**Guidance on recording of:**

**People Posing a Risk to children (RTC), use of Hazards (HZD),**

**MAPPA and MARAC flags.**

1. **Introduction and Definitions**

The aim of this document is to provide practice guidance for managing information about adults and young people who have been identified as presenting a risk, or potential risk, of harm to children and or workers.

Throughout the guidance managers should be noted as all Social Care and Strengthening Families Managers.

Sandwell Children’s Trust system Liquid Logic identifies Hazards and Risks to Children flags in **purple** next to the person’s name **(RTC) (HZD).**

To ensure there is clarity about:

* When to request a person is flagged
* What the criteria is for different type so flags
* How to flag an individual- what do I need to do
* What information is required
* Review process for ‘flags’, their removal (if required) and rationale

This guidance should be read in conjunction with (2.14 Person Posing Risk to Children West Midlands Procedures):

<https://westmidlands.procedures.org.uk/pkply/regional-safeguarding-guidance/persons-posing-a-risk-to-children/#s679>

and should make reference to allegations against staff/volunteers (1.14 Allegations against staff or volunteers West Midlands Procedures), from the link below.

 <https://westmidlands.procedures.org.uk/ykpzy/statutory-child-protection-procedures/allegations-against-staff-or-volunteers/#s576>

It is important to support the effective safeguarding of children and young people in Sandwell that people who pose a risk of harm to children and young people are identified and flagged appropriately. If appropriate and safe to do so individuals will be aware that information about them received from a variety of sources will be used in the assessment process. It is crucial that all decisions and assessment are informed by history, as a good indicator of future risk is in past behaviour.

When recording information it is important to ensure that the information logged on any system is accurate and up to date and reviewed appropriately to ensure it is still appropriate.

In order to comply with UK GDPR regulations, we must ensure that our use of data meets the seven principles:

* Lawfulness, fairness and transparency
* Purpose limitation
* Data minimisation
* Accuracy
* Storage limitation
* Integrity and confidentiality (Security)
* Accountability

And that we have a lawful basis to process it.

Further information on this can be found on the [Information Commissioners Website](https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/principles/) which is updated regularly.

1. **When to request a person is flagged**

Social Workers and Managers may identify a person who is a risk to children or to the safety of workers in many different situations, at differing stages of the child’s journey and within exploration of the wider network of the family. For example: at initial referral, during a strategy discussion/ assessment, a ‘new’ partner is identified, during a Child Exploitation risk assessment, within a Child Protection Conference, from a LADO referral. Information may come from a multi-agency source i.e. MAPPA, MARAC.

Whenever a worker or manager identifies that the criteria is met for a Hazard or Risk to Children flag then they are required to check EHM & LCS check if that individual has been flagged and whether the information noted in the risks tab is up to date.

All workers and managers have a responsibility (if the person is not flagged or the information is not up to date and accurate) to follow this guidance to ensure the person is appropriately ‘flagged’.

It is important to consider how the individual is informed about the information we hold/receive from other sources. To be consistent with Data Protection requirements, there must be consideration given to informing the individual of the information held and the source of this information, to give them the chance to challenge the information.

Individuals may ask the Council to remove information held about them, or to suspend it’s processing while their complaint is resolved.

The Council must give some consideration to this, but where clear criteria for retention exist, these must be applied.

Any requests for information (or its removal) must be passed promptly to the Information Governance Team at: info\_governance@sandwellchildrenstrust.org

This must be in keeping with data protection principles but also in line with the safety and protection of others and therefore if it is considered sharing the information will place someone else at risk then there should be a clear rationale for not sharing this information.

1. **Criteria for different types of flags**

**Criteria for use of a Hazard flag (HZD)**

There are two reasons for the use of a Hazard flag (**HZD**). The basic details of why the flag has been added are held within the risks tab on EHM & LCS and should be sufficient to guide the reader to where detailed information is recorded.

1. A health and safety reason has been identified, e.g: No visits offsite; Not to be interviewed alone; Potential risk to men/women; Risk of physical aggression; Environmental concerns, for example: dangerous animal, safety of the home/environment.
2. There are substantiated allegations or allegations that are being investigated of abuse against a child or young person that must be taken into account through assessment in relation to children the person of concern has contact with, e.g. current investigation into harm to children, indecent images, allegations of sexual/physical abuse against children. Consider child abduction warnings or other Child Exploitation disruption warnings.
3. High risk perpetrators of domestic violence.

**Criteria for use of the Risk to Children flag (RTC)**

A Risk to Children flag should be used when a person has been identified as presenting a risk, or potential risk, of harm to children. This category primarily includes individuals who have committed an offence against a child.

It is imperative that all professional judgements can be evidenced and that there is clear decision-making based on the information available at the point of adding the ‘**RTC’** flag. Therefore decision-making and evidence needs to be recorded on the file of the individual and cross referenced where appropriate.

The conclusion that an individual poses a risk to children should be based on all available information provided by relevant agencies. This includes assessments of risk made by Probation, Police, Health and other involved agencies, whether individually or multi agency via the Multi-Agency Public Protection Arrangements (MAPPA) which deals with sexual and violent offenders. There may be a need to have a ‘RTC’ and MAPPA flag.

