MULTI AGENCY PUBLIC PROTECTION ARRANGEMENTS (MAPPA)

INFORMATION SHARING GUIDANCE FOR GENERAL PRACTITIONERS ACROSS NHS LOTHIAN
Multi Agency Public Protection Arrangements (MAPPA)

Information Sharing Guidance for General Practitioners
Across NHS Lothian
(January 2013)

INTRODUCTION

The fundamental purpose of the Multi Agency Public Protection Arrangements (MAPPA) is public protection and the reduction of serious harm. The protection of children, adults at risk and other members of the public is paramount. MAPPA offer a coordinated approach to the management of Registered Sex Offenders and certain mentally disordered offenders (restricted patients).

NHS Boards have a statutory function as a responsible authority to establish joint arrangements for the assessment and management of risk posed by mentally disordered Restricted Patients. The management of restricted patients is outlined in the Memorandum of Understanding between the Responsible Authorities across the Lothian and Borders Community Justice Authority (2009).

DUTY TO COOPERATE

Sections 10(3) and (4) of the Act provide that in establishing and implementing the joint arrangements, the responsible authorities must act in cooperation with such persons as Scottish Ministers specify by Order. As a result it will be the duty of those persons (including agencies and bodies e.g. NHS Boards, General Practitioners) specified in the order to co-operate with the responsible authorities.

Co-operation must be compatible with the exercise by those persons and authorities of their other statutory functions. It is intended as a means of enabling different agencies to work together but within their legitimate role whilst retaining their responsibility for action.

DEFINITION OF CO-OPERATE

Section 1 (2) of the Act defines “co-operate” to include the exchange of information.

Co-operation is also understood to include management of information, searching records for any involvement with named offenders and contributing, participating and adhering to a risk management plan in accordance with the agencies statutory functions and duties.

PURPOSE

Information sharing is at the heart of measures to protect the public from the risk posed by sex offenders. Each of the agencies across Lothian involved in the management of Registered Sex Offenders (RSOs) have signed up to the Memorandum of Understanding (2009) and have made a clear commitment to share...
all relevant information in accordance with the law and respecting the human rights of both victims and offenders.

It is anticipated that information will be shared with GPs and information sought from GPs where the individual poses a risk of serious harm to patients, staff, the wider public or themselves. Serious harm is defined as:

**The likelihood of harmful behaviour of a violent or sexual nature, which is life threatening and/or traumatic, and from which recovery, whether physical or psychological, may reasonably be expected to be difficult or impossible (MAPPA National Guidance 2010).**

**INFORMATION SHARING PATHWAY**

The decision to share information in relation to a RSO will be agreed following a MAPPA/Risk Management Case Conference (RMCC) meeting or following consultation with the MAPPA points of contact e.g. the Serious Offender Liaison Service (SOLS), the Assistant Director Public Protection/Health SOLO. The sharing of information in relation to RSOs is a two way process with and by the GP Practice which will assist in the management of risk posed by the RSO.

Information to be shared with the GP will be agreed by the MAPPA points of contact and recorded. Information sharing will take cognisance of the following questions:

- Is the GP or staff within the Practice at risk?
- Is there a risk to other patients? (If so what and to whom?)
- What information is expected from the GP in return? (e.g. alcohol and/or drug use/mental health which is likely to impact on level of risk)
- What safeguards should the GP Practice put in place to assist with the management of risk to/from the RSO? (this will include any alerts placed on IT systems, including the Key Information Summary (KIS) for LUCS).

A review date should be agreed in order that the GP can be updated to any changes in the level of risk presented. The Responsible Authority should ensure that information in relation to the level of risk the individual presents is shared and reviewed with the MAPPA points of contact. The details of the patients supervising police and social work officers will be shared with the GP should the GP wish to contact the supervising officer to discuss the case further.

GPs may be asked to share information in relation to health issues which may impact on the level of risk an individual presents for example mental health issues, alcohol and drug use, anger management issues. GPs may need to discuss the request with the Medical Defence Union and/or Caldicott guardian following the request and clarification of need and urgency.

**PRINCIPLES FOR CONSIDERATION IN THE MANAGEMENT OR RISK POSED BY RSOs**

Final MAPPA Information Sharing Guidance GPs – A Neilson 16 January 2014
The Assistant Director Public Protection for NHS Lothian, Lead consultant for MAPPA and MAPPA Health Liaison Officer are available to give advice on the level of risk posed and coordinate all relevant sources of information within NHS Lothian.

