

29 January 2024

Our Ref: FOI 281

Request

We received your request on 22 January 2024 for the following information:

- 1. I would be grateful if you could provide a copy of the Prisoner Protocol or advise where I may obtain same*

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

Our response

Please find attached as requested.

This concludes our response.



A protocol for the management of the accommodation and related support needs of people in custody in Northern Ireland

October 2023

**Housing
Executive**



Department of
Justice

An Roinn Dlí agus Cirt
Máinnystre O tha Laa



PBNI Probation Board
for Northern Ireland

NORTHERN IRELAND
PRISON SERVICE

**Housing
Rights**

**A PROTOCOL FOR THE MANAGEMENT OF THE ACCOMMODATION
AND RELATED SUPPORT NEEDS OF PEOPLE IN CUSTODY IN
NORTHERN IRELAND**

01st JULY 2023 (Version 3)

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ist of abbreviations and terms

Approved Premises	Hostels which receive Supporting People funding specifically for offenders, allocate bed spaces for criminal justice referrals and apply PBNI standards.
BTG	Beyond the Gate service
CAF	Common Assessment Framework
DCS	Determinate Custodial Sentence
DFC	Department for Communities
DOJ	Department of Justice
ECS	Extended Custodial Sentence
EDR	Earliest Date of Release
Ex Prisoner	A person who has served a prison sentence or has been on remand within custody or young offenders centre and has been released from custody
FDA	A Full Duty Applicant being a person who has applied as homeless and who is owed the main duty by the Housing Executive
HA	Housing Adviser
HADW	Housing Advice Development Worker
HB/UC	Housing Benefit/Universal Credit
HSU	Homeless Support Unit
ICS	Indeterminate Custodial Sentence
IP	Intervention Point (point of initial contact with the service)
PCNI	Parole Commissioners Northern Ireland
PDU	Prisoner Development Unit
PDP	Personal Development Plan
PED	Parole Eligibility Date
PPANI	Public Protection Arrangements for Northern Ireland

PM	Patch Manager
Offender	A person subject to current supervision or license by the Probation Service
Prisoner	A person who has been committed to a prison or young offenders centre by the courts. For the purposes of this framework this also includes those on remand
PSI	Promoting Social Inclusion (a strand of the Government's Anti-Poverty Initiative which identifies people who are in greatest social need and tackles factors which can contribute to social exclusion)
Recall	A licence has been revoked and the person has been recalled to custody
Remand Prisoner	A person in custody awaiting sentence or release. Individuals may be released straight from remand due to either being found not guilty or not receiving a custodial sentence on conviction, or having already served time on remand equal to the custodial sentence given on conviction
SHO	Senior Housing Officer
SSO	Previously referred to as Statutory Supervision Order as required by a sentencing court however there is no longer an SSO as such as these are now referred to as Probation Order, Community Service Order or Combination Order and should be read as such in reference to SSO
Supporting People	Supporting People is a Strategy which sets out the Northern Ireland Housing Executive's plans to improve supported services and its vision for housing related services for the coming years.
Vulnerable Adult	A person aged 18 or over, who is in receipt of or may be in need of community care services by reason of mental or other disability, age or illness and who is, or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

1.0 INTRODUCTION

The original Protocol was agreed and signed on 01st May 2009 and subsequently reviewed with the second version agreed on 01st June 2012. Following a comprehensive review of Version 2 of the Protocol (occurring across June 2018 – Oct 2022), this Protocol has been agreed by:

NI Housing Executive (NIHE)
NI Prison Service (NIPS)
Probation Board for Northern Ireland (PBNI)
Homeless Connect* (formerly Council for the Homeless Northern Ireland)
Housing Rights (HR)
NI Association for the Care & Resettlement of Offenders (NIACRO)
Northern Ireland Federation of Housing Associations (NIFHA)*

**It should be noted from the outset, that whilst Homeless Connect and NIFHA were involved in developing the original Protocol, they have no direct role in the implementation of the Protocol. However, as key umbrella organisations within the housing sector, they acknowledge their role in supporting, promoting and disseminating the Protocol information to their relevant members.*

The Protocol seeks to provide a framework for co-operation which will enable the accommodation and associated support needs of those entering (including those on remand) and leaving custody to be met. Not all clients leaving custody are covered by this Protocol. For example, clients who have been charged with/convicted of specific offence categories who are supervised via the Public Protection Arrangements NI for such as crimes against children and vulnerable adults, and Hate Crime.

1.1 CONTEXT

In the field of criminal justice there is established recognition of the need, in the interest of public protection, to promote the rehabilitation of those in custody and reduce the likelihood of re-offending. There has been a number of key policy documents produced which have sought to promote the broad resettlement agenda in Northern Ireland. These have emphasised the need for an inter-agency approach to be adopted and highlighted that resettlement must address practical issues which exist for those in custody, such as housing as this is an important indicator of community re-integration.

The Criminal Justice (NI) Order 2008 changed how the Northern Ireland Prison Service (NIPS) deals with people in custody and further changes were introduced by the implementation of the Prison Reform Report published in October 2011. The Prisoner Development Model tailors how those in custody are supported, challenged and motivated during their sentence appropriate to the needs, strengths and risks they present in order to promote their resettlement and rehabilitation.

In September 2015, The Department of Justice (DOJ) published “Supporting Change – a Strategic Approach to Desistance”. It recognised the importance of using the concept of desistance as a core principle in assisting people to change their offending behaviour and

ultimately help keep Northern Ireland safer. Supporting Change recognises that the main issues faced by individuals relate to social exclusion and notes that the common barriers to desistance can be grouped into broad categories with accommodation being one of them.

NIPS revised its Resettlement Pathways in November 2016; Resettlement Pathways refers to the work undertaken with those in custody to prepare them for their release and return to the community. The Accommodation Pathway assists in preventing homelessness by ensuring everyone in custody is assessed and those with accommodation needs are provided with appropriate interventions. Accommodation can provide the anchor for someone who has previously led a chaotic life, and act as a springboard for other crucial steps such as obtaining and sustaining employment, as well as accessing healthcare and addictions services.

NIPS take a proactive approach towards managing the housing needs of people in custody, including assessing needs on entry into custody rather than immediately before release. Assisting those in custody to maintain stability with their accommodation can be the foundation for successful rehabilitation and for ensuring that risk is managed effectively. There are a range of accommodation options for people leaving custody, but there remain significant challenges in finding suitable settled accommodation for some vulnerable people leaving custody.

A key element in addressing accommodation needs is effective partnership working between NIPS, PBNI, NIHE and Housing Rights as well as other housing support organisations.

