Hackney MARAC (Multi Agency Risk Assessment Conference) Protocol

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Overview

1 Hackney MARAC co-ordinates service provision in domestic violence cases where the victim is at high risk of murder or serious harm. The MARAC facilitates effective information sharing between professionals to enable appropriate actions to be taken to increase public safety.

2 This protocol outlines each agency’s accountability and responsibility towards the MARAC.

3 The MARAC will:

- Share information to increase the safety, health and well being of adult and child victims of domestic violence
- Provide clear professional advice from involved agencies
- Review cases and ensure that all possible strategies for increasing the safety of victims and imposing sanctions to deter repeat offending are fully explored and implemented in a co-ordinated way,
- Ensure that agreed actions are carried out in a timely manner
- Identify policy / practice / partnership issues arising from casework and raise these through the appropriate channels
- Contribute to the development of best practice around safety planning and prevention of harm in domestic abuse cases

MARAC composition

4 The MARAC is chaired by a Detective Inspector from Hackney’s Community Safety Unit within the Metropolitan Police Service or a senior manager from Hackney Council’s Safer Communities division.

5 The MARAC Co-ordinator (who sits within Hackney Council’s Safer Communities division) supports the MARAC Chair throughout the meeting and minutes the discussion and actions.

6 The MARAC consists only of professionals. There is a Core Membership and Secondary Membership.

7 Core Members are required to:

- Check their agency’s records in advance of the MARAC on all cases
- Attend every MARAC and stay for discussion on all cases
- Provide an update on their agency’s involvement on all cases
- Send a deputy from their agency when not able to attend
- Agree actions on behalf of their agency
- Follow up on actions within and on behalf of their agency
- Update the MARAC Co-ordinator regarding completion of actions
- Ensure client files – victims, perpetrators and children - show minutes of MARAC and flag that they have been discussed at MARAC
8 Core Members of the MARAC include:

- Metropolitan Police Service Community Safety Unit (CSU)
- Hackney Council - Domestic Abuse Intervention Service
- Victim Support
- National Probation Service
- Community Rehabilitation Company
- Homerton University Hospital NHS Foundation Trust Safeguarding Children Service
- Clinical Commissioning Group MARAC Liaison Nurse
- East London NHS Foundation Trust (mental health services)
- Hackney Recovery Service
- Hackney Council - Housing Needs and Benefits
- Hackney Council - Hackney Housing
- Hackney Council - Adult Social Care
- Hackney Council - Children and Young People’s Services

9 Secondary Members are required to:

- Check their agency’s records in advance of the MARAC on all cases
- Provide an update on their agency’s involvement on all cases
- Attend MARAC if needed for discussion on their agency’s involvement
- Agree actions on behalf of their agency
- Follow up on actions within and on behalf of their agency
- Update the MARAC Co-ordinator regarding completion of actions

10 Secondary Members of the MARAC include:

- Hackney Asian Women’s Network
- Hackney Council - Integrated Gangs Unit
- Derman
- Latin American Women’s Aid (LAWA)
- IMECE
- Hestia
- Refuge
- Hackney Council – Pause Project
- Open Doors
- RISE Community Interest Company
- Hackney Learning Trust
- Homerton University Hospital NHS Foundation Trust - Midwifery
- Homerton University Hospital NHS Foundation Trust - Accident and Emergency
- Homerton University Hospital NHS Foundation Trust – Safeguarding Adults
- Hackney Council - Multiple Needs Service
Frequency of MARAC meetings

11 MARAC meetings are held once a fortnight (Thursday 10.00 a.m.)

MARAC Referral process

12 Referrals are via the MARAC Referral Form. To access the MARAC referral form please see http://www.hackney.gov.uk/domestic-violence

13 Referrals are sent to MARAC@hackney.gov.uk.cjsm.net or, if from an agency within Hackney Council, MARAC@hackney.gov.uk

14 Referrals made by staff from agencies who have Core or Secondary Membership should copy in their agency’s MARAC representative.

15 The referral deadline is 1 p.m. on the Thursday before the MARAC.

16 The MARAC Co-ordinator will review the referral, explore with the referrer any discrepancies or gaps in the referral. If not able to accept the referral .e.g. if it relates to a victim who lives outside Hackney the referrer will be advised of this and what steps to take and provided the details of the MARAC to which they can refer.

17 The MARAC Co-ordinator and Safer Communities manager will exercise their quality assurance role by raising with MARAC representatives / agency managers referrals to MARAC any referrals which seem inappropriate e.g. where the risk levels appear very low or concerns do not relate to domestic abuse issues. Cases can be withdrawn from the MARAC agenda only by the referring agency themselves.

