



Northern Ireland MARAC governance templates

2012

Introduction

What is a Multi-Agency Risk Assessment Conference (MARAC)?

A MARAC is a meeting where information is shared on the highest risk domestic abuse cases between representatives of local police, probation, health, child protection, housing practitioners, Independent Domestic Violence Advisors (IDVAs) and other specialists from the statutory and voluntary sectors. After sharing all relevant information they have about a victim, the representatives discuss options for increasing the safety of the victim and turn these into a co-ordinated action plan.

The primary focus of the MARAC is to safeguard the adult victim. The MARAC will also make links with other fora to safeguard children and manage the behaviour of the perpetrator. At the heart of a MARAC is the working assumption that no single agency or individual can see the complete picture of the life of a victim, but all may have insights that are crucial to their safety. The victim does not attend the meeting but is represented by an IDVA who speaks on their behalf.

Who is this pack for?

This pack is for local representatives who are involved with the strategic work of a MARAC, primarily MARAC Chairs, MARAC Administrators/Coordinators and Domestic Violence Coordinators. This pack should be used in conjunction with the MARAC Administration Templates 2012. There are also MARAC toolkits for frontline agency professionals involved in risk identification work, as well as MARAC representatives, Chairs and Co-ordinators available at http://www.safelives.org.uk/marac/Resources_for_people_involved_in_MARACs.html

What is in the pack?

This pack contains templates for the documentation supporting strategic aspects of a MARAC. The templates align with the 10 Principles of an effective MARAC, in particular principle five (research and information sharing) and principle ten (governance). SafeLives believes the 10 principles promote good practice in and around the MARAC to ensure that victims of domestic abuse receive a consistent, safety-focused service wherever they are based whilst allowing for local differences in practice. The 10 Principles of an effective MARAC (a summary and outline of the principles) can be downloaded from http://www.safelives.org.uk/marac/10_Principles_Oct_2011_full.doc

Using the templates:

The MARAC Operating Protocol checklist and the Information Sharing Protocol checklist can be used as guides for developing MARAC documentation. We would also recommend that any MARAC documentation include the following:

- The name of the MARAC;
- Any appropriate multi-agency logos;
- Reference to information security (e.g. the Secure email and/or the local MARAC Information Sharing Protocol);
- The date of the meeting where relevant; and
- MARAC documentation containing data relating to victims should be marked 'RESTRICTED WHEN COMPLETED' and should only be transmitted by secure means.

For more information:

- Contact our Helpdesk on marac@safelives.org.uk
- Our resources page: http://www.safelives.org.uk/marac/Resources_for_people_involved_in_MARACs.html
- Call SafeLives on (0117) 317 8750

1. MARAC Information Sharing Protocol checklist¹

The following checklist maps out the key contents of an MARAC Information Sharing Protocol (ISP) and is designed to act as a guide to help you draw up your own protocol locally. The headings listed below provide the basic structure for a generic ISP. There may be additional information that you feel is relevant to your area and that you would like to include. You must check your ISP with your own, local legal advisors.

Understanding issues around sharing information without consent are crucial when writing an ISP. Some of those issues are addressed in the frequently asked questions on disclosure of information before and during the MARAC meeting document, which are available at http://www.safelives.org.uk/marac/Disclosure_of_Info_at_MARAC_FAQs.pdf. You are also advised to contact the Information Commissioner's Office Northern Ireland for guidance on specific issues relating to information sharing.