2.0 AIMS & OBJECTIVES OF THE PROTOCOL

This Protocol is a practical expression of the spirit of shared commitment. When implemented, it will provide accommodation solutions which will make a positive difference for those leaving custody in NI. The broad aims, related objectives and commitments for the Protocol are identified below:

AIMS	RELATED OBJECTIVES AND COMMITMENTS
Co-operation/Inter-Agency working <ul style="list-style-type: none"> To provide a formal framework for inter-agency co-operation for agencies involved in the delivery of accommodation and support services to people entering or leaving custody. 	<p>To keep updated the agreed roles and responsibilities for the agencies involved in ensuring the accommodation and support needs of those in custody and/or being released are met.</p> <p>To target intervention of relevant agencies at key stages in the custody process.</p> <p>To provide practical guidelines for everyday use by staff working within these agencies.</p> <p>To enhance communication and promote a culture of collective responsibility and shared understanding between the agencies.</p> <p>To deliver a coordinated and comprehensive approach that avoids duplication and maximizes complementary working between the agencies.</p>

AIMS	RELATED OBJECTIVES (continued)
<p>Prevent homelessness / meet housing need</p> <ul style="list-style-type: none"> To prevent homelessness by meeting the accommodation and associated support needs of those entering and leaving custody. 	<p>To assist the Protocol partner agencies to fulfill their statutory duties in relation to accommodation.</p> <p>To prevent people losing their home unnecessarily when entering custody.</p> <p>To terminate tenancies in an appropriate manner where necessary.</p> <p>To ensure the accommodation and associated support needs of people in custody are identified and addressed in a timely and consistent manner.</p> <p>To improve access to a wider range of accommodation for those leaving custody.</p> <p>To reduce the number of people released without suitable accommodation.</p> <p>To identify gaps in accommodation provision and to stimulate an effective response to these gaps.</p>
<p>Promote resettlement / reduce re-offending / contribute to community safety</p> <ul style="list-style-type: none"> To reduce the likelihood of re-offending by helping to establish stability in lifestyles of those resettling. 	<p>To provide an effective referral system (including relevant disclosure of needs and risk information) to a range of accommodation options for people leaving custody which are appropriate to their needs and meet the concerns of public protection.</p> <p>To seek to provide accommodation which manages risk and contributes to community safety.</p> <p>To have a process which enables those leaving custody to move on to the most appropriate level of accommodation as defined by their needs and risk management.</p> <p>To identify the most appropriate support services in place, including specialist provision, and any gaps in these in order to enhance the stability of re-settlement accommodation and community re-integration.</p> <p>To deliver positive outcomes for those in or having left custody.</p>

3.0 LEGISLATIVE FRAMEWORK

The key pieces of legislation identified as relevant to the Protocol are:

- The Prison Act (NI) 1953 – *sets out the main statutory duties of the Northern Ireland Prison Service including provision for schemes aimed at rehabilitation;*
- The Housing (NI) Order 1981, (as amended) – *sets out the structure, financing and general functions of the NIHE and includes provision for a scheme to govern the allocation of social rented housing;*
- Probation Board (NI) Order 1982 – *outlines the Board’s mandatory and discretionary functions, including duties in relation to the provision of approved accommodation in connection with the supervision and assistance of those who have left custody;*
- The Housing (NI) Order 1988, (as amended) – *confers powers and duties on the NIHE in respect of persons who present to it as homeless;*
- Criminal Justice (NI) Order 1996 – *gives the courts the power to include a condition of residence in a Probation Order;*
- Criminal Justice (NI) Order 2008 – *introduced new sentencing framework for N.I. which included extended and indeterminate sentences for public protection; risk management arrangements for those who commit sexual and violent offences; road traffic offences; miscellaneous provisions including provisions on alcohol purchase and consumption, and increased penalties for knife offences in Northern Ireland.*
- The Criminal Justice (Sentencing) (Licence Conditions) (Northern Ireland) Rules 2009 - *These Rules provide the licence conditions that can be applied to those in custody and young people released from custody on licence under the Criminal Justice (NI) Order 2008 (“the 2008 Order”).*
- The Housing and Support Services (NI) Order 2002 – *outlines the powers of the NIHE to secure the provision of housing support services by way of funding;*
- The Housing Benefit Regulations (NI) 2006 – *sets out the law relating to Housing Benefit in Northern Ireland;*
- The Welfare Reform (NI) Order 2015 – *sets out the law relating to Welfare Reform provision in Northern Ireland;*
- Data Protection Act 2018 - *The DPA 2018 sets out the framework for data protection law in the UK. It updates and replaces the Data Protection Act 1998, and came into effect on 25 May 2018. It was amended on 01 January 2021 by regulations under the European Union (Withdrawal) Act 2018, to reflect the UK's status outside the EU. It protects the rights of the individual about whom data is obtained, shared, processed or supplied and gives individuals right of access to information held on them. The Act applies to both computerised and paper records.*

- Human Rights Act 1998 – *makes basic rights and freedoms available to all individuals from the European Convention on Human Rights, enforceable in UK courts.*
- The Parole Commissioners’ (NI) Rules 2009 - *provides the statutory arrangements under which people including young people serving life sentences (including those detained at the Secretary of State’s pleasure), indeterminate (ICS) or extended (ECS) custodial sentences will be reviewed and assessed for release by the Parole Commissioners for Northern Ireland.*
- The Housing (Amendment) Act (NI) 2010 – *places a statutory duty on the NIHE to produce a homelessness strategy (work in progress at time of writing) and to provide advice.*

4.0 STRATEGIC AND OPERATIONAL FRAMEWORK

The following represent the key strategic and supporting documents¹ with identified links to this Protocol:

Key Documents

- Social Exclusion Unit’s Report – “Reducing Re-offending by Ex-prisoners” (July 2002)
- NIPS Resettlement Pathways November 2016
- NIPS Prisoner Development Model October 2014
- DOJ Supporting Change – a Strategic Approach to Desistance September 2015
- DOJ/NIPS: Prisons 2020
- NIHE: Supporting People Three Year Strategic Plan and Covid –19 Recovery Plan 2021-24
- NIHE Draft Strategic Plan for Temporary Accommodation 2022-27
- NIHE Draft Homelessness Strategy, Ending Homelessness Together, 2022-2027
- Reports carried out by the Criminal Justice Inspectorate Northern Ireland (CJINI) – See <https://www.cjini.org/TheInspections/Inspection-Reports>

Supporting Documents

- NIHE Reset Plan – The Way Home (October 2020)
- NIHE Chronic Homelessness Action Plan (May 2019)
- Public Protection Arrangements for NI - Accommodation Strategy for Sex Offenders in NI (Nov. 2008)
- Public Protection Arrangements for NI – NIO Criminal Justice Directorate, Guidance to Agencies (2008)
- Regional Good Practice Guide agreed between NIHE and Health and Social Services Trusts, entitled Meeting the Accommodation and Support Needs of 16-21 olds (2011).

The following documents are also directly relevant to the operation of this framework and have been considered in the preparation of this Protocol:

¹ Details of where to obtain copies of these documents are contained in Appendix 1 or link provided above

- NIHE Guidance Manuals on:
Homelessness (December 2017)
Housing Selection Scheme (December 2016)
Supporting People Commissioning Process (April 2003)
- Her Majesty's Inspectorate of Prisons Expectations (2017)
- PBNI Northern Ireland Practice Standards (2018)
- NI Personality Disorder Strategy (June 2010) – Department for Health, Social Services and Public Safety.

5.0 REMIT OF THE PARTNER AGENCIES

Northern Ireland Housing Executive (NIHE)

The Housing Executive is a non-departmental public body whose roles include working as a landlord in tenancy and estate management and as the regional NI housing authority, which is the strategic enabling and delivery side of the business.

As the statutory authority for responding to homelessness, the Housing Executive investigates the circumstances of people who are or likely to become homeless. Duties in this regard include making temporary accommodation available to those who may also be eligible and in priority need. Depending on the individual's circumstances a duty may arise to secure permanent accommodation. The Housing Executive also has a statutory responsibility to produce a Strategy to tackle homelessness. The core focus of the strategy is prevention and sustainment as well as understanding chronic homelessness. Delivery of the Homelessness Strategy is overseen by the multi-agency Homelessness Strategy Steering Group (HSSG).

