

# West Sussex Multi-Agency Risk Assessment Conference (MARAC) Operating Protocol (MOP) and Information Sharing guidance (ISG)

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## Contact information

### **Marac Support in West Sussex (Crawley, Horsham, Mid-Sussex, Chichester, Arun, Worthing & Adur)**

Community Safety and Wellbeing Team  
Place Services  
West Sussex County Council  
Secure email:  
[MARAC@westsussex.gov.uk](mailto:MARAC@westsussex.gov.uk)  
Website: [West Sussex - MARAC](#)

### **WSSC IDVA service for West Sussex**

WORTH Services  
[Worth.idva.services@westsussex.gov.uk](mailto:Worth.idva.services@westsussex.gov.uk)

Website:  
[WSSC Worth Services – Website](#)

Telephone: 0330 222 8181

West Sussex County Council is committed to pan-Sussex strategies and Action Delivery Plans, and to working collaboratively to improve our collective response to these crimes.

In West Sussex the MARAC functions will be co-ordinated and delivered by West Sussex County Council. This document references the MARAC Support Team as the administration team servicing the MARAC process.

# 1. Introduction

1.1 This document (the Multi-Agency Risk Assessment Conference Operating Protocol and Information Sharing Guidance, hereafter the '*MOP*') has four parts:

- **Part 1** (sections 2 - 8) sets out the manner, process and operation of the MARAC, as well as reporting and accountability.
- **Part 2** (section 9 - 10) sets out information sharing requirements.
- **Part 3** (section 11) sets out other arrangements relating to breaches, complaints, freedom of information, withdrawal and review.
- **Part 4** (section 12) sets out the process by which partner agencies will sign up to this protocol.

1.2 A MARAC is a process which includes a meeting that brings together representatives from several agencies in the local area to discuss the safety, health and well-being of people experiencing domestic violence and abuse (adults and their children). This MARAC Operating Protocol covers the functioning and data sharing of the MARACs in West Sussex.

1.3 At the heart of a MARAC is the working assumption that no single agency or individual can see the complete picture of the life of a victim, but all may have insights that are crucial to their safety. The victim does not attend the meeting but is usually represented by a specialist domestic abuse service who speaks on their behalf. On occasion, when a domestic abuse service is not engaged with the victim, another agency may fulfil this role. The child/ren's voice is equally important within the MARAC discussion and will be actively sought from any agencies working with the child victim(s).

1.4 The primary focus of the MARAC is to safeguard the victim(s) and its aims are to:

- To share information to increase the safety, health and wellbeing of all identified victims; the referred adult or young person aged over 16yrs and any additional child or adult victim(s);
- Determine whether the (alleged) perpetrator poses a significant risk to any individual or to the general community.
- Construct jointly and implement a risk management plan that provides professional support to all those at risk and that reduces the risk of harm.
- Reduce repeat victimisation.
- Improve agency accountability.
- Improve support for staff involved in high-risk domestic abuse cases.

- All work undertaken at the MARAC meetings will be informed by a commitment to equality principles enshrined in the law, which means that measures to protect victims will be implemented without discrimination on any ground such as sex, gender, race, sexual orientation, age, disability, marital status, migrant or refugee status, or other status.

- 1.5 In addition, the MARAC will support the Domestic Violence Disclosure Scheme (Clare's Law) by highlighting and identifying when a DVDS Right To Know may be required (see 7.1 – 7.6 below).
- 1.6 The MARAC is designed to enhance existing arrangements, rather than replace them, so this protocol also identifies how the MARAC will make links with other forums to safeguard children and manage the behaviour of the perpetrator.
- 1.7 For the purposes of the MARAC, the definition of domestic violence and abuse is that set out in the Domestic Abuse Act 2021.

### **Domestic Abuse Act Section 1 – Definition of “domestic abuse”**

- (1) This section defines “domestic abuse” for the purposes of this Act.
- (2) Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if:
  - (a) A and B are each aged 16 or over and are personally connected to each other, and
  - (b) the behaviour is abusive.
- (3) Behaviour is “abusive” if it consists of any of the following:
  - (a) physical or sexual abuse;
  - (b) violent or threatening behaviour;
  - (c) controlling or coercive behaviour;
  - (d) economic abuse (see subsection (4));
  - (e) psychological, emotional or other abuse;

and it does not matter whether the behaviour consists of a single incident or a course of conduct.

- (4) “Economic abuse” means any behaviour that has a substantial adverse effect on B’s ability to:
  - (a) acquire, use or maintain money or other property, or
  - (b) obtain goods or services.
- (5) For the purposes of this Act A’s behaviour may be behaviour “towards” B despite the fact that it consists of conduct directed at another person (for example, B’s child).

- (6) References in this Act to being abusive towards another person are to be read in accordance with this section.
- (7) For the meaning of “personally connected”, see section 2.

### **Domestic Abuse Act Section 2 – Definition of “personally connected”.**

- (1) For the purposes of this Act, two people are “personally connected” to each other if any of the following applies:
- (a) they are, or have been, married to each other;
  - (b) they are, or have been, civil partners of each other;
  - (c) they have agreed to marry one another (whether or not the agreement has been terminated);
  - (d) they have entered into a civil partnership agreement (whether or not the agreement has been terminated);
  - (e) they are, or have been, in an intimate personal relationship with each other;
  - (f) they each have, or there has been a time when they each have had, a parental relationship in relation to the same child (see subsection (2));
  - (g) they are relatives.
- (2) For the purposes of subsection (1)(f) a person has a parental relationship in relation to a child if:
- (a) the person is a parent of the child, or
  - (b) the person has parental responsibility for the child.
- (3) In this section:
- “child” means a person under the age of 18 years;
  - “civil partnership agreement” has the meaning given by section 73 of the Civil Partnership Act 2004;
  - “parental responsibility” has the same meaning as in the Children Act 1989 (see section 3 of that Act);
  - “relative” has the meaning given by section 63(1) of the Family Law Act 1996.

### **Domestic Abuse Act Section 3 – Children as victims of domestic abuse**

- (1) This section applies where behaviour of a person (“A”) towards another person (“B”) is domestic abuse.
- (2) Any reference in this Act to a victim of domestic abuse includes a reference to a child who:
- (a) sees or hears, or experiences the effects of, the abuse, and

(b) is related to A or B.

(3) A child is related to a person for the purposes of subsection (2) if:

(a) the person is a parent of, or has parental responsibility for, the child, or

(b) the child and the person are relatives.

(4) In this section:

- “child” means a person under the age of 18 years;
- “parental responsibility” has the same meaning as in the Children Act 1989 (see section 3 of that Act);
- “relative” has the meaning given by section 63(1) of the Family Law Act 1996.

# Part 1: MARAC Operating Protocol

## Aims of this section:

- Providing guidance to the parties on their role in MARAC:
  - Representation
  - Organisations Strategic Point of Contact
  - Training opportunities and supporting resources
- Detailing to the parties the governance and performance management processes in place to support the MARAC.
- Providing guidance to the parties on the process of MARAC:
  - Identifying high-risk MARAC cases
  - Referral criteria into MARAC and referral pathway
  - MARAC Agenda setting and MARAC Meeting
- Agreeing with the parties the expectation around confidentiality in a Virtual MARAC meeting.
- Set expectations regarding the sharing of information in the MARAC meeting and action planning.
- Provide guidance to the parties:
  - Emergency MARAC criteria.
  - MARAC Plus aims, purpose, and Terms of Reference
  - MARAC transfer pathway.
- Agreeing with parties the expectation around the MARAC administration and agreed timeframe.
- Setting expectations with the parties regarding the MARAC process and its role in partnership reviews.
- Detailing to parties the expectation regarding the National Police Crime Recording Standard and third-party reporting expectations for cases referred to MARAC.
- The requirement to ensure the MARAC process is accessible and inclusive to all victim-survivors of high-risk domestic abuse in West Sussex.

## 2. Partner agencies

2.1 The agencies which attend the MARAC routinely include: statutory services such as the Police, Probation, Children and Adult Social Care services, as well as the local specialist domestic abuse service and other voluntary and community organisations. A list of agencies who have been asked to sign the MARAC Operating Protocol are detailed in Appendix 4.

2.2 Each agency that routinely attends the MARAC will nominate:

- A representative ('the MARAC representative') who will represent the agency at the meeting. This person must be able to bring research, offer action/s on behalf of their agency and where appropriate make decisions at the meeting. They should be an operational manager or, if they are a frontline professional, have delegated authority. To ensure consistent representation at the meeting, this representative must have an identified deputy.
- A named contact who is responsible for strategic issues relating to the MARAC ('the Organisation's Point of Contact'). This person will not attend

the meeting routinely, but will be available to support the MARAC representative, support any internal or external audit processes and/or take a leadership role in relation to the MARAC process within the agency. The Organisation's Point of Contact will also be responsible for liaising with the agency data controller as appropriate (in some cases, they may also be the agency data controller).

- 2.3 The MARAC Support Team will maintain a contact list of these representatives, including the name, role and contact details, alongside any other contacts identified by agencies (this may include administrative contacts who will conduct the research on behalf of the MARAC representative). This will be reviewed quarterly and will be shared with all MARAC representatives.
- 2.4 The role of the MARAC representative at the meeting is to ensure that their agency can share relevant, accurate and proportionate information relating to the cases discussed at MARAC in a timely fashion. The MARAC Representative also has responsibility for offering actions on behalf of their agency. Offering actions at the MARAC helps ensure that an effective and complete action plan is developed.
- 2.5 The type of information brought by agencies is described in Appendix 3. Agencies are also required to identify what routine actions they may offer at the MARAC when signing up to the MOP (see Appendix 5).
- 2.6 It is recognised that the MARAC representative will change from time to time. Where a new MARAC representative is nominated by an agency, the following is recommended:
  - The outgoing representative should inform the MARAC Support Team via the central MARAC inbox ([marac@westsussex.gov.uk](mailto:marac@westsussex.gov.uk)) of the change in representative.
  - A handover from the outgoing representative to the new representative should be given, particularly highlighting any outstanding or ongoing actions for that agency. Where practicable the incoming representative should shadow the outgoing representative at a MARAC.
  - The MARAC Support Team will contact the incoming representative and offer a one-to-one meeting to explain the MARAC Operating Protocol and provide further background materials (e.g., the relevant [SafeLives representative's toolkits](#)) as required.
  - The incoming representative should attend relevant local training to ensure that they have a good understanding of domestic abuse, common dynamics, risk assessment and risk management, as well as the MARAC process and be offered the opportunity to shadow a MARAC meeting.



- 2.7 Additional agencies will be invited on a case by cases basis as appropriate and will be required to sign a confidentiality declaration (see Appendix 1).
- 2.8 There are a range of resources and training to support agency participation in the MARAC, which can be accessed via the [local authority websites in West Sussex](#) (including the document: 'Practitioner Guide to the Multi-Agency Risk Assessment Conference (MARAC)'). Help and support in relation to specific cases is also available from the MARAC Support Team (contact details above).

