



Gloucestershire Multi-Agency Risk Assessment Conference (MARAC)

Operating Protocol and Guide

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Document review:
Reviewed Jan 2022. Revisions made by Sophie Jarrett, County Domestic Abuse and Sexual Violence Strategic
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Reviewed May 2023: Finalise ISP.

MARAC queries to be sent to: MARAC@gloucestershire.pnn.police.uk

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1. Introduction

This document has been produced to:

- Outline the MARAC process, how it operates, and the roles and responsibilities of those who participate.
- Provide clear guidance on the MARAC process and how agencies can participate.
- Outline the governance structures for MARAC.
- Act as a terms of reference for the MARAC process.

This document should be read in conjunction with local and national policies on safeguarding adults and children.

Any queries about the MARAC process should be directed to:

MARAC@gloucestershire.pnn.police.uk

1.1. Definition of Domestic Abuse

The Gloucestershire MARAC operates under the national statutory definition of domestic