



Serious Offender policy

1.0 Purpose and scope

This policy sets out our approach to working with applicants for housing or a service who are a serious offender. It demonstrates our commitment to working in partnership with agencies to enable serious offenders to resettle in the community and sustain a tenancy.

The purpose of this policy is to:

- Ensure customers have fair access to housing regardless of any offences they have committed
- Support serious offenders and members of the community to stay safe.

This policy applies to all customers living or applicants applying to live in a social housing or temporary housing property owned or managed by Notting Hill Genesis.

This policy does not cover recruitment of ex-offenders.

2.0 Definitions

Serious offender – a person with an unspent conviction for an offence listed under schedule [2a of the 1985 Housing Act](#) (amended following the Anti-Social Behaviour, Crime and Policing Act 2014). The offences are categorised as:

- Violent offences
- Sexual offences
- Offensive weapons
- Offences against property
- Road traffic offences causing death or serious injury
- Drug-related offences

A serious offender may or may not be subject to MAPPA supervision.

Multi-agency public protection arrangements (MAPPA) – a mechanism through which agencies who assess and manage the risks posed by specified sexual or violent offenders (MAPPA offenders) can discharge their statutory responsibilities.

Responsible authority – the primary agency for MAPPA. This is the police, prison and Probation Trust in each area, working together. They have a duty to ensure that the risks posed by specified offenders are assessed and managed appropriately.

3.0 Eligibility

. Serious offenders are not deemed ineligible for housing. However, we may decide that a particular property is unsuitable for a serious offender due to locality or housing management issues. In these circumstances we look for an alternative suitable property to offer the applicant, wherever possible.

For some of our care and support schemes, we further consider whether the applicant is an ex-offender or if they have an unspent conviction for an offence not captured in our definition of a serious offender. From this information, we may decide that the accommodation or support does not meet their support needs.

4.0 Risk assessment

Before making an offer of housing or service, we work together with other agencies to identify the risks posed by housing an applicant at a particular property or accepting them as a customer of a support service.

The Responsible Authority is responsible for assessing the risks and needs of serious offenders subject to MAPPA supervision throughout the whole of their sentence whether in custody or in the community. We recognise our duty to co-operate with the Responsible Authority in assessing risk and provide them with information about the property and local area that we deem important for their consideration when assessing risk.

For serious offenders who are not subject to MAPPA supervision, we carry out a risk assessment to determine suitable control measures needed to manage any risks that we have identified.

We keep clear records of copies of assessments and decisions.

5.0 Withholding an offer of accommodation or support

If the outcome of risk assessment is that we decide to withhold an offer of accommodation or support, we inform the applicant of this, and explain the reasons for our decision.

Where an applicant declares an unspent conviction, we seek their permission to contact relevant agencies for details of the offence. If the applicant refuses permission for agencies to share information, we may withhold an offer of accommodation or service if we cannot adequately consider risk.

A housing applicant may appeal a decision if they are dissatisfied with the way their application has been handled. Appeals will be considered by the lettings panel.

6.0 Making an offer of accommodation or support

If the outcome of the risk assessment is that we can accept the application, we liaise with the applicant and, where applicable, the Responsible Authority, to agree the risk management measures prior to making the offer of accommodation or service.

Any such measures must be clearly related to our role as a housing and/or support provider and not be measures or activities that fall within the remit of criminal justice or policing.

7.0 Managing risk

We do not monitor the behaviour of serious offenders, unless this has been factored into the support plan. We manage risk and occupancy agreement breaches in line with our policies and procedures.

If we receive a report that a serious offender has committed a crime, we inform the person reporting this to us to report the crime to the police. We contact the offender manager where we have an established arrangement if we reasonably believe that a serious offender under probation has breached their licence conditions. If a breach of licence is confirmed, we ask them to reassess the risk and take appropriate action, as described in section 4 above.

We support serious offenders to stay safe by allocating accommodation that appropriately suits their needs. We respect their choice to disclose their convictions to other people but encourage them to consider the risks associated with doing so. Where a serious offender reports feeling harassed or intimidated, we explore options to improve their safety as outlined in our anti-social behaviour policy.

8.0 Identifying a customer as a serious offender

If we receive a report that an existing customer is a serious offender, we liaise with the police and relevant agencies to confirm authenticity of the report. We conduct a risk assessment as outlined in section 4. In determining risk management measures, we also take into account how well the customer has thus far managed any identified risks or provide this information to MAPPA for them to consider.

Appropriate measures may include offering to move the customer to a safer property or signposting them to another organisation for support. If the customer is deemed a risk and is not willing to cooperate with the control measures, we may consider pursuing legal action for failure to disclose the conviction at the point of application.

If a customer receives a custodial sentence, we refer to our relevant procedures to explore what options for sustaining their tenancy are available to them.

9.0 Our approach

In writing this policy we have carried out assessments to ensure that we are considering:

- Equality, Diversity & Inclusion
- Privacy & Data Protection

If you'd like a copy of the assessments, please email us at policy@nhg.org.uk

10.0 Reference

- Rehabilitation of Offenders Act (1974)
- Housing Act 1985 (and those referred to in schedule 2a)
- Serious Crime Act 2007

- Anti-Social Behaviour, Crime and Policing Act 2014

Document control

Author	Iona McHugh, Policy Officer
Approval date	
Effective date	
Approved by	
Policy owner	Neil Coils, Regional Head of Housing Sunita Parbhakar Head of Voids and Lettings
Accountable Director	Sue Sargeant, Director of Housing Management

Version Control

Date	Amendment	Version
	New NHG policy	1.0