### **3. Governance and performance management**

- 3.1 The aims of the MARAC are set out above and will contribute to the wider strategic aims of the Community Safety Partnership in West Sussex.
- 3.2 The West Sussex MARAC Steering Group (See Appendix 1) meet every quarter with a membership that includes senior members of the organisations represented at the MARAC and other key partners from the wider partnership.
- 3.3 The Steering Group will:
- Monitor and evaluate the data from the MARAC.
  - Ensure that effective partnerships are maintained with other safeguarding and public protection bodies and other MARAC areas.
  - Monitor and regularly assess the overall performance of the MARAC and ensure it operates in line with national best practice.
  - Address operational issues.
  - Report to strategic partnership on a quarterly basis.
  - Oversee efforts to raise awareness with local practitioners about the MARAC.
  - Communicate the performance of the MARAC to key stakeholders.
  - Conduct/participate in reviews following a 'near miss' or domestic homicide or suicide where appropriate.
  - Ensure that the MARAC operates in line with legal responsibilities and keeps up to date with changes to legislation and national guidance.
- 3.4 Additional Performance Management Measures
- The West Sussex MARAC Chair Representatives meet on a quarterly basis to reflect and identify best practice and areas for development and feed into

the MARAC Steering Group.

- The West Sussex MARAC Quality Assurance Group has representatives from Police, Health, Probation and Domestic Abuse Service and meet on a quarterly basis to review threshold and quality of MARAC Referrals and MARAC minutes.
- The West Sussex MARAC Agency Representatives are invited on a quarterly basis to reflect and identify best practice and areas for development and feed into the MARAC Chair Representative meeting.

## **4. Process of the MARAC**

### **Identification of MARAC cases**

4.1 All agencies involved in the MARAC ensure that:

- They have procedures in place to enable an effective response to disclosure or the identification of domestic violence and abuse.
- Staff can access training to 'ask and act' about domestic violence and abuse.
- Staff can [access training](#) about, and have confidence to use, the Domestic Abuse Stalking and Honour Based Violence Risk Indicator Checklist (DASH RIC) and understand the MARAC process
- Any staff member who is likely to meet victims of domestic violence and abuse has access to support; it is best practice to have a named Domestic Abuse Lead who can provide support in these cases.

4.2 At the point a victim-survivor makes a disclosure, or where domestic violence and abuse is identified, it is good practice to complete a Domestic Abuse, Stalking and Harassment & Honour Based Violence Risk Indicator Checklist (DASH RIC). The DASH RIC is designed to help professionals make an accurate and fast assessment of the danger someone is in, i.e., it is an evidence-based judgement of risk of serious harm or homicide. The DASH RIC also helps professionals to identify what support someone might need, which could include a MARAC referral:

- A case is considered High Risk if any of the below referral criteria are met (see 4.5 below)
- Where a case is identified as Standard or Medium risk, while this would not meet the MARAC threshold, agencies should provide advice on the help and support that is available locally, including onward referral to specialist services where appropriate.

4.3 The DASH RIC is the recommended and preferred tool to inform the referral to MARAC. If the DASH is not used, then the referrer must provide clear evidence to

support their professional judgement regarding identification of high-risk Domestic Abuse.

- 4.4 Since November 2024, Sussex police officers attending domestic abuse incidents, will complete a [Domestic Abuse Risk Assessment \(DARA\)](#). The DARA will assist Sussex Police in their initial assessment of risk and identification of a referral into MARAC (professional judgement criteria – see 4.6 below).
- 4.5 Agencies must have a process for identifying and responding to safeguarding concerns for Adults and Children and the responsibility to make a referral in these cases is not transferred to the MARAC.

There are ‘additional questions’ in the DASH RIC relating to children and adults, which prompt consideration of risks and a safeguarding referral.

## Criteria for MARAC

- 4.6 A case is considered High Risk if any of the following criteria is met:
  - **Professional judgement of High Risk** (“High Risk” means that there are identifiable factors of risk of serious harm: the potential event could happen at any time and the impact would be serious) **of serious harm** (“Serious harm” means ‘a risk which is life threatening and/or traumatic and from which recovery, whether physical or psychological, can be expected to be difficult or impossible’) **or significant concern for safety**: if a professional has serious concerns about a victim’s situation, they should refer the case to MARAC. There will be occasions where the context of a case gives rise to serious concerns even if the victim has been unable to disclose the information that might highlight their risk more clearly. This could reflect extreme levels of fear, cultural barriers to disclosure, immigration factors or language barriers, particularly in cases of ‘honour’-based abuse. This judgement would be based on the professional’s experience and/or the victim’s perception of their risk even if they do not meet criteria below.
  - **Visible High Risk**: 14 or more ‘yes answers’ or ‘ticks’ on the DASH risk identification checklist (DASH RIC) should result in a referral to MARAC.
  - **Potential Escalation**: 3 or more incidents as a result of domestic violence or abuse in the past 12 months. The potential for escalation can be assessed by looking at the frequency and/or severity of abuse. It is common practice for services to determine there is a potential for serious harm or homicide when three domestic abuse events have been identified in a 12-month period. For example, three attendances at A&E, three police call outs or three calls to make housing repairs. This should alert professionals to the need to consider a referral to MARAC. (To note: On 10<sup>th</sup> December 2021 the Pan Sussex Domestic Abuse Partnership Board agreed that Sussex Police will use the escalation criteria of 3 or more incidents in 6 months for referrals into

MARAC). Although SafeLives make recommendations for MARAC referral thresholds, some areas have adapted these to meet local need, resource, and capacity. Changes to local criteria will be agreed with appropriate partnership steering groups.

- **MARAC repeat:** where there is a further incident within 12 months from the date of the last MARAC referral and there has been a further incident involving the same victim-survivor and (alleged) perpetrator, regardless of whether it has been reported to the police or the level of risk, the case should be referred again to MARAC. There is a national definition for a [MARAC Repeat](#).
- The age threshold for referral to the MARAC for a victim is age 16 and over.
- If an (alleged) perpetrator is less than 16 years, then the referrers must make a child safeguarding referral and not a MARAC referral.
- In cases of alleged Child-to-Parent abuse (CPA), if the child is over 16 years of age, CPA is considered domestic abuse in accordance with the statutory definition under the 2021 Domestic Abuse Act. Children and young people should be offered support based on their individual needs, with a range of interventions so that each child and young person is able to access the specialised help they require, avoiding unnecessary criminalisation. The parent victim should also receive appropriate domestic abuse response and support. It is important that a young person using abusive behaviour against a parent or family member receives a safeguarding response, which should include referral to the Integrated Front Door (or local equivalent) in the first instance where a parent advocate can attend, followed by referral to MARAC, if necessary, regardless of whether there is any police action taken. Responders should use their discretion and professional judgement when addressing cases of CPA, and work with the parent to identify the appropriate response.

## Referral

- 4.7 At the point at which a case is identified as High Risk, a referral to the MARAC should be made. Any professional can make a MARAC referral although in practice agencies may have an internal process of identifying and managing referrals through a Domestic Abuse Lead. Referrals must be made using the [Online MARAC Referral Form](#).
- 4.8 The referred victim should be involved and informed about the referral to the MARAC where safe to do so. It is helpful to explain the MARAC process at the point of completing a risk identification checklist / making the referral so that the victim can understand how agencies will work together to help increase their safety by offering services or support:

- The MARAC / IDVA referral forms require the referring professional to identify contact details for the victim, including any safe contact information.
- The MARAC / IDVA Referral Form includes a prompt for professionals to indicate whether the victim is aware of the referral to MARAC/IDVA.
- In some cases, a victim may be referred to the MARAC without their knowledge. In these cases, practitioners must assess whether it is proportionate and defensible to share information, depending on the level of risk which the victim is facing. UK GDPR (General Data Protection Regulation) [Article 6](#) sets out reasons for processing personal data.
- UK GDPR [Article 9](#) covers the processing of special categories of personal data.
- The alleged perpetrator will not be informed of the referral to MARAC to prevent any increased risk to the alleged victim(s), including children or wider family.

4.9 As part of the MARAC referral, professionals should also consider whether a disclosure under the Domestic Violence Disclosure Scheme (DVDS) Right To Know application would be appropriate (if this has not already been considered).

The MARAC referral form includes a prompt to remind professionals to do this and, if an application under this scheme needs to be made, the referrer must complete an [Online DVDS Application Form](#) (see 7.1 – 7.6 below).

4.10 Upon receipt of a MARAC referral the MARAC Support Team will:

- Review the referral for completeness, accuracy and threshold and will request further information where necessary. Some referrals may not result in a full MARAC discussion (see 4.11 below).
- Upload the MARAC referral information onto the secure Mosaic case recording database, this will include details of the referred adult and child victims and the Alleged Perpetrator linked with the MARAC referral. The MARAC section on Mosaic is only accessible to the MARAC Support Team and Domestic Abuse staff members.
- Add the case to the agenda of the next available meeting, in line with the listed referral deadlines and meeting dates for the MARAC (if an agency misses the referral deadline, the case will be listed for the next scheduled meeting for that area. Agency representatives have the option of triggering an emergency MARAC referral if they believe this is required due to the immediate risks (see 4.31 – 4.33 below). The agenda will be stored securely on the MARAC SharePoint location, only accessible to the MARAC Support Team.

- Forward the received MARAC referral to the local specialist domestic abuse service in West Sussex (Worth Services), who receive all MARAC referrals ahead of the meeting and will attempt to contact the victim and the referrer to MARAC (see 4.17 below). An exception to this would be when the referrer is a specialist domestic abuse service and it is agreed they will remain the lead support for their referred victim-survivor.

4.11 The MARAC Support Management team (WSCC Domestic Abuse Team Manager and WSCC Domestic Abuse Service Manager) will review all incoming referrals to MARAC, and review the following:

- MARAC Transfers into West Sussex MARAC – Receiving information will be reviewed to establish the timeline of the initial MARAC referral and discussion, current risks posed and ongoing abuse taking place. All referrals will be passed to the local Idva service to contact the victim, explore current risks, safety plan, impact on child victims, review support in place. Following this case will be listed for a full MARAC discussion if current domestic abuse risk identified or shared with agencies for their information only at the local MARAC if no current risk identified.
- MARAC Repeat – We will follow the SafeLives MARAC Guidance with regards to Repeat MARAC cases (see 4.5 above).
- MARAC referrals not progressed – Following initial review by the MARAC management team, there may be occasions where MARAC referrals are not progressed into the MARAC process or discussed at a meeting.
  - Examples of this include when limited information is known by the referring agency to support current evidence of high-risk domestic abuse, or the information provided within the referral does not demonstrate that a high-risk level domestic abuse is present, and the MARAC threshold has been deemed to not be met.
  - When this occurs, the MARAC management team will liaise with the referrer, consult and support with next steps and action. Where appropriate, contact is made by the local IDVA service and the referrer will be advised to liaise with agencies either involved in the case or who will support with a co-ordinated approach to support.
  - A clear audit trail will be recorded on the Mosaic database, detailing the contact that has taken place between MARAC and the referring agency and the decision made to not progress the referral. It will demonstrate agreed action taken to support with next steps. This process ensures there is a safe plan in place for the referred victim(s) and support for the referrer.



- Data will be captured regarding the referrals not progressed into West Sussex MARAC and shared with the MARAC Steering Group for oversight and governance.

## **The MARAC agenda**

4.12 The MARAC agenda will be emailed securely from the central WSCC MARAC email address to the identified MARAC distribution lists for each MARAC locality area, using a password protect function. This will be distributed eight working days prior to MARAC, including as a minimum:

- The name, date of birth and address of the referred victim(s), including linked child victims and alleged perpetrator(s).
- The referring agency.
- Identify those cases that are, repeats and counter allegations and if the alleged perpetrator is a known MAPPA (Multi Agency Public Protection Arrangements) offender (where known at point of referral).

