



## MULTI AGENCY RISK ASSESSMENT CONFERENCE (MARAC)

### MARAC Operating Protocol [MOP]

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## Document Control

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<b>Approved By</b>	MARAC Steering Group

## Version History

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May 2020	V1	Total Review, however, key sections changed or added: 3.1 – Definition of Stalking in a DA Setting 5 – Quoracy 5.1 – Agency responsibilities 5.2 – MARAC Representatives responsibilities 5.4 – MARAC Chair responsibilities 5.5 – IDVA Role & responsibilities 6 – Business Continuity – COVID-19 or similar 7.1 – Stalking S-DASH 7.3 – Information Sharing 8 – Repeat Referrals 8.1 – Weekly Updates 11 – Other Multi Agency Forums and how they work with MARAC 12 – Employee Cases at MARAC 13 – HBA; Forced Marriage & FGM cases at MARAC 20 – Document Retention	Domestic Abuse Project Officer
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## **1. Introduction**

This document describes the multi agency position in relation to management of the Multi Agency Risk Assessment Conferences (MARAC) process within Lincolnshire.

MARAC provides a consistent approach to risk assessment which identifies those victims who are at most risk of serious harm. Once a victim has been assessed at this level of risk a multi agency meeting is held and agencies will work together to find a way of reducing and/or managing that risk using available interventions.

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 and to jointly develop and manage a risk management plan.

Procedures set out in this document provide guidance to all staff and agencies within Lincolnshire who are dealing with domestic abuse by outlining the MARAC process, the risk assessment model used, the interventions required and the individual roles and responsibilities throughout the process.

Aims of this document:

- Ensure all staff within relevant agencies in Lincolnshire coming into contact with victims of domestic abuse have sufficient training and abilities of what is required of them regarding MARAC to ensure the safety of that person and others who may be at risk
- Ensure members of the community who are victims of domestic abuse have the trust and confidence to seek help by having consistent responses to risk assessment and intervention including referral to MARAC
- Ensure agencies within Lincolnshire provide an effective and consistent response to reports of domestic abuse to safeguard victims and children
- Ensure agencies within Lincolnshire work to offer support to the alleged perpetrator of abuse wherever possible and look at ways to disrupt their abusive behaviour.
- Require agencies to work in partnership with other statutory and non-statutory organisations in appropriately identifying and assessing victims of domestic abuse to ensure they are afforded all available interventions that each agency and ultimately MARAC can provide.

The MARAC is designed to work in conjunction with other existing agencies and procedures and not replace them e.g. Multi Agency Public Protection Arrangements (MAPPA), Safeguarding Vulnerable Adults, Safeguarding Children Policy and Protocols.

## **2. MARAC Aims**

The MARAC process ensures a timely risk assessment of the circumstances affecting a victim of domestic abuse, ensures that those individuals believed to be at high risk of serious harm or death are linked directly with appropriate services, providing a coordinated multi-agency response to high risk domestic abuse cases, in a single meeting.

The aims of the MARAC are:

- To reduce the risk of serious harm or homicide for a victim
- To share information to increase the safety, health and well-being and to reduce repeat victimisation of survivors of domestic abuse and their children.
- To determine whether the perpetrator poses a significant risk of serious harm to the victim and dependents and/or staff, and ensure other approaches i.e. MAPPA, ASBRACs are referred to as appropriate
- To construct jointly and implement a risk management plan providing professional support to all those identified as at risk and reduce and/or manage the risk of harm.
- To reduce repeat victimisation
- To improve agency accountability for all
- To improve support for staff involved in high risk domestic abuse cases, via internal support mechanisms in each agency
- Provide an audit trail through minutes and actions set.

### **3. Definition of Domestic Abuse**

The Home Office 2021 definition of domestic violence and abuse now states:

Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if A and B are each aged 16 or over and are personally connected\* to each other, and the behaviour is abusive.

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;
- e) psychological, emotional or other abuse;

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

\*Personally connected: They are, or have been, married; civil partners; have agreed to marry one another; have entered into a civil partnership agreement; are or have been in an intimate personal relationship; they have or have had a parental relationship in relation to the same child; or are relatives.

Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

#### **3.1 'Definition' of Stalking in a Domestic Abuse Setting.**

NPCC Definition of Stalking (April 2019): “A pattern of unwanted, fixated and obsessive behaviour which is intrusive. It can include harassment that amounts to stalking or stalking that causes fear of violence or serious alarm or distress.”

Harassment: "Criminal conduct which causes alarm or distress or puts people in fear of violence; offences under sections 2 and 4 of the Protection from Harassment Act 1997"

A stalker will be obsessed or fixated with the victim, and a stalker's behaviour often means that a victim has to change their day-to-day routine in an attempt to avoid the behaviour.

Stalking doesn't just take place within an intimate relationship; stalking can occur in other settings such as the workplace.

The Protection of Freedoms Act 2012 created two new offences of stalking by inserting new sections 2A and 4A into the Protection from Harassment Act 1997. The new offences came into force on 25 November 2012.

The Home Office issued guidelines in relation to stalking [www.gov.uk/government/publications/a-change-to-the-protection-from-harassment-act-1997-introduction-of-two-new-specific-offences-of-stalking](http://www.gov.uk/government/publications/a-change-to-the-protection-from-harassment-act-1997-introduction-of-two-new-specific-offences-of-stalking)

Whilst there is no strict legal definition of 'stalking', section 2A (3) of the Protection from Harassment Act 1997 sets out examples of acts or omissions which, in particular circumstances, are ones associated with stalking.

For example:

- following a person
- watching or spying on them
- forcing contact with the victim through any means, including social media.

The effect of such behaviour is to curtail a victim's freedom, leaving them feeling that they constantly have to be careful. In many cases, the conduct might appear innocent (if it were to be taken in isolation), but when carried out repeatedly so as to amount to a course of conduct, it may then cause significant alarm, harassment or distress to the victim.

There are various agencies which can support you if you or someone you know is being stalked; these are all available to view on the Domestic Abuse Lincolnshire website [www.domesticabuselincolnshire.com](http://www.domesticabuselincolnshire.com)

[www.suzylamplugh.org](http://www.suzylamplugh.org) (good links to cyber stalking, work place stalking and other ways to keep safe)

<https://alicerugglestrust.org>

National Stalking Helpline 0808 802 0300

Paladin 020 3866 4107 <https://paladinservice.co.uk/>

Crime Stoppers 0800 555 111

Hollie Gazzard Trust [www.holliegazzard.org](http://www.holliegazzard.org)

There are also a variety of apps that can be downloaded and used to help safeguard a person, such as:

- Bright Sky which allows you to journal incidents safely, get information on other services available for support. <https://www.hestia.org/brightsky>
- There is also a briefing note for practitioners in Lincolnshire available [www.lincolnshire.gov.uk/downloads/download/18/domestic-abuse-information-for-professionals](http://www.lincolnshire.gov.uk/downloads/download/18/domestic-abuse-information-for-professionals)
- Hollie Guard which can track you, tell friends/family you are in danger and record incidents safely.

#### **4. Lincolnshire MARAC Structure**

There is now only one MARAC in Lincolnshire, which is now called the 'Lincolnshire MARAC' and the meetings are held weekly, every Wednesday and Thursday morning between 9am and 1pm [the two half days are documented as one meeting].

The cases heard at MARAC are grouped by Districts in the County;

West Lindsey,  
Lincoln City,  
North Kesteven,  
South Kesteven,  
South Holland,  
Boston Borough,  
East Lindsey.



But not necessarily heard in the above order

#### **5. Attendance and Responsibilities**

Lincolnshire has adopted the SafeLives guidance which recommends the following agencies should participate in the MARAC.

- Police
- Probation and Offender Management Services
- Children and Young People Services, Health Visitors, Education
- Health to include A&E, Midwives, GPs, Community and district nurses and Mental Health
- Adult Services
- Housing Providers
- District Councils
- Independent Domestic Violence Advisor (IDVA)
- Homeless support agencies
- Local drug and alcohol services
- Specialist sexual violence services (e.g. ISVAs, Sexual Assault Referral Centre - SARC)
- EDAN Lincs Domestic Abuse Support Service.
- Child and Family Court Advisory and Support Service (CAFCASS)

There may be other agencies that hold information that are invited to participate on specific cases, e.g. Voluntary Perpetrator Programmes, Children Support Agencies.



### **5.1 Quoracy**

MARACs are only Quorate if there are the following in attendance:

- Chair
- MARAC Administration
- At least 5 statutory agencies, 3 of which need to be:
  - Lincolnshire Police
  - Health
  - Domestic Abuse Service or IDVA Service
- Also Children Services if children are involved with the case.

If at any point during a MARAC Meeting an agency has to leave due to unforeseen circumstances, for example if the meeting is running significantly over its planned timescale, which results in the meeting no longer being quorate, it is the agencies responsibility to find a replacement from their agency or delegate to an appropriate agency already in attendance, who has the appropriate decision making for their agency.

If an agency is not in attendance at the beginning of the meeting when they should be, the MARAC Administration Team will have details of a SPOC for each agency for this purpose to contact so a replacement can be found asap. The Chair and Administrators will need to urgently discuss whether the MARAC can go ahead without the representative or, worst case scenario suspend the meeting until a representative is in attendance i.e. the missing agency representative is critical to the first case.

### **5.2 Observing MARAC Meetings**

Individuals who are permitted to observe a MARAC are as follows:

- A practitioner who is to become a MARAC representative or Chair
- Their Line Manager who has responsibility for safeguarding the practitioner against vicarious trauma while attending the MARAC and managing their role as Representative or Chair.
- Or The Senior Manager of their organisation who as responsibility for Safeguarding and/or Domestic Abuse in their organisation who needs to have first-hand experience of the MARAC to then understand the processes and the extent to what their organisation has signed up to operationally and strategically.

To arrange an observation the individual needs to email [maraclincolnshire@lincolnshire.gov.uk](mailto:maraclincolnshire@lincolnshire.gov.uk) giving information why they want to observe a MARAC, they will then be given a date to observe with instructions on observing in a GDPR and Information Governance manner.

There may be the rare occasion when individuals require to observe for other reasons, however, these occasions will always be on a case by case basis and will always have to made via the same email address and the decision as to whether they can observe or not will be made by a panel and always comply with GDPR and Information Governance as to why they are observing or not.

### **5.3 Agency Responsibility**

The responsibility for advice and coordination of the MARAC policy rests within each agency's own governance and accountability structures. Each agency signed up to the MARAC Operating Protocol must:

- Appoint a Designated MARAC Representative (DMR), for each MARAC who will be a Manager of sufficient standing with the authority to make decisions and commit resources, or an officer with delegated authority to make decisions and commit resources, at the MARAC
- Where a staff member attending MARAC as an agency representative has experienced domestic abuse, the degree, nature and proximity to the MARAC being attended must be considered by the MARAC attendee and their line manager with reference to LCC's domestic abuse lead. This is due to the impact that trauma from domestic abuse has upon an individual and the impact of re-traumatisation or vicarious trauma upon that individual's wellbeing and ability to analyse risk and safety plan.  
Also no alleged perpetrator should ever sit on MARAC and where they do so and agencies discover this has occurred then they must notify LCC DA lead and consider relevant HR processes.
- Ensure that nominated DMR have had necessary checks made to ensure that they are a suitable representative for the agency e.g. DBS check.
- Ensure that the nominated representatives attending the MARAC have the authority to commit to actions at the meeting
- Ensure that when a referral has been made to MARAC that a representative from that agency attends to present the case (unless alternative arrangements have been agreed for another practitioner/agency to present)
- Ensure that when a new or replacement MARAC Representative, Chair or Administrator is appointed that there is an appropriate induction. This will include them having sight of the following documents:
  - Domestic Abuse Information Sharing Agreement  
<https://www.lincs.police.uk/search/?dnc=15880045267980213&length=20&q=information+sharing+agreements+domestic+abuse>
  - MARAC Operating Protocol
 As well making sure they have completed the appropriate requirements for their role:
  - Admin requirements:
    - Complete MODUS Training
  - Representatives and Chairs requirements:
    - Observe a MARAC
    - Complete MODUS Training
    - E-learning "Awareness of Domestic Violence and Abuse" available on the LSCB Website
    - E-Learning "DASH Training" available on the LSCP Website
    - E-Learning "MARAC & MOP Training" available on the LSCP Website
    - E-Learning & Workshop "Domestic Abuse Risk Indicators & Barriers Training" COMING SOON Available on the LSCP Website
 Once all of this is completed the agency will inform the County Domestic Team so Access to MODUS can be allocated.

- Ensure that when DMR, Chairs or Administrators are no longer in post or are known to be leaving, they will inform the County Domestic Abuse Team, so their access to MODUS can be removed and a replacement acknowledged as in the step above.
- Ensure that the MARAC Risk Assessment process - DASH, is embedded within their agency and that staff receive appropriate training
- Ensure that all victims and potential victims are identified and that all immediate reasonable steps that are required to ensure their safety have been taken and are documented. This would include if a child safeguarding referral has been made.
- Ensure that any victims who do not meet the MARAC criteria are given details of EDAN Lincs and any other support services and 24hour contact numbers.
- Ensure that they share information relating to cases identified as high risk in accordance with Information Sharing Agreement
- Ensure that MARAC cases are flagged by all agencies
- Ensure that cases that meet the repeat criteria are referred back into the MARAC
- Ensure that all actions are completed by representatives within the specified timeframe and that Modus is updated
- Ensure that staff involved with MARAC are supported to reduce the impact of vicarious trauma

The Designated MARAC Representative must decide on a case by case basis, why a disclosure is necessary to support action under the General Data Protection Regulation (GDPR), Human Rights Act 1998 and the Crime and Disorder Act 1998. They will also decide why and when the public interest overrides the presumption of confidentiality.

At the MARAC, each agency will share information that is pertinent to the individual case. Each agency will share current, up to date information, proportionate and relevant to each case and situation.

**The responsibility to take appropriate actions rests with individual agencies; it is not transferred to the MARAC.**

For the purposes of this document all those who have access to MODUS, either as administrative staff, a Representative or are a Team made up of these roles will be referred to as DMRs as mentioned above in the agency Responsibility, but obviously will have different roles within their team/department within their agency.

#### **5.4 MARAC Representative [DMR] Responsibility**

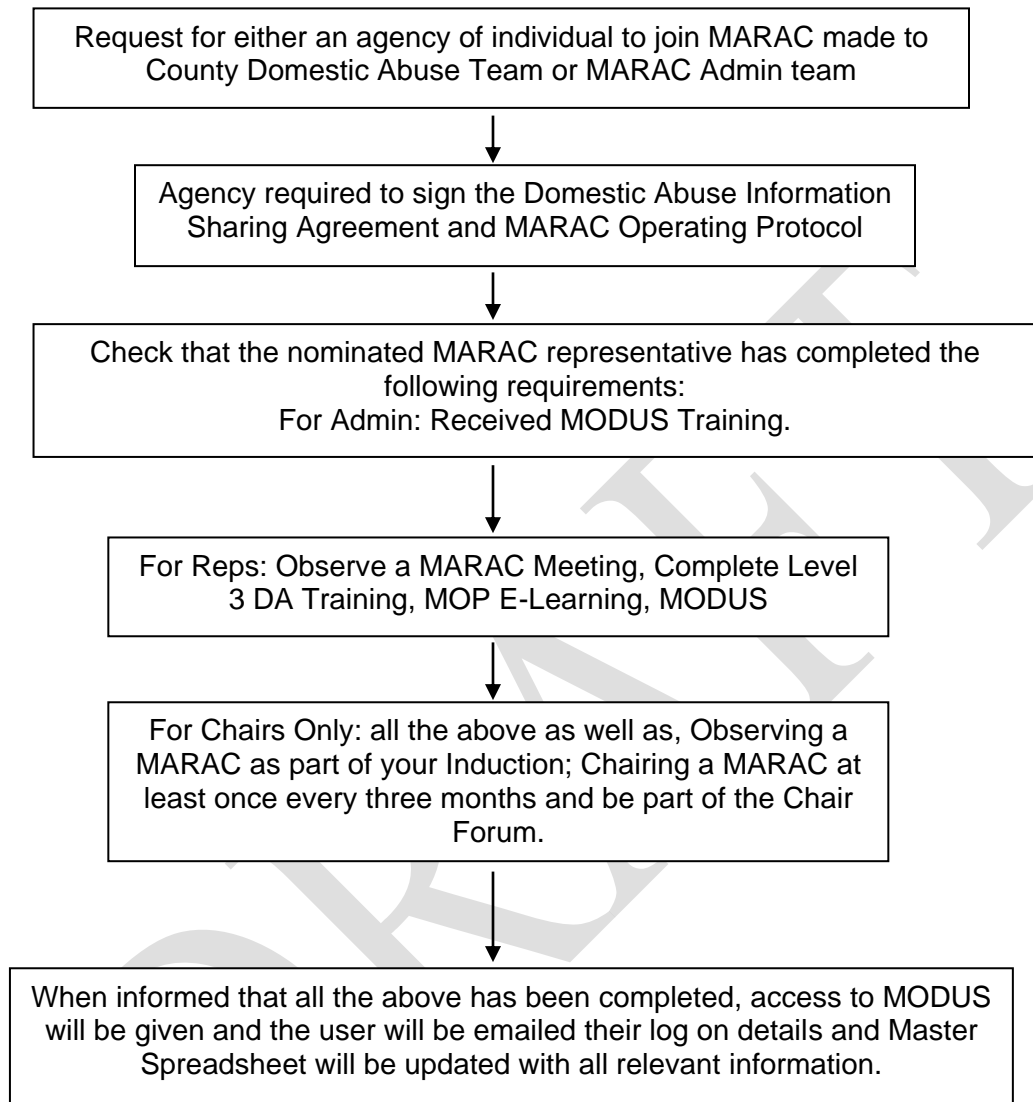
The identification and subsequent completion of the MARAC referral form rests with the individual member of staff and the agency/department they are responsible to.

The MARAC representative must:

- Ensure that the information provided by their agency is complete, relevant, concise and meets with the GDPR principles
- Ensure that all referrals to MARAC from your agency are approved. Failure to do so could result in the referral being returned and will cause a delay in processing.
- For your responsibility around HBA, FM & FGM Referrals refer to Section 13.
- Check the MARAC agenda and agency/department records and collate appropriate information about victim, perpetrator and/or children ready to share at the meeting
- Ensure that the information is provided in a concise manner using the principles of Signs of Safety. The DMR should clearly present risks, complicating factors/barriers to reducing risk and what is working well/what actions have been successfully implemented to reduce or remove risk.
- Use the data disclosed only for the agreed purpose.
- Willingly participate in discussions around cases that the representative may not be actively involved in.
- All to use the Aide Memoire, to help highlight the risks and any actions.
- Proactively offer appropriate actions at the MARAC in line with all identified risks.
- Fully record information as appropriate and in line with agency procedures.
- Complete actions within the agreed timescales and update the MODUS system as soon as the action has been completed with actions, outcomes and date.
- If you continue to work with the victim/perpetrator remember to share information with the IDVA or other key worker involved. This includes liaison with children and adult care workers as part of safeguarding procedures.

### **5.5 County Domestic Abuse & MARAC Administration Team Responsibilities**

The County Domestic Abuse Team will ensure that any new agency wishing to be part of the Lincolnshire MARAC adheres to the following process:



#### **Processing referrals**

On receipt of the referral the MARAC Administration Team will:

- Add the referral onto MODUS within 24 hours of receipt (MARAC Administrators work Monday – Friday 8.30am – 4.30pm. Referrals made after 3pm on a Friday will not be on MODUS until Monday morning)
- Add the referral to the MARAC agenda
- Produce the agenda and alert representatives when it is available 8 working days prior to the MARAC Meeting.
- Attend and accurately record the minutes of the cases discussed at MARACs.
- The actions will be available on MODUS within 1 working day of the MARAC meeting. Minutes will be available within 10 working days of the MARAC meeting.

The MARAC Administration Team will provide at each MARAC meeting:

- Confidentiality Declaration
- Signing in Sheet and MARAC aide memoire.

Copies of referrals and agendas will not be provided due to costs. Practitioners are expected to bring their own copies of paperwork, available from MODUS. Practitioners are also responsible for disposing and storing the paperwork they bring forward in accordance with their agencies procedures i.e. shredding, secure filing.

- For the responsibilities around HBA, FM & FGM Referrals refer to Section 13.

**The MARAC Administration Team will also provide the following services:**

- A secure email address for agencies to send in their referrals
- Training on MODUS and the MARAC process
- Training Materials – stored and available to all agencies
- Email MARAC representatives to alert agencies to closed cases (cases that are 12months old with no repeat referrals to MARAC). This is to enable agencies to remove flags on victims, perpetrators, properties etc.
- Email DMR each week to inform them that the case numbers of any open cases that have had further activity on them but that do not meet the repeat referral criteria [Weekly Updates] are on MODUS for them to look at for updates.
- Telephone – handling enquiries
- Keep the MARAC Database – MODUS - up to date
- Provide statistics to SafeLives
- Provide performance management information to the DA Partnership

### **5.6 The MARAC Chair's Responsibilities**

The Chair will ensure that the MARAC meetings are professional, appropriate, confidential and structured:

- Introduce the Confidentiality declaration to attendees confirming that all have signed in and read it before attending as sent by email prior to the meeting.
- Lead members through the agenda.
- Run through any outstanding actions from the previous MARAC.
- Ensure that the referring agency presents risk issues and background on cases in a proportionate, risk focused and succinct manner, using the Signs of Safety principles via the Aide Memoir.
- Encourage participation from all agencies, via the Aide Memoir.
- Balance and facilitate the flow of information around the victim, children and perpetrator.
- Ensure that risks, complicating factors and work already undertaken are identified.
- Encourage agencies to proactively offer relevant and SMART actions.
- Aim to link actions to the current identified risks and who is at risk.
- Name the risks that cannot be managed and what are the barriers.
- Consider the risks to all relevant parties including staff.
- Help the MARAC to improve effectiveness by developing joint actions.

- Ensure a named person is identified to feedback information to the victim where safe to do so and that they are comfortable on what that information is.
- With the aid of the Aid Memoir, summaries at the end of each case in regard to risks and actions and ask if anyone else can contribute.

The Chair will ask the administrator to confirm the required agency actions after each new case confirming that the correct actions have been recorded by both the administrator and the agency representatives.

### **5.7 IDVA Roles & Responsibilities**

It is good practice to have the views of the client heard at the MARAC meeting. Where there is consent to share, the IDVA will safely contact the referring agency to discuss the case and will then contact the client within 48 hours or 72 hours if this is on a Friday, to ensure that their views are represented, either by speaking on their behalf or by reading a written statement. Following initial contact with the client and prior to the MARAC, the IDVA will ensure that immediate safety measures are put in place by liaison with other partnership agencies as necessary and will be in a position to update the MARAC of the current position.

Where there is no consent from the victim the IDVA will still contact the referring agency to discuss options for trying to engage with the victim.

The IDVA will look to feedback if they are engaged with the client. If they are not, it will be discussed if another agency are engaged and can therefore attempt to feedback to the client.

### **6 Business Continuity – COVID-19 or similar**

There will be times when MARAC is not able to meet physically for many reason, COVID-19 is one of them. This is when the MARACs will run via Microsoft Teams and communications around logging in will be sent to all DMRs on a weekly basis.

Invites will be sent via email and will be private to comply with GDPR and Information Governance.

The easiest way to contact the MARAC Administration Team during such times as this is via the usual email addresses:

For referrals: [maracreferral@lincolnshire.gov.uk](mailto:maracreferral@lincolnshire.gov.uk)

For Enquiries: [marac@lincolnshire.gov.uk](mailto:marac@lincolnshire.gov.uk)

And if you need to telephone either of them their mobile numbers are:

Kevin Ealam: 07785 973436

Aidan Burnley: 07880 293577

Emma Dennis: 07880 294735

The Team work office hours Monday to Friday 8:30am to 4:30pm and will be processing the referrals in the same way as normal. Please allow them time to respond to your emails and telephone calls as they will be remote working either at home or in other locations, either in

isolation or with limited physical contact with one another. Regular catch ups between the MARAC Administration Team; County Domestic Abuse Team and MARAC Steering Group will be taking place via Microsoft Teams.

#### 6.1 Increase in Referrals – Extension to the Length of a MARAC Meeting

There may be times during the year, when an increase in referrals may occur because of unforeseen circumstances.

In these instances, the length of a normal half day MARAC may have to be lengthened, this will be notified to MARAC DHRs and Chairs as soon as possible and the extra cases will be added to the Thursday half day.



## The Lincolnshire MARAC process

MARAC is a multi-agency meeting for the purpose of sharing information, risk action planning and reducing repeat victimisation. It is not case management.

1. Domestic abuse concern of disclosure.
2. Complete a DASH risk assessment form - for all MARAC paperwork email [maraclincolnshire@lincolnshire.gov.uk](mailto:maraclincolnshire@lincolnshire.gov.uk) or go to the Document Library on MODUS
3. Assess the visible risk of abuse, for example, number of yes answers.  
Use your professional judgement.  
Assess the escalation of abuse.
4. Do you have concerns of imminent risk of death or serious harm and assess the risk to be high to the victim?
5. If no:  
Signpost to EDAN Lincs  
Tel: 01522 510041  
Email: [info@edanlincs.org.uk](mailto:info@edanlincs.org.uk)  
Website: [www.edanlincs.org.uk](http://www.edanlincs.org.uk)
6. If yes:  
Complete a MARAC referral form.  
Discuss the process of a MARAC meeting and the benefit of the support from an IDVA with your client.  
For more information around this, see the information sharing section of the MARAC operating protocol (MOP).
7. Obtain approval for the MARAC referral from your MARAC representative
8. Secure email both DASH and referral to [MaracReferral@lincolnshire.gov.uk](mailto:MaracReferral@lincolnshire.gov.uk)
9. An acceptance email will be sent to you and your MARAC representative within 24 hours stating the date of the MARAC and what the next steps are.
10. If the victim wants support from an IDVA a referral will go to the IDVA service within 24 hours of receipt. They will then attempt to contact the victim to offer support prior to the MARAC meeting.
11. Eight working days prior to the MARAC meeting, the MARAC representative will be emailed, informing them that the agenda is on MODUS. All agencies to research own records and prepare for the MARAC meeting.
12. All MARAC representatives attend the MARAC meeting. Information shared and actions agreed and recorded.
13. Your MARAC representative will update you on any actions they offered to do and the information shared after the MARAC meeting and are expected to update any actions within five working days (unless otherwise stated at the meeting).
14. The case will then remain on the MARAC agenda for a period of 12 months, and will only be heard at MARAC again if there is a repeat incident, that meets the criteria.

## **7.1 Risk Identification and Assessments – DASH and S-DASH**

**A referral to MARAC only takes place where a case is identified as being High Risk of Serious Harm or death.**

Across Lincolnshire all agencies [apart from Lincolnshire Police] must use the latest version of the DASH Risk Assessment (available to download from the [DA Website](#) or [MODUS](#), if you have access) ensuring all agencies are using the same language and risk assessment tool when identifying and assessing risk.

It is common in domestic abuse cases that there will be a level of stalking and/or harassment.

As well as the DASH risk assessment, you can complete the S-DASH to help you further identify stalking behaviour.

You can also visit the DASH Risk Assessment website [www.dashriskchecklist.co.uk](http://www.dashriskchecklist.co.uk) for more information around these on a National level.

## **7.2 Referring Cases to a MARAC**

- A referral to MARAC only takes place where a case is identified as being High Risk of serious harm or death (see definition below).
- Cases can be referred to a MARAC by **any** agency signed up to this Protocol.
- Staff receiving a disclosure of domestic abuse must undertake an initial assessment using DASH Risk Assessment toolkit.

<b>High risk is defined as:</b>	
<i>There are identifiable indicators of risk of <b>SERIOUS</b> harm. The potential event <b>COULD</b> happen at <b>ANY TIME</b> and the impact would be <b>SERIOUS</b></i>	
<b>Serious Harm is defined as:</b>	
<i>Harm which is life threatening or traumatic and from which recovery, whether physical or psychological, can be expected to be difficult or impossible.</i>	
(OAsys and Home Office Definition)	

The threshold criteria for a referral to MARAC includes three elements:	
<b>Visible High Risk –</b>	
This is based on the number of 'yes' answers given on the risk assessment. As a guide, if there are 14 yes answers or more you may wish to consider a MARAC referral. 14 yes answers or more does not mean an automatic referral to MARAC. You should use your professional judgement, and in particular discuss the case with your MARAC representative. If there is a high risk of serious harm or homicide the case should then be referred to the MARAC.	
<b>Escalation –</b>	
An increase in the frequency or severity of the abuse.	
<b>Professional judgement –</b>	
The DASH score may be low, however the member of staff has serious concerns.	

- If the Risk Assessment identifies a **High Risk**, this should be brought to the attention of the Designated MARAC Representative (DMR) within the referring agency.

- If a case is not currently assessed as high risk, the victim should still be offered support from EDAN Lincs and the services of other agencies or organisations.
- Agencies should aim to undertake a DASH Risk Assessment within 48 hours of the disclosure/incident. **The MARAC Referral form and DASH risk assessment must be completed in full. It must then be checked by the agency DMR to ensure that it is complete and meets the referral criteria for MARAC. The DMR will then authorise the referral and forward immediately to the MARAC Administration Team.**
- The referring agency is expected to attend the MARAC and present the case.
- Consideration must be given to any children and or vulnerable adults within the household with appropriate procedures and protocols followed with immediate action.
- All agencies need to make defensible rather than defensive decisions.

If referrals to MARAC are not complete the MARAC Administration Team will contact the referring agency to obtain the necessary missing information. The MARAC admin team will only chase the referring agency twice within 2 weeks of receipt of the referral for the missing information. If there is no reply and the missing information has not been returned the matter will be escalated to the DA Partnership member for that agency or the signatory of the MARAC Operating Protocol by the beginning of the third week. If there is still no reply by the end of the third week the referral will not be processed and the responsibility for this lies with the referring agency.

### **7.3 Information sharing**

All the information shared at MARAC is subject to the agreements set out in the Lincolnshire Domestic Abuse Information Sharing Agreement and the Confidentiality Statement shared at the start of each meeting. These documents are reviewed annually by the MARAC Steering Group and DA Partnership

These Agreements include that:

- Special Category or sensitive personal data and restricted information is circulated through secure means (i.e. secure email).
- Special Category or sensitive personal data and restricted information must be stored securely (i.e. locked filing cabinet or MODUS, the MARAC database which is only accessible to relevant parties).
- The referring agency MUST, where appropriate and safe to do so, discuss their concerns with the client and seek to obtain their engagement and consent to gain support from an IDVA, who will represent them at the MARAC and support them through the process.
- It is good practice to ensure your client fully understands the MARAC process, by talking through the MARAC and IDVA leaflets with them, although consent is not required to share information at the MARAC in accordance with the requirements under Section 115 of the Crime and Disorder Act 1998, which allows information sharing to take place without the consent.
- Principle 1(a) of the GDPR states that personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject. Therefore, Processing of personal data shall be lawful only if and to the extent that at least one of the conditions in Article 6 – Lawfulness of Processing - apply and, when processing special categories of personal data, that one of the conditions in Article 9 – Processing of special categories of personal data - apply.
- Processing personal data and special categories of personal data for the purpose of a MARAC will meet condition 1(e) - processing is necessary for the performance of a task

carried out in the public interest or in the exercise of official authority vested in the controller from Article 6 and will meet condition 2(g) under Article 9 - processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

In addition; the Data Protection Act 2018, Schedule 1, Part 2, 18(1) – Safeguarding of children and of individuals at risk - provides for the sharing of special category personal data where the processing is necessary to protect individuals from neglect, or physical, mental or emotional harm for reasons of substantial public interest.

- If the service user has refused support from an IDVA when completing a MARAC referral then this should be recorded by the referring agency. If it has been impossible to contact the service user when completing the MARAC Referral this must be recorded too.
- If the requirements for information sharing cannot be met, then the case cannot be referred to the MARAC and the agency concerned is limited to providing intervention from its own resources. If the requirements can be met, a referral can be made to the MARAC. If the DMR requires guidance on this issue, the advice of their legal department should be sought.
- The single point of contact for each agency should have sufficient standing within the signatory agency to have a co-ordinating and authorising role as they are responsible for ensuring their agency complies with the protocol and all relevant legislation.
- In all cases the relevant member of staff should complete the section of the referral form relating to consent and give the reasons for why the victim has refused.

#### **7.4 MARAC Confidentiality Declaration**

At the beginning of the MARAC the Chair will share the confidentiality declaration. In addition to this those present need to be aware that some agencies place certain requirements on their staff to report serious breaches of staff regulations. The Police are guided through National Crime Recording Standards (NCRS) to record any further criminal offences disclosed through the meeting. To cover this, the following is included in the confidentiality declaration available on MODUS <https://www.palomamodus.co.uk/moduslincoln/library.aspx>

#### **Conflict of Interest**

As part of the Confidentiality declaration should anyone in attendance at MARAC feel that they have a conflict of interest or know either the victim or perpetrator personally, they should declare this to the chair prior to the case in question being discussed as they may be asked to leave the Meeting.

If the person with the conflict of interest is part of the County Domestic Abuse Team they will be expected to have no part in the processing of the case, and another member of the team will take the minutes for that case.

If they are the Chair of the MARAC they will declare this to the Domestic abuse team and ask someone else to Chair that particular case.

This can be informed to the MARAC Admin Team preferably prior to the MARAC Meeting so alternative arrangements can be made in time for the meeting.

### **7.5 Agenda and Research prior to the MARAC**

Eight working days prior to the scheduled meeting, the MARAC Administration Team will via MODUS, compile a case list and agenda for the meeting and notify the DMR's from each agency represented on the MARAC.

It is the responsibility of the DMR or delegated person to access the MODUS system and ensure the necessary research is undertaken on each case. This will include research on the victim, perpetrator and children. Information sent to the agency about the cases is **not** shared via email or post to ensure confidentiality and security at all times.

A MARAC research form is available to help all the agencies to share information in a consistent and time-efficient way. A copy of the MARAC research form is sent to all when the case list is ready for each MARAC

Consideration should be given to certain actions being carried out by an agency prior to a MARAC. These could include a marker being placed on the address within the police command and control system, target hardening, attempting to find Refuge accommodation etc. In cases where there are children or adults at risk involved, Lincolnshire County Council – Children's and Adult Services may also consider a need to take some immediate precautionary measures ahead of the meeting.

### **7.6 Removing a case from the MARAC agenda prior to the meeting**

As all referrals should have been screened and approved by the DMR prior to submission there should rarely be a reason for removing a case from the agenda. In exceptional circumstances, e.g. the victim has moved out of area the case will continue to the MARAC and the reasons for the closure of the case recorded to ensure that there is an audit trail.

### **7.7 Referrals deemed not to be HIGH Risk at a MARAC Meeting**

If a referral has bypassed the MARAC representative and the MARAC representative from the presenting agency does not believe that it should have been submitted as it is not a high risk case, and therefore wishes to withdraw the case at the meeting, the MARAC chair should check that no other agencies have any information to suggest that it is high risk and then do not proceed any further. If agencies have information to suggest it should be heard the case will progress as usual.

If it is deemed NOT HIGH RISK this is then classed so, with the following occurring:

- an action will be set for the MARAC Rep to feedback to the practitioner who referred the case into MARAC.
- an email will be sent to the MARAC Rep including the date of the MARAC meeting and client ID number so they can follow this up with the practitioner who referred the case into MARAC.
- an email will be sent to ALL MARAC Reps to inform them to remove any flags for the case from their internal systems.
- the MARAC rep will be required to update the action on MODUS as to the actions they have taken.

If there are repeated Referrals deemed None High Risk at MARAC from the same agency, this will be looked into by the MARAC Steering group as part of its quality assurance process and escalated up to the Domestic Abuse Operational Group.

**The case will still remain on Modus, but as a closed case, with continued support being offered as a Non-high risk case and an Alert placed on the case notes with the details regarding which MARAC Meeting this occurred and why.**

### **7.8 Presenting Cases at MARAC**

The MARAC will begin with a welcome and introductions, followed by the Chair clarifying that all in attendance have signed in and are aware of the contents of the confidentiality declaration. Any outstanding/incomplete actions will be addressed and then the cases will be heard in order of the agenda.

The referring agency will present the case. The Chair will then ask the IDVA to share information (if consent has been given for IDVA involvement). The Chair will then ask representatives to share information as agreed and laid out in the Chairs Aide Memoir.

#### **Presenting your case:**

Start with the names and dates of birth of all individuals known, any disability, ethnicity, number of incidents disclosed / reported, followed by a brief summary of the case. This should be a risk focussed Strength Based Approach; [we are current working towards using the Signs of Safety principles.]

- A summary of the risks,
- Complicating factors/Barriers to reducing risk e.g. mental health issues, poor engagement, alcohol use, extreme control which makes it difficult to make contact etc.
- What is working well/Actions already taken to reduce or remove risks,
- Risks that remain

Concentrate on the risk to the victim and any children or adults at risk involved by working through the DASH Risk Assessment and other information you have about the case.

Historical information is important if it helps to identify patterns of behaviour and risk but agencies must ensure that any historical information is relevant.

You **MUST** remember that this part of each case needs to take a **maximum of 3 minutes**.

#### **When presenting your information for each case you have involvement with at a MARAC:**

- Please DO NOT repeat any information that has already been shared, unless your information adds to or conflicts with this information.
- Your information should be relevant, factual and up to date and NOT include any hearsay or supposition.
- And as above it should only involve historical information if it helps to identify patterns of behaviour and/or risks to those being discussed.

And again you **MUST** remember that this should take a **maximum of 2 minutes** so all agencies have time to share their information.

### **7.9 Inviting an external agency to attend a MARAC**

In exceptional circumstances an individual practitioner or outside of County agency may need to be invited to a MARAC meeting via MS Teams, in these circumstances, the agency and practitioner involved need to inform the MARAC Administrative team:

- The name of the Practitioner
- Job title
- Contact telephone number and email
- Details of the case they are involved with

**No later than 5 working days prior to the meeting.**

The MARAC Administration Team will then:

- Contact the individual practitioner to inform them of what time the case is due to be heard at the MARAC meeting.
- Send the practitioner a copy of the Confidentiality declaration, so they can read it prior to the MARAC meeting. The Chair will confirm when they join that they have read it.

At the MARAC Meeting:

- The individual practitioner is expected to assure that they are in a confidential setting when taking the call;
- And arrange a way for the updating of any actions that they may volunteer to complete.

### **7.10 If the referring agency does not attend to present the case**

The referring agency is expected to attend the MARAC and present the case. If the referring agency cannot attend to present the case it is their responsibility to liaise with another MARAC representative who is able to present the case on their behalf.

If, for whatever reason, the person responsible for presenting the case does not attend, the Chair will request a representative from the panel to present that case, the process is to hear the case and then the DMR will either make an appropriate action plan.

The MARAC Administration will inform the Community Safety Strategy Co-ordinator – DA Lead of the non-attendance for such cases so that the non-attendance can be followed up with the agency.

### **7.11 Information Sharing with GPs**

Lincolnshire Clinical Commissioning Group [LCCG] provide a MARAC Representative for the purposes of sharing information between MARAC and the GP practices in Lincolnshire.

This is achieved by the CCG representative contacting each GP practice prior to the MARAC for information to share at the meeting and then feeding back to the GP practice any information from the MARAC meeting deemed necessary to share.

This information is then recorded in the minutes and actions as any other agency's information.

### **7.12 MARAC Minutes and Actions**

The dedicated minute taker is provided by the MARAC Administration Team. The actions will normally be prepared the following day. The minutes will be available on MODUS within 10

working days of the MARAC. Access to the minutes is via MODUS for all those who attended the meeting or appropriate representative.

The minutes can be checked for accuracy by agencies as soon as available and any inaccuracies to information they shared should be identified and forwarded to the MARAC Administration Team who will make the necessary amendments.

Partner agencies should flag the case according to their own system used and internal processes. Where minutes need to be shared with local practitioners they must be kept securely and policies and procedures adhered to. Minutes should NOT be copied onto agency systems.

Standing Actions for each meeting are as follows:

- All cases will remain on the MARAC case list for a 12 month period from this meetings date.
- All agencies are to flag and tag all cases on internal systems for a 12 month period from this meetings date.
- Feedback to all victims will be carried out by the IDVA unless otherwise stated.
- 0-19 Service will feedback to the Health Visitor where appropriate.
- ULHT Maternity will update MARAC with date of birth, name and gender of the baby, once any pregnant cases have delivered.
- All actions are to be completed and MODUS updated within 5 working days unless otherwise stated.

#### **Escalation Procedures for outstanding actions:**

Signatories of this protocol will ensure that there is a quality control system within their agency to regularly check that actions for their agency are completed on time and MODUS is updated. If an agency regularly has outstanding issues the Domestic Abuse Team will notify the signatory who will then take steps to rectify the situation and escalate if appropriate.

#### **7.13 Feeding back to the victim after the MARAC**

Following the meeting, it should be the most appropriate person, usually the IDVA (if consent has been given) and not necessarily the agency responsible for making the initial referral to the MARAC, to make contact with the victim/service user and update them on any relevant information and any recommendations made by the MARAC. Feedback should be given to the victim regardless of whether s/he consented to information being shared. It should be made clear at the MARAC who will feedback to the victim, especially where there is no IDVA involvement. The agreed person who will provide feedback to the victim will be documented in the actions.

#### **7.14 Closure**

Cases will be removed from the MARAC process at the end of a 12 month period, unless there has been a repeat incident and this will include any appropriate flags. All agencies are notified by email, stating the case ID references are on the Library section on MODUS to cross reference so flags can be removed on their internal systems.



In the event of an agency becoming aware of the death of a victim or an alleged perpetrator please contact the MARAC Administration team, who update MODUS accordingly, as well as notify the DA Community Safety Strategic Coordinator who has a lead in the DHR Process in Lincolnshire.

### **7.15 MODUS**

MODUS is a multi-agency tool that supports information sharing for cases referred to MARAC. MODUS access will only be granted to Admin/representative/Chairs for each agency, once they have completed the requirements as set out in item 5.3.

The system conforms to and maintains the highest information security accreditation BS7799:2002.

**Agencies are not to access MODUS for the purposes of sharing information with other agencies, police forces, or MARACs in other counties. Any enquiries for information from MODUS in Lincolnshire should be directed to the MARAC Administration Team.**

### **7.16 Disclosing MARAC Information to Courts via the MARAC Administration Team**

MARAC minutes will only be disclosed upon receipt of a Court Order and after consideration by the Community Safety Strategy Co-ordinator – DA Lead, who is under a duty to raise formal objection if any disclosure will interfere significantly with a safety plan or may cause harm to any relevant child.

The guidance produced by the Working Party of the Family Justice Council 'MARACs and disclosure into court proceedings, December 2011' will be consulted where disclosure is being considered and legal advice will also be sought, if required.



Disclosure into court  
proceedings.pdf

### **7.17 Legal Aid Letters**

For victims of domestic abuse who have been heard at MARAC and who require a letter of confirmation for legal aid purposes, the request should be submitted to the MARAC Administration Team, via secure email and include the following; the case number, victims and perpetrator's name, together with safe contact details of where the letter should be sent to.

## **8. Repeat referrals**

A repeat referral is handled in the same manner as an Initial, with a DASH and Referral form submitted for each case.

The following criteria constitutes a 'repeat':

- Violence or threats of violence to the victim or
- Where there is a pattern of stalking or harassment
- Where rape or sexual violence/abuse is disclosed

Any of the categories' listed above would be defined as criminal behaviour if they were reported to the police.

When a repeat case is heard the 12 month period recommences from the date of the MARAC Meeting. So all flags for that case should be changed accordingly on agency systems, and any agency can refer in a repeat, not just the original agency.

### **8.1 Weekly Update Procedure**

If you are working with a case where there is an update of information i.e. New address; Changes in details; Changes in school; Whether the relationships has resumed; Pregnancies; Additional risks or vulnerabilities, that you wish to share with other agencies, however, the case does not constitute a Repeat MARAC as in section 7, please complete a MARAC Weekly Update Form, available on MODUS <https://www.palomamodus.co.uk/moduslincoln/library.aspx> and email to the MARAC Administration Team via [maraclincolnshire@lincolnshire.gov.uk](mailto:maraclincolnshire@lincolnshire.gov.uk)

The DMR needs to clarify before submitting a weekly update with the purpose of the update, for example why it is an update and not a repeat, what they have done with the information, what they want other agencies to do with the information and any safeguarding, signposting and action planning they may have done.

After doing all of the above, the MARAC Rep submitting the weekly referral can request that all agencies extend the 12 month flag when submitting a weekly update, if they feel that this would be appropriate.

### **8.2 Multiple Repeat/Complex Case Review**

This process is under review and will be shared as soon as confirmed.

## **9. MARAC Transfer Referrals**

### **Transfer Out of Lincolnshire:**

- Where agency staff become aware of a case that requires a transfer out of the MARAC, to another area, they should immediately inform the MARAC Administration Team.
- The reason for transfer to another area should be made clear to abide by the GDPR.
- It is the responsibility of the MARAC Administration Team to ensure the transfer is made to the relevant MARAC. (Contact details for all England and Wales MARACs are held by SafeLives).
- However, it is also the responsibility of that agency to contact their counterpart in the new County to inform them of their involvement with that case, as not all transfers are heard at a MARAC if by moving the risk has been reduced.

### **Transfers In to Lincolnshire:**

- Referrals from another MARAC will be processed in exactly the same way as local referrals.
- The other area will be asked by the MARAC Admin Team to complete the Lincolnshire MARAC paperwork [where possible] to enable the partnership to be clear about the reason for the referral and the current risks.
- The referrals will be placed on the next available agenda

- The other MARAC/Agency will be asked to attend our MARAC via MS Teams to present the case, otherwise the MARAC Admin Team will present the case.
- If an agency are working with a client and the client discloses that they have been heard in the last 12 months at MARAC in another County, as part of your normal safeguarding procedures it is best practice to request a MARAC Transfer from that County's MARAC to Lincolnshire MARAC and reach out to your counterpart in the other County to gain information to support the client, as they are still classed at High risk of abuse in the other county and we are aware from research and domestic homicide reviews that the abuser may follow them.

## **10. Emergency MARACs**

An Emergency MARAC (EM) should be an exceptional event. It is only called when serious risk of harm to the victim is so imminent that statutory agencies have a duty of care to act at once, rather than waiting for the next MARAC. Also, if there is no robust safety plan already in place where agencies are working with the victim, or the safety plan is no longer working and there is an imminent risk to life.

- In the first instance the referrer must liaise with their Manager and their agency MARAC representative about the need for the emergency MARAC, with consideration being given to the risk and whether the risk of serious harm is imminent. Only once a victim is assessed as High Risk and the risk of harm is so imminent that statutory agencies have a duty of care to act at once, rather than waiting for the next MARAC should the emergency referral be made. Agencies should also consider, if there is already a number of services involved and a robust safety plan in place where information can be shared with those involved at that point. If this cannot be done and it is felt that the only way they can safeguard a victim appropriately is through an Emergency MARAC, the MARAC rep needs to sign this off.
- The referring agency will inform the MARAC Administration Team initially by telephone.
- For each Emergency MARAC request it will be reviewed/assessed by the Domestic Abuse Co-ordinator (and if required with the assistance of three MARAC Chairs) to ensure the case warrants an immediate multi-agency discussion.
- Once it has been reviewed and agreed to be listed as an Emergency MARAC, the MARAC administration team will take steps to ensure that a meeting is called within 72 hours.
- The referring agency must attend to ensure that the details presented are accurate.
- The meeting may be conducted by telephone conference to ensure all partners are represented.
- All agencies must make every effort to participate or if unable to do so, provide information.
- The meeting should last no longer than 30 minutes unless there are exceptional circumstances.
- Urgent actions must be executed immediately.
- MODUS must be updated as per normal process.

## **11. Other Multi Agency Forums and how they work with MARAC**

### **11.1 MAPPA**

MAPPA stands for Multi-Agency Public Protection Arrangements. It is the process through which the Police, Probation and Prison Services work together with other agencies to manage the risks posed by violent and sexual offenders living in the community in order to protect the public.

The County Domestic Abuse Team will provide access to MODUS for the MAPPA Administration Team, who will then receive the weekly agenda emails so they can access via MODUS who is to be heard at both MARACs on a weekly basis.

If any of the cases are due to be heard at MAPPA the minutes and actions will be shared proportionately at the MAPPA meeting and the IDVA if involved will be invited.

When the MAPPA Administration Team receives the Agenda on a weekly basis they will also check it against agenda's for MAPPA meetings and any cases that are due to be heard at MARAC they will provide a summary of information in one of the following ways:

- If the case is open to National Probation Service, they will present the summary of information.
- If the case is not open to NPS, the summary of information will be sent to the MARAC Administration Team as research, to then be shared at the MARAC.
- If the MAPPA case to be shared is a level 3 case, the MAPPA Co-ordinator will attend to present the summary of information.

Either Chair from the MAPPA or MARAC meeting can make a referral to either Forum, which will be formally completed by the agency with the closest relationship with the perpetrator or victim.

Not one Forum takes precedence over the other; they complement the work each can provide to manage the risks to both victims, the perpetrator and the wider community.

All MAPPA forms and information can be found nationally at [www.mappa.justice.gov.uk](http://www.mappa.justice.gov.uk)

### **11.2 ASBRAC**

The Anti-Social Behaviour Risk Assessment Conference (ASBRAC) in Lincolnshire is the multi-agency approach used to manage high risk victims, perpetrators and locations of Anti-Social Behaviour (ASB).

It is the referring agency's responsibility to establish whether any person referred to ASBRAC is subject of the MARAC (Multi Agency Risk Assessment Conference). They must also ensure MARAC are notified of the referral to ASBRAC, when applicable, and arrange for an appropriate DA representative at ASBRAC in order to work together to support the response.

### **11.3 ARC**

Assisting Rehabilitation through Collaboration (ARC) is the multi-agency team that has been established in Lincolnshire to manage prolific offenders.

The working relationship between ARC and MARAC will ensure that:

- both multi agency meetings are aware of what agencies are currently involved
- the correct representatives can be invited to the meetings or research obtained
- we avoid duplication
- we prevent inadvertently undermining intervention by either group
- we enable an holistic overview of the case
- we safeguard adults at risk and children

- we have a wider perspective of the service users relationships and possible avenues for intervention

The County Domestic Abuse Team will provide access to MODUS to the MARAC Representative in the ARC team. The ARC MARAC Representative will check all potential ARC cases against the MARAC database prior to meeting with the offender/service user. If there are any risks to staff identified on MODUS this will be shared within the team prior to any engagement with the ARC service user to enable risk assessment/safety of staff.

The ARC MARAC representative will have full access to the MARAC minutes and action plans but will not share any of the agency information, except for issues relating to the safety of staff. This is because the information could be out of date and the agency should be asked directly for information that can be shared with the ARC team to ensure Data Protection legislation is complied with i.e. that information is:

- used fairly and lawfully
- used for limited, specifically stated purposes
- used in a way that is adequate, relevant and not excessive
- accurate
- kept for no longer than is absolutely necessary
- handled according to people's data protection rights
- kept safe and secure

Full access to the MODUS system will help to determine whether there are any significant agencies that should be invited to the fortnightly ARC allocation meetings or asked to provide research. The request for information or invitation to the meeting will be made by the ARC team to the appropriate MARAC representative. If there is an IDVA involved they will be invited to attend the meeting or supply research.

The ARC MARAC representative will attend MARAC meetings to share relevant ARC information and volunteer any actions for the ARC team. If unable to attend, relevant research will be provided on any ARC cases.

#### **11.4 MACE**

The definition of Child Sexual Exploitation is:

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

*Child Sexual Exploitation: Definition and guide for practitioners, local leaders, and decision makers working to protect children from child sexual exploitation, DoE 2017)*

Child Criminal Exploitation:

While there is currently no legal definition of child criminal exploitation, it is widely accepted to occur

*“where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18 into any criminal activity (a) in exchange for something the victim needs or wants and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or c) through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. Child Criminal Exploitation does not always involve physical contact; it can also occur through the use of technology.”*

Child criminal exploitation is an emerging issue affecting communities across the UK. The most common form of criminal exploitation involves children being exploited into looking after, moving or selling drugs for others, this can take the form of the County Line drug model including cross border criminality or could involve adult perpetrators within Lincolnshire

With the change in the definition of domestic abuse in April 2013 to include 16 and 17 year olds it is possible that both domestic abuse and Child Sexual or Criminal Exploitation could be identified at the Multi Agency Risk Assessment Conference.

If a young person aged 16 or 17 is considered as being a victim of exploitation either at the point of referral or through discussion at the MARAC meeting, the referring agency should complete the LSCP CE Screening Tool to determine the level of concern and follow the existing MACE referral pathway. All relevant MACE paperwork can be found on the LSCP website <https://www.lincolnshire.gov.uk/safeguarding/lscp/8>

It is expected that when completing the LSCP CE Screening Tool the author ensures that details of the domestic abuse and/or MARAC involvement This will enable MACE to target and disrupt suspected perpetrators of exploitation and look to increase safety within identified areas of concern.

## **12. Employee Cases at MARAC**

If there is a significant risk to safety, or the future impact on the livelihood of the victim, high risk cases involving victims and perpetrators who are involved with MARAC and have access to MARAC data will be handled differently and will follow this process at Lincolnshire MARACs.

If the victim is happy for the case to be referred to MARAC in the usual way, and it is safe to do so, there will be no change to the management of the case.

However, Employee cases can be processed on a case by case basis if the employer informs that either the victim or perpetrator has access to MODUS or their internal systems then the case will be dealt with as an Employee case.

If there are significant risks to safety or the livelihood the following process will be followed:

- The referrer should contact the MARAC Administration Team to explain the sensitivity of the case and the risk factors that prevent the case being heard as normal and mark the referral as EMPLOYEE – SENSITIVE.
- The record on MODUS will be restricted.
- The referring agency or IDVA should encourage the victim to disclose the abuse to his/her line manager for support in the workplace.

A referral to the Local Authority Designated Officer (LADO) may be needed. This is the responsibility of the referring agency, unless agreed otherwise at the MARAC. See Section on LADO in this document.

If the alleged perpetrator of domestic abuse works for an agency represented at MARAC that agency should consider their own internal policies and procedures in relation to allegations of abuse.

If the alleged perpetrator of domestic abuse is a person in a position of trust e.g. working with vulnerable adults refer to the Lincolnshire Safeguarding Adults Board Policies and Procedures.

<https://www.lincolnshire.gov.uk/downloads/file/3658/lsab-policy-and-procedures-v7-1>

If they are working with children or young people refer to Lincolnshire Safeguarding Childrens Partnership [http://lincolnshirescb.proceduresonline.com/chapters/p\\_alleg\\_pers\\_wk\\_child.html](http://lincolnshirescb.proceduresonline.com/chapters/p_alleg_pers_wk_child.html)

Where possible the referrer should make the MARAC admin team aware that the perpetrator works for an agency represented at MARAC so that the admin team can inform that agency prior to the case being added to the agenda, giving the agency time to restrict access to appropriate systems and databases that the perpetrator may have access to.

All cases where the perpetrator has access to the MODUS system will be restricted and the above process applied.

### **13. Associated Forms of Abuse**

#### **13.1 Honour Based Abuse [HBA]**

Honour based abuse refers to crimes or incidents committed to protect or defend the honour of a family and/or community. It can take many forms including harassment, criminal damage, arson, sexual assault, forced marriage, kidnap and even murder.

When dealing with potential victims it is important to recognise the seriousness/immediacy of the risk. Consider the possibility of forced marriage, abduction, missing persons and murder

#### **13.2 Forced Marriage [FM]**

A forced marriage is where one or both people do not (or in cases of people with learning disabilities or reduced capacity, cannot) consent to the marriage as they are pressurised, or abuse is used, to force them to do so. It is recognised in the UK as a form of domestic or child abuse and a serious abuse of human rights.

The pressure put on people to marry against their will may be:

- physical – for example, threats, physical violence or sexual violence
- emotional and psychological – for example, making someone feel like they are bringing ‘shame’ on their family
- Financial abuse, for example taking someone’s wages, may also be a factor.

<https://www.gov.uk/guidance/forced-marriage>

#### **13.3 Female Genital Mutilation [FGM]**

Female genital mutilation (FGM) is a specific offence in its own right. The Female Genital Mutilation Act 2003 makes it illegal for FGM to be performed in the United Kingdom and for any British person to aid, abet, counsel, or procure FGM on any UK national or resident anywhere in the world even if it is not illegal in that country. This legislation includes parents who allow FGM to

be performed on their daughters. If the victim of FGM is 18 or under then this should be treated as a safeguarding concern and the referring agency should refer to their safeguarding children policy and procedures.

#### **13.4 How to refer the above cases in to MARAC and how they are processed:**

Due to the nature of these cases, agencies must handle the information provided in a highly confidential way. The family or community could be within or put pressure on staff to divulge information.

Also due to the sensitive nature of these cases, they are not viewable on MODUS, details for these cases are telephoned to those who are needed to be involved. Therefore if you require information at a later date please contact the MARAC Administration Team via email at [maraclincolnshire@lincolnshire.gov.uk](mailto:maraclincolnshire@lincolnshire.gov.uk)

**For the safety of the client these cases will be handled differently and will follow this process at Lincolnshire MARACs:**

- Individual agencies will decide the appropriateness of referring the case to MARAC and any risks in doing so. The decision to have the case heard at a MARAC will be agreed by the referring agency (in consultation with other relevant agencies is necessary). If deemed suitable then the referring agency will complete the required MARAC forms and submit them to the MARAC Administration Team marked as HBA.
- The DASH risk assessment model has questions that will enable agencies to highlight a HBA case. The DASH training includes an input regarding HBA to ensure staff know how to identify it and how to deal with such a case.
- Agencies will highlight on the referral and or email that the case is either a HBA, FM or FGM cases
- The referral will be processed in the normal way as in sections 5.3, however, attached to a HBA MARAC Meeting on its own, but on the same day as the MARAC meeting for the same area. This way, only the MARAC Admin Team have access to the full information on the individuals.
- The MARAC Admin Team will then notify those attending [see next step] by phone, or leave a message to call back or send an email for the attendee to call back so they can give them all the information they need to do the necessary research.
- Those in attendance are statutory agencies and any other agency that is involved with the case.
- The case is then placed on the agenda for the regular Thursday's MARAC Meeting so those attending know what time it is being heard, and is placed before the most suitable break depending on the district the client lives in.
- MARAC Admin Team will then send after the Meeting by email the anonymised actions to those who were in attendance, as per the normal process who will reply with an update for the MARAC Admin Team to update MODUS.

#### **14. Local Authority Designated Officer**

Referrals should be made to the LADO where an allegation or suspicion arises within an individual's own work (paid or voluntary), with his or her own children, with other children living outside the family and historical allegations and;

- Behaved in a way that has harmed a child, or may have harmed a child;



- Possibly committed a criminal offence against or related to a child;
- Behaved towards a child or children in a way that indicates that he or she may pose a risk of harm to children

The procedure for this can be found on the Lincolnshire Safeguarding Children Partnership website: [http://lincolnshirescb.proceduresonline.com/chapters/p\\_alleg\\_pers\\_wk\\_child.html](http://lincolnshirescb.proceduresonline.com/chapters/p_alleg_pers_wk_child.html)

In respect of victims who work with children (including volunteers, foster carers etc.) the LADO would need to consider if there were concerns around the victims understanding of the impact of domestic abuse and their ability to protect their own children/safeguard any children they work with.

With regard to referrals through the MARAC process, the LADO will require detailed information regarding the persons place of employment and role within that, the specific concerns as it relates to their employment, and an assessment of any additional risk factors that relate to the disclosure of this information to the victim of domestic abuse

### **15. Child to Parent/Carer Abuse**

The official definition of domestic abuse covers individuals from the age of 16. However, there are occasions of familial abuse where the parent/victim is over the age of 16 but the child/perpetrator is under that age. As MARAC is victim focussed, if the case is high risk a referral of child to parent/carers abuse should be made to MARAC. The DA Partnership will explore alternative ways of managing child to parent/carers abuse and will review the use of the MARAC if a more suitable programme is developed.

If the victim is under 16 years and the perpetrator is 16 years or above this would be referred to Children's Services as a safeguarding issue. If both victim and perpetrator are under 16 years this should also be referred to Children's Services as a safeguarding concern. A referral/signposting can also be made to specialist domestic abuse services if deemed appropriate.

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

Domestic Violence Disclosure Scheme (DVDS), also publicly known as Clare's law, launched in Lincolnshire in March 2014. A police led scheme, with two routes available Right to Ask & Right to Know. The applications are managed and held by Lincolnshire Police, all information is placed on a secure force system (NICHE). All applications are processed and managed by the Protecting Vulnerable Person's Police Safeguarding Hub (PVP PSH). An email is circulated (securely) to ensure that 4 agencies detailed below are part of initial safeguarding and processing of the applications alongside Lincolnshire Police. A decision is made whether there is a concern or no concern. A 'no concern' applicant will be provided with safety advice and signposting to EDAN Lincolnshire as a minimum as they have raised potentially concerns about someone's behaviour. The 'concern' cases, will be allocated to the appropriate department for the area the person at risk resides, reviewed by a Sergeant and the form of disclosure wording agreed, the disclosure will be completed with an appropriate safety plan, where partners can be included as required.

The Agencies involved with each application are: Lincolnshire Police, National Probation Service – Lincolnshire, Lincolnshire IDVA Service, and Adults and Children's Services (Lincolnshire County Council). Other agencies can be invited on a case by case basis.

The county's Information Sharing Agreement supports this Scheme.

Full information can be found on the force's website <https://www.lincs.police.uk/reporting-advice/domestic-abuse/domestic-violence-disclosure-scheme-dvds-clares-law/> and anyone (member of the public, or professional) who wishes to make an application should call 101.

### **17. Domestic Homicide Reviews**

The Domestic Violence Crime and Victims Act 2004, Section 9 introducing Domestic Violence Homicide Reviews became statutory on 13<sup>th</sup> April 2011.

Where a case has been referred to MARAC, this will provide evidence of actions taken by agencies in tackling the issue of domestic abuse where the victim has been identified as High Risk.

The County Domestic Abuse Team will respond in accordance with the Statutory Guidance on Domestic Homicide Reviews and share any information held on MODUS required as part of the review process. Partner agencies should be aware that in the case of a Homicide Review, local or elsewhere nationally, the minutes and actions will be shared with the Review Panel.

### **18 Evaluation and Performance Management**

The MARAC Admin Team is responsible for collecting all of the data relating to the MARAC. The data is collected on a monthly basis.

The data is reviewed by the Community Safety Strategy Co-ordinator – DA Lead, the MARAC Steering Group, DA Partnership and is forwarded to SafeLives.

### **19 Quality Assurance and Governance**

The Lincolnshire MARAC is subject to the Quality Assurance process which is implemented and managed locally utilising tools by SafeLives. Partner agencies should also be aware, that at times, there will be a need to participate in other quality assurance processes, e.g. Ofsted.

#### **The Domestic Abuse Partnership and MARAC Steering Group**

The Community Safety Strategy Co-ordinator – DA Lead is responsible for the delivery of the Lincolnshire MARAC and is a member of the DA Partnership. This multi-agency group has overall responsibility for the development and implementation of the MARAC and reports to the DA Partnership.

This multi-agency group reflects the membership of the DA Partnership. In addition, agencies from the voluntary sector are full members of the group.

The DA Partnership is supported by a small MARAC steering group set up to analyse specific issues and data related to the MARAC.

The core responsibilities of the MARAC Steering Group and DA Partnership in relation to MARACs are:

- Address operational issues

- Monitor and evaluate feedback and issues arising from the MARAC
- Monitor referrals from agencies, repeat rate and outstanding actions
- Ensure that effective partnerships are maintained
- Report to the strategic partnerships
- Oversee efforts to raise awareness with local practitioners about the MARAC
- Maintain and review protocols and procedures in relation to the MARAC and ensure consistency of approach across the county

The County Domestic Abuse Team will consult with partners using the SafeLives self-assessment tool which aims to measure the quality of the MARAC. This is completed every 2-3 years. A MARAC Action Plan is produced and monitored by the MARAC Steering Group. Members of the MARAC Steering Group also observe several MARAC meetings throughout the year. Observations will focus on:

- Quality of referrals and how they are presented.
- How information is shared.
- The Chair – to ensure there is consistency across all MARACs and processes are being followed.
- Any inappropriate referrals.
- Any specific issues that need to be raised/escalated within the partnership
- Any missing agencies.
- Appropriateness of information shared.
- Have risks been clearly identified.
- Have risks been mitigated and if not is it clear why it has not been possible to reduce the risk and documented.
- Repeat referrals.
- Best practice.
- Engagement by victims.
- How many referrals are based on risk, escalation or professional judgement and whether there are any issues with this.
- Factors such as type of relationship, type of abuse, use of weapons, mental health issues, language issues, drugs and alcohol etc. This helps the partnership understand complex needs/issues that might require further multi agency work.

Findings are shared and addressed by members of the MARAC steering group. Any serious concerns are escalated to the DA Partnership and/or addressed directly with the agency/agencies concerned.

### **Complaints**

Should a complaint be received regarding the MARAC process, it should be dealt with by the receiving agency in line with their own complaints procedure. The Chair of the specific MARAC and the DA Business Manager should be informed.

### **Compliments**

Any compliments and good practice are also valuable to the partnership. Agencies wishing to share this information should contact the County Domestic Abuse Team.

## **20 Document Retention**

There is no legislative requirement regarding the period of document retention for MARAC records, therefore after consultation with LCCs Legal Services, DA Partners and MODUS provider the decision has been made to adopt a Standard case management document retention period.

After a case is closed to MARAC [after the 12 months of date of referral] the following process will apply:

- All cases will be retained on MODUS for 7 years from the date of closure, at which point it will then be archived.
- After a further 3 year period the case will be deleted from MODUS or whichever system is being used at that time.
- If between archiving and deleting a file on MODUS, another referral is received the following will occur:
  - If the same individuals are named on the referral, MARAC Admin will un-archive the file and the referral will be processed as normal.
  - If only one of them is named on the referral, the original file will be left archived and MARAC Admin will add a new file to MODUS, and then link the two files via the relationship tabs.

This retention period will ensure any relevant information in terms of audit and any Domestic Homicide Reviews if needed is available for up to a maximum of a 10 year period.

It should also be noted that each agency will hold their own information based on each case in line with their own document retention policies.

## **Business Continuity**

The MODUS System has a data back-up every 4 weeks in case of a system failure and data is backed up daily [4 times within a 24 hour period].

## **21 Equality and Diversity**

Each MARAC will treat all individuals with absolute respect regardless of their age, gender, race, ethnic origin, sexual orientation or disability. Consideration will be given to providing additional support for victim/survivors with specific needs for services such as language interpreters, specialist advice, mental health support.

Cases are monitored for data on BME/LGBT/Male and Disabled Victim/Survivors. Where numbers coming through to MARAC are not comparable with the population this will be addressed by the MARAC Steering Group.