18 Cases will be added to the MARAC case list with details of the referrer, victim, perpetrator, any children plus brief notes on the case.

19 The MARAC Coordinator will send the referral to the IDVA (Independent Domestic Violence Advocate) service provided by nia or Victim Support or. If neither has capacity, to Hackney Council’s Domestic Abuse Intervention Service where it will be allocated to an Intervention Officer.

Restricted MARAC meetings

20 A ‘restricted’ MARAC meeting will held where a MARAC referral concerns a victim or perpetrator who work in or are related to a staff member who works in an organisation that is one of Hackney MARAC’s Core or Secondary Agencies. Restricted MARAC meetings may also be held where the Chairs agree that because of the victim or perpetrator’s public status the need to manage confidentiality is such that a restricted meeting is warranted.
The MARAC Chairs and the MARAC Co-ordinator will liaise with the referrer and the Chairs will agree which agencies should be part of the MARAC meeting based on the information they hold or are likely to hold and the need for them to be involved in undertaking actions regarding the victim or perpetrator.

If the professional related to the victim or perpetrator works within one of the agencies who need to attend the MARAC meeting then the agency’s MARAC representative and/or their manager will need to agree how information relating to the MARAC referral and minutes will be stored safely (e.g. file restrictions) and who within their agency is appropriate to attend the MARAC meeting and implement the actions.

The restricted MARAC meeting will take place separately from the fortnightly MARAC though it may be on the same day e.g. thirty minutes before / following the main MARAC meeting. The format of the meeting and risk reduction processes following the meeting are otherwise similar to the main MARAC meeting.

Information stored by all agencies attending the restricted MARAC meeting must be restricted from all but agreed staff within each agency.

Before the MARAC meeting

The Intervention Officer / IDVA will make contact with the victim, provide advice and support and work assertively and holistically with partner agencies to reduce the risk of harm.

The MARAC Co-ordinator will circulate the MARAC agenda to Core and Secondary Member representatives and their deputies on the Thursday before the MARAC meeting is due to take place.

Core and Secondary Members will check their agencies’ records regarding the referred victims, alleged perpetrators and children. The agency will then take action as needed to reduce risk to any victims and children identified by the agency in advance of the MARAC.

MARAC referrals received after the deadline will be heard at the next MARAC unless the referrer and the MARAC Chair agree that an ‘Emergency MARAC’ is required. Any ‘Emergency MARAC’ meetings are chaired by a MARAC Chair and attended by the referrer and other key agencies with minutes taken by the MARAC Co-ordinator.

It may be that the case requires an urgent professionals’ meeting or meeting with the victim before the MARAC in which case the referrer will be advised of this and asked to convene with Intervention Officer / IDVA support.
During the MARAC meeting

30 All attendees will sign an attendance sheet and provide details of their contact number and email address.

31 The Chair will read aloud a statement setting out the confidentiality agreement and the purpose of the MARAC.

32 Any outstanding follow-up actions from the previous MARAC will be highlighted and new deadlines / actions agreed as required.

33 The Chair will go through the running order, enabling visiting professionals and Secondary Member agencies with no involvement on other cases to present before any cases presented by Core Members.

34 Cases will be presented by the professional working with the victim. Where the case has been referred to MARAC by one of the Core or Secondary Member agencies the case can be presented by that agency’s MARAC representative.

35 Cases will be presented verbally and in a standardised way, focused on relevant facts, areas where there are gaps in knowledge and setting out the risk of harm. See Appendix B for information that needs to be provided.

36 The victim’s experience and view along with an assessment of risk will be shared by the IDVA / Intervention Officer.

37 All Core member agencies will share information held by them on the victim, alleged perpetrator and any children discussed in each case. They will make clear any involvement from MAPPA (Multi Agency Public Protection Arrangements) or MASE (Multi Agency Sexual Exploitation) Meetings.

38 The MARAC Chair will invite the referrer and member agencies to provide representation of the views, concerns of other interested and appropriate non-collusive parties e.g. the victim’s parents or carers and any valuable information they hold which can inform the assessment of risk.

39 On all cases the Chair will invite analysis and actions from agencies and formulate a plan to reduce the risk. The Chair will agree specific and timed actions on each case including who will update the victim.