4.13 The agenda is ordered reflecting cases which include linked child victims, followed by adult only households.

4.14 In some exceptional circumstances a case will not be included on the MARAC agenda and will be processed as a “Closed” MARAC Case. These may be in cases involving: ‘so called Honour Based Violence or Abuse’, “high profile” victims or where an employee of a MARAC agency is a victim or (alleged) perpetrator and there are concerns about data security. In these cases:

- A bespoke distribution list will be created, with information circulated to the minimum number of agencies identified as required.
- The distribution list will be limited to the MARAC representative only.
- The MARAC representative will undertake the research themselves (they must not delegate this to any administrator who might normally conduct the research on their behalf).
- The MARAC representative must take the appropriate steps to shield or restrict access to the case information on their agency’s systems.

4.15 To ensure that the MARAC agenda is manageable, the total number of cases to be discussed at the meeting will be capped at 25 cases per meeting where possible. Any cases referred after 25 has been reached will be:

- Deferred for consideration at the next available MARAC meeting.

- The referrer will be informed so that they can liaise with the other agencies as appropriate to take any immediate steps to safeguard the victim and/or the children, this will include the information being shared with the local Idva Service, manager oversight and co-ordinated safety planning and response in the interim period.
- A record of the number of cases deferred will be monitored by the relevant management meeting on a quarterly basis.

## **Receiving the MARAC agenda**

4.16 Upon receipt of the MARAC agenda, the MARAC representative must:

- Research the cases, identifying any relevant information held by their agency with regard the victim, any children, (alleged) perpetrator or any other individuals who may be at risk.
- Agencies complete their own MARAC Research template to help MARAC representatives structure the information they will collect and share at the MARAC meeting, this is emailed securely in advance of the meeting and verbally shared in the meeting.
- MARAC partners who do not usually attend MARAC will confirm to the MARAC Support Team when their agency has significant involvement in a case. Then relevant meeting details will be sent to the agency representative by the MARAC Support Team
- Actions before the MARAC (where safe to do so).

4.17 The MARAC does not take away responsibility for any agency to take immediate actions in relation to the safety of high-risk victims, particularly regarding safeguarding duties (e.g., children's safeguarding, adult safeguarding etc.).

4.18 Contact with the victim in advance of the meeting will be attempted (where safe to do so) by the specialist domestic abuse service (WORTH). This is to:

- Discuss the MARAC referral with the victim.
- Share information on the process (in practice the victim should normally have been informed by the referring agency, see 4.7 above).
- Begin, review, or continue safety planning.
- Bring the views of the victim (adults and children) to the meeting.

4.19 Where the specialist service is unable to contact the victim ahead of the MARAC, they should inform the referring agency.



4.20 On receipt of a referral which meets the MARAC criteria the Police will:

- Place a History Marker on the victim's last known address to identify any incidents at that address as potentially involving a high-risk victim.
- Undertake research for the MARAC using an agreed template, providing this to the Chairs ahead of the meeting, with the Police MARAC representative then presenting this information at the MARAC meeting.

### **MARAC meeting**

4.21 The role of the Chair(s) is to structure the meetings, highlight the risks identified for each case and what interventions are currently in place to support risk reduction. The Chair(s) will also facilitate the creation of risk management plans and support representatives to understand the actions agreed and which agencies are responsible for the actions.

4.22 The MARAC Support Team will maintain a list of the Chairs of the MARAC meeting, ensuring that there is sufficient cover for scheduled meetings.

### **Confidentiality during virtual MARAC**

4.23

- Partner agencies should follow normal data protection procedures. If representatives are home working, agencies should follow their own organisational protocols/advice around confidentiality.
- Attendees to the virtual MARAC must use the device provided by work to ensure the safety and confidentiality of the meeting (and to ensure end point security). Computers must have the appropriate levels of encryption and security settings.
- For staff working from home: We would not expect for MARAC paper documentation to be printed or stored at home. If this is necessary, a manager must speak to staff individually within their respective organisation about how this will be accomplished in line with data protection.
- By accepting MARAC meeting appointments participants are agreeing to the confidentiality agreement that will be read out at the start of the meeting. This will be recorded on the notes of the meeting.
- Storing information – all agencies must ensure home workers have secured all MARAC documents and it is not accessible to any household members. When emailing, only use secure email or password protect. No passwords or automatic login should be saved on a home computer.

- Attendees must work in an environment where privacy can be guaranteed. During the calls, all attendees **must** wear headphones if they do not live alone. They should also move to a room where no other people are present. If there are special circumstances, this should be dealt with by the rep's manager and raised at Steering Group for approval.
- West Sussex MARAC meetings are held via video conference using MS Teams. The meeting should not be recorded or uploaded to cloud. Participants can dial in via phone to the meeting if required. The Marac support team are responsible for creating and sharing the online Teams invites to the identified MARAC Representatives. The meeting will be set to ensure the MARAC Support Team allow entry into the meeting, and only expected individual attendee's will be authorised into the meeting following signing up to our MARAC Confidentiality Declaration and their agency signed up to the MARAC ISA and Operating Protocol.
- Only MARAC reps will 'attend' the virtual MARAC (these are agencies who have signed up to the West Sussex MARAC Operating Protocol). Guests will include an agency who referred a case to MARAC and occasionally an identified lead worker. These guests should only be part of the single relevant case discussion and will need to explicitly confirm agreement to the MARAC confidentiality declaration (See Appendix 1)
- Any breaches must be **immediately** raised with the MARAC Support Team, Chair, and management.
- No information should be saved on MS Teams (this includes agenda, minutes, notes or action plan).
- Do not use full names of victims, alleged perpetrators or children or other personal information in the 'chat text function' on MS teams. No Teams Transcripts will be stored following the meeting and this Teams function will be turned off.
- Managers should remind staff about data protection requirements and discuss how they will manage this with increased home working and increased likelihood of having other family members at home.

### Information sharing at MARAC.

4.24 The MARAC is not a legal entity in its own right and therefore the information shared at MARAC belongs to each agency individually. The framework for sharing information at the meeting is set out in Part Three.

- If it is identified at the meeting that information needs to be shared with an agency that does not participate in the MARAC, partner agencies will agree as an action whether the minutes relating to that case, in addition to any other

information, can be shared. This could be in the context of a Domestic Abuse Related Death Review, a MARAC-to-MARAC referral, or a Court Order.

- If it is identified following the meeting that information will need to be shared, the MARAC Chair will make the decision on the appropriate process for agreeing what information to share following the guidance in section 7 below.

4.25 The Chair will read out the confidentiality declaration (see Appendix 1) at the beginning of each meeting, reminding agency representatives of their responsibilities in relation to information sharing. Agency representatives will be asked to sign the confidentiality declaration.

4.26 At the meeting, MARAC representatives should share information from their agency verbally, where relevant and proportionate:

- If the MARAC representative is unable to attend the MARAC, they should in the first instance send a deputy in their place.
- If there is no one who can take their place, the MARAC representative should contact the MARAC Support Team and advise of non- attendance. The MARAC representative will still need to complete the research and will be asked to provide a report prior to the MARAC meeting. This will be shared / read out at the meeting and added to the minutes (the report should include any relevant information on cases, as well as confirming those cases where the agency has no relevant / proportionate information to share).

## **Action planning**

4.27 During the MARAC, a tailored action plan will be developed for each case with the aim of increasing the safety of the victim(s) including children, perpetrator, other vulnerable parties and any professionals. At the start of each meeting, agency representatives will be reminded that responsibility to take appropriate actions rests with individual agencies; it is not transferred to the MARAC. The role of the MARAC is to facilitate, monitor and evaluate effective information sharing to enable appropriate actions to be taken to increase public safety.

4.28 In all cases:

- Agencies should flag and tag their files in relation to the perpetrator(s) and all linked victims (adult and child). This ensures that repeat incidents can be identified and, should a victim later come into contact with another agency, the appropriate level of support can be given.
- Feedback will be provided to the victim on the outcome of the MARAC meeting as soon as possible after the meeting (if safe to do so - this would not be a copy of the full minutes).

- Normally, the specialist domestic abuse service will contact the victim to give a verbal update on the outcome(s) that relate to the victim directly and are safe to share. Information about the alleged perpetrator or another person will not be shared with the victim. In addition, information which may increase risk to another person will not be shared the victim.
- In some cases, another agency may be best placed to give a verbal update on the outcome(s) of the meeting.
- The agency providing feedback to the victim will be recorded in the minutes.
- A 'lead agency' for the victim, alleged perpetrator and children will be identified within the MARAC. The lead agency will usually be the agency with the most contact with the individual and who has responsibility for updating key partners with any significant changes and updates on the case. A lead agency should only be an agency who is present at the MARAC meeting and part of the discussions. Alternatively, there should be a clear action for a meeting participant to inform and explain this role to an agency outside of the MARAC. The lead agency should ensure that other relevant front-line workers who are also involved in the cases (but not at MARAC) are informed of MARAC discussions. The lead agency should oversee the MARAC action plan liaising with partners known to be working on the case.
- All agencies who take away actions from MARAC are requested to set up methods to ensure actions agreed at MARAC are completed.

4.29 All actions agreed at the meeting will be Specific, Measurable, Achievable, Relevant and Timely (SMART) and ideally completed within a target 10-day timeframe.

4.30 All agencies will provide an update to the MARAC Support Team on the status of actions as soon as they are completed or if unable to complete.

4.31 The MARAC Support Team will maintain an action list on Mosaic Recording Database, to record where actions have been completed and identify incomplete actions:

- Incomplete actions will be reviewed by the MARAC Support Team on a regular basis.
- If an action has not, or cannot, be completed a rationale should be provided.
- When required, incomplete actions will be shared with the MARAC Service Manager for escalation and further escalated to the MARAC Steering Group if needed (if common theme/agency).

## **Emergency MARAC**

- 4.32 If a partner agency identifies a case that requires MARAC support and believes that the needs are urgent, and the case cannot wait until the next scheduled MARAC then the agency can request an Emergency MARAC and will be considered alongside adult and child safeguarding procedures to respond to the presenting risks.
- 4.33 In the first instance the agency must contact the MARAC Support Team, who will liaise with the MARAC Chair, and identify which agencies should be represented at the Emergency MARAC.

## **MARAC Plus**

- 4.34 West Sussex County Council has developed and embedded a MARAC Plus (See Appendix 1) process as a local arrangement. This is an extension to the current county MARAC arrangements and serves as an embedded pathway of escalation.
- The purpose of MARAC Plus is to manage domestic abuse cases which repeatedly come to notice at locality MARAC level. Specifically, where it is identified that local MARACs may not be able to manage cases effectively without a higher agency strategic oversight.
  - Cases discussed at MARAC Plus hold an additional level of complexity. Parties discussed may have compounding disadvantages, where locality MARAC's action planning is not able to effectively reduce domestic abuse risk.
  - Cases must have at least 3 MARAC case discussions in the last 6 months prior to consideration for escalating into MARAC Plus.
  - Locality MARAC Representatives will collectively decide if a case requires a professionals meeting, safeguarding strategy discussion OR escalation to MARAC Plus.
  - Locality MARAC Representatives must answer the following questions as part a decision to escalate a case to MARAC Plus which will be captured in the MARAC minutes.
    - What are the barriers met at MARAC that MARAC Plus can look to overcome?
    - What do you hope MARAC Plus can achieve?
    - What are the outstanding MARAC actions?
  - A case will only remain at MARAC Plus for a maximum period of three months, unless on a discretionary basis the MARAC Plus Representatives agree this can be extended and a rational recorded for the reasons why.
  - A collective decision will be made regarding discharging cases from the MARAC Plus process. This will involve a full review of actions taken, any evidence of risk reduction, confirmation of no outstanding actions, highlighting any on-going concerns and a clear recording of what current agencies remain involved and a rational for discharging from MARAC Plus. It will be the responsibility of the Chairs

of the meeting to propose a short discharge summary which will be recorded in the minutes.

