to protect the general public or specific members of the public against serious sexual harm. Introduced by the Sexual Offences Act 2003, SHPOs are civil preventative orders designed to protect the public from serious sexual harm. A court may make a SHPO when it deals with an offender who has received a conviction for an offence listed at Schedule 3 (sexual offences), or Schedule 5 (violent and other offences) of the 2003 Act who is assessed as posing a risk of serious sexual harm. Also, the Police can apply for a SHPO to a Magistrates' Court in respect of an offender who has a previous conviction or caution for a Schedule 3 or 5 offences who poses a risk of serious sexual harm.

SHPOs include such prohibitions as the Court considers appropriate. For example, a child sex offender who poses a risk of serious sexual harm could be prohibited from loitering near schools or playgrounds. The offender will also, if s/he isn't already, become subject to the notification requirements for the duration of the order.

SHPOs can be made on application from the Police, so any violent or sex offender who poses a risk of serious sexual harm should be referred to MAPPA agencies and the Police in particular. In an application for an order the Police can set out the prohibitions they would like the court to consider.

Breach of any of the prohibitions in a SHPO is a criminal offence with a maximum punishment of 5 years' imprisonment. Therefore, the Police should be contacted whenever a SHPO is breached.

SHPO's can be particularly helpful in the management of sex offenders who are assessed as continuing to pose a high risk of harm but are no longer subject to statutory supervision.

## **17. Violent Offender Order (VOO)**

Violent Offender Orders (VOOs) are civil preventative orders that came into effect on 3rd August 2009 (contained in part 7 of the Criminal Justice and Immigration Act 2008). VOOs were developed as a tool to help the police service to manage those offenders who continue to pose a risk of serious violent harm to the public even after their release from prison or when their licence has ceased. Although not specifically designed as a tool to protect children, there may be circumstances where VOOs would be an appropriate mechanism to manage an individual who poses a serious risk of harm to children.

VOOs are available on application by a chief officer of police to a magistrates' court and, if granted will contain such restrictions, prohibitions or conditions authorised by Section 102 of the Act as the court considers necessary to protect the public from risk of serious violent harm caused by the offender. This may include prohibiting their access to certain places, premises, events or people to whom they pose the highest risk.

Breach of any of the prohibitions, restrictions or conditions contained in a VOO without reasonable excuse is a criminal offence, with a maximum punishment of 5 years imprisonment.

### **18. Release of Prisoners Assessed as Presenting a Risk of Serious Harm to Children (including those due for Parole or Release on Temporary Licence).**

When a prisoner convicted of offences against a child is being considered for Parole or is due to be released from custody (including Release on Temporary Licence (RoTL)) the prison-based Probation Officer must seek an assessment in writing from Children's Social Care and community-based Probation Officer with regard to the effects that their release may have upon any children having contact with the address at which the prisoner is expected to reside. This information must be shared in a timely manner prior to any release from custody in order to permit that all available information to be considered and assessed prior to any Parole or RoTL being granted.

An assessment by Probation Staff must include a home visit (which in some circumstances may be undertaken jointly with Police), and an interview with individuals residing at the proposed address in order to assess the home circumstances. Children's Social Care must undertake an assessment of potential risk of harm in relation to any child who has been identified as having contact with the address, and any child who may have contact with the prisoner if released. Children's Social Care should provide a report identifying all potential risks to children and any protective action that will be needed, if the prisoner is to be released to the address. In the event that a decision is made to release a prisoner to an address where a child is likely to have contact with the prisoner, a Referral to Children's Social Care must be made. <https://www.gov.uk/government/publications/child-sex-offender-disclosure-scheme-guidance>. A decision may then be made to hold a Strategy Discussion / Meeting and undertake a Section 47 Enquiry.

### **19. The Domestic Violence Disclosure Scheme**

The Domestic Violence Disclosure Scheme, often referred to as Clare's Law is designed to provide victims with information that may protect them from an abusive situation before it ends in tragedy. The scheme allows the police to disclose information about a partner's previous history of domestic abuse or violent acts.

**The Domestic Violence Disclosure Scheme does not replace the ERSCB safeguarding procedures.**

See Home Office Guidance

<https://www.gov.uk/government/publications/domestic-violence-disclosure-scheme-pilot-guidance>