I. Introduction

- Outline the purpose of the MARAC Information Sharing Protocol.
 - *Example: The purpose of the MARAC Information Sharing Protocol is to set out the legal grounds for information sharing between all agencies who have agreed to work together within the MARAC framework in accordance with the relevant legislation (including The Data Protection Act (1998), The Children (Northern Ireland) Order 1995, Human Rights Act (1998), Safeguarding Vulnerable Groups (Northern Ireland) Order (2007), Children's Services Co-operation Act (Northern Ireland) (2015), Section 75(S75) of the Northern Ireland Act (1998) and any other relevant legislation as listed below) in order to: increase the safety of all victims, including children; enable the protection of vulnerable people; and reduce crime and disorder locally.*
- List all relevant legislation.
 - *Example: The Data Protection Act (1998), Children (Northern Ireland) Order 1995 and The Human Rights Act (1998) Section 32(1) of the Police (Northern Ireland) Act 2000, Family Homes and Domestic Violence (Northern Ireland) Order 1998, Sexual Offences Act 2003, Sexual Offences (Northern Ireland) Order 2008, the Forced Marriage (Civil Protection) Act 2007, Serious Crime Act 2015 (sections 72 and 73) has amended the Female Genital Mutilation Act 2003*
- Explain how the protocol sits with other inter-agency information sharing agreements in operation.
 - *Example: The MARAC Information Sharing Protocol is designed to enhance existing arrangements rather than replace them.*
- List all signatory agencies.
- Set out the commitments of signatory agencies.
 - *Example: To share information in high risk situations, to comply with all relevant legislation, to register with the Information Commissioner's Office, to seek their own legal advice, to use the data disclosed only for the agreed purpose etc.*

• Data

¹ Please note that this document does not constitute legal advice. Separate advice must be sought.

- Specify the nature of the data each agency will share regarding victim, child(ren), perpetrator(s) and possible future partners.
 - *Example: Police will share crime incidents, offender information etc.; housing will share vandalism records, neighbourhood complaints etc.*
- Define the different types of data to be shared (non-personal data, depersonalized data, personal data and sensitive personal data) and outline the different ways in which these types of data will be used.
- Outline the statutory gateways for information sharing.
 - *Example: Explain how the relevant provisions of the Human Rights and Data Protection Acts allow for information sharing in certain circumstances*
- Explain best practice around obtaining consent from the victim.
 - *Example: It is best practice to obtain consent but not obligatory in high risk cases and this approach is not always safe.*
- Outline where public interest overrides the need to obtain consent from the victim.
- Highlight the need for proportionality to govern decisions made about sharing information.
 - *Example: Signatory agencies should consider the perpetrator's right to a private life under Article 8 of the Human Rights Act, and balance this with the need to share information.*
- Set out the role of the data controller/ single point of contact for each signatory agency.
 - *Example: The data controller must be of a sufficient standing within the signatory agency to have a co-ordinating and authorising role as they are responsible for ensuring that the agency they represent obeys the protocol and all relevant legislation, etc.*

III. Process

- Outline how signatory agencies meet disclosure requests.
- Outline how signatory agencies meet subject access requests (e.g. by the victim or perpetrator).
- Explain how signatory agencies will agree on the criteria for 'weeding' data.
- Specify the key principles when handling media involvement in relevant cases.
- Information sharing with and referral to and from other MARACs.
 - *Example: Consistency, honesty, impartiality, and a consent-based approach when making information public.*

IV. Security and Data management

- Set out an acceptable standard of security when storing and processing data so that its integrity and confidentiality are maintained at all times.
- Outline how use of information outside of the meeting is governed.
- Outline how long data should be kept after it is first collected.

V. Complaints

- Outline the process for making a complaint against another signatory agency about their MARAC activities or processes.

VI. Breaches

- Highlight that a breach of this protocol would be extremely damaging for all signatory agencies.

VII. Review

- Specify a date for reviewing the MARAC Information Sharing Protocol.

VIII. Withdrawal

- Make clear the process for and implications of withdrawing from the MARAC Information Sharing Protocol.

IX. Signatories

- Provide space for agencies attending the MARAC to sign the MARAC Information Sharing Protocol, specifying their name, the agency they represent, and the date of signature.