40 The Chair will ensure that on all cases there is a clear action on how the outcome of the MARAC meeting is communicated to the victim and also to other protective and interested parties as appropriate such as the victim’s parents / carers.
The MARAC Co-ordinator will take minutes during the meeting and will clarify any actions agreed with the Chair before the next case is heard, noting in particular any feedback to be given to chairs of Hackney’s MAPPA (Multi Agency Public Protection Arrangements) or MASE (Multi Agency Sexual Exploitation) Meetings or agencies’ representatives at these meetings.

**Domestic Violence Disclosure Scheme (‘Clare’s Law’)**

Separate applications for disclosure of a possible perpetrator’s offence history under the Domestic Violence Disclosure Scheme (commonly known as Clare’s Law) will be heard at the end of the MARAC though these can be discussed regarding any MARAC case as needed.

The MARAC meeting will err on the side of agreeing formal disclosures by police on a ‘right to know’ basis where victims are in relationships with partners who have committed domestic abuse against previous partners.

**After the MARAC meeting**

The minutes on all cases discussed at the MARAC will be sent to Core Members via secure email within two working days of the MARAC.

Referrers and Secondary Members who have confirmed their involvement with victims, alleged perpetrators and children discussed at the MARAC will be sent minutes on those specific cases. If they do not have secure email they will be sent the minutes in protected form.

MARAC representatives are responsible for following up on any risk management / safeguarding actions identified for their agency and for ensuring that their agency records MARAC outcomes on client files.

Agencies receiving MARAC minutes will record each of the minutes in full or summarised form on the relevant client case files making clear the date of the MARAC meeting and the actions arising.

Core and Secondary Members will, if their ICT system allows, ‘flag’ the case files of those discussed as having been heard at MARAC thus indicating that the case has been deemed at ‘high risk’ due to domestic abuse.

Agencies taking actions from the MARAC meeting will email the MARAC Co-ordinator informing them when the action has been completed or - if not able to be completed - what alternative action has been taken.

The MARAC Co-ordinator will receive updates from and liaise with the agencies who agreed to take actions from the MARAC.
The MARAC Co-ordinator will complete the action tracking list detailing agreed actions to be taken by each agency.

MARAC to MARAC transfer

If within a year of being heard at MARAC the victim moves out of Hackney the referrer, Core Member or Secondary Member who learns of this are to inform the MARAC Coordinator.

The MARAC Co-ordinator will complete the MARAC to MARAC referral form and send it with the Hackney MARAC minutes, referral form and any other relevant supporting documents to the appropriate MARAC.

Repeat MARAC referrals

A ‘repeat’ MARAC case is one which has been previously referred to MARAC whereby at some point in the twelve months from the date of the last MARAC a further incident is identified of domestic abuse involving the same victim and perpetrator. These should be referred back to MARAC (http://www.safelives.org.uk/definition-repeat-marac) as per SafeLives guidance:

“A further incident includes any one of the following types of behaviour, which, if reported to the police, would constitute criminal behaviour:

- Violence / threats of violence to the victim (including threats to property); or
- A pattern of stalking or harassment; or,
- Rape or sexual abuse.”

Victims, alleged perpetrators and children

Consent should be sought from victims but lack of consent should not be a barrier to referring them to MARAC (see MARAC Referral Form for exceptions to confidentiality)

Referrers should where possible explain to victims why a MARAC referral is being made, what this involves and tell them the outcome.

Alleged perpetrators should not be informed of the MARAC unless agreed by the MARAC Chair

Referrers should seek to ascertain if victims or perpetrators have children, live or work with children or have partners who have children so the MARAC can take a view about any safeguarding measures required. Children living in a home where abuse is occurring to an extent that a MARAC referral is being made should always be referred to the Children and Young People’s Service in the Local Authority where they live. If living in Hackney, children should be referred to fast@hackney.gov.uk (020 8356 5500)
Significant Case Review Meetings

59 MARAC does not review cases as a matter of course; agencies taking actions from the MARAC are responsible for managing the risks.

60 If within 12 months of a case being heard at MARAC a victim is seriously injured as a result of domestic violence or a case arises where the system does not appear to have operated safely with potentially significant consequences (that luckily did not occur), the MARAC Chairs will convene a Significant Case Review Meeting with managers from the involved agencies to review the case and identify strengths and weakness within the MARAC system. Learning is shared at the subsequent MARAC Steering Group.

Information Sharing

61 The MARAC discusses people who are at ‘high risk’ of serious harm and as such information has to be shared between agencies to help make victims / survivors safe.

62 Government guidance puts preserving life and promoting safety as the key consideration when seeking to balance confidentiality against disclosure.