In tandem with its statutory homelessness duty the Housing Executive also aims to prevent homelessness. Through effective engagement with housing customers including those released from custody it aims to understand the individual's needs and explore their housing solution. It will also analyse a range of solutions to sustain accommodation where possible. It seeks to ensure that the support needs of its customers are clearly identified at presentation stage or first point of contact.

Under Housing Benefit Regulations, the Housing Executive has responsibility for administering a Housing Benefit service on behalf of the Department for Communities (DfC). It is also empowered by Articles 3 and 4 of the Housing Support Services (Northern Ireland) Order 2002, to secure the provision of housing support services to individuals with particular needs and to pay grants to eligible persons towards expenditure incurred by them in providing certain housing support services. The delivery of the Supporting People programme involves working in partnership with the Health and Social Care Board, the five Health and Social Care Trusts, the Probation Board for Northern Ireland and a wide range of voluntary sector partners to commission and develop services that meet the assessed needs of vulnerable people.

Northern Ireland Prison Service (NIPS)

NIPS introduced a new Prisoner Development Model in 2015 which tailors how those in custody are supported, challenged, and motivated during their sentence appropriate to the needs, strengths and risks they present in order to promote their resettlement and rehabilitation.

The Department of Justice (DOJ) published 'Supporting Change – a Strategic Approach to Desistance' in September 2015. Supporting Change recognises that the main issues faced by individuals relate to social exclusion and notes that the common barriers to desistance can be grouped into broad categories aligned to the established Resettlement Pathways.

One of the social factors that contributes to offending and re-offending is accommodation. NIPS assist in preventing homelessness by ensuring everyone entering/in custody is assessed and those with accommodation needs are provided with appropriate interventions.

NIPS take a proactive approach towards managing the housing needs of people in custody, including assessing needs on entry into custody rather than immediately before release. Assisting those in/those leaving custody to maintain stability with their accommodation can be the foundation for successful rehabilitation and for ensuring that risk is managed effectively. There are a range of accommodation options for people on release from custody, but there remain significant challenges in finding suitable settled accommodation for some vulnerable people leaving custody.

A key element in addressing accommodation needs is effective partnership working between NIPS, the Probation Board for Northern Ireland (PBNI), the Northern Ireland Housing Executive (NIHE) and the Housing Rights Service, as well as other housing support organisations. Each prison establishment has a Housing Rights advice worker who works alongside prison staff to carry out early assessments and provide the necessary advice and links for prisoners.

NIPS IN PARTNERSHIP WITH OUR SERVICE PROVIDERS WILL:

- Conduct early accommodation needs assessments, with agreed outcomes fed into Personal Development Plans.
- Enable those in custody to sustain their existing tenancy (as appropriate).
- Provide appropriate accommodation advice/guidance to those entering and leaving custody.
- Assist those in custody pre-release to access suitable accommodation by exploring the full range of housing options available.
- Assist and progress applications for housing/hostel accommodation.
- Address wider support needs to enable those leaving custody to be able to sustain independent living.
- Provide advice on issues associated with affordability and debt.

- In conjunction with other agencies develop accommodation options for vulnerable persons leaving custody.

Probation Board Northern Ireland (PBNi)

PBNi is a community-based Board with the status of a non-departmental Public Body whose aim is to help reduce crime and the harm it does. PBNi works within both the community and prison to deliver rehabilitation, to change lives for safer communities working with people who offend to bring about change, reduce reoffending and consequently to reduce the number of people who become victims of crime. With the known link between homelessness and re-offending, the Board's Accommodation Strategy is to secure accommodation which contributes to the safe management of people who offend in the community and crime reduction.

Homeless Connect

Homeless Connect represents organisations working with homeless people. Currently, Homeless Connect membership comprises organisations from the community/voluntary, statutory and private sectors who offer accommodation places to homeless people, including those on remand in the community and those released, throughout Northern Ireland and organise a wide range of support, outreach and accommodation services.

Housing Rights

Housing Rights is a voluntary organisation which works to achieve positive change by protecting and promoting the rights of people in housing need in NI. The organisation provides advice, training and information on housing and homelessness issues and is responsible for the delivery of a specialist housing advice service within the NI prisons.

Northern Ireland Association for Care & Resettlement of Offenders (NIACRO)

NIACRO is a voluntary sector organisation whose mission is to work to reduce crime and its impact on people and communities. NIACRO recognises suitable accommodation is a fundamental element of effective resettlement. NIACRO provides a range of support services to people in custody and in the community and works with people whose history of previous offending or anti-social behaviour has caused difficulties in the community.

Northern Ireland Federation of Housing Associations (NIFHA)

NIFHA represents 20 registered member Housing Associations in Northern Ireland. It recognises the importance of forging links and working in partnership with other agencies on behalf of its members in order to improve the social well-being of people in need of accommodation, including those released from custody, through helping to provide decent and affordable homes.

The following sections (6.0 – 10.0) detail the actions required at various stages of prison life to meet the housing, housing advice and related support needs of people entering or leaving custody. The stages also identify the lead agency responsible for carrying out the actions along with relevant partners who can assist in the process. Reference is made throughout the stages to various pro formas (*e.g. see pro forma 1.3*) and flowcharts (*e.g. see Flowchart NIPS/IP1*). These pro formas and flowcharts are designed for operational use by staff in the

relevant agencies and are available separately to the main Protocol document, and will also be located in each prison as a tool to assist in implementation of the Protocol. (A comprehensive list of the pro formas is contained in **Appendix 2** along with details of where to obtain copies. The same information for the flowcharts can be found in **Appendix 3**).

6.0 STAGE 1: On Reception in Prison (on remand/pre-sentence)

Coming into prison on remand is a very uncertain time; nevertheless, effective planning and intervention at this stage is crucial to long term housing outcomes. ***If suitable accommodation can be found, some in custody may be released to spend the remainder of their time on bail in the community. For the remainder, the emphasis is on immediate intervention to maintain, where appropriate, the tenancy during the time on remand.*** It is also possible that, for a variety of reasons, people may be released back into the community directly from the court. If this seems likely ***it is essential that people are advised of what to do on release. Where the person is vulnerable or has complex needs, every effort should be made to reduce the likelihood of them returning to the community without appropriate accommodation and support in place.***

Initially for all stages there is a need to determine if client is a PPANI case. If so, refer to PBNI and if not follow the Protocol: People in custody supervised via PPANI receive the same housing advice and information as everyone in custody. The distinction occurs when a detained person is assessed as PPANI Category 2 or 3. In these circumstances, the relevant statutory key workers from NIPS (PDP Coordinator and/or PBNI, Probation officers) take the lead in approving accommodation and support. HADWs provide guidance to those key workers (a social report pro forma with guidance has been developed by HR and approved by NIHE).