- The MARAC Plus will take place on a rolling monthly basis. If there is a significant escalation or incident(s) of harm between meetings taking place, then an urgent professional meeting or strategy discussion should be considered to avoid delay.

### **Referral to and from other MARAC areas**

- 4.35 If it comes to the attention of any agency that a high-risk victim has, or intends to, move to a new area that agency must inform the MARAC Support Team.
- 4.36 Following a referral into the West Sussex MARAC, if it is updated that the victim has moved out of area prior to the MARAC discussion, the MARAC Support Team will:
- Keep the case on the next available MARAC so that MARAC agencies can conduct their research and share their information, be made aware of the move and identify any appropriate actions.
  - Transfer the case to the new area using **the MARAC-to-MARAC Referral Form**, reflecting the [SafeLives guidance](#). There is an expectation that MARAC representative will fulfil any responsibility to liaise with counterparts in the new area.
- 4.37 If the victim is due to move out of the MARAC area, but has not done so yet, the MARAC Support Team will:
- Add the case to the next available MARAC so an action plan will be agreed including any arrangements for partner agencies to liaise with counterparts in new area.
  - Transfer the case to the new area after the meeting.
- 4.38 The specialist domestic abuse service will take the appropriate steps to liaise with the specialist domestic abuse service in the new area.

### **Complex cases**

- 4.39 Any agency or a MARAC Chair may propose that a case discussed at MARAC is complex and requires more time/ further discussion to manage the issues. A complex may involve victims or alleged perpetrators facing multiple disadvantage which could include but is not limited to; substance misuse, mental health, disabilities, and learning disabilities. This could include vulnerabilities that may not have previously reached the threshold for additional service provision. A complex case may also be identified where the MARAC safety plan has not been able to reduce the risk to victim(s), evidenced by repeat referral to MARAC. The MARAC



Chair may recommend a further professionals meeting involving the key agencies and can also recommend the case is escalated to senior managers to review with other relevant agencies (e.g., Multi-Agency Risk Management (MARM)).

## **5. Administration**

- 5.1 The MARAC process will be administered in each geographical area by the MARAC Support Team in West Sussex.
- 5.2 MARAC Minutes are uploaded by the MARAC Support Team onto the Mosaic database for the referred victim-survivor, with case note entries added to any linked child victims and (alleged) perpetrators Mosaic records. The minutes will be circulated no later than 2 working days after the meeting.
- 5.3 Participating agencies are expected to have the capacity to remove a 'flag' (see 4.27 above) when 12 months has passed since the last MARAC. This practice will be reflected in the Information Sharing Guidance.
- 5.4 The WSCC MARAC Support Team will retain all related information to the referral discussion and action plan. This will be kept in line with the agreed [West Sussex County Council Adults' and Children's Services Retention Schedule](#).

## **6. Equality**

- 6.1 Data will be collected by the MARAC Support Team on the profile of the local population referred to MARAC to monitor equality of outcome to all.
- 6.2 This data will be reported quarterly to the MARAC Steering Group, which will be responsible for monitoring and reviewing this data and, where actions are required, will either agree ad-hoc activity to be undertaken or ensure that these are included in the relevant partnership Action Plan.
- 6.3 Equality will also be considered annually in relation to the MARAC, as part of the wider Strategic Assessments relating to domestic violence and abuse, to identify the needs of the local population (including age, disability, race, religion or belief, sexual orientation, sex or gender reassignment, marriage and civil partnership, pregnancy, and maternity).
- 6.4 Where appropriate, the MARAC Support Team will identify how specialist agencies or representatives will participate in the MARAC, offer training and engage them on any cases identified as requiring specialist support.

## **7. Other matters**

### **Domestic Violence Disclosure Scheme (DVDS)**

- 7.1 The Domestic Violence Disclosure Scheme (also known as 'Clare's law') was launched nationally on the 8th of March 2014.
- 7.2 Under the scheme an individual can ask police to check whether a new or existing partner has a violent past. This is the 'Right to Ask'. If records show that an individual may be at risk of domestic violence from a partner, the police will consider disclosing the information.
- 7.3 Also under the scheme an agency can apply for a disclosure if the agency believes that an individual is at risk of domestic violence from their partner. This is the 'Right to Know'.
- 7.4 The implementation of this in West Sussex will mean that Sussex Police will receive the request for 'Right to Ask' and 'Right to Know'. The Victim Hub within Sussex Police will review, process and authorise the applications pending discussion at the weekly Victim Hub multiagency meeting to support a decision to disclose information on the basis of whether it is lawful, necessary and proportionate to do so.
- 7.5 The specialist domestic abuse service (WORTH), Police Caseworkers, Childrens Services and partner agencies will work together to facilitate this process in line with agreed protocols.
- 7.6 Further guidance for practitioners on how the Domestic Violence Disclosure Scheme is being implemented in Sussex can be found at: [Sussex Police – Request information under Clare's Law](#)

### **Domestic Violence Protection Notices (DVPNs) / Orders (DVPOs)**

- 7.7 From 12th June 2014, Sussex Police have been using Domestic Violence Protection Notices (DVPN) and Domestic Violence Protection Orders (DVPO).
- 7.8 Domestic Violence Protection Notices/ Orders are aimed at perpetrators who present an on-going risk of violence to the victim and/or associated persons, with the objective of securing a co-ordinated approach across agencies for the protection of victims and the management of perpetrators.
- 7.9 These Protection Notices and Orders build on existing procedures and bridge the previous protective gap, providing immediate emergency protection for the victim and allowing them the protected space to explore the options available to them and make informed decisions regarding their safety.
- 7.10 The power to issue a DVPN and subsequent application for a DVPO lies with the police and ultimately the Criminal Justice Service (CJS), the success of any such process will be reliant on the partnership work with other agencies such as the Independent Domestic Violence and other organisations represented at MARAC.



- 7.11 The specialist domestic abuse service (WORTH) and Police Caseworkers will work together to facilitate this process in line with agreed protocols.
- 7.12 Further guidance for practitioners on how Domestic Violence Protection Notices and Domestic Violence Protection Orders are being implemented in Sussex can be found at: [Domestic Abuse - You Are Not Alone | Sussex Police](#)

### **MARAC disclosure into court proceedings**

- 7.13 Where a court requests disclosure of documents, the MARAC will follow the principles outlined by the Working party of the Family Justice Council/CAADA document '[MARAC and disclosure into court proceedings](#)' published in December 2011.
- 7.14 Where appropriate the MARAC Team will seek legal advice from West Sussex County Council legal team to support with court requests for information.
- 7.15 As per the guidance listed above, the MARAC Team will liaise with MARAC partner agencies to inform of the court ordered request and ask them to seek guidance from their data controller relating to this.

### **Domestic Abuse Related Death Reviews (DARDR) and other partnership reviews**

- 7.14 Domestic Abuse Related Death Reviews ([DARDRs](#)) were established on a statutory basis under section 9 of the Domestic Violence, Crime and Victims Act (2004). This provision came into force on 13th April 2011.
- 7.15 In the event that a MARAC case becomes subject of a Domestic Abuse Related Death Review, the Chair of Panel may make a written request for a Summary of Involvement and / or an Internal Management Review (IMR).
- 7.16 MARAC information will be provided to a Domestic Abuse Related Death Review (DARDR) in the following circumstances:
- A victim in a domestic violence and abuse related homicide or suicide has previously been discussed at the MARAC.
  - A suspect in a domestic violence and abuse related homicide or suicide has previously been discussed at the MARAC.
  - The MARAC was involved with another relevant party e.g., the child victim in a MARAC case discussion.
- 7.17 The Domestic Abuse Service Manager (MARAC) will be responsible for coordinating the response in these circumstances, which may include the release of information including minutes and action plans and the return of a Summary of Involvement and / or an Internal Management Review (IMR). This will involve

contacting the relevant agency representatives and asking for their consent to share information.

- 7.18 In making a response, the Domestic Abuse Service Manager (MARAC) will notify those agencies that were directly involved in the case that a request has been made and will provide those agencies reasonable time to review and comment on any response to the DARDR.
- 7.19 In the event that there is a request for MARAC information as a result of any other review process (for example, a Safeguarding Adult Review, Serious Case Review, Serious Incident), the same process shall apply.

## Observers

- 7.20 It is recognised that the MARAC is likely to be of interest to many partner agencies locally, including for training purposes. In the first instance any partner agency that wants to invite an observer should ensure that staff / volunteers meet any relevant requirements e.g., in terms of safer recruitment or employment practices to confirm the observer has the relevant security vetting in place.
- 7.21 In such cases the agency will be required to comply with the following requirements:
- The Chair, via the MARAC Support Team, should be advised before the meeting of the proposed observer and given an opportunity to agree or otherwise to the observer attending the meeting.
  - The agency that has invited the observer takes full responsibility for the observer, including briefing them beforehand on the confidentiality requirements of the MARAC.
  - The Observer will be asked to sign the meeting confidentiality agreement and attend the virtual MARAC via an agency device (not personal device).

## MARAC and Multi Agency Public Protection Arrangements (MAPPA) information exchange

- 7.22 There is a Sussex MAPPA and MARAC protocol (available on request from the MARAC Support Team in each area).

The MARAC Support Team will update partner agencies of any changes in policy within the MAPPA and MARAC protocol in liaison with the MAPPA lead.

- 7.23 It is important that information is effectively exchanged between the MARAC and MAPPA process. The following actions are therefore required:

- The Sussex Police Domestic Abuse Caseworker will check if any persons listed on the MARAC case load is known to MAPPA and liaise with the MAPPA co-ordinator.
- The Sussex Police Domestic Abuse Caseworker will pass the MARAC referral and Risk Assessment to the MAPPA co-ordinator for onward dissemination to the appropriate Offender Manager.
- The MARAC Support Team will record within the MARAC minutes if it is known that someone is a MAPPA offender.

### **National Crime Recording Standard / third party reporting of crime**

- 7.24 To ensure that police forces in England and Wales have the best crime recording system in the world (one that is consistently applied; delivers accurate statistics that are trusted by the public and puts the needs of victims at its core) there is a requirement that Sussex Police comply with the [National Crime Recording Standard](#).
- 7.25 In practice this means that all reports of incidents, whether from victims, witnesses or third parties and whether crime related or not, will, unless immediately recorded as a crime, result in the registration of an auditable incident report by the police.
- 7.26 For the purposes of the MARAC, it is recognised that information shared by partner agencies may constitute a 'Third Party' report, as the MARAC representative is acting as a professional reporting crimes (often of a safeguarding nature) on behalf of victims of any age.
- 7.27 In such cases, to meet the National Crime Recording Standard, this information will need to be recorded by the Sussex Police whether the victim has or has not given their permission for the reporting individual to speak to the police and irrespective of whether the victim subsequently confirms that a crime has been committed.
- 7.28 It is the responsibility of Sussex Police to identify when information shared at the MARAC would meet the National Crime Recording Standard. There is an expectation that Sussex Police will ensure that the matter is correctly recorded as a third-party report if it is not already recorded. This is likely to take place after the MARAC meeting.
- 7.29 It is the responsibility of MARAC representatives to be aware of the requirements of the National Crime Recording Standard when sharing information into the MARAC process and at the MARAC meeting.
- 7.30 Where Sussex Police identify that information has been shared within the MARAC referral form or during MARAC that may meet the National Crime Recording

Standard, this should be discussed with the agency sharing that information, as well as the other agencies at the MARAC meeting. Considerations include:

- Whether the victim is aware of the MARAC referral.
- How the information will be recorded, including the source of the information.
- The implication of Sussex Police contacting the victim.
- Whether Sussex Police will liaise with any partner agencies (normally the partner agency sharing the information) before any action is taken in response to a crime being recorded, to ensure that the safety of all identified victims, including any children is paramount and an approach that supports a trauma-informed approach for the victim-survivor.
- Whether another agency will encourage the victim to report e.g., the specialist domestic abuse service (WORTH).