The level of risk in these individuals may change with circumstances. Practitioners should be vigilant of the triggers which may impact on the level of risk posed by any individual e.g. alcohol and/or drug use, deteriorating mental health, new relationships which may give cause for concern, opportunity. (This list is not exhaustive);

All individuals are likely to require information to be shared on a need-to-know basis depending on the level of risk they present;

A brief outline of the index offence and other related offences must be considered as well as the current assessment of risk the individual poses to members of the public, staff as well the level of risk to the individual;

Risk Management Plans should include specific information in relation to information sharing, who will be responsible for this, who the information will be shared with and how this information will be updated;

All individuals should be treated with respect. Lack of respect and stigmatisation may increase the risk of an individual re-offending;

Wherever possible, individuals should be asked for consent to share information about them. Wherever possible an individual’s request to keep particular information confidential should be respected provided it is not essential to assess risk;

To share any information about those RSOs necessary to ensure the management of risk, whilst ensuring that the rights of the individual are protected;

**MANAGEMENT OF INFORMATION**

- To presume that all relevant information will be shared where it is legal to do so;
- To ensure information is gathered and managed in a way which facilitates sharing;
- To take such steps as are necessary to ensure the information is collected, held and exchanged in a manner which is secure and conforms to relevant legislation. This will include the provision of training to staff;

**INITIAL CASE REVIEWS/SIGNIFICANT CASE REVIEWS**

It is recognised that, on occasions, offenders managed under the MAPPA will commit, or attempt to commit, further serious crimes and, when this happens, the MAPPA processes must be examined to, firstly, ensure that the actions or processes employed by the Responsible Authorities are not flawed and, secondly, where it has been identified that practice could have been strengthened, plans are put in place promptly to do so.

In any of the circumstances below a SCR may be required. An Initial Case
Review should be undertaken in the first instance to determine the need to undertake an SCR. A review should not be escalated beyond what is proportionate taking account of the severity and complexity of the case.

The list should not be seen to exclude cases that may not precisely fit the criteria but which have nevertheless triggered significant professional concerns. The criteria which must be met for the instigation of a MAPPA SCR are:

- When an offender managed under MAPPA is charged with murder, attempted murder or a crime of serious sexual harm;
- Significant concern has been raised in respect of the management of a MAPPA offender which gives rise to serious concerns about professional and/or service involvement;
- Where it appears that an offender managed under MAPPA is killed or seriously injured as a direct result of his/her status as a sex offender becoming known.

In the above circumstances where it has been agreed to undertake any review a request for any relevant information from the GP will be made by the MAPPA points of contact. This could be in relation any significant Mental Health, Learning Disability, Alcohol/Drug issues or any concerns the GP has had in relation to the management or behaviour of the offender which may have impacted on the level of risk the individual presented.

RISK MANAGEMENT CASE CONFERENCES

In exceptional cases GP maybe requested to attend a Risk Management Case Conference in these circumstances the usual funding arrangements for attending a Case Conference apply.

MAPPA CONTACTS

For further advice and support please contact:

<table>
<thead>
<tr>
<th>MAPPA Health Liaison Officer</th>
<th>0131 316 6360</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paulene Cox</td>
<td><a href="mailto:Paulene.Cox@nhslothian.scot.nhs.uk">Paulene.Cox@nhslothian.scot.nhs.uk</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MAPPA Consultant Lead</th>
<th>0131 537 5866</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr Rajan Darjee Consultant Forensic Psychiatrist</td>
<td><a href="mailto:Lothian.SOLSTeam@nhs.net">Lothian.SOLSTeam@nhs.net</a></td>
</tr>
<tr>
<td>Dr Katharine Russell Consultant Clinical Psychologist and Forensic Psychologist</td>
<td><a href="mailto:Lothian.SOLSTeam@nhs.net">Lothian.SOLSTeam@nhs.net</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Serious Offender Liaison Service (SOLS) Orchard Clinic</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Assistant Director Public Protection (NHS Lothian MAPPA Lead)</th>
<th>0131 316 6670</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anne Neilson</td>
<td><a href="mailto:Anne.Neilson@nhslothian.scot.nhs.uk">Anne.Neilson@nhslothian.scot.nhs.uk</a></td>
</tr>
</tbody>
</table>

Final MAPPA Information Sharing Guidance GPs –A Neilson 16 January 2014