Timescale	Required Action	Lead Agency / Partners
Within 1 working day	Within 1 working day of committal to prison everyone will receive an Initial Prisoner Development Unit Contact Interview (PDU 1)	PDP Coordinator
Within 48 hours	<p>Initial assessment of relevance of accommodation to remand status- (see <i>Flowchart NIPS/ REM</i>) <i>(i.e. would identification of suitable accommodation enable the applicant to be considered for or released on bail in community?)</i></p> <p><i>If accommodation relevant:</i></p> <ul style="list-style-type: none"> Obtain formal consent (<i>using form 1.1 see Appendix 4</i>) 	NIPS Peer Advisers HR

	<ul style="list-style-type: none"> Identify and explore range of accommodation options for bail release, OR Where bail is granted in principle, arrange placement in relevant accommodation with appropriate support. Identify any potential issues with previous accommodation (if tenancy already held and bail address different to that) and advise person to either contact original landlord and/or seek specialist housing advice on release. 	
Timescale	Required Action	Lead Agency / Partners
Within 48 hours	<p>Initial assessment of housing situation (see Flowchart NIPS/REM)</p> <ul style="list-style-type: none"> Ensure formal consent form completed (<i>using form 1.1 see Appendix 4</i>) Establish tenure/accommodation status and obtain landlord details (<i>using form 1.1A</i>) Obtain person's permission to liaise with landlord re housing issues (<i>using form 1.1A</i>) Basic advice on tenant responsibilities/rent liability and UC Housing Costs entitlement Identify nature of immediate intervention required to maintain accommodation Identify if further specialist advice required (<i>this may be required either due to housing situation and/or vulnerability of person</i>) and make appropriate referral to HR (<i>via referral pathway specific to the establishment</i>). 	<p>NIPS PDU Peer Advisers HR</p>
Within 48 hours	<p>Complete immediate intervention required to maintain tenancy</p> <ul style="list-style-type: none"> Landlord informed (<i>using pro forma 1.2</i>) 	<p>Peer Advisers HR NIPS PDU NIHE PM UC</p>

	<ul style="list-style-type: none"> • HB/UC informed (<i>using pro forma 1.3</i>) or arrangements made to pay rent, if appropriate • Advise of need for 10 month review if applying for HB and still on remand or 4 month review if applying for UC Housing Costs. • Arrange protection of property, if appropriate (<i>using pro forma 1.3</i>). 	
Action to commence within 7 days	<p>Provide specialist advice to assist in the resolution of housing issues for those who are vulnerable</p> <ul style="list-style-type: none"> • Ensure consent form completed (<i>using form 1.1 see Appendix 4</i>) • Secure input of relevant agencies • If required, request case strategy meeting to explore issues and consider how housing/support needs on release can be met. 	HR NIPS PDU
Timescale	Required Action	Lead Agency / Partners

<p>Action to commence within 28 days</p>	<p>Provide specialist advice to sustain tenancy or ensure appropriate termination</p> <ul style="list-style-type: none"> • Ensure consent form completed (<i>using form 1.1 see Appendix 4</i>) • Help with housing costs/resolution of any HB/HC issues • Advise 10/4 month review required if still on remand and in receipt of HB/UC. • Obtain clarification on rent liability/debts and negotiate with landlord/creditors • Provide legal advice or representation on other housing related issues, if required. <p><i>If proceeding with termination of tenancy</i></p> <ul style="list-style-type: none"> • Notify landlord • Negotiate re notice period, rental liability and/or future offers • Liaise with family/friends to arrange removal and storage of possessions OR obtain client permission for landlord to dispose of these etc. <p>NIHE Termination of Tenancy form provides for obtaining client consent verbally/via email or in writing.</p>	<p>HR NIHE PM/HA NIPS PDU Housing Provider</p>
<p>Within 28 days prior to sentencing date if that information is available</p>	<p>Identify housing information relevant to sentence and determine potential for release from court</p> <p><i>If pre-sentence report required</i></p> <ul style="list-style-type: none"> • Include impact of custody on person's housing status in pre-sentence report <p><i>If potential for release from court</i></p> <ul style="list-style-type: none"> • Provide person with relevant information/advice on action to take on release OR <p><i>If vulnerable/complex needs</i></p> <ul style="list-style-type: none"> • liaise with Housing Rights specialist advisers and providers to obtain accommodation/support package pending release from court. <p><i>If release from court not likely</i></p> <ul style="list-style-type: none"> • Advise of protocol for referral for housing advice when release date confirmed 	<p>NIPS PDU PBNI NIHE HA Temporary accommodation providers HR</p>

7.0 STAGE 2: On Reception in Prison (post sentence or at Recall)

Effective intervention at this stage is crucial in preventing homelessness among those leaving custody. Such interventions should be undertaken within the first 48 hours if possible. ***The emphasis during this initial phase will be on immediate intervention to maintain the tenancy in the short term.***

Timescale	Required Action	Lead Agency / Partners
Within 48 hours	<p>If on remand prior to sentence</p> <ul style="list-style-type: none"> Check ALL Stage 1 actions (<i>including completion of prisoner consent form 1:1 – see App. 4</i>) have already been completed Proceed to Stage 3. <p>If not held on remand prior to sentence or if on Recall</p> <ul style="list-style-type: none"> Complete actions identified below. 	PDU Peer Advisers HR
Within 48 hours	<p>Initial assessment of housing situation (see Flowchart NIPS/IP1)</p> <ul style="list-style-type: none"> Ensure formal Consent form completed (<i>using form 1.1 see Appendix 4</i>) Check if supervised via PPANI and if so, liaise with Support Officer (PBNI) and PDP Coordinator (NIPS PDU) to identify any relevant issues. Establish tenure/accommodation status and obtain landlord details (<i>using form 1.1A</i>) Obtain client permission to liaise with landlord re housing issues (<i>using form 1.1A</i>) Basic advice on tenant responsibilities/rent liability and HB/UC entitlement Identify nature of immediate intervention required to safeguard accommodation Identify if further specialist advice required and make referral to HADW (<i>via referral pathway specific to the establishment</i>). 	PDU HR
Within 48 hours	<p>Complete immediate intervention required to maintain tenancy</p> <ul style="list-style-type: none"> Landlord informed (<i>using pro forma 1.2</i>) HB/UC informed (<i>using pro forma 1.3</i>) or arrangements made to pay rent, if appropriate Arrange protection of property, if appropriate (<i>using pro forma 1.3</i>). 	NIPS PDU NIHE PM HR Peer Advisers Housing provider

8.0 STAGE 3: During Custody

This period will require ***follow up action leading to either long term tenancy sustainment or appropriate termination. It will also involve an ongoing assessment of housing/support needs and associated risks for each individual.*** Each person in custody has different needs and the extent of activity depends on the complexity of the issues which they are facing and the length of their sentence.

Timescale	Required Action	Lead Agency / Partners
Action to commence within 28 days	<p>Provide specialist advice, either to sustain tenancy or ensure appropriate termination</p> <ul style="list-style-type: none"> • Ensure consent form completed (<i>using form 1.1 see Appendix 4</i>) • Check if supervised via PPANI and if so liaise with Support Officer (PBNI) and PDP Coordinator (NIPS PDU) to identify any relevant issues • If relevant, consider alternative resident options such as nominated occupant/subletting) • Help with housing costs/resolution of any HB/UC issues • Obtain clarification on rent liability/debts and negotiate with landlord/creditors • Provide legal advice/representation on other housing related issues, if required. <p><i>If proceeding with termination of tenancy</i></p> <ul style="list-style-type: none"> • Notify landlord • Negotiate re notice period/rental liability/future offers • Liaise with family/friends/housing provider to arrange removal and storage of possessions OR obtain client permission for disposal of these. 	<p>HR</p> <p>NIHE PM NIPS PDU PBNI (if SSO) Housing Provider</p>
Within 28 days of committal	<p>Comprehensive assessment of housing situation (<i>see Flowchart NIPS/IP2/3 & Resettlement Needs Assessment Tool</i>)</p> <ul style="list-style-type: none"> • Ensure consent form completed (<i>using form 1.1 see Appendix 4</i>) 	NIPS PDU