63 Information sharing can be based on the legal authority of:

- Data Protection Act
  - Section 29
  - Prevention / detection of crime and/or apprehension or prosecution of offenders

- Common Law
  - Overriding public interest
    - http://www.dhsspsni.gov.uk/gmgr-annexe-c8

- Compliance with a Court Order

- Human Rights Act 1998
  - Article 8
  - right to privacy

- Working Together to Safeguard Children 2015
  - Page 5 of statutory guidance:
Care Act 2014
Section 14.157 page 271 of statutory guidance:

64 The need to share information in accordance with the above guidance applies to Core and Secondary Members of the MARAC but also to all agencies.

65 For more detailed guidance please see SafeLives page:

Confidentiality

66 The MARAC is not a public forum and attendance shall be limited to those agencies who are able to provide a contribution with regard to listed cases. See Appendix C (page 15) for Confidentiality Agreement.

67 All cases discussed at the MARAC are strictly confidential and the minutes should not be passed on to any individual or agency without the agreement of the Chairs; with the following exception:

Under the Criminal Procedure and Investigations Act 1986 (CPIA), if/when an individual is charged with an offence the police are required to disclose the existence of all material created as part of the investigation. As a result the existence of the MARAC referral and risk assessment will be disclosed to the defence. However this will be listed as ‘sensitive information’ and will only be fully disclosed if a Judge deems it absolutely necessary in the interests of justice. Even on the rare occasion when this may happen the defence will be issued with the following instructions:

‘This material is disclosed to you in accordance with the provisions of the CPIA 1986, and you must not use or disclose it, or any information recorded in it, for any purpose other than in connection with these criminal proceedings. If you do so without the permission of the court, you may commit an offence.’

68 Core and Secondary members can convey summaries of MARAC discussions and outcomes as needed with other partner agencies to promote victim safety and/or the apprehension of perpetrators.

69 It is the duty of referring agencies and Core and Secondary members to store and communicate information pertaining to the MARAC safely.
Observers

70 The MARAC is generally attended only by those with a contribution to make to the cases being discussed. Observers will be limited to two per meeting and must be from member organisations or approved external bodies e.g. SafeLives, Ofsted and must sign the confidentiality agreement.

Role of MARAC Representatives

71 In addition to representing their Core or Secondary Member agency through the MARAC process the MARAC Representatives will promote good practice within their agencies through updating colleagues about MARAC changes, addressing any issues about the quality of their agency’s MARAC referrals and supporting colleagues through the MARAC process.

Changes to MARAC Membership

72 Should a Core or Secondary Member Representative wish to withdraw from the MARAC membership list, they will send written confirmation of this to the MARAC Chairs and MARAC Coordinator copying in their line manager and identifying who within their agency will be replacing them, providing contact details. If an agency itself is withdrawing from MARAC either because it does no longer wish to be included or will no longer exist then a senior manager from that agency will send written confirmation of this to the MARAC Chairs and MARAC Coordinator.

Issue resolution

73 The MARAC Chairs will seek to discuss any issues with individuals concerned where this is proportionate. The Chairs will raise with an appropriate senior manager of the referring agency or Core or Secondary member if actions agreed at MARAC are not being followed up, if they are not providing the required level of engagement with the MARAC process or if there are concerns about their or their agency’s practice.

Equalities

74 Hackney MARAC has a responsibility to promote equality in the borough. Referrals thus ask for information about the victim’s gender, age, religion, ethnicity, sexual orientation and/or disabilities. The MARAC Co-ordinator will use this information to monitor trends regarding those people in the community who are referred to MARAC. Equalities information is collected by the MARAC Co-ordinator and statistical reports will be shared with SafeLives along with the MARAC Steering Group.
MARAC governance

75 The MARAC Steering Group - comprised of Core and Secondary Members / Managers - takes place on a quarterly / three-monthly basis. Its purpose is to monitor the effectiveness of and agree changes to improve the MARAC.

76 The MARAC Action Plan sets out areas for development by core and Secondary Members.

77 The MARAC Steering Group Chair reports to the VAWG Strategic Board and the VAWG Operational Group on a quarterly basis (please see Hackney Violence Against Women and Girls Governance Map).

MARAC quality assurance

78 A MARAC annual self-assessment takes place; this can be conducted by SafeLives or if undertaken without their presence is informed by their model of self-assessment.