Suggested appendices

You could also consider attaching the following to your MARAC Information Sharing Protocol, examples of which can be found in the MARAC Administration Templates 2012 pack on our website here:

http://www.safelives.org.uk/marac/Resources_for_MARAC_Chairs_and_Coordinators.html

- The recommended SafeLives Dash risk checklist for MARAC agencies
- MARAC Referral Form
- MARAC Research Form
- An Information Sharing Without Consent Form

These documents can also be downloaded from www.safelives.org.uk:

- Explanation of the MARAC and aims of the process
- Frequently Asked Questions (FAQs)
- Glossary of terms

Relevant legislation

Child Abduction(Northern Ireland) Order 1995

- Children (NorthernIreland) Order 1995
- The Children Act 1989
- Children and Young Persons Act (Northern Ireland) 1968
- The Communications Act 2003
- Coroners and Justice Act 2009
- Criminal Attempts and Conspiracy (NorthernIreland) Order 1983
- Criminal Injuries Compensation (NorthernIreland) Order 1977
- Criminal Evidence (NI) Order 1999
- Criminal Justice Act 1988
- Criminal Justice (Northern Ireland) Order 1996
- Domestic Violence, Crime and Victims Act 2004.
- Family Homes and Domestic Violence (Northern Ireland) Order 1998
- Female Genital Mutilation Act 2003
- Forced Marriage (Civil Protection) Act 2007
- Health and Social Care Act 2012
- Historical Institutional Abuse Act (NI) 2013
- Justice Act (Northern Ireland) 2015
- Law Reform (Misc Prov) Order 2005
- Malicious Communications (Northern Ireland) Order 1988
- Mental Health Order (NI) 1986
- New Mental Capacity Bill
- Offences against the Person Act 1861
- Protection from Harassment (Northern Ireland) Order 1997
- Protection of Children (Northern Ireland) Order 1978
- Public Order (Northern Ireland) Order 1987
- Sexual Offences Act 2003
- Sexual Offences (Northern Ireland) Order 2008
- Theft Act (Northern Ireland) 1969

2. MARAC Operating Protocol – checklist

The following headings set out the key contents of a MARAC Operating Protocol (MOP) and are designed as a guide to help you draw up your own protocol locally. The headings mentioned below provide the basic structure for a generic MARAC Operating Protocol, although there may be additional information that you feel is relevant to your area and that you would like to include.

This document was developed from a number of MARAC Operating Protocols in existence. Email info@safelives.org.uk for more details.

I. Introduction

- Outline the purpose of the MARAC Operating Protocol (MOP).
 - *Example: to establish accountability, responsibility and reporting structures for the MARAC and to outline the process of the MARAC.*
- Explain how the protocol sits with other safeguarding, public protection and information sharing protocols in operation.
 - *Example: The MOP is designed to enhance existing arrangements rather than replace them.*

II. Partner agencies

- List all signatory agencies and the strategic lead for MARAC within those agencies.
- Refer to those that may be involved in the process on a case-by-case basis.
- Include the role of agencies at MARAC. For example:
 - *Outline the role of an agency MARAC representative.*
 - *What will agencies do when the MARAC representative is unable to attend (statutory and larger voluntary sector agencies to send a deputy, smaller agencies to send information)*
 - *The type of information brought by agencies and the actions offered.*
 - *Identify the strategic lead for domestic abuse in each partner agency.*
- Identify how new agency representatives will be inducted into their role and who is responsible for this.

III. Governance and performance management

- Identify the objectives of the MARAC and the framework in which these objectives are delivered.
- Outline the core responsibilities of the MARAC steering group.
- Identify to which strategic group the MARAC steering group reports.
- Detail the membership of the MARAC steering group. Membership should include senior representatives from each of key agencies. This representation needs to be able to address the practical and resource implications of MARAC; and develop and maintain internal protocols and procedures in relation to public protection.
- Note the frequency of the MARAC steering group meetings. For example:
 - *Monitor and evaluate the data from the MARAC.*
 - *Ensure that effective partnerships are maintained with other safeguarding and public protection bodies and other MARAC areas.*
 - *Monitor and regularly assess the overall performance of the MARAC and ensure it operates in line with the 10 Principles of an effective MARAC².*
 - *Address operational issues.*
 - *Report to strategic partnership (e.g. Crime and Disorder Reduction Partnership or Local Criminal Justice Board) on a quarterly basis.*
 - *Oversee efforts to raise awareness with local practitioners about the MARAC.*
 - *Communicate the performance of the MARAC to key stakeholders.*
 - *Conduct/participate in reviews following a homicide where appropriate.*
 - *Ensure that the MARAC operates in line with legal responsibilities and keeps up-to-date with changes to legislation national guidance.*