	<ul style="list-style-type: none"> • Information gathered (using Accommodation Section of Prisoner Development Unit Initial Contact Interview) • Identification of housing needs and any associated support issues. • Agree priority actions required to enable housing issues to be addressed and refer for advice as relevant. • Make links with other relevant agencies or service providers. • Identification of complex/recurring issues and referral to specialist housing adviser or secure participation of specialist housing adviser in Prisoner Development Plan. 	
During sentence	<p>Provide specialist advice to assist in the resolution of complex or recurring housing issues</p> <ul style="list-style-type: none"> • Ensure consent form completed (<i>using form 1.1 see Appendix 4</i>) • Lead agency to secure specialist input to progress liaising with PPANI and HSCTs when appropriate • Request case strategy meeting, if required, to explore issues and consider how housing and support needs can be met. 	<p>NIPS PDU NIHE PBNI (if SSO) HR</p>
Every 3 months but no later than 6 months, length of sentence permitting	<p>Monitor housing situation</p> <ul style="list-style-type: none"> • Review of progress on actions identified • Obtain update on housing situation • Agree and timetable any revisions or additional actions required. 	<p>NIPS PDU HR</p>
Timescale	Required Action	Lead Agency / Partners
3 months prior to EDR	<p>Identification and exploration of housing options for release (see Flowchart NIPS/IP4 or PBNI/IP4)</p>	<p>NIPS PDU PBNI (if SSO) NIHE HA HR</p>

	<ul style="list-style-type: none"> • Ensure consent form completed (<i>using form 1.1 see Appendix 4</i>) • Identify accommodation requirements and discuss range of options • Submit formal application for accommodation to NIHE, if appropriate, (<i>using standard form</i>) • Provide supporting information in line with Information Sharing Protocol to enable comprehensive homelessness/housing assessment to be completed, (<i>should include achievements whilst in custody</i>) • If social rented accommodation not a viable option, refer for advice on renting privately or alternative options. 	Peer Advisers
For non ICS - 28 days prior to release	<p>Determination of housing/homelessness status (& support needs)</p> <ul style="list-style-type: none"> • Notification of outcome of housing application • Ensure consent form completed, (<i>using form 1.1 see Appendix 4</i>) • If unsuccessful application (negative homeless decision), refer to Housing Rights Housing Adviser for support regarding appeal and/or temporary accommodation, if appropriate • Where person is awarded FDA status liaise with named HA in NIHE to agree suitable temporary or permanent accommodation arrangements on release, (<i>identified needs and relevant risk information to be provided using accommodation referral form</i>) • Connect with relevant support providers to ensure appropriate package in place • Where not awarded FDA refer to specialist advice for assistance in obtaining alternative accommodation (see below). 	<p>NIHE HA NIPS PDU PBNI (if SSO) HR</p>

	<ul style="list-style-type: none"> Referral to Beyond the Gate service if appropriate. 	
<p>For ICS & life sentence prisoners</p> <p>-When outcome of Parole Hearing and Parole Date known</p>	<p>Determination of housing/homelessness status (& support needs)</p> <ul style="list-style-type: none"> Ensure consent form completed, <i>(using form 1.1 see Appendix 4)</i> Contact NIHE HA to obtain outcome of housing application If negative homeless decision, refer to specialist housing adviser for support regarding appeal and/or temporary accommodation, if appropriate. Where person is awarded FDA status, liaise with named HA in NIHE to agree suitable temporary or permanent accommodation arrangements on release, <i>(identified needs and relevant risk information to be provided using referral form)</i> Connect with relevant support providers to ensure appropriate package in place Where not awarded FDA refer to specialist advice for assistance in obtaining alternative accommodation (see below). 	<p>PBNI NIPS PDU HR NIHE HA Peer Advisers</p>
<p>Within the 28 days prior to release</p>	<p>Provide specialist advice/support in obtaining accommodation for release</p> <ul style="list-style-type: none"> Ensure consent form completed <i>(using form 1.1 see Appendix 4)</i> Referral by PBNI to PBNI premises <i>(use PBNI approved hostel referral form)</i> Referral to direct access voluntary sector hostels to secure suitable temporary accommodation <i>(use hostel referral form)</i> Explore private rented options and provide advice on related issues Connect with relevant support providers to ensure appropriate package in place and assess the 	<p>HR PBNI (if SSO) NIPS PDU Temporary accommodation providers Peer Advisers</p>

	detained person for eligibility to Beyond The Gate service and make referral if appropriate.	
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9.0 STAGE 4: Discharge

At the end of the period in prison it is essential that each person's release is properly planned and that, where possible, people have a stable base to return to in the community. ***The focus at this stage is, therefore, on ensuring appropriate accommodation, (temporary or permanent), and associated support services are in place for each person leaving custody.*** Where this is not possible, ***people in custody should be provided with information on where to go to get help with any outstanding housing issues (see APPENDIX 6 for contact information in relation to unplanned discharges e.g. from court).***

Timescale	Required Action	Lead Agency/Partners
Day of release	<p>Confirm housing/support arrangements in place and take action, as appropriate:</p> <p>If returning to stable living arrangement</p> <ul style="list-style-type: none"> • Connect with relevant support services, if appropriate. <p>If going to temporary voluntary sector accommodation or approved premises</p> <ul style="list-style-type: none"> • NIPS provide travel warrant to destination and advise of location/directions to hostel. • Contact voluntary hostel on morning of release to confirm availability of place. • Connect with relevant support provider if appropriate. • Handover to Beyond the Gate service if eligible and referral has been accepted. <p>If taking up permanent social tenancy</p> <ul style="list-style-type: none"> • NIPS provide travel warrant to destination • Connect with relevant support providers, if appropriate. <p>If taking up private rented sector tenancy</p> <ul style="list-style-type: none"> • NIPS provide travel warrant to destination • Connect with relevant support services, if appropriate. 	<p>NIPS PDU PBNI (if SSO) NIHE HA HR</p>

	<p>If person is identified as having complex needs which make securing suitable accommodation difficult</p> <ul style="list-style-type: none"> • Ensure prisoner consent form completed (<i>using form 1.1 see Appendix 4</i>) • NIPS arrange transport to HSU and HSU to specialist temporary accommodation • HADW to liaise with named contact within Housing Solutions team to obtain referral to accommodation provided for clients with intensive management and support needs • HADW to connect with relevant support services. • Handover to Beyond the Gate service if eligible and referral has been accepted. <p>If complex needs not identified but no accommodation available on release</p> <ul style="list-style-type: none"> • NIPS provide travel warrant to preferred destination of person leaving custody • Advise to present at local NIHE office for homelessness assessment, information and advice • Confirm with PBNI in community • Connect with relevant floating support provider, if appropriate. • Ensure contact details for community-based emergency accommodation and support is given. To include HR. 	<p>NIPS PDU NIHE HA HRS PBNI (SSO)</p>
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10.0 STAGE 5: Beyond The Gate (BTG) service (Post release)

Timescale	Required Action	Lead Agency/Partners
3 months prior to release Day of release	In the period 3 months prior to release up to the release date a referral will have been made to the BTG service by any agency and HR will determine eligibility as follows:	HR NIPS NIHE HA PBNI

