**Person Posing a Risk to Children (PPRC) Policy**

**Background**

The term ‘Schedule One Offender’ (used to denote someone who has committed serious offences against a child or young person - Children and Young People’s Act 1933) has now been discontinued. It has been replaced with *‘Person Posing a Risk to Children.’*

The term ‘Risk to Children’ applies once an individual has been identified as presenting a risk or potential risk of harm to children / young people. This term incorporates those individuals who have been convicted for an offence under Schedule One and is assessed as posing a future risk of harm to children / young people.

This policy relates to the recording and review of PPRC on LCS and EHM.

**New referrals**

Please see Appendix 1

All new referrals are made via a PPRC referral/notification from a Partner Agency, and a MASH referral form. MASH then send this to Safeguarding & Review where it will be allocated to the relevant Local Area Designated Officer (LADO).

The Risk To Children alert is added to LCS and the relevant documentation is uploaded. A review date is set. The relationships of the PPRC will be reviewed/updated and relevant notifications will be sent to the Social Worker and Team Manager.

**Criteria**

Whilst the Police and Probation service are of the view that the offence is spent once the community disposal ends or requirements ends, this is not a directly transferable application as it would not recognise the potential risk. This is evidently because the Local Authority have a different standard of proof and one that is much lower, than the beyond reasonable doubt. For this reason, it would seem proportionate to apply a more robust criterion. Here is a suggested guide of application to continuation or removal of the Risk to Child alert, but would be dependent on a risk assessment between the LADO and Probation upon review and therefore judgements may be made outside of the suggested criterion.

Custodial Sentence

From 1985-1997, all offences where the sentence was over 30 months remain flagged on LCS, unless the perpetrator was a teenager at the time.

From 1997 onwards, all sexual offences where there has been a sentence of 30 months or more, remain flagged on LCS . This is because the Sex Offenders registers came in in 1997, and all offences over 30 months are never spent.

From 1997, if 6 months- 30 months sentence, the following applies:

* If single and first offence without aggravating factors such as relative or young child, it remains for 20 years (This is 2 x the 10 years spent limit)
* If 2 x offences or 1 x offence and aggravating factors, they remain flagged.
* If sentence was 6 months or less and single offence, remove after 75 years (2 x the spent limit)

Community Orders 30 months or more

If a sexual offence against a child perpetrated by an adult- PPRC *status to remain.*

If a sexual offence against a child perpetrated by a minor- *PPRC status to remain until 10 years after the offence.*

If a sexual offence perpetrated by an adult against an adult - *If the offence is over 75 years ago, PPRC to end but keep hazard stays open. If the offence is less than 75 years, continue with PPRC.*

If a physical offence against a minor- *PPRC status to remain for 75 years*

If a physical offence against a child perpetrated by a minor- PPRC status to *remain for 2 x the length of the community disposal.*

If the offence was child neglect and a community-based disposal – *keep PPRC for 75 years*

Community order less than 30 months

If a sexual offence against a child perpetrated by an adult – PPRC status to *remain until 75 years after the offence.*

If a sexual offence against a child perpetrated by a minor if over ten years ago- *PPRC status to end.*

If a physical offence against a child perpetrated by an adult - *PPRC status to remain for 10 years.*

If a physical offence against a child perpetrated by a minor – PPRC status to *remain for 2 x the length of the community disposal*.

In addition, it is clear that Local Authorities across the country are applying PPRC status/Risk to Children with a considerable varying degree. Dudley has always highlighted Risk to Children status for offences against adults, and arguably this has always been appropriate in the majority of circumstances. However, what should be addressed is the lack of consistency and/or clear direction as to what should/would trigger Rto children status.

A criteria is outlined below and is the categories of offences, in line with Multi-agency public protection arrangements (MAPPA):

* Registered sexual offenders (Category 1)
* Violent offenders (Category 2)
* Other dangerous offenders (Category 3)

The obvious vulnerability within this criterion is the *‘other’* category therefore for further clarity this would include:

* Those found guilty of an offence against a child
* Individuals known to have been cautioned / warned / reprimanded in relation to an offence against children / young people
* Individuals against whom there is a previous finding in civil proceedings, Sexual Harm Prevention Order or Care Proceedings;
* Individuals who have been convicted of child abuse
* An individual who has admitted past abuse of a child
* Others whose past or present behaviour gives rise to a reason to suspect that a child may be at risk of significant harm e.g. a history of domestic abuse and other serious assaults such as sexual assaults /offences against adults
* Offenders against adults who are notified to the Local Authority because the Prison or Probation Service are concerned about the possible risk to children / young people
* A person charged with domestic abuse offences on a number of occasions against different partners but never convicted of offences
* An individual who is continually investigated for allegations of child sexual abuse but is never charged or never receives a civil order, but whom agencies still believe poses a serious risk of sexual harm to children
* A terrorist suspected but not convicted of an offence

The barriers to application of a criteria similar to that as outlined above would be the reliance on information sharing.

Recording of Hazards on LCS/EHM

The recording of Hazards on LCS/EHM not in relation to individuals who have PPRC status is covered by the Hazards Policy detailed in the link below.



Review of PPRC

The RTC is set to be reviewed every 6 months by the LADO in conjunction with Probation and Police (offender manager). An alert is triggered when the PPRC is due to be reviewed. When a review is required, if it needs to be kept open, the risk will need to be updated with a new review date. If it is no longer required, the RTC will be closed and the process will come to an end.

Appendix 1- PPRC Process Map

