



# East Sussex Multi-Agency Risk Assessment Conference (MARAC) Operating Protocol

## 1. Introduction

This protocol sets out how partner agencies contribute to the effective operation of the MARAC. It sets out the aims, membership and process of the East Sussex MARACs to ensure that a helpful and consistent response to domestic abuse/violence is provided by all agencies, who have a duty of care towards adults and children. It states the accountability, governance and performance management structures.

The protocol is designed to enhance existing arrangements and does not replace associated policy and procedures concerning:

Safeguarding Children

Safeguarding Vulnerable Adults

MAPPA and public protection arrangements

### The definition of domestic violence

The Home Office definition is; any incident of a threatening behaviour violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or "family" members, regardless of gender or sexuality

It is intended that this definition incorporates issues such as forced marriage, female genital mutilation and so-called honour crimes. The terms 'domestic violence' and 'domestic abuse' are used within this protocol. Both terms are interchangeable throughout the protocol.

Those aged 16 and 17 who are experiencing what has been defined as 'domestic violence', can be referred to the MARAC and specialist domestic violence services.

The role of the MARAC is to facilitate, monitor and evaluate effective information sharing between agencies. To work together to reduce the risk for the highest risk cases for victims of domestic violence.

### The Aims

- Promote victim safety, health and well being and their children
- Create a multi-agency action plan to tackle the risks faced to ensure safety and to reduce the repeat victimisation of domestic violence
- Improve agency accountability

## 2. Partner Agencies

The representatives for the MARACs and permanent attendees are:

For the Eastbourne, Lewes and Wealden MARAC:

- Action For Change
- Community Health Services (NHS East Sussex)
- East Sussex Community Independent Domestic Violence Advisory Service
- East Sussex County Council Children's Services
- East Sussex Court Independent Domestic Violence Advisory Service
- East Sussex Hospital NHS Trust (Accident and Emergency)
- East Sussex Independent Sexual Violence Advisory Service
- Eastbourne Borough Council – Housing Department
- Eastbourne Lewes and Wealden Community Substance Misuse Team
- Lewes District Council – Housing Department
- Refuge (Eastbourne, Hastings, Lewes and Wealden refuges)
- Surrey and Sussex Probation Trust
- Sussex Partnership Foundation NHS Trust
- Sussex Police
- Wealden District Council – Housing Department

For the Hastings and Rother MARAC:

- Action For Change
- Community Health Services (NHS East Sussex)
- East Sussex Community Independent Domestic Violence Advisory Service
- East Sussex County Council Children's Services
- East Sussex Court Independent Domestic Violence Advisory Service
- East Sussex Hospital NHS Trust (Accident and Emergency)
- East Sussex Independent Sexual Violence Advisory Service
- Hastings and Rother Community Substance Misuse Team
- Hastings Borough Council – Housing Department
- Rother District Council – Housing Department
- Refuge (Eastbourne, Hastings, Lewes and Wealden refuges)
- St Jude's Refuge
- Surrey and Sussex Probation Trust
- Sussex Partnership Foundation NHS Trust
- Sussex Police

Key agencies at MARAC are:

- Community Health Services (NHS East Sussex)
- Eastbourne Borough Council – Housing Department
- East Sussex Community Independent Domestic Violence Advisory Service
- East Sussex County Council Children's Services
- East Sussex Hospital NHS Trust
- Hastings Borough Council – Housing Department
- Lewes District Council – Housing Department
- Rother District Council – Housing Department
- Surrey and Sussex Probation Trust
- Sussex Police
- Wealden District Council – Housing Department

East Sussex MARAC Operating Protocol (version 8 last updated 29.09.2010)

All representatives will be signatories of this protocol and key agencies must send a representative or deputy representative. All other agencies should send a representative or report if the representative is able to attend.

Representatives need to be of an appropriate level of seniority to commit to actions on behalf of their agency and where possible a named alternative representative is also identified as a deputy representative.