	<p>-Client is vulnerable and identified as having complex needs (e.g. severe mental health / addiction problems);</p> <p>-Client not subject to PPANI arrangements;</p> <p>-Client willing to engage with the service;</p> <p>-Client has been both homeless and in custody before (history of repeat).</p> <p>HR BTG service will advise of outcome of referral to referral agency and pass back to HR adviser in relevant prison if not eligible so further advice can be provided.</p>	
Date of Release onward	<p>Confirm housing/support arrangements in place and take action, as appropriate:</p> <p>If returning to stable living arrangement</p> <ul style="list-style-type: none"> • Connect with relevant support services, if appropriate. <p>If going to temporary voluntary sector accommodation or approved premises</p> <ul style="list-style-type: none"> • NIPS provide travel warrant to destination • Contact voluntary hostel on morning of release to confirm availability of place. • Connect with other relevant support providers if appropriate (E.g. Extern Multi-agency Support Team). <p>If taking up permanent social tenancy</p> <ul style="list-style-type: none"> • NIPS provide travel warrant to destination • Connect with relevant support providers, if appropriate (E.g. Extern Multi-agency Support Team). <p>If taking up private rented sector tenancy</p> <ul style="list-style-type: none"> • NIPS provide travel warrant to destination • Connect with relevant support services, if appropriate (E.g. Extern Multi-agency Support Team). 	HR

	<p>If person is identified as having complex needs which make securing suitable accommodation difficult</p> <ul style="list-style-type: none"> • Ensure consent form completed (<i>using form 1.1 see Appendix 4</i>) • NIPS arrange transport to HSU and HSU to specialist temporary accommodation • HADW to liaise with named contact within NIHE HA to obtain referral to accommodation provided for clients with intensive management and support needs • Connect with relevant support services & connect with relevant floating support provider, if appropriate. <p>Provide immediate other short term tailored assistance to client as required such as:</p> <ul style="list-style-type: none"> • Accompanying them to their proposed accommodation; • Ensuring connection to a key worker (if FDA and in a hostel); • Identifying and ensuring connection to all other appropriate support services in the community to assist resettlement and tenancy sustainment; • Liaison with family members to help rebuild relationships/extend support network available in the community; • Supporting an appeal/challenge against any apparent failure of statutory authority (e.g. NIHE/social services) to provide the client with the necessary assistance; • Assisting with obtaining help to meet housing costs/other financial support as required; • Undertaking specialist casework intervention to resolve any outstanding housing/homelessness issues/maximise opportunity to secure permanent suitable accommodation. 	
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11.0 COMMUNICATION & INFORMATION SHARING

11.1 Introduction

Information sharing will be fundamental to achieving the aim of this Protocol and this section contains the detailed arrangements of how information will be shared (hereinafter, referred to as the ‘information sharing arrangement’).

11.2 Application

The information sharing arrangement applies to serving prisoners and ex-prisoners who have been identified within the Protocol as requiring accommodation and support needs. This includes those on remand.

11.3 Definitions

Please see Appendix 5A for other data sharing definitions used in this Protocol.

11.4 Scope

The Protocol is an agreement between the parties listed at Section 1.0 to facilitate the sharing of information necessary to provide relevant housing and housing advice and/or support to prisoners.

This includes sharing of personal data, (within the meaning of the Data Protection Act 2018 and General Data Protection Regulations EU2016/679). The agreement does not impose a duty to disclose data in any particular case nor does it provide the power to demand disclosure.

11.5 Purpose

The parties agree that the personal information obtained through the Protocol shall not be used for any purpose other than to assist in meeting the aims and objectives of the Protocol, and shall not be shared with any other individual or group, unless disclosure is required by law.

11.6 Underpinning principles

- Information will be shared only with housing providers approved by ‘Supporting People’, partners that provide related support services and/or housing advice
- Personal information will only be shared when we, the disclosing partners, are satisfied that we are legally empowered to do so; that the proposed disclosure of personal information will be done in accordance with the principles of the Data Protection Act 2018 and General Data Protection Regulations EU2016/679). the Human Rights Act 1998 and Common Law on duty of confidentiality (*see Appendix 5B*).
- Information sharing should be proportionate and relevant to the purpose.
- All the parties will respect the rights of the individual to confidentiality and will not generally release information without consent unless the law permits.
- Information is shared to protect the public, the applicant and staff of

organisations providing housing, housing advice and related support services for those entering or leaving custody.

- Where there are issues of child protection or risk of harm either to the client or the community, information will be shared with the appropriate authorities.

11.7 Description of information to be shared.

For the purposes of this Protocol only the following information will be shared with the prisoner's consent and within the scope and limitations of the General Data Protection Regulations (GDPR):

11.7.1 Northern Ireland Housing Executive

will provide information in relation to

- Reasons for negative decisions taken under the Housing (NI) Order 1988 as amended.

11.7.2 NI Prison Service

will provide information for those in custody to enable access to and obtain relevant services, for example in relation to:

- Remand status
- Length of sentence
- Estimated date of release
- Resettlement needs as contained in the Personal Development Plan
- Transfer to another prison
- Any risk factors as identified by the prison.

11.7.3 Probation Board NI

will provide information on:

- Background, as contained in the referral form
- Risk assessment as appropriate including risk of re-offending and potential to cause harm to self or others
- Information relating to offence history. (Note: The criminal record should not be attached to the referral form)
- Suitability for accommodation
- Accommodation requirements
- Any statutory orders the prisoner may be subject to and the implications of this for the Accommodation project, prisoner, referral agency worker and relevant others.

11.7.4 Housing Rights

will provide relevant information on the nature of the client's housing problem regarding an applicant's personal and family background such as:

- health and current medical circumstances, including medication requirements
- addiction issues
- behaviour history
- offence history
- steps taken or being taken to address addiction issues
- accommodation history

- risk information available to Housing Rights from third parties.

11.7.5 *NI Association for the Care and Resettlement of Offenders*

will provide information, provided by the client, to assist the resolution of housing issues such as:

- Reintegration & Support needs
- Accommodation needs
- Family/relationships & support networks
- Community Safety incl assessment of risk/threat
- Finances / Debt
- Health
- Education & employment
- Other Social Factors

11.7.6 *Northern Ireland Federation of Housing Associations (NIFHA) and Homeless Connect*

Whilst these organisations are parties to the Protocol no personal information will be shared with or by them in respect of the referral process.

11.8 Procedures for exchange of information

- All requests for assistance should be made by the person in custody.
- Relevant and proportionate information should be made available/shared only after obtaining the authorisation of the person in custody on the consent form (*form 1.1 – see Appendix 4*).
- The prisoner consent form should be signed by both applicant and supporting staff (witness).
- Those in custody should have the referral process clearly explained to them.
- Information should be securely transferred to named staff managing the housing advice, housing and related support needs of those entering or leaving custody (See 10.9 below).
- Hard copies of criminal records/pre-sentence reports should not be attached to the application form.
- Information containing sensitive personal information such as DOBs, conviction details should not be sent between organisations electronically.
- Information sharing between a housing provider's nominated manager and other staff should be limited to that necessary to protect the applicant, staff, the public and the property.
- Information regarding housing and homelessness applications should be transferred between prisons with the prisoner on transfer and any potential housing provider informed of the change of address.

11.9 Communication

In relation to the procedures outlined in 10.8 above, all parties to the Protocol, where relevant, will provide and update lists of staff as follows:

- List of named key contact staff within the agency along with their job title and their role/function;
- Other relevant contact details including address, telephone and fax number and e-mail address;

-Named Managers who can be contacted in emergencies or at times of concern or uncertainty.

11.10 Disclosure of Risk Information

The purpose of the disclosure of risk information about prisoners to accommodation providers is to:

- help minimize the risk of homelessness upon entry to custody;
- assist in the allocation of appropriate housing, including temporary or shared housing for those released;
- enable statutory and voluntary accommodation providers to safeguard the interests of current and future tenants and to protect housing and support staff;
- enable statutory and voluntary accommodation providers to safeguard the interests of ~~prisoners and ex-prisoners~~ those during or post custody applying for housing, or who are accepted as homeless;
- assist people before, during and post custody who have identified housing needs.