² The 10 principles of an Effective MARAC are available here: http://www.safelives.org.uk/marac/10_Principles_Oct_2011_full.doc

IV. Process of the MARAC

Outline the process for the MARAC. It may be easiest to follow the MARAC process from point of referral to repeat considering the following issues:

Identification of MARAC cases

- Explain how agencies should identify domestic abuse based on agencies implementing their own policies
- Identify the process for referring high risk cases to other appropriate professional (e.g. IDVA, police, children's services and safeguarding adults).

Criteria for MARAC

- Identify which Risk Identification Checklist (RIC) should be used (the SafeLives Dash risk checklist for MARAC agencies has been endorsed for use by non-police agencies. Go to http://www.safelives.org.uk/marac/RIC_for_MARAC.html for more information)
- Identify what the threshold is for the MARAC, including:
 - Professional judgement.
 - Visible high risk (the number of 'ticks' using the SafeLives Dash risk checklist).
 - Escalation (including the number of incidents there need to be and in what time frame).
- Provide clear guidance on the identification and re-referral of cases where there is a repeat incident within 12 months of the last referral to MARAC.

Referral

- Outline how agencies can refer cases to the MARAC.
- Identify who can refer cases from within agencies.
- Explain to whom referrals should be sent and in what format (e.g. this may link to the MARAC Information Sharing Protocol in relation to the use of Secure eMail).
- Identify that agencies need to use a common referral form.
- State what information this needs to include (see SafeLives 'MARAC Administration Templates 2012' for examples on our website: http://www.safelives.org.uk/marac/Resources_for_people_involved_in_MARACs.html).
- Identify the deadline for referrals to a MARAC meeting (i.e. is this the same date every month? Is there a central list of MARAC dates for the year and referral deadlines?).

MARAC list/agenda

- State when the MARAC list is circulated.
- Explain how the agenda is ordered (e.g. that this is done in the efficient way so that children's agencies/those that works in a specific region can leave when their cases are complete).
- Identify that there is a template research form available for partner agencies.

Actions before the MARAC (where safe to do so)

- State that the MARAC does not take away responsibility for immediate actions in relation to the safety of high risk victims from agencies, particularly with regard to statutory duties (e.g. police, children's services etc).
- State that there will be contact with the victim in advance of the meeting, normally through the IDVA service (see below).
- State whether there any specific police actions that will be completed ahead of the MARAC.
- State whether there specific target hardening actions that can be offered to all MARAC cases.
- Explain how, or identify the protocol through which, children or vulnerable adults are identified within MARAC cases (this should also refer to individual agencies' policies).
- Identify how agencies can systematically flag and tag files MARAC cases and state which agencies should be doing this.
- State whether agencies are expected to use a common research form, with the information contained within them should verbally at the MARAC meeting, where relevant and proportionate.

Victim contact before the meeting (where safe to do so)

- Explain the process for notifying the victim of the MARAC (i.e. what is the responsibility of the referring agency)
- Identify the process for providing information to the victim about the MARAC (e.g. MARAC letters or leaflets), who is responsible for this and in what circumstances.

- Describe the process through which the IDVA Service receives all MARAC cases before the meeting in order to discuss safety planning and to bring the views of the victim to the meeting. Identify who, if there is no IDVA involvement, will speak to the victim.

MARAC meeting

- State the frequency of meetings.
- Identify who is the chair and, if they are unavailable, who covers this role.
- Outline the role of the chair.
 - *Example: to structure the meetings and ensure that agency representatives understand agreed actions and which agencies are responsible for such and review those which are outstanding from the last meeting.*
- Identify who should attend the meeting from partner agencies.
- State whether agencies should send a deputy or a report when they are not able to attend.

Minutes and administration

- Identify who is the MARAC Administrator/Co-ordinator.
- State if there a time period within which the minutes will be circulated.
- Explain how the MARAC Administrator/Co-ordinator let partners know that the case has had 12 months since the last MARAC and therefore would not be considered a repeat should another incident occur?