79 The MARAC Steering Group undertakes audits within their respective agencies twice per year. 10 MARAC cases are selected for each audit exercise and audits are conducted by Steering Group members prior to meeting to identify any issues arising. Learning emerging from the exercise is sent by the MARAC Co-ordinator to the MARAC Steering Group and shared at any MARAC updates to the VAWG Strategic Board and the VAWG Operational Group.

MARAC Protocol responsibility

80 The MARAC Protocol sits with Hackney Council, is held and updated by Safer Communities which sits within the Chief Executive’s Directorate. Any questions about the Protocol should be directed to:

Domestic Abuse Intervention Service
Hackney Council
dais@hackney.gov.uk
020 8356 4458
Appendix A
Hackney Violence Against Women and Girls Governance Map

Hackney Health and Wellbeing Board

City and Hackney Safeguarding Adults Board

City and Hackney Safeguarding Children Board

Hackney MAARC (Multi Agency Risk Assessment Conference) Steering Group

Hackney Health and Wellbeing Board

Hackney Violence Against Women and Girls Strategic Board

Hackney Community Safety Partnership Strategic Officers Group

Hackney Community Safety Partnership Community Resilience Partnership

Hackney Community Safety Partnership Chairs

Hackney Violence Against Women and Girls Operational Group

Hackney Domestic Homicide Review Panels

Hackney Violence Against Women and Girls Task and Finish Groups

Hackney Violence Against Women and Girls Practitioners Forum

Hackney Domestic Homicide Review Implementation Group

Hackney Violence Against Women and Girls Task and Finish Groups

Hackney MAARC (Multi Agency Risk Assessment Conference) Significant Case Review Group
Appendix B  MARAC Presenting Checklist

The following are questions you - as the person referring the case – will need to address:

1  Are the details of the victim, perpetrator and children on the agenda correct?

2  What is a safe way to contact the victim by phone / email?

3  What are the details of the victim’s housing circumstances e.g. name of landlord, any arrears

4  Is the victim aware of / consenting to the MARAC referral?

5  What has happened to prompt this MARAC referral?

6  Under what criteria are you referring this case to MARAC?

7  When did the victim last see the perpetrator?

8  What safeguarding actions have already taken place and what is the current situation?

9  Do you have any additional relevant information?

Following your presentation of the case the Chair will cover the following areas:

10  Information from and actions so far taken by

    Police Community Safety Unit
    Hackney Domestic Violence and Abuse Team
    NIA Project
    Victim Support
    Children and Young People’s Services
    Adult Social Care
    National Probation Service
    Community Rehabilitation Company
    Homerton University Hospital Trust
    MARAC Liaison Nurse
    East London Foundation Trust
    Hackney Recovery Service
    Housing Needs and Benefits
    Hackney Housing

11  Any additional information about the victim’s views or the views of other relevant and non-collusive parties e.g. parents / carers / other professionals?

12  Actions needed, by whom and by when

13  Who is going to update the victim and other relevant non-collusive parties about this meeting

The MARAC Co-ordinator will then ensure:

14  A brief summary is given of the recorded actions

15  A reminder is given to all core members to put on their systems the minutes of this meeting
Appendix C  MARAC Confidentiality Agreement

The chair of the meeting reminds all concerned of the principles of information sharing:

Information discussed by the agency representatives, within the ambit of this meeting, is strictly confidential and must not be disclosed to third parties who have not signed up to the MARAC Protocol without the agreement of the partners of the meeting. It should focus on domestic abuse and child protection concerns and a clear distinction should be made between fact and professional opinion.

All agencies should ensure that all minutes and related documentation are retained in a confidential and appropriately restricted manner. These minutes will aim to reflect that all individuals who are discussed at these meetings should be treated fairly, with respect and without improper discrimination. All work undertaken at the meetings will be informed by a commitment to equal opportunities and effective practice issues in relation to age, disability, race, religion and belief, sexual orientation, gender or gender identity.

The purpose of the meeting is as follows:

- To share information to increase the safety, health and well-being of victims and their children;
- To determine whether the perpetrator poses a significant risk to any particular individual or to the general community;
- To construct and implement jointly a risk management plan that provides professional support to all those at risk and that reduces the risk of harm;
- To reduce repeat victimisation;
- To hold perpetrators to account and ensure they face sanctions;
- To improve agency accountability;
- To improve support for staff involved in high risk DV cases.

The responsibility to take appropriate actions rests with individual agencies; it is not transferred to the MARAC. The role of the MARAC is to facilitate, monitor and evaluate effective information sharing to enable appropriate actions to be taken to increase public safety.

By signing the attendance sheet we agree to abide by these principles.