11.11 Consent

All requests for assistance with housing or housing support should come from the person in custody. The consent form should be discussed with the applicant by the relevant member of staff in the referral organisation. All information given and recorded should be clarified with the applicant who should confirm its accuracy. The applicant should be given a commitment that the information will be processed in line with their rights and will only be shared with their consent unless the law permits. The person gives consent by signing the consent form (*form 1.1 – see Appendix 4*).

Where relevant data is shared, the explicit written consent of the person in custody will be required. In cases where consent cannot be obtained from a the data can only be shared if it is in the public interest to do so. This must be decided on a case by case basis. (*See Appendix 5B, Public Interest*).

12.0 MONITORING

The NIHE will be the lead agency with responsibility for monitoring the Protocol and will be supported by representatives from all the parties to the Protocol. Its remit will include monitoring the effectiveness of the Protocol against the aims and objectives, as set out at Section 2.0, as well as ensuring that all parties comply with these arrangements.

An Operational Group has been established with the following purpose and objectives:

Purpose

The purpose of the Operational Group is to support partner agencies and the Service Advisory Group in the successful delivery of the Protocol for the Management of the Accommodation and Related Support Needs of People in Custody in Northern Ireland (hereafter named “the Protocol”). The Operational Group will also help partner

agencies in the development of partnership working to further support the delivery of the protocol.

Objectives

The objectives of the Operational Group are to:

- To ensure that partner agencies are complying with the Protocol.
- To act as a decision making forum in supporting the delivery of the Protocol.
 - It should be noted that while the Operational Group will have the remit to amend aspects such as the Operational Flowcharts, any amendments should be communicated to the Service Advisory Group.
- To act as a point of contact for addressing operational issues relevant to the delivery of the Protocol and to enhance relationships between partner organisations.
- To identify and address any issues which are causing challenges in the delivery of the Protocol.
- To review and update the operational flowcharts, as and when appropriate.
- To escalate any issues to the Service Advisory Group, as and when required.

13.0 FORMAL REVIEW

The effectiveness of the Protocol will also be reviewed annually via the Service Advisory Group taking into account feedback from the Operational Group and a formal comprehensive review of the Protocol should occur every 5 years (*next due November 2027*). Each 5 yearly review will put forward proposals for any significant amendments to the Protocol and address any problems that have arisen and any recommendations made by the Operational and Service Advisory Groups in the interim.

Any concerns will be brought to the attention of each of the signatories to the Protocol, as necessary.

14.0 COMPLAINTS

Complaints including breaches of the Communication and Information sharing agreement should be dealt with through each of the parties' normal organisational complaints procedures.

15.0 SIGNATORIES

15.1 The Protocol came into effect on 01st May 2009 and was signed by each of the key partners with commitment to facilitating the carrying out of the roles and responsibilities set out in the document in respect of the provision of housing and housing support/advice to those entering and leaving custody. The Protocol was subsequently reviewed and version 2 was agreed at 01st June 2012 and this third version is further agreed following a review initiated in 2018 to come into effect on 01st July 2023.

Individual parties may cancel (in writing to all of the key partners) this agreement at any time.

LOCATION OF RELEVANT DOCUMENTS

RELEVANT DOCUMENT:	CAN BE OBTAINED FROM:
Social Exclusion Unit Report – “Reducing Re-offending by Ex-prisoners” (2002)	www.cabinetoffice.gov.uk/social_exclusion_task_force/Publications
Northern Ireland Prison Service Resettlement Pathways	NIPS Resettlement Office HMP Maghaberry
NIHE Supporting People Plan 2019-20 and Strategy 2020-22	https://www.nihe.gov.uk/getmedia
NIHE Draft Homelessness Strategy, Ending Homelessness Together, 2022-2027	https://www.nihe.gov.uk/Documents/Consultation-Draft-Homelessness-Strategy-2022-27/Ending-Homelessness-Together-draft-strategy-2022-2.aspx
Criminal Justice Inspection NI - Inspection Reports	www.cjini.org/INSPECTIONREPORTS
Regional Good Practice Guide agreed between NIHE and Health and Social Service Trusts, entitled “Meeting the Accommodation and Support Needs of 16-21 year olds”	<i><u>Not formally released at time of writing – contact the Trust.</u></i>
PPANI Accommodation Strategy for Sex Offenders in NI	www.publicprotectionni.com
Public Protection Arrangements NI – Guidance to agencies & chronology of offences falling within PPANI	www.nio.gov.uk/public_protection_arrangements_-_guidance_to_agencies.pdf
The N.I. Personality Disorder Strategy (June 2010) by the Department for Health, Social Service and Public Safety	www.dhsspsni.gov.uk/northern_ireland_personality_disorder_strategy_june_2010.pdf
NIHE Homelessness Strategy	www.nihe.gov.uk

List of pro formas referred to in Sections 6.0 – 10.0

Pro forma reference	Title
1.1	Consent Form
1.1A	NIPS consent form to contact housing provider
1.2	Housing Costs Notification
1.3	NIHE / Housing Association notification
1.6	Referral form for agencies to refer prisoners to Housing Advice Development Workers for assistance
1.7	NIACRO referral form
1.8	Guidance and checklist pro forma to enable comprehensive social / housing assessment report to be completed.

Any of the documents referred to above can be obtained if required by contacting:

Advice Services Manager (Prisons)
Housing Rights
1st Floor, Skainos Centre
239-241 Newtownards Road
BELFAST
BT4 1AF

(t) 028 9024 5640

(e) info@housingrights.org.uk

FLOWCHARTS

NIPS / REM – An accommodation checklist for use by NIPS staff for those on remand.

NIPS/ IP1 – An accommodation checklist for use by NIPS staff for those entering custody within 48 hours (i.e. IP1 - intervention point 1).

NIPS / IP2/3 – An accommodation checklist and resettlement needs assessment/review flowchart for use by NIPS staff for those in custody requiring housing advice either from:

- after 48 hours to within 28 days of committal (i.e. IP2 - intervention point 2)
- after 28 days in custody as a sentenced prisoner but prior to 3 months before their release date (i.e. also IP3 - intervention point 3)
- having been on remand over 28 days (i.e. IP3 - intervention point 3).

NIPS / IP4 – An accommodation checklist for use by NIPS staff for those sentenced who require housing advice within 3 months prior to their release date up to within the last 28 days (i.e. IP4 - intervention point 4).

PBNI / IP4 & IP5 – An accommodation checklist for those with statutory supervision only and thus for use by PBNI staff for prisoners accessing the housing advice service within 3 months (i.e. IP4 – intervention point 4) or else 28 days prior to their release date (i.e. IP5 – intervention point 5).

HR / Stage 5 Post Release - Beyond the Gate: A referral pathway flowchart describing the referral route into the Beyond The Gate service.

Any of the flowcharts referred to can be obtained by contacting:

Advice Services Manager (Prisons)
Housing Rights
1st Floor, Skainos Centre
239-241 Newtownards Road
BELFAST
BT4 1AF

(t) 028 9024 5640

(e) Brenda@housingrights.org.uk

FORM 1.1 CONSENT FORM

Consent

The information I have given is accurate to the best of my knowledge. I understand that this is to help provide me with the most appropriate advice and/or accommodation. I understand that if I obtain accommodation by knowingly giving false or inaccurate information, I risk losing the accommodation provided to me.

Information Exchange

In order for agencies to find out if they can meet your needs, and provide appropriate housing advice, housing and/or support services, they need to know relevant information about yourself, your accommodation requirements, your offending history and any risk of harm you may pose to either yourself or other people. In order for us to assist you, we must have your consent to share this information with relevant agencies that can help meet your needs.

- I agree to allow any relevant information to be shared with housing providers and any other organisation that may be able to assist in providing me with suitable accommodation or help with other housing advice or support services.
- I understand that each organisation my information is shared with, will adhere to the Principles of the Data Protection Act 2018 and General Data Protection Regulations EU2016/679 and will not disclose my information further unless the law permits, e.g. if there is a serious risk of harm to others or myself.
- I understand that this information about me will be held securely by the organisation/organisations to whom it is disclosed but only for a limited time.
- The referral process has been fully explained to me and I understand the nature of the consent I am giving.

Signed: _____

Witnessed by: _____

Print Name: _____

Agency/Employer: _____

Dated: _____

INFORMATION SHARING DEFINITIONS

Personal Information

The General Data Protection Regulations apply to the processing of personal data that is:

- wholly or partly by automated means; or
- the processing other than by automated means of personal data which forms part of, or is intended to form part of, a filing system.

Personal data only includes information relating to natural persons who:

- can be identified or who are identifiable, directly from the information in question; or
- who can be indirectly identified from that information in combination with other information.

Personal data may also include special categories of personal data or criminal conviction and offences data. These are considered to be more sensitive and you may only process them in more limited circumstances.

Pseudonymised data can help reduce privacy risks by making it more difficult to identify individuals, but it is still personal data.

If personal data can be truly anonymised then the anonymised data is not subject to the GDPR. It is important to understand what personal data is in order to understand if the data has been anonymised.

Information about a deceased person does not constitute personal data and therefore is not subject to the GDPR.

Information about companies or public authorities is not personal data.

However, information about individuals acting as sole traders, employees, partners and company directors where they are individually identifiable and the information relates to them as an individual may constitute personal data.

Data Controller

A person who (either alone or jointly in common with other persons) determines the purposes for which and the manner in which any personal data are, or are to be processed.

Data Processor

Any person who, in relation to personal data (other than an employee of the Data Controller), processes the data on behalf of the Data Controller.

Data Subject

An individual who is the subject of personal data.

Personal Data

Data which relate to a living individual who can be identified-

- (a) from those data; or
- (b) from those data and other information which is in the possession of, or is likely to come into the possession of, the Data Controller, and includes any expression of opinion about the individual and any indication of the intentions of the Data Controller or any other person in respect of the individual.

Processing

Means obtaining, recording or holding information or data or carrying out any operation or sets of operations on the information or data, including –

- a) organisation, adaptation or alteration of the information or data;
- b) retrieval, consultation or use of the information or data;
- c) disclosure of the information or data by transmission, dissemination or otherwise making available; or
- d) alignment, combination, blocking, erasure or destruction of the information or data.

Sensitive Personal Data

Personal data consisting of information as to:-

- a) the racial or ethnic origin of the data subject;
- b) his political opinions;
- c) his religious beliefs or other beliefs of a similar nature;
- d) whether he is a member of a trade union;
- e) his physical or mental health or condition;
- f) his sexual life;
- g) the commission or alleged commission by him of any offence; or any proceedings for any offence committed or alleged to have been committed by him, the disposal of such proceedings or the sentence of any court in such proceedings.

LEGAL PRINCIPLES

1.0 We are legally empowered to do so

Each of the parties involved must ensure that they use an appropriate lawful basis to process personal data and special category (GDPR Articles 6 and 9) in any information sharing arrangement is responsible for their own information and therefore must be sure that they have the power to disclose the relevant information in each particular case.

In disclosing the relevant information relating to 10.8 - 10.8.6 the parties rely on the individual legislative authority detailed at 3.0 of the Protocol.

2.0 The Principles of the GDPR and DPA 2018 (GDPR Article 5)

Personal data shall be:

- a) processed lawfully, fairly and in a transparent manner in relation to individuals ('lawfulness, fairness and transparency');
- (b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes ('purpose limitation');
- (c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation');
- (d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy');
- (e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals ('storage limitation');
- (f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').

Human Rights Act 1998

Article 8 of the Human Rights Act 1998 states that everyone has the right to respect for his private and family life, home and his correspondence and that there shall be no interference by a public authority with this right except as in accordance with the law and as necessary in a democratic society in the interests of:

- a) National security
- b) Public safety
- c) Economic well being of the country
- d) The prevention of crime and disorder
- e) The protection of health or morals
- f) The protection of the rights or freedoms of others.

If the disclosure of data will in some way infringe the rights of the data subject the rule of proportionality will be applied. This is to ensure fair balance between the protection of the individual's rights and the general interests of society.

DISCHARGE FROM COURT (UNPLANNED) KEY CONTACT DETAILS

A prisoner being discharged from court (unplanned release) should be given the Release Restart information leaflet or the information contained on it which is as follows:

FINANCE & BENEFITS	SUPPORT
Universal Credit: 0800 012 1331	Samaritans: 116 123 24/7 365 days a year
AdviceNI: 0300 303 3650	Lifeline: 0808 808 8000 24/7 365 days a year
Make the Call (benefits advice line): 0800 232 1271	NIACRO: 028 9032 0157
Advice Space: 0300 123 3233	Probation Board NI: 028 9052 2522
Money Advice Service: 0800 138 7777	Mens Advisory Project: 028 9094 1929
Benefit & Enquiry Line: 0800 220 674	Womens Aid: 028 7141 6800 or 028 9066 6049 24/7x365
	Nexus NI (Domestic & sexual abuse helpline): 0808 802 1414

If the person is homeless they should be advised to present in person to the Northern Ireland Housing Executive at the following address:

Hyde Bank Wood and HMP Maghaberry

Belfast Housing Solutions
The Housing Centre
1-11 May Street
Belfast
Co Antrim
BT1 4NA

HMP Magilligan

Causeway Housing Solutions
19 Abbey Street
Coleraine
Co Londonderry
BT52 1DU

NIPS staff working in the court should contact the NIHE in advance using the following details giving the person's name and date of birth:

Hyde Bank Wood and HMP Maghaberry

Belfast Housing Solutions Team
Ph: 03448 920 908
Email: Belfast.housing.solutions@nihe.gov.uk

Magilligan releases

Causeway Housing Solutions Team

Ph: 028 95984336

Email: causeway.housingsolutions@nihe.gov.uk

If the Housing Executive liaison need to make contact with Housing Rights advisers based on the person's prison location prior to release they will need to

1. Confirm consent to contact Housing Rights.
2. Use the list below and make contact with the relevant adviser

Housing Rights Prison Adviser Contacts

Name	Email	Role	Location	Appropriate contact
Fay Cornish	fay@housingrights.org.uk	Peer Housing Advice Coordinator	<i>Based in all 3 prisons</i>	First point of contact for all new referrals.
Nichola McFall	nichola@housingrights.org.uk	Housing Adviser	Hydebank Wood	Young Offenders and Women
Jonathan Lamb	jonathan@housingrights.org.uk	Housing Adviser	Magilligan	Ongoing cases (Adult Males)
Martin Fox	martin@housingrights.org.uk	Housing Adviser	Maghaberry	Ongoing cases (Adult Males)
Housing Rights Generic	info@housingrights.org.uk		All	If unable to contact the above