Information shared at MARAC

- Identify the framework for sharing information at the meeting (i.e. the MARAC Information Sharing Protocol) and identify any relevant operational practice in relation to this.
- Confirm that the MARAC Information Sharing Protocol must be signed by all agencies at the meeting and has an agreed date for review.
- Identify how agencies can sign up to the MARAC Information Sharing Protocol.
- Confirm who is the data controller or single point of contact for each signatory agency
- State that the Chair will read out or ask attendees to sign a confidentiality statement at the beginning of each meeting.

Action planning

- Identify the purpose of the action plan.
 - *Example: A tailored action plan will be developed at the MARAC to increase the safety of the victim, children, perpetrator, other vulnerable parties and any professionals.*
- Identify what type of actions will be most commonly agreed.
 - *Example: flagging and tagging of files, referral to other appropriate multi-agency meetings, prioritising of agencies' resources to MARAC cases.*
- Identify how agencies let the co-ordinator know when actions are complete, how is this recorded and how are incomplete actions tracked.
 - *Example: by maintaining an action list, by agencies reporting the status of actions to the MARAC administrator in advance of the next meeting actions between meetings and reviewing incomplete actions at the beginning of the next MARAC.*
- Identify the process for notifying the victim after the MARAC where it is safe to do so.

Emergency MARACs

- Explain in what circumstances an emergency MARAC can be called.
- Outline the process by which an emergency MARAC can be called.
- Identify which agencies are represented at an emergency MARAC.
- Identify that emergency MARAC cases will be listed at the next MARAC.

Referral to and from other MARACs

- Outline the process for referring a victim to another MARAC.
- Identify in what circumstances this will happen.
- Outline the process for managing referrals from another MARAC.
- Identify what information will be shared relating to referrals to and from other MARACs.
- Identify who is responsible for referrals to and from other MARACs.
- Explain the responsibility of agencies to inform the MARAC if they identify that a MARAC victim is leaving the area.

- Identify the process for ensuring that referrals to and from MARAC are referred to the appropriate IDVA service.

V. Equality

- State how you ensure that the MARAC will address equality for all in the local area, particularly to ensure that referrals reflect your local population and that specialist agencies are in attendance at the meeting where appropriate.
- Identify how specialist agencies or representatives will participate in the MARAC, including how they will be contacted for cases which are identified as requiring specialist services
- Identify how equality of outcome will be monitored
 - *Example: The MARAC administrator collects information on the profile of the local population referred to the MARAC in order to monitor equality of outcome to all.*
 - *An Equality Impact Needs Assessment (or equivalent) will be conducted annual in relation to the MARAC (either independently or within existing assessments of domestic abuse) to identify the needs of your local population (including age, disability, race, belief, sexual orientation, gender or gender identity);*

VI. Evaluation

- Outline how the data from the MARAC is collected and by whom.
- Outline with whom data from the MARAC is shared e.g. SafeLives, the MARAC Steering Group and the Strategic Partnership
 - *Example: you may fill in the SafeLives MARAC Data Form – is this reviewed by the Chair and the Steering Group and reported to the Strategic Partnership?*

VII. Complaints

- Outline the process for making a complaint against another signatory agency.

VIII. Breaches

- Highlight that a breach of the protocol may increase the risk to a high risk victim.
- Refer to the responsibilities of signatory agencies in relation to the MOP and the MARAC Information Sharing Protocol.

IX. Withdrawal

- Make clear the process for withdrawing from the MOP.

X. Signatories

- Provide space for agencies to sign the MOP, specifying their name, the agency they represent and confirmation that they are the responsible individual within that agency, and the date of signature.

XI. Review

- Specify a date and frequency for reviewing the protocol.