Practitioners must exercise their professional judgement in all instances. Consideration must be given to whether any children are likely to be at risk, and the SCSP safeguarding process is to be followed as necessary.

Section 2.14 (Indicators)Person Posing Risk to Children West Midlands Procedures explains how to identify those who present a Risk to Children **(RTC).** This includes a list offences which can be used to identify those who present a risk or potential risk to Children (Schedule 15 of Criminal Justice Act 2003)[**https://mappa.justice.gov.uk/connect.ti/MAPPA/view?objectId=5682416**](https://mappa.justice.gov.uk/connect.ti/MAPPA/view?objectId=5682416)

Indicators of people who **may** pose a risk to children include:

* A Person Posing a Risk to Children; those found guilty of an offence that indicates that the new term reflects **future risk** as opposed to past convictions;
* Individuals known to have been cautioned / warned / reprimanded in relation to an offence against children including Child Exploitation convictions;
* Individuals against whom there is a previous finding in civil proceedings e.g. Sex Offender Order or care proceedings, Finding of fact;
* 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 suffering or likely to suffer significant harm e.g. a history of domestic violence and other serious assaults. Where there is significant multi-agency professional concern based on assessment that they potentially pose a risk. This group is the one that will require rigorous scrutiny by a manager and any decisions must be clearly recorded with reasons for this professional judgement. In such cases legal advice may need to be sought; To ensure that any RTC ‘flag ’is appropriately used a standalone risk assessment is required to evidence the need for the RTC flag.
* Offenders against adults who are notified to the local authority, because the prison or probation services are concerned about the possible risk to children;
* Offenders who come to the attention of MAPPA and are considered an ongoing risk to children

**Criteria for MARAC flag (MRC)**

A MARAC flag will be added to children and the victim if they have been heard at MARAC. Perpetrators of domestic abuse will have a hazard added as per section 3.

**Criteria for MAPPA flag (MAPPA)**

Individuals registered as MAPPA level 2 and 3 will be ‘flagged’ with a MAPPA flag. The notes in the risk section will advise that to gain further information contact the MAPPA unit.

1. **How to flag an individual and what information is required (also see flow chart)**

**Hazards**

Once a person has been identified as requiring a Hazard flag then the follow process should be followed:

* If a member of staff believes an individual poses a risk in terms of their health and safety, this should be discussed with their Team Manager. The Team Manager must decide whether the individual needs to be recorded as a hazard and it is the responsibility of the allocated case worker to ensure the hazard is recorded in LCS/ EHM. The ‘hazard tab’ on liquid logic will provide a statement of the concern and where further information is recorded.

It is the line manager’s responsibility to ensure that a senior manager is informed and any other partner agency if there is a substantial risk of harm to staff or professionals.

It is important that this policy is used in conjunction with the Health & Safety policy where a risk assessment is required It is important that individual risk assessments are completed when risk is identified to individual staff or professionals.

If a person is identified as a concern due to substantiated allegations of harm or risk of harm to children, then the worker or manager will provide the details of the concerns to their line manager and the allocated case worker will add the hazard. The following information is required details of allegations/concerns including dates, history and patterns of concerns, actions taken and outcomes, who was the alleged harm against, analysis of risk. The detailed information will be recorded in the risks tab or on case notes/a contact record.

**Risk to Children**

Once a person has been identified as requiring a Risk to Children flag then the follow process should be followed:

Front door will forward the Risk to Child notification to Quality Assurant Unit email address: quality\_development@sandwellchildrenstrust.org

Quality Assurance unit admin staff will record the flag on the adult’s record if there is a child linked with an open referral or previously known. The following information to evidence the RTC flag being required as below:

Personal details, i.e. full name, date of birth, relevant addresses;

* Date Risk Started
* Review Date
* Risk details includes details of sentence (if applicable) type of offence and date

**MARAC (MRC)**

The Team Manager lead for MARAC will add and close the MARAC flags and the hazard flag for the perpetrator from the MARAC meetings.

**MAPPA (MAPPA)**

The lead managers for MAPPA level 2 and level 3 will add and close the MAPPA flags from the MAPPA meetings.

1. **Review Time Frames**

A 12 monthly review will take place to determine whether the individual continues to meet the criteria for a continued Hazard flag.

A 12 monthly review will take place to determine whether the individual meets the criteria for a continued flag as a Risk to Children.

Where there is active involvement by [MAPPA](http://trixresources.proceduresonline.com/nat_key/keywords/mappa.html) or [MARAC](http://trixresources.proceduresonline.com/nat_key/keywords/marac.html), the review will mirror the MAPPA /MARAC process and will require updating when the discussion is recorded. A new date for review will need to set. If the individual is no longer subject of monitoring through MAPPA/ MARAC then the decision and the outcome will need to be recorded in the relevant section on LCS.

When an individual is not subject of a monitoring plan through a formal multi-agency plan then it is the responsibility of the Service Manager to complete the review.

Where a hazard flag is continued, staff must provide evidence and justification for the decision made;

On case closure any hazard flag should be reviewed and a request to end the flag if appropriate. Social Care and Strengthening Families Managers must provide evidence and justification for the decision made to end the flag. In addition, the note must clearly state any recommendations for future requirements/assessments/health and safety considerations.

1. **Flow Chart of who does what and when**