The MARAC Support Team will:

- Record as information shared: that Sussex Police believe that the information shared meets the National Crime Recording Standard and that it should be recorded as a third-party report if it is not already recorded.
- Record as information shared: any views expressed by MARAC representatives about the recording of, or actions taken in response to, the information being recorded as a third-party report.
- Record as an action: any decision by Sussex Police to record information shared at the meeting as a Third-Party Report.
- Record as an action: any other actions that may be appropriate e.g., for a partner agency to liaise with Sussex Police or to encourage the victim to report.

7.31 MARAC representatives / partner agencies should note there is an expectation that partners will not bring crimes into MARAC for reporting/recording when it would have been appropriate for them to be reported in the usual way via Sussex Police (via 101 or 999). Partners should be mindful of the impact of delayed reporting on police safety planning.

If a MARAC referral state a crime has been committed but the referrer has **specific concerns** that the police response, following recording of the crime, would increase the risk of harm to the victim, then this should be clearly marked on the MARAC referral form: Suggested text: 'For the Attention of Domestic Abuse Co-ordinator/ Sussex Police employee in receipt of the MARAC referral. Please record this crime in the standard way **and** refer the case to a Public Protection Detective

Sergeant MARAC representative (prior to MARAC) for consideration of the police actions that will be taken as a result of national crime recording”. These **specific concerns** should be recorded in the referral form. Sussex Police will consider if police action will be ‘held’ or ‘limited’ until the full MARAC discussion based on the rational and safety plan set out within the MARAC referral (all such referrals **must** be accompanied by the **specific concerns** and **safety plan**). Any such cases will be heard at the next MARAC (there will be consideration between referrer and Sussex Police of the time-period until the next available MARAC (the MARAC discussion can be brought forward if deemed appropriate).

Ultimately Sussex Police have the final decision regarding what action is taken in response to a reported crime (not the MARAC Chair or other agencies) however in such cases this decision will be made with consideration given to the specialist advice and opinion from partners before or at MARAC.

The MARAC Chair must provide clear direction on the next steps, including timescales and these steps should be recorded in the minutes as actions. Following the MARAC meeting, a summary of the actions should be recorded. A further review of risk and actions should be completed by the Public Protection Detective Sergeant.

## Counter allegations

7.32 In some cases referred to the MARAC, it may be unclear who is perpetrating violence and abuse (for example, someone may be referred as a ‘victim’ when they have previously been known as the (alleged) perpetrator, or someone may be referred as the ‘alleged perpetrator’ when they have previously been known as the victim. There may have been counter-allegations or concerns about disclosures made by a service user about their use of violence or abuse:

- If counter allegations are identified ahead of the meeting, the MARAC Support Team will record that the case involves counter-allegations of abuse on the MARAC agenda.
- MARAC Support Team will provide advice regarding risk assessment, use of tools, review of chronology of concern, review clusters/patter of behaviours.
- Recommend to referring agencies use of identified screening tools “Who Does What to Whom” / Respect Screening Tool.
- Agencies involved to consider a Pre-Meet to review presenting concerns to inform next steps and risk management.
- MARAC support team to consider listing both cases in the MARAC meeting to support with risk management and response.

- If counter-allegations are identified as an issue during the meeting, these should be noted as a specific risk and actions agreed to address these.
- MARAC support team to monitor numbers of counter-allegation cases being referred into MARAC and share this with the MARAC Steering Group.

7.33 Normally the specialist domestic abuse service (WORTH) will review any counter-allegations and identify how to manage these either at the point of referral, as part of contact ahead of the meeting or following the meeting. Where appropriate the specialist domestic abuse service will liaise with other agencies. The actions that may be taken include:

- Consider contact with either or both parties if appropriate and, if so, how this will be facilitated and coordinated.
- Liaison with another domestic abuse service to lead on contact with one of the identified/referred individuals.

## **Immigration status**

SafeLives has published [new guidance for MARACs \(Multi-Agency Risk Assessment Conferences\)](#) on sharing information in relation to victims who may have insecure immigration status. The guidance was published following a Super Complaint which raised serious concerns about the impact of information sharing between the police and the Home Office in respect of victims of domestic abuse with insecure status.

Only relevant and proportionate information should be shared through the MARAC process to safeguard victims at risk.

The key principles of the guidance include:

- Information shared during the MARAC process should not be used to support immigration enforcement proceedings.
- Immigration Enforcement should not attend MARAC meetings.
- No agency should pass on information shared at MARAC meetings to Immigration Enforcement without explicit agreement of the MARAC and then only for the purposes of safeguarding the victim(s).

Further information can be found in the [full guidance document](#).

## **8. Evaluation**

8.1 All MARAC data will be collected monthly via the Mosaic database to inform the Domestic Abuse Dashboard as well as anonymous data uploaded into the SafeLives MARAC data portal by the MARAC Support Team.

- 8.2 The West Sussex MARAC Support Team will develop a Risk Register, to monitor issues and concerns and record mitigating actions linked with the MARAC Business Plan (CSWB).
- 8.3 The MARAC Support Team will facilitate a MARAC audit process to identify risks, issues, and areas for continued development, including:
- Quarterly Multi-Agency MARAC case Audit using a case pro-forma with clear inclusion criteria.
  - Quarterly MARAC Chair meetings led by the MARAC Support Team to capture feedback to support MARAC improvement.
  - Annual survey of MARAC representatives, capturing feedback on MARAC process.
  - MARAC Development Sessions, led by practitioners as an opportunity to share best practice regarding domestic abuse and sexual violence and the MARAC.
- 8.4 The data, risk register and audit activity will be reported on a quarterly basis to the West Sussex MARAC Steering Group.

## Part 2: Information Sharing Guidance

### Aims of this section:

- Setting out the legal framework within which MARAC information is shared and held.
- The requirement to identify a lawful basis for sharing personal data for personal, special category and criminal data in MARAC.
- Identify what personal data may be shared.
- Providing guidance to the parties on the sharing between:
  - The representatives in MARAC
  - Other parties
  - Clients
- Detailing to the parties when data sharing may occur and not occur.
- Setting out to the parties, the principles of data sharing and relevant factors to consider when deciding to share personal data.
- Setting expectations for the parties on how the information shared through MARAC should be processed/used by those parties.
- Set expectations to the parties around security and confidentiality of the storage of personal data.
- Agreeing with the parties the expectations around data retention.



## 9. Information sharing

9.1 This part of the MARAC Operating Procedure (MOP) sets out the following:

- The specific purposes for which the parties (including all staff, workers, consultants, and volunteers working for and on behalf of these agencies) have agreed to share information.
- The legal framework within which the information is shared and held.
- The arrangements for monitoring and reviewing the MOP.

9.2 Sharing relevant information with other agencies is crucial to reduce the risk of harm to high-risk victims. The MOP exists to facilitate information sharing between all the agencies, both in the statutory and voluntary sectors that have agreed to work together within the MARAC framework across West Sussex. This information sharing comprises:

- Information held by various agencies on individuals who pose a high risk of harm to their partners, ex-partners, children and family members.
- Personal information pertaining to high-risk victims (adults and their children) and other family members identified to be at risk.

9.3 Any decision to disclose or share information must be necessary, justified and proportionate to risks considered, including but not limited to:

- The prevention or detection of a crime ([DPA - Schedule 2 Part 1 Paragraph 2](#)) the public interest – GDPR [Article 6 \(1\)\(e\)](#) and GDPR Article 9 (2) (g)
- Protecting vital interests (i.e. where there is a threat to life) – GDPR Article 6 (1) (d) and GDPR Article 9 (2) (c)
- Safeguarding of children and individuals at risk (DPA Schedule 8 Paragraph 4, GDPR Article 6 (1) (d) and GDPR Article 9 (2) (c))

9.4 The decision to disclose must be properly documented, including:

- The reasons for the decision to disclose.
- The extent of the disclosure made.
- The permitted use of the disclosed information.

9.5 The following legislation provides the statutory powers for the partner organisations to share information under the MOP:

- The Data Protection Act (2018)



- UK General Data Protection Regulation (UK GDPR) 2018
- The Human Rights Act (2000)
- The Crime & Disorder Act (1998)
- The Housing Act (2004)
- The Domestic Violence & Victims Act (2004)
- The Children Act (1989 and 2005).
- Common Law – overriding public interest.
- Offender Management Act (2007)

## **10. MARAC information sharing guidance for partners**

### **What information is being shared?**

10.1 The following information involving high-risk victims of domestic violence and abuse, linked child victims and alleged perpetrators can be shared under the MOP:

- Personal details such as name, date of birth, address, ethnicity, sexuality.
- Employment details.
- Housing information.
- Financial details including information about receipt of benefits.
- Criminal offences or alleged offences, particularly those relating to violence in a non-domestic context.
- Physical or mental health conditions.
- Relevant history of domestic violence or associated behaviour e.g., sexual abuse.

10.2 The MARAC is not a legal entity and therefore, the original supplying agency (the data controller) retains ownership of any information shared at or for MARAC. The agency that shares information at MARAC is the 'data controller'. (Legal Basis for sharing – see 9.3).

10.2.1 Information gained at the MARAC cannot be used by another agency without the permission of the agency that supplied it.

10.2.2. This includes sharing a copy (or extract) of the minutes from MARAC with clients i.e., permission from the Data Controller would be required (the client will need to make a formal Subject Access Request (SAR) to each individual MARAC agency who has shared information on their case if they wish to see a copy of the full MARAC minutes).

10.2.3. Any information shared with non-attending agencies should only be done with the agreement of the MARAC partners, if appropriate, and only where it will directly help to improve the safety of the adult and/or child victims.

Only relevant and proportionate information should be shared through the MARAC process to safeguard victims at risk.

10.3 [UK GDPR Article 6 and Article 9](#) for special category data. Where information is shared the following should be considered before the information is shared:

- Danger to the victim, including threat to their life.
- Children at risk/danger to a child.
- Vulnerable adult at risk/danger to a vulnerable adult.
- The victim poses a risk to themselves or others.
- Prevention of a crime.
- Public interest (based on a judgement of the facts in the case).

10.4. Where Criminal data is to be shared the parties need to rely on UK GDPR Article 6 basis and Article 10 UK GDPR.

10.5. The parties must have reference to the Caldicott Principles, the 7 Golden Rules for data sharing or the Information Commissioner's Office's (ICO) Data Sharing Code when making decisions to share.

10.4 All MARAC correspondence including e-mails, documentation containing personal data relating to victims, perpetrators and their children should be marked 'Personal Sensitive'.

10.5 On every occasion that personal and sensitive personal information is shared for the purposes of MARAC it must be sent via secure electronic transmission (encrypted as it traverses the internet):

- Email sent using 'Require' Transport Layer Security (TLS) will be automatically encrypted as it traverses the internet. Please check if this is supported by your agency and the MARAC Support Team.

- In West Sussex: For agencies who do not use Transport Layer Security (TLS), the MARAC Support Team will send documents and attachments password protected.
- 10.6 Referrals to the MARAC should only be made via the online West Sussex MARAC Referral Form
- [https://westsussex-self.achieveservice.com/service/MARAC\\_referral](https://westsussex-self.achieveservice.com/service/MARAC_referral).
- 10.7 The MARAC Support Team, using secure email and/or data transfer using a shared case management system (Mosaic), will automatically refer referrals to the MARAC to the specialist domestic abuse service (WORTH), unless a clear lead domestic abuse service is already in place.
- 10.8 MARAC documentation (including the MARAC agenda, minutes and any other material) will be securely circulated with a password protect function from the secure WSCC MARAC inbox to the MARAC identified distribution lists. The distribution lists include partner agencies signed up to the MOP. Agencies will have different levels of access to the full referral information or minutes depending on their involvement in the case and whether they attend the MARAC or only send in written research, to be decided by the MARAC Chairs and MARAC Partnership Co-Ordinator.
- 10.9 The MARAC distribution list will be checked quarterly.
- 10.10 It is the responsibility of partner agencies to inform the MARAC Support Team when people should be removed from the MARAC distribution list or additional staff added. The Organisation's Point of Contact will ensure appropriate briefing and training has been put in place before an individual receives MARAC information via the distribution list.
- 10.11 The MARAC Management Team (Domestic Abuse Service Manager) will approve any new agencies wishing to join the MARAC or individuals from existing agencies who want to be added to the circulation list to receive referrals (taking advice from the MARAC Chair and partners where necessary). The MARAC Management Team have the right to reject such applications if they are deemed unsuitable or inappropriate or if the agency is unwilling to sign up to this MOP.

## **When will the information be shared?**

### **Ahead of the MARAC**

- 10.12 There are six MARACs held in West Sussex, Worthing/Adur, Arun, Chichester, Crawley, Horsham, and Mid-Sussex. There is also a monthly MARAC Plus meeting.
- 10.13 Information on the cases to be discussed at each MARAC meeting will be circulated securely with a password protect function from the WSCC MARAC email

address by the MARAC Support Team ahead of the MARAC. The MARAC Referral Forms will also be shared with the MARAC Chairs of the meeting, plus any additional correspondence regarding changes to the agenda or referrals.

- 10.14 In some cases, MARAC partner agencies will share information about a MARAC case via email to the MARAC Support Team and this will be read out at the relevant MARAC.

### **At the MARAC**

- 10.15 All participants verbally agree the 'confidentiality declaration' (see Appendix 1) at the start of the meeting, this will highlight that the information disclosed at the MARAC is confidential and must not be disclosed to a third party without the agreement of partners of the meeting.
- 10.16 The WSCC MARAC Support Team is responsible for taking minutes at MARAC meetings and for circulating these after each meeting along with the action plan. The minutes are recorded on the agreed MARAC Minute Template document signed off by the MARAC Steering Group. The minutes will include a reminder of the confidentiality declaration with regards to the storing and sharing of the MARAC minutes.

Each MARAC partner representative is responsible for checking the minutes issued and providing feedback regarding any changes needed to accurately reflect the information their agency provided at the meeting. If any changes are required, the minutes will be revised and re-issued.

- 10.17 Minutes will only be circulated to the agencies routinely attending the MARAC meeting:
- Individual case minutes will be sent to agencies that have made referrals and/or presented the case at the MARAC meeting but which are not usually in attendance.
  - MARAC attendees must not pass on minutes to any third parties not involved in the MARAC meetings without the agreement of the MARAC and the agencies that shared the information.

### **Information sharing outside of the MARAC process.**

- 10.18 There may be occasions where, to implement a safety plan that has been agreed at the MARAC, that any agency that is not signed up to the MOP needs to be informed of certain facts for the purposes of safeguarding.
- 10.19 The MARAC Support Team may share the names and details of MARAC victims, perpetrators and associated child victims and other MARAC documentation in undertaking a MARAC-to-MARAC transfer.

- 10.20 Action Plans or individual actions can be shared as part of child protection conferences, adult safeguarding, and MAPPA meetings with the agreement of the MARAC Chair and the agencies supplying the information. Care should be taken to ensure that information generated through the MARAC process is not shared inappropriately in other conference or partnership settings as this may increase the risk to the victim(s) involved.
- 10.21 Any requests for information on MARAC cases outside of MARAC meetings or for copies of minutes or action plans (e.g., to support Family Court proceedings or Reviews) will be managed on a case-by-case basis in line with the process set out in the MOP and WSCC legal advice will be sought as required.
- 10.22 Any release of information outside of the MARAC process will be documented on Mosaic for the relevant individual's record and the agency receiving the information should be informed of the purpose for which have been given the information, that it must remain confidential, be kept, and shared safely and securely and the permitted use of the disclosed information.

#### **How will the information be stored (by the recipient(s))?**

- 10.23 In order to protect victims and to maintain safety, any data provided and shared in the context of the West Sussex MARAC should be stored and processed so that its integrity and confidentiality are always maintained. All MARAC partner agencies should store and process MARAC data in line with both this MOP and their local policies and protocols. Information should not be stored/accessed/transferred outside of the UK (or EEA).
- 10.24 We would not expect agencies to print off hard copies of MARAC documentation (MARAC risk identification checklists, referral forms, minutes or action plans). If a need is identified, managers must speak to staff individually within their respective organisation about how this will be accomplished in line with data protection.
- 10.25 Partner agencies are requested to 'flag' their records that the victim, (alleged) perpetrator and linked child victims were discussed at MARAC and the date of the MARAC if any of the subjects are open to the service. Partner agencies do not need to 'flag' that a client was discussed at MARAC if the subject is not known to the service, unless otherwise requested to do so as an action agreed at the MARAC at which the case was discussed.

#### **Who will have access to the information?**

- 10.26 All partner agencies receiving MARAC case information are required to sign up to the MOP. The MARAC representative and Organisation's Point of Contact will be considered as authorised officers. The agency representative will refer to others within their organisation where necessary to obtain relevant information on the victim(s) or (alleged) perpetrator to be shared at the MARAC meeting, ensuring that anyone who has sight of MARAC referral information is aware of the sensitivity

of the information, the need to maintain confidentiality and not to share the information further.

- 10.27 Only those with legitimate interest to the information should be allowed access. MARAC information such as referral form, completed ACPO SafeLives DASH RIC, Minutes and Action Plan should be stored in restricted way, for authorised personnel only. This is stored on the WSCC secure Mosaic client recording database within a secure MARAC confidential space, only visible to the WSCC MARAC support team and WSCC Domestic Abuse Service (Worth).

If any victim, linked child victims or perpetrator are an open case to the service then it may be appropriate to save the relevant MARAC papers on an agency's case management system. MARAC information is restricted and staff accessing information must 'need to know'. Therefore, MARAC partners must take steps to ensure MARAC information is only accessed by those permitted to do so.

Agencies will need to determine what level of information is stored on their own agency system. A full copy of the MARAC minutes may not need to be kept in entirety unless there is a case for doing so. The information retained should be proportionate to the risks and relevant to the provision of service this may include some incident information and the actions agreed at MARAC. It is important that reference to MARAC is made on agency systems so the picture of risk can be established for the purposes of safeguarding.

- 10.28 Staff within MARAC partner agencies should receive suitable training on information governance and be made aware of their responsibilities in handling the MARAC data before permitted access to MARAC information (i.e., requested to be added to the MARAC distribution lists to receive referrals, minutes, and relevant updates).

### **For how long will the information be kept?**

- 10.29 The MARAC agenda should be securely destroyed on completion of all relevant checks.
- 10.30 MARAC information should be stored confidentially in line with local agency's retention policies. Each agency that attends a MARAC meeting can hold relevant information for as long as a risk to the victim or children remains. The information retained should be proportionate to the perceived risk and will be covered by the main retention schedule for their organisation (to ensure consistency within their organisation).
- 10.31 Any information held electronically should be password protected or stored in a secure area that cannot be accessed by staff not involved with MARAC cases. Particular care should be taken with information that relates to a member of staff who has been identified as a high-risk victim or (alleged) perpetrator.



- 10.32 It is good practice for each agency attending a MARAC meeting to review its own initial recording of a case after twelve months and decide whether it was still relevant for it to retain all or some of the information that was initially recorded.
- 10.33 The MARAC Support Team will retain a 'MARAC Case Record' for each case (eg. MARAC IDVA Referral Form, the MARAC Minutes) for as long as is justified.

### **How will the information be destroyed?**

- 10.34 Hand-written notes at MARAC meetings should be kept to a minimum and pseudonymised only for the purposes of agencies noting their actions. The MARAC minutes will be the formal record of what was discussed at the MARAC meeting. Hand-written notes should either be confidentially destroyed after the meeting or kept securely following both this MOP and local agency policies and protocols.
- 10.35 Once hard copies of any documentation have fulfilled their use they must be disposed of as confidential waste by shredding or other secure means.
- 10.36 Flags on electronic systems or paper files should be removed 12 months after the last referral to MARAC.

## **Part 3: Arrangements for breaches, complaints, Freedom of Information requests, withdrawal, and review**

### **Aims of this section:**

- Detailing to the parties, clear expectations if a MARAC data breach occurs and action that is required if a breach is identified.
- Setting out to the parties' agency accountability for any misuse of any information by its employees, shared as part of the MARAC process.
- Detailing to the parties the governance process in place following a MARAC data breach.
- Provide guidance to the parties on the following:
  - Complaints procedure
  - Freedom of Information Requests (FOI)
  - Right of rectification request
- Agreeing with the parties the expectations around Subject Access Requests (SAR) and their role in any request.
- Detailing to the parties the sharing of information when a Court Order is received or as part of safeguarding responsibilities.
- Guidance to the parties on the process to withdraw from the MARAC Process.
- Agreeing with parties the governance regarding MARAC, review of MARAC and the review of the MARAC Operating Protocol.

## Breaches

- 11.1 It is vitally important that all agencies and their representatives are aware of the MOP and take all necessary steps to ensure that it is not breached. Such breaches would be extremely damaging for all parties to the MOP and may result in an increase in risk for any high-risk victim.
- 11.2 MARAC representatives who receive information on MARAC cases should be aware that they might personally know, know of or work with the victim(s) or (alleged) perpetrator. To share the information provided verbally or electronically, for purposes other than the management of risk through the MARAC process, is a breach of Data Protection rules and of the MOP. Furthermore, it could also cause distress to the individual concerned and potentially put them at further risk of harm. Where recipients of MARAC case information find themselves in the position of knowing the victim(s) or (alleged) perpetrator they should seek advice from their line manager or agency MARAC representative.
- 11.3 Each partnership agency will be accountable for any misuse of the information supplied to it and the consequences of such misuse by its employees, servants or agents. If any (potential) breach of this MOP occurs under the established policies and procedures of any agency, then that agency must deal with the (potential) breach. It is important that the (potential) breach is reported as soon as known to the MARAC Support Team and other relevant agencies (whose information was breached) within the relevant local area. Consideration must also be given to reporting the Breach to the Information Commissioners Office within 72 hours. In the context of MARAC minutes, multiple parties are data controllers. If any agency, who is in receipt of the MARAC minutes is responsible for a breach involving the information supplied then they must co-ordinate the response (the agency should involve the MARAC Support Team, West Sussex Domestic Abuse Service Manager and other relevant agencies). There should be a focus on ensuring there is no increased risk to all parties because of the (potential) breach and mitigation actions should be considered.
- 11.4 If the event of a (potential) external breach, the Organisation's Point of Contact (see section 2.2) for the agency concerned should be notified immediately. They are responsible for taking all necessary actions to safeguard the victim or any other individuals if there is an imminent risk, as well as taking any appropriate action in relation to the breach itself in line with the relevant agency process.
- 11.5 In the event of any (potential) internal non-compliance the Organisation's Point of Contact (see section 2.2) for the agency concerned should be notified immediately. They are responsible for taking all necessary actions to safeguard the victim or any other individuals if there is an imminent risk, as well as taking any appropriate action in relation to the breach itself in line with the relevant agency process.
- 11.6 In all cases, the Organisation's Point of Contact must report any (potential) external breach or internal non-compliance to the MARAC Support Team, setting out the



nature of the breach and any actions subsequently taken as soon as known. The MARAC Support Team will liaise with the relevant MARAC Chair or Domestic Abuse Service Manager to agree any additional remedial actions.

- 11.7 Any breaches will be referred to the West Sussex MARAC Steering Group for consideration and may be referred to other groups as required.
- 11.8 In all cases, if the breach or non-compliance cannot be resolved data transfers may be stopped. If data transfers are stopped, they will not resume for the purpose of this MOP until the management group in West Sussex is satisfied with the remedial actions and / or security of data transfer arrangements.

## Complaints

- 11.9 Anyone wishing to make a complaint related to the MARAC must follow the procedure as set out below:

- Complaints may be made in person, by telephone, or in writing (by letter or e-mail).
- In the first instance all complaints are to be made to the MARAC Support Team.
- An acknowledgement of receipt of the complaint will be provided within 5 working days, which will include a timeframe in which a response will be made.
- The relevant Domestic Abuse Service Manager (MARAC) will investigate the complaint, with support as required from the MARAC Chair(s).
- In considering a response to the complaint the Domestic Abuse Service Manager (MARAC) will follow the principle of subsidiarity (i.e., complaints should be dealt with under an agency's own internal complaints procedures via the appropriate manager. The Domestic Abuse Service Manager (MARAC) will only act if the matter cannot be resolved by the relevant agency and / or an appropriate outcome can be better achieved.
- The MARAC Chair(s) will agree the response with the Domestic Abuse Service Manager (MARAC).
- The Domestic Abuse Service Manager (MARAC) will write to the complainant offering an explanation / list of reasons / facts of all issues and concerns.
- If the complainant is not satisfied with the initial response from the Domestic Abuse Service Manager (MARAC) then an escalated letter of complaint can be sent to the chair of the West Sussex MARAC Steering Group.

- The Chair of the West Sussex MARAC Steering Group will acknowledge receipt of the complaint within 5 working days and respond within a stated time frame.
- If a complaint cannot be resolved and a person still wishes to make a complaint, the [WSCC formal complaints process](#) should be explained with support of the Customer Relations Team (CRT), provides details of how to log the complaint and offer to inform the CRT about the complaint on their behalf.

11.10 In the event of a complaint data transfers may be delayed until the risk or issue is resolved. If data transfers are stopped, they will not resume for the purpose of this MOP until the West Sussex MARAC Steering Group is satisfied with the security arrangements.

### **Freedom of Information request (FOI)**

11.11 In the event of a [Freedom Of Information](#) (FOI) request being received by any recipient(s), which relates to the MARAC process and / or information shared by another agency at the MARAC who are the data owner(s), the recipient(s) will notify the MARAC Support Team and the data owner(s) to allow them the opportunity to make representations on the potential impact of disclosure.

### **Subject Access Request (SAR)**

11.12 Unless any of the factors below apply, [Subject Access Requests](#) (submitted by individual data subjects or solicitors acting on individual's behalf) for information held by the WSCC MARAC Support team will be processed for West Sussex County Council owned information only. As per 10.2.2 MARAC agencies external to WSCC retain ownership of their shared information and would need to follow their own Subject Access Request procedures.

The MARAC Support team will not disclose MARAC meetings or action plans if:

- disclosure of information would prejudice an ongoing investigation (MARAC Support Team will contact the relevant MARAC representative and they will be responsible for liaising internally with the appropriate point of contact within that organisation).
- disclosure would pose a risk to the safety to any involved individual (MARAC Support Team will contact the relevant MARAC representative and they will be responsible for liaising internally with the appropriate point of contact within that organisation).

## **Requests to exercise the right to rectification.**

11.13 The MARAC Support Team will respond to requests to rectify the contents of MARAC minutes and/or action plans in consultation with MARAC members.

## **Family Court disclosure requests**

11.14 In accordance with [Working Party of the Family Justice Council: MARACS and disclosure into court proceedings](#) guidance, the MARAC Support Team, following authorisation by the MARAC Chair, will share MARAC minutes/action plans to Family Courts as per a court order unless:

- disclosure will interfere with a safety plan or may cause harm to any relevant child.
- disclosure will interfere with a safety plan or may cause harm to any relevant adult.
- consent to disclose has not been obtained for information supplied and held by a MARAC partner agency.

Any objection to disclosure should be raised by the MARAC partner representative.

## **Disclosure to other local authorities for safeguarding purposes**

11.15 The MARAC Support Team will disclose MARAC Minutes and/or an Action Plan on receipt of a legitimate request for disclosure from another Local Authority.

Requests will be considered legitimate under the following circumstances:

- The requesting organisation's identity is validated.
- There is a clear and relevant safeguarding concern.

All disclosures will be accompanied with instruction regarding onward use of the information provided.

## **Withdrawal**

11.16 The MOP is merely guidance and an agreement to abide by it. Information can be shared outside of the MOP providing the principles of the MOP are adhered to.

11.17 All partner agencies have the right to withdraw from the MOP or to refuse to sign up to it. Agencies that withdraw from, or do not sign up to, the MOP will be excluded from participation in the MARAC meetings and will not receive information on MARAC cases.

11.18 If an agency wants to withdraw from the MARAC, a letter should be sent in writing to the Chair of the West Sussex MARAC Steering Group, care of the MARAC Support Team, clearly stating the reasons why the agency wants to withdraw. The agency must continue to comply with the terms of this MOP in respect of any data that the agency has obtained through being a signatory.

## Review

11.19 Monitoring the effectiveness of this MOP and on-going management and governance of MOP is the responsibility of the West Sussex MARAC Steering Group in the first instance and with the Safer Communities Partnership Boards having overall governance.

11.20 The MOP will be reviewed annually by the West Sussex MARAC Steering Group or at more frequent intervals if a need to update is identified. As part of the review the group will assess the effectiveness of the MARAC in protecting high-risk domestic abuse victims (adult and child victims) and holding high-risk perpetrators of abuse accountable for their behaviours.

## Part 4: The process by which partner agencies will sign up to this protocol.

### Aims of this section:

- Setting expectations and agreeing with all parties the signatory of the West Sussex MARAC Operational Protocol.
- Provide supportive resources to the parties to assist with their involvement in the MARAC process:
  - Key documents to support risk identification and response, referral to MARAC and attendance at the MARAC meeting.
  - MARAC process map.
  - Examples of information shared.
  - Provision of common acronyms used within the MARAC process.
  - Provision of templates to support accurate MARAC agency representation, data Protection lead and organisation's primary point of contact.

## 12. Signatories

12.1 All agencies that routinely attend the MARAC must sign up to the MOP: the parties to the agreement are specified in Appendix 4.

12.2 Any agency that is regularly invited on a case by cases basis will be invited to routinely attend the MARAC and sign up to the MOP.

- 12.3 Agencies will complete, sign, and return Appendix 5 to the MARAC Support Team.
- 12.4 By signing Appendix 5 signatories agree to accept and implement the MOP, to adopt the statements and procedures contained within it and to ensure that the MOP and any associated documentation are known and understood by all relevant individuals.

## Appendix One – List of key documents

The following MARAC resources are available on the [Multi-Agency Risk Assessment conference \(MARAC\) - West Sussex County Council](#)

- West Sussex MARAC Confidentiality Declaration Form
- Association of Chief Police Officers (ACPO) Domestic Abuse Stalking and Harassment (DASH) Risk Identification Checklist
- Online MARAC Referral Form
- MARAC Plus Terms of Reference
- Practitioners Guide to MARAC

Details of MARAC referral deadlines and meeting dates are available from each MARAC Support Team (contact details at the start of this document).

The following resource is available on the [Get support - West Sussex County Council](#)

- Sussex Practice Guidance on Domestic Violence Disclosure Scheme (DVDS)

## **Appendix Two – MARAC process map**

Steps to the MARAC process:

### **Identify**

- MARAC agencies identify victims of domestic abuse.
- Frontline professionals have access to training and tools that increase their awareness and confidence to respond to disclosures, risk assess and refer appropriately.

### **Assess Risk**

- Once domestic abuse is identified, the SafeLives Risk Identification Checklist or ACPO DASH for police should be used to establish if the victim is at high risk of harm.
- Carry out immediate safety measures for all identified victims (adults and children) and the alleged perpetrator(s).

### **Refer**

- If high risk, complete a MARAC referral form and send to the MARAC Coordinator / administrator as soon as possible.
- If high-risk, refer to the local IDVA service (specialist domestic abuse service).
- Local IDVA service will contact the victim to offer support, safety plan and identify key risks and fears.

### **Research**

- All agencies receive the MARAC case list / agenda from the MARAC Coordinator.
- All agencies research every case on the agenda – victim(s), alleged perpetrator(s) and child victims.
- Contact colleagues for relevant information, explaining the purpose of the meeting; the SafeLives research form may assist with this.
- IDVA gathers up to date information from the victim about the current risks and situation and liaises with specialist services if relevant.

### **Meeting and information sharing**

- MARAC representative presents cases referred by their agency.
- IDVA service represents the victim and shares relevant, up to date information.
- MARAC representative shares information relating to the referred cases.
- Risks are analysed and the potential for harm identified for all vulnerable parties, including the victim(s), linked child victims, alleged perpetrator, and staff.



## Action planning

- MARAC representatives volunteer actions on behalf of their agency to mitigate the risks and increase safety.
- Identify opportunities to coordinate actions with other partners; both joint and sequential.
- Ensure actions are SMART.
- IDVA service ensures that victim safety remains central to the process.

## Follow up.

- MARAC representative updates relevant colleagues and ensures that actions are completed within agreed time frames.
- All agencies safely flagging and tagging files to identify and re-refer repeat incidents.
- Confirm when actions are completed with MARAC Coordinator (via the central MARAC inbox).
- Keep IDVA informed of relevant information.
- IDVA service updates victim where safe to do so.
- IDVA service liaises with partner agencies to coordinate action plan.

## Appendix Three – Examples of information shared.

<b>CAFCASS</b>	Court proceedings and orders, feedback from supervised contact.
<b>District and Borough Councils (Housing Tenancy)</b>	Information on vandalism, neighbor complaints and antisocial behavior if related to domestic violence (with dates), rent arrears, victim and (alleged) perpetrator or tenancy and addresses.
<b>Domestic violence and abuse specialist services (eg. WORTH, Victim Support or a Refuge)</b>	Views and fears of the victim (for themselves and their children), willingness to engage with IDVA, information about incidents not reported to the police, information from agencies not attending the MARAC, information about related abuse e.g., sexual, civil injunctions in place, contact disputes, actions taken by the victim to protect themselves, harassment, housing needs, diverse needs. Other providers may also share information on admissions to refuges (historic and current), contacts with outreach services, direct information provided by the victim, views and fears of the victim.
<b>Drug and alcohol services</b>	Information on (alleged) perpetrator and victims' drug and alcohol use, disclosures relating to domestic violence and abuse or other risks or needs.
<b>West Sussex County Council</b>	Information on adult safeguarding cases/vulnerable adults (alleged) perpetrator and victim(s)), child protection conferences and safeguarding plans, children's needs and disabilities, mental health, children's centers, localities, early years, school attendance and performance, truancy and exclusion, incidents at school, collection of children from school.
<b>Fire Service</b>	Fire safety checks completed; equipment fitted at the property.
<b>Health Sector</b>	Presentations to A&E (victim(s), children and adult and (alleged) perpetrator) with dates and pattern of injuries, GPs data, and maternity information e.g., missed ante natal appointments or (alleged) perpetrator attendance, victim and (alleged) perpetrator mental health, health visitor information on child's development or damage to home, attendance by partner at appointments.
<b>ISVA service (Survivors' Network)</b>	History of sexual abuse, current sexual abuse, barriers to accessing support.
<b>Probation Service</b>	Identify referred victim or (alleged) perpetrator attendance, compliance or completion and non-completion of specified activity requirements, women's safety worker feedback

	(professional judgment on perpetrator), a summary of previous convictions, breaches of orders, prison information.
<b>Other voluntary and community sector services</b>	Information on (alleged) perpetrator and all identified victims' use of the service, including presentation and engagement, disclosures relating to domestic violence and abuse or other risks or needs.
<b>Sussex Police</b>	Police callouts, current and previous domestic violence incidents, escalation of incidents or callouts, crimes resulting from domestic violence incidents, information on the (alleged) perpetrator e.g. relevant previous convictions, use of or access to weapons, threats to kill, breaches of bail, warning signals such as suicide threats, use of weapons or assaults on police, breach of civil injunction.

## Appendix Four – Parties to the agreement

The MOP is drawn up between:

Organisation's full name and address:

- West Sussex County Council (WSCC)  
County Hall  
West St  
Chichester  
PO19 1RG

And agencies responsible for participating in MARAC arrangements in West Sussex (these may be amended during the quarterly reviews of the MARAC Distribution List).

Organisation's full name:

### West Sussex County Council

- West Sussex Domestic Abuse Service (Worth Services)
- West Sussex County Council Adult Social Care
- West Sussex County Council Children's Services
- West Sussex County Council Traveller Liaison Team
- West Sussex and Rescue Service
- West Sussex Early Help Services
- West Sussex Community Safety and Wellbeing Service

### Criminal Justice

- Sussex Police
- National Probation Service
- National Prison Service

### Health

- West Sussex Integrated Care Board
- West Sussex Primary Care
- Sussex Community NHS Foundation Trust
- Sussex Partnership Foundation NHS Trust

### Housing

- Arun District Council – Housing
- Crawley Borough Council – Housing

- Chichester District Council – Housing
- Horsham District Council – Housing
- Mid-Sussex District Council – Housing
- Worthing (& Adur) Borough Council – Housing
- Abri – Housing Association
- Adur Homes – Housing Association
- Aster Housing Association
- Clarion – Housing Association
- Crawley Homes – Housing Association
- Hyde – Housing Association
- Moat Housing Association
- Raven Housing Trust
- Saxon Weald – Housing Association
- Southern Housing - Housing Association
- Worthing Homes – Housing Association
- Crawley Open House
- Stonepillow
- Turning Tides

#### Substance Misuse

- Change Grow Live (CGL) Substance Misuse Service

#### Other domestic abuse & support services

- Safe in Sussex - Refuge & Outreach provision
- My Sisters House (MSH)
- Hersana (Supporting Black Femmes – victims of gendered violence)
- Agal Wellbeing Idva Service (South Asian Specialist Service)
- Paragon Sussex (The You Trust)
- Veritas (Stalking Specialist)
- Victim Support
- Hourglass (Specialist Elder Abuse Service)
- Galop (Specialist Idva support for LGBT+ victim-survivors)
- Switchboard (Specialist Idva support for LGBTQ+ victim-survivors)
- Changing Futures

- YADA

## Appendix Five – Agency signatory template

### Information about the agency

Please list all representatives that will attend MARAC in West Sussex for your agency (you can add more than three where necessary).

**MARAC area** (delete as appropriate): Chichester / Arun / Worthing & Adur / Crawley / Horsham / Mid-Sussex / MARAC Plus

**Agency:** \_\_\_\_\_

### MARAC representatives

A representative ('the MARAC representative') who will represent the agency at the meeting. This person must be able to provide their agency research, offer action/s on behalf of their agency and where appropriate make decisions at the meeting. They should be an operational manager or, if they are a frontline professional, have delegated authority. To ensure consistent representation at the meeting, this representative must have an identified deputy.

#### Representative 1

Name: \_\_\_\_\_

Job title: \_\_\_\_\_

Tel.: \_\_\_\_\_ Secure email address: \_\_\_\_\_

#### Representative 2

Name: \_\_\_\_\_

Job title: \_\_\_\_\_

Tel.: \_\_\_\_\_ Secure email address: \_\_\_\_\_

#### Representative 3

Name: \_\_\_\_\_

Job title: \_\_\_\_\_

Tel.: \_\_\_\_\_ Secure email address: \_\_\_\_\_

### Actions

Describe the routine actions that your agency is likely to take at the MARAC.

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

### **Data protection lead for MARAC partner agency.**

**Agency:** \_\_\_\_\_

### **Data protection lead for your agency.**

This should be the person who is contacted in the event of a data breach.

Name: \_\_\_\_\_

Job title: \_\_\_\_\_

Tel.: \_\_\_\_\_ Email address: \_\_\_\_\_

### **Signatory information**

By signing this document, the signatory (the Organisation's Point of Contact) confirms that the agency will undertake to ensure that its representatives are aware of requirements set out in the West Sussex MOP and that the agency will take all necessary steps to ensure that it is not breached.

In signing this document, the signatory confirms that they have sufficient seniority to bind the agency.

### **Organisation's Point of Contact**

A named contact who is responsible for strategic issues relating to the MARAC ('the Organisation's Point of Contact'). This person will not attend the meeting routinely, but will be available to support the MARAC representative, support any internal or external audit processes and/or take a leadership role in relation to the MARAC process within the agency. The Organisation's Point of Contact will also be responsible for liaising with the agency data controller as appropriate (in some cases, they may also be the agency data controller).

Name: \_\_\_\_\_

Job title: \_\_\_\_\_

Tel.: \_\_\_\_\_ Secure email address: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## **Appendix Six – Acronyms used within MARAC**

**ABE:** Achieving best evidence

**ACPO:** Association Of Chief Police Officers

**ASB:** Anti-Social Behaviour

**ASC:** Adult Social Care

**AOB:** Any other business

**APTR:** Alleged Perpetrator

**ATS:** Assessment and Treatment Service

**BBR:** Building Better Relationships

**BHT:** Brighton Housing Trust

**BME:** Black Minority Ethnic

**CAMHS:** Child Adolescent Mental Health Service

**CSP:** Community Safety Partnership

**CCB:** Controlling and Coercive Behaviour

**CCG:** Clinical Commissioning Group

**CDC:** Child Development Centre

**CGL:** Change, Grow Live (Substance Misuse Service in West Sussex)

**CIN:** Child in Need

**CJIDVA:** Criminal Justice Independent Domestic Violence Advocate

**CJU:** Criminal Justice Unit

**CLDT:** Community Learning Disability Team

**CO:** Community Order

**COBI:** Compulsive and Obsessive Behaviour Intervention

**CPN:** Community Psychiatric Nurse

**CP Plan:** Child Protection Plan

**CRHT:** Crisis resolution and home treatment

**CSC:** Children's Services

**DACW:** Domestic Abuse Caseworker

**DAO:** Domestic Abuse Officer

**DAP:** Domestic Abuse Practitioner

**DARA:** Domestic Abuse Risk Assessment

**DARDR:** Domestic Abuse Related Death Review

**DASH:** Domestic Abuse, Stalking and Harassment and Honour-based violence risk identification, assessment, and management model

**DEAP:** Domestic and Economic Abuse Project

**DRR:** Drug Rehabilitation Requirements

**DVDS RTA:** Domestic Violence Disclosure Scheme Right To Ask

**DVDS RTK:** Domestic Violence Disclosure Scheme Right To Know

**DVPO/DVPN:** Domestic Violence Protection Order/Domestic Violence Protection Notice

**EA:** Emergency Accommodation

**EUPD:** Emotional Unstable Personality Disorder

**FDF:** Front Door for Families (Children's Services in B&H)

**FLAWS:** Finding Legal Options for Women Survivors

**GAD:** general anxiety disorder

**GP:** General Practitioner

**HA:** Housing Association

**HCP:** Healthy Child Programme

**HIDVA:** Health Independent Domestic Violence Advocate

**HMP:** Her Majesty's Prison

**HO:** Housing Options

**HOT:** Housing Tenancy

**HV:** Health Visitor

**IAPT:** Improving Access to Psychological Therapies programme

**ICPC:** Initial Child Protection Conference

**IDVA:** Independent Domestic Violence Advisor

**ISVA:** Independent Sexual Violence Advisor

**IMR:** Individual Management Review – reports submitted to review by agencies

**LAC:** Looked after child

**LCT:** Leaving Care Team

**LKA:** Last known address

**LP:** Lead practitioner

**MAPPA:** Multi-agency public protection arrangements

**MARAC:** Multi agency risk assessment conference

**MATAC:** Multi-Agency Tasking and Co-ordination

**MARAT:** Multi-Agency Risk Assessment and Tasking

**MASH:** The Multi-Agency Safeguarding Hub

**MH:** Mental Health

**MHRS:** Mental health rapid response service

**MHLT:** Mental health Liaison Team

**M2M:** MARAC to MARAC transfer

**NCDV:** National Centre for Domestic Violence

**NFA:** No further action. Can also mean No fixed abode.

**NIPN:** Not in priority need (Housing)

**NMO:** Non-Molestation Order

**OIC:** Officer in Charge

**OM:** Offender Manager

**OST:** Opioid Substitution Treatment

**PCLDS:** Police and Court Liaison and Diversion Service

**PHQ:** patient health questionnaire

**PLO:** Public Law Outline

**PNC:** Police National Computer

**PND:** Police National Database

**PO:** Probation Officer

**POCAR:** Parenting Our Children Addressing Risk

**POP:** Partners of perpetrators

**PSS:** Post Sentence Supervision

**RAR:** rehabilitation activity requirement

**RISE:** refuge, information, support education (domestic abuse service in B&H).

**RO:** Restraining Order

**SALT:** Speech and Language Therapy

**SCARF:** Single Combined Assessment of Risk Form

**SCFT:** Sussex Community Foundation Trust (Health Visiting and School nurses)

**SDAS:** Serial Domestic Abuse Suspect

**SIU:** Safeguarding Investigation Unit

**SLDS:** Specific Learning Disabilities Service

**SMS:** Substance Misuse

**SN:** Survivors Network

**SPFT:** Sussex Partnership Foundation Trust (Mental Health)

**SPO:** Stalking Protection Order

**SSO:** Suspended Sentence Order

**SWOP:** Sex Workers' Outreach Project

**S42:** Section 42 Safeguarding Enquiry (Adult Social Care)

**S47:** Section 47 Child Protection Enquiry

**ONS:** Office for National Statistics

**STADV:** Standing Together Against Domestic Violence

**SW:** Social Worker

**TA:** Temporary Accommodation

**UPW:** Unpaid work

**VAAR:** Vulnerable Adult at Risk assessment

**ViSOR:** Violent and Sex Offender Register

**VLO:** Victim Liaison Officer

**WSFRS:** West Sussex Fire and Rescue Service

**WDWTW:** Who does what to who assessment.

**YAC:** Youth Advice Centre