Suggested appendices

You could also consider attaching the following to your MARAC Operating Protocol, examples of which can be found in the MARAC Administration Templates 2012 pack on our website:

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- The recommended SafeLives Dash risk checklist for MARAC agencies
- MARAC referral form
- MARAC research form
- An information sharing without consent form

These documents can also be downloaded from www.safelives.org.uk:

- Explanation of the MARAC and aims of the process
- Frequently Asked Questions (FAQs)
- Glossary of terms

3. MARAC Administrator Job Description

The following checklist maps out the key aspects of a job description for a MARAC Administrator and is designed to act as a guide to help you develop your own template locally. There may be additional information that you feel is relevant to your area. The checklist relates primarily to a role that deals solely with the administration of the MARAC. In some areas, this role is combined with strategic and developmental responsibilities to varying degrees, in which case a job description would need to be expanded accordingly. The final section of this checklist includes some of these additional areas of responsibility.

Purpose:

To provide administrative support to the MARAC in XYZ.

Reports to:

Named individual from the agency hosting the Administrator: in the police this may be the Detective Inspector responsible for Public Protection Team.

Start date:

Time commitment:

We would normally suggest that a purely administrative role is approximately 2 hours per MARAC case. For example for a fortnightly MARAC which sees 15 – 20 cases, we would expect the MARAC Administrator to be 0.5 FTE (Full Time Equivalent) post.

Salary:

This would be in line with the pay scales of the organisation hosting the role.

Location:

This is usually within the Lead organisation (often the police or the local authority)

Duties and responsibilities

1. To facilitate and ensure consistency in referral of cases from the full range of potential referring agencies based on the use of a common risk identification tool and referral form for victims.
2. Prepare and circulate a MARAC list to all relevant attendees via secure means within eight days of the meeting.
3. To refer MARAC cases ahead of the meeting to the IDVA service in a timely way.
4. Prepare the MARAC agenda to ensure that cases are reviewed in the most time effective manner and that any specialist attendees are present.
5. To prepare accurate minutes of the meeting, which differentiate between fact and professional opinion, and include agreed actions in accordance with the PPANI (Public Protection Arrangements Northern Ireland) guidelines.
6. To maintain an action list following each meeting to ensure they are completed within the target time, recording where actions are complete, cannot be completed for whatever reason (such as a change in circumstances) or are incomplete and bring these to the attention of the next meeting.
7. To maintain a tracking system of MARAC cases which have been flagged for twelve months following the last incident, and to notify colleagues when twelve months have passed so that these flags can be removed from their respective systems.
8. Ensure that the relevant data is collected so that the outputs and outcomes from MARAC can be recorded (including the MARAC Data Form).
9. Develop and maintain the necessary documentation to ensure the smooth running of the MARAC, including referral forms, template research forms and minutes.
10. To ensure that any information shared in the conduct of these duties is in line with the MARAC Information Sharing Protocol.
11. Support the work of the Chair of the MARAC in whatever way may be reasonably required.

12. To undertake these duties in line with the MARAC Operating Protocol and other relevant policies and procedures.

If this post had a co-ordinating role you would also have to consider including the following duties and responsibilities:

1. Liaise with and co-ordinate with local agencies to develop, maintain and review the MARAC Operating Protocol and MARAC Information Sharing Protocol, including the establishment of an agreed referral threshold to ensure that the volume of cases referred to MARAC remains manageable.
2. To prepare reports for the MARAC Steering Group and Strategic Group as appropriate.
3. Work closely with permanent partner agencies to ensure that all relevant members of staff are familiar with the MARAC process, and their role and responsibilities within it and receive appropriate training as necessary.
4. Liaise with the full range of potential referral agencies, in particular those working with minority or hard to reach groups to ensure that the needs of all victims are met.

We would suggest that the following skills and experience would be useful:

Skills and experience (* essential)

- Experience of working in the field of domestic abuse*
- Experience of multi-agency project management would be an advantage
- Excellent time management and organisational skills including the ability to meet tight deadlines*
- Self-starter with the ability to use their initiative and judgement in dealing with colleagues and partner agencies without direct supervision*
- Familiarity with data collection and analysis
- Proven ability to maintain confidentiality and be discreet at all times*
- Excellent Word, Excel and Outlook skills in order to produce high quality documentation at all times*
- Strong team player with outstanding communication and interpersonal skills both in written and oral form*
- A commitment to improving the response to domestic abuse*
- Familiarity with both the statutory and voluntary sector