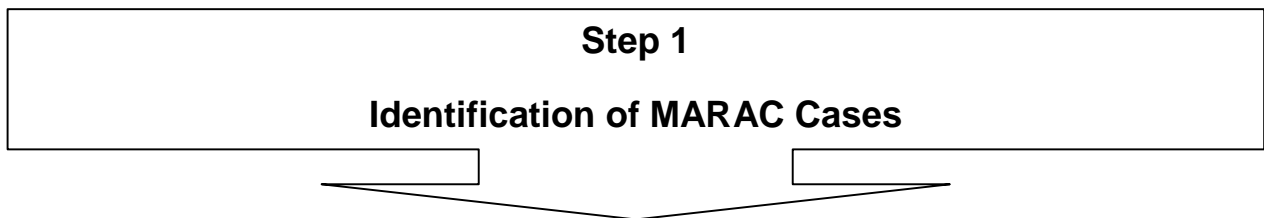
Attendance will be recorded on the MARAC minutes, as will apologies. Where apologies are given a report or research form will be required on known cases to your agency. The absence of a report will also be recorded on the minutes. Non-attendance will be subject to ongoing review by the MARAC Steering Group.

#### Other representatives

Other agencies will be invited on a case-by-case basis, as appropriate, where a referral has been made by that agency or because additional professional support is required. They will be required to sign a confidentiality declaration (see Information Sharing – Step 5) at the beginning of the MARAC meeting.

### **3. Process of the MARAC**

#### The steps to the process for referring cases to MARAC



#### Identification of MARAC cases

Agencies will routinely screen for domestic abuse as part of their day to day role. The MARAC Steering Group will work to raise awareness of the MARAC process and agencies ability to identify and make a referral to MARAC.

Screening for domestic abuse and the process for referring high risk cases to Independent Domestic Violence Advisors (IDVAs) and police will form part of training for all agencies.

## Step 2

### Risk Assess – Criteria for MARAC

#### Criteria for MARAC Risk Indication

Referring agencies will complete the **CAADA-DASH Risk Indicator Checklist (RIC)** at the **earliest possible opportunity**. A completed RIC must accompany all referrals to the MARAC, **agencies may make a referral based on their professional judgement, regardless of the outcome of the RIC**, or when it has been noted there has been an **escalation in the number of incidents or level of violence/abuse**. Generally, the risk factors refer to the risk of further assault, although some are linked to homicide. There are also factors linked to ‘honour’ based violence which must always be taken seriously. (Appendix: CAADA-DASH RIC).

#### Criteria for all agencies using the CAADA-DASH RIC when assessing risk and considering a referral to MARAC:

The visible high risk: 14 ticks or more ‘yes’ boxes would meet the MARAC referral criteria. The number of ticks should be specified on the RIC and level of risk posed. However, agencies may still make a referral based on their professional judgement regardless of the outcome of the RIC or when it has been noted there has been an escalation in the number of incidents or the level of violence.

Professional judgement: If a professional has serious concerns about a victim’s safety, they should refer the case to MARAC. There will be occasions where the particular 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 issues of language barriers particularly in the case of so-called “honour based violence”. This judgement would be based on the professional’s experience and /or the victim’s perception of their risk of serious harm or risk of homicide.

Potential escalation: When there has been more than one police callout to the victim as a result of domestic violence in the past 12 months. This can be used to identify cases where there is not a positive indicator of a majority of risk factors on the list, but where abuse appears to be escalating and where it is appropriate to assess the situation more fully by sharing information at MARAC.

## Step 3

### Referral Process

#### Referral Process

Any agency may make a referral where the MARAC criteria are met. They can refer the case via the **MARAC Support Officer**. Referring agencies will need to identify the reason(s) for the referral to demonstrate how the case meets the criteria /threshold for referral.

Agencies will be required to refer very high risk cases to the MARAC promptly. Referring agencies are required to also make an immediate referral to an IDVA, so contact can be made with the victim prior to the MARAC meeting, to allow the victims views to be represented. The reasons for not referring the case to an IDVA are to be provided on the referral form. Referring agencies are encouraged to inform the victim that a referral to MARAC is being made, where it is safe and appropriate to do so.

Referring agencies will need to complete the MARAC documentation providing the name, date of birth, address of the victim, alleged perpetrator and any children that any party has access to. There is also space for additional comments. It is important to establish whether the victim consents to have their information discussed or where consent has been withheld. If consent has not been gained the Information Shared Without Consent form must be completed (Appendix) is required. (See MARAC Information Sharing guidance section 5.4)

**Refer to the MARAC Information Sharing Guidance (MISG) and own agency data in transit policy.**

#### Repeat MARAC Cases

A repeat is any incident within 12 months of the last MARAC which, **if** reported to the police, **would** be treated as a crime. This includes use of violence, both against the person and against property, threats of violence, stalking and harassment and sexual abuse. It may be that this behaviour is disclosed to another agency, rather than the police. If this is the case it should still be referred back to the MARAC so that the MARAC identifies repeat victimisation, other than reports to the police.

This does not include cases which are being referred for a second time, for any other reason than where there has been a repeat incident. There are specific instances where a second referral might be made but **no repeat incident has occurred** such as, where a perpetrator is about to be released from prison and the case is mentioned at the MARAC meeting, to make sure every agency is aware and able to put in place any appropriate safety measures.

If a domestic violence incident has been reported to the police where an identified 'multiple' perpetrator has been identified these cases should be referred to the MARAC, under the criteria of professional judgement, to highlight their risk of harm.

### Flagging MARAC cases

All cases that are reviewed at a MARAC should be flagged by agencies on their own records. It remains flagged as a MARAC case for a total of 12 months after the most recent MARAC review. For example, if a case is seen at a MARAC once only in January, it will be flagged for 12 months after this date. If this case is then reviewed at the same MARAC in the April of the same year, then the case will be flagged for 12 months from April.

Partner agencies should screen for active (flagged) MARAC cases to identify repeat victims of domestic violence. If a new incident has occurred agencies should make a further referral to MARAC for that case.

### The MARAC documentation must include the following:

- CAADA-DASH Risk Indicator Checklist (RIC)
- Referral Form
- Research Form
- Information Sharing without Consent Form (where there is no consent)

MARAC documentation and guidance (Appendix) can be obtained from the **MARAC Support Officer**.

As soon as an incident has been reported and identified as a MARAC case a referral should be made immediately to the MARAC Support Officer.

The MARAC Chair will prioritise cases to be discussed in detail at the next available meeting on the basis of risk. If there are insufficient high risk cases, consideration will be given to a review of lower risk cases.

All referrals need to be made by the agreed deadline to allow for the case list / agenda to be distributed to representatives in sufficient time to carry out the necessary checks. The deadline is usually 10 working days prior to the MARAC. Meeting dates are set 12 months in advance to facilitate full attendance by partner agencies. The dates and associated deadlines of the MARAC are available from the MARAC Support Officer

The MARAC Support Officer will monitor and will quality assess all parts of the referral upon receipt to ensure the correct documentation is completed. Where there is missing information or incorrect forms submitted the agency will be asked to resubmit the referral within 2 working days or before the deadline date, whatever is earlier.

### Emergency or late MARAC cases

Emergency MARACs can be requested by any agency via the MARAC Support Officer and Chair.

Late referrals will be considered and assessed by the MARAC Chair. The reason for the late referral must be explicitly stated on the referral form.

## Step 4

### Research

#### MARAC List/Agenda

The MARAC Support Officer will circulate the agenda with the list of cases to MARAC representatives 8 working days prior to the MARAC meeting date. At this point agencies will need to research the information that is held on each of the cases on the list. There is a research form for agencies to use and to share relevant information held in relation to the victim, the perpetrator and the children.

Key representatives will be expected to personally attend the MARAC to provide their expertise and present their research to deliver an individual action plan, regardless of whether they are currently involved with an individual victim.

The MARAC Support Officer will ensure agencies who advise of non attendance, provide a report or research form prior to the MARAC meeting that can be shared / read out at the meeting. This is to ensure an effective and complete action plan is developed for the safety of the victim.

The MARAC Support Officer will prioritise the agenda so that victims with children under 5 years old are discussed first, followed by 5 years and upwards.

#### Actions before the MARAC

Sussex Police will place history markers on the victims address and all relevant phone numbers (landline and mobile) plus consider making additional steps in line with their own procedures such as installation of a panic alarm.

Cases where children are come to notice, Sussex Police will submit a **MOGP1** (Memorandum of Good Practice) to the child protection team and to the local Children's Services duty assessment team, on the day of attendance.

Cases where there is abuse or potential abuse of a vulnerable adult, Sussex Police will raise a Safeguarding Vulnerable Adult (SVA) alert and refer to East Sussex County Council Adult Social Care Protection Team, via Social Care Direct.

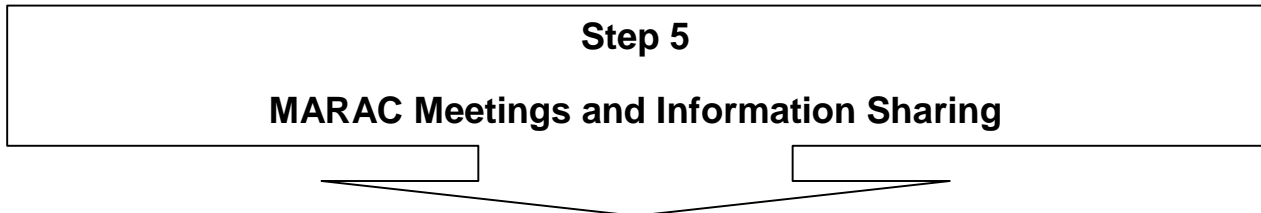
All MARAC agencies will complete MARAC Research Forms for those cases known to their agencies. Representatives should note that contact with the victim solely for the purposes of completing the Research Forms should be avoided.

#### Victim contact before the meeting

Where possible and safe to do so, the Independent Domestic Violence Advisors (IDVAs) will contact the victim prior to be MARAC meeting to ensure they are receiving appropriate support. The IDVA will represent any views the victim has and will provide the "voice of the victim". The role of the IDVA is to

ensure that victim safety and that of any children is maximised and remains central to the MARAC process.

The reason(s) for not informing or contacting the victim prior to the MARAC meeting should be set out within the referral form and a Sharing Information Without Consent form completed. Where there is any conflict of interest between the adult and victim and any children affected by the domestic violence, the needs of the children will always be paramount.



#### Meeting frequency

There are two MARACs held in East Sussex, one covering Eastbourne, Lewes and Wealden areas and one MARAC covering Hastings and Rother. Each MARAC will be held monthly in each area. The Eastbourne, Lewes and Wealden MARACs are usually held on a Monday and the Hastings and Rother MARACs are usually held on a Thursday. Dates are available from the **MARAC Support Officer**.

#### Chair

The Detective Inspector (DI) of the Anti-victimisation Unit and the Violence and Hate Crime Reduction Manager from the East Sussex Safer Communities Team, will generally chair the meetings. The role of the chair is to structure the meetings and prioritise cases to ensure the best use of the time of attending agencies. Allow for agency representatives to share their information and set risk specific SMART (specific, measurable, achievable, realistic and timely) actions for nominated agency representatives and to review those actions which are outstanding from the previous meeting. Should either Chair be unable to attend the locality Senior Probation Officer will chair the meeting.

#### Minutes and administration

The MARAC Support Officer will take notes and produce an accurate record of the MARAC meetings. The minutes will detail the information shared on each case and will clearly distinguish between fact and opinion. The minutes will be circulated within 10 days of the meeting and will include the actions list.

#### **Refer to MARAC Information Sharing Guidance (MISG) and data protection policies**

#### Information Shared at the MARAC

Only information directly relevant to the safety of the victim and associated others should be shared at the MARAC. Agencies should ensure that personal data is clearly marked and kept securely in accordance with the MARAC Information Sharing Guidance. The MARAC Information Sharing Guidance should be read in conjunction with the MARAC Operating Protocol.

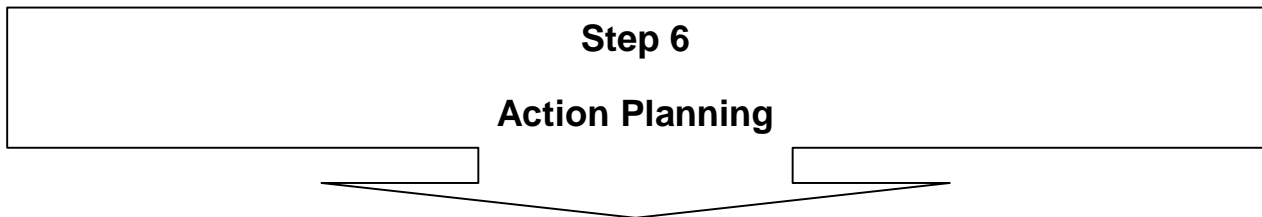
The MARAC Support Officer is the single point of contact for the information to be collected.

An information sharing declaration is signed by all agencies in attendance at the start of the MARAC meetings.

Each referring agency presents their case. Agencies present their pre-meeting research for each case and then relevant information is shared by other agencies on each case.

The IDVA (Court or Community, depending who has the leading involvement) represents the victim's perspective.

Appendix: Details the arrangements of the exchange of information between the Sussex Multi-Agency Public Protection Arrangements (MAPPA) and the MARAC.



### Action Planning

At the MARAC meeting a tailored action plan will be developed by agencies to increase the safety of the victim, children, perpetrator, other vulnerable parties and any staff.

Actions will be tasked at the MARAC and reflect the risk as a result of the information shared. The actions will be SMART (specific, measurable, achievable, realistic and timely). Under each case on the MARAC minutes an individual action plan will be shown. A separate summary of actions will to be produced and circulated to attendees by the **MARAC Support Officer**.

The action plan will:

- Summarise key risks
- Detail the action, agency (with named staff) and timescale
- Each action plan has a named IDVA who acts as the case manager for the victim and follows up actions

There are two standard actions for all cases:

- All agencies, where possible to flag and tag as a MARAC case (to remain flagged as a MARAC case for a total of 12 months after the most recent MARAC review).
- Inform the victim (where safe to do so) of actions.

## Step 7 Follow Up

### Follow up of actions

Actions are the responsibility of the named agency and they should immediately update the nominated IDVA case manager when the actions are completed. The IDVA case manager will update the MARAC Support Officer on progress of the incomplete actions and noting that an action is completed. At the following MARAC any outstanding actions shall be noted and agencies asked to provide a verbal update as to the status of this action / reason for non-completion.

### Victim contact after the meeting

Following the MARAC the named IDVA, or named representative will inform the victim (where safe to do so) of any actions taken.

### Follow up – flag and tag

Once a case has been taken to MARAC it should remain flagged by each agency as a MARAC case for a total of 12 months, after the most recent MARAC review. For example, if a case is seen at a MARAC once only, in January, it will be flagged for 12 months after this date. Agencies will be informed by the MARAC Support Officer of those cases that are no longer considered to be a MARAC active repeat case (ie where 12 months has elapsed since the most recent MARAC review).

### Referrals to other MARACs

All agencies are responsible for informing the MARAC Chair via the MARAC Support Officer if they identify that a flagged MARAC victim (a case reviewed at MARAC within the last 12 months) is leaving East Sussex and where they have moved to.

Where a flagged MARAC victim has moved out of East Sussex, and it is known where they have moved to, the MARAC Chair will advise the receiving MARAC Chair or MARAC Co-ordinator at the earliest opportunity. The latest CAADA-DASH RIC and a referral form will be sent to the relevant area.

### Referrals from other MARACs

For a MARAC case being referred from another MARAC outside East Sussex the point of contact will be the MARAC Support Officer. A completed CAADA-DASH RIC and referral form will be requested by the MARAC Support Officer from the relevant area. The MARAC Support Officer will refer the case to the Community IDVA Service for all known MARAC cases from outside East Sussex. The Community IDVA will contact the victim to ensure they are receiving appropriate support and to carry out a CAADA-DASH risk assessment. The MARAC Chair will be notified.

#### **4. Governance and Performance Management (Evaluation)**

The MARAC Steering Group will report to the Safer Communities Steering Group and will meet bi-monthly and the members will include;

- Sussex Police
- Surrey and Sussex Probation Trust
- CRI
- East Sussex Safer Communities Team
- East Sussex County Council Adult Safeguarding
- East Sussex County Council Children's Services
- Refuge (Eastbourne, Hastings, Lewes and Wealden refuges)

The main responsibilities of the MARAC Steering Group are:

- Monitor and evaluate the data from the MARAC
- Ensure that effective partnerships are maintained with other public protection bodies eg MAPPA and other MARAC areas
- Monitor and regularly assess the overall performance of the MARAC and ensure it operates in line with the principles of an effective MARAC (see appendix).
- Address operational issues
- Report to strategic partnership
- Oversee efforts to raise awareness with local practitioners about the MARAC
- Ensure that the MARAC operates in line with legal responsibilities and keeps up-to-date with changes to legislation national guidance

#### **5. Equality**

The MARAC works to include all sections of the community. For BME victims the IDVA will consider a referral to specialist support services and access translation services as appropriate.

For LGBT victims the IDVA will liaise as appropriate with their local Sussex Police LGBT Liaison Officer. If required liaison officer can be invited to the MARAC on a case specific basis to provide expertise or assist with actions.

## **6. Complaints**

If the complaint is about a specific agency, the complaint should follow that agency's complaint procedure.

If the complaint is about the MARAC, the complaint should be directed to the MARAC Steering Group Chair.

## **7. Breaches**

Signatories agree that any breach of confidentiality and of the protocol will seriously increase the risk to a high risk victim, affect the credibility of the MARAC and partnership objectives.

All agencies undertake at all times to comply with the law on data protection and other legal requirement relating to confidentiality.

## **8. Withdrawal**

Any agency may withdraw from the operating protocol from the MARAC and must give written notice to the Chair of the MARAC Steering Group. The agency must continue to comply with terms of this protocol in respect of any data that the agency has obtained through being a signatory.

## **9. Review**

The MARAC Operating Protocol (MOP) will be reviewed by the MARAC Steering Group at least annually.

## Appendices

1. MARAC Documentation
  - a. CAADA-DASH Risk Indication Checklist
  - b. Eastbourne, Lewes and Wealden MARAC Referral Form
  - c. Hastings and Rother MARAC Referral Form
  - d. Agency Research MARAC Form
  - e. Information Shared Without Consent
2. Sussex MAPPA and MARAC Protocol
3. CAADA MARAC 10 Principles
4. MARAC Support Officer Contact details
5. MARAC Information Sharing Guidance V4 (MISG)

## 10. Signatories

The signatories agree as partner agencies of the MARAC to subscribe to procedures contained in the MARAC Operating Protocol.

Agency	
Name of signatory	
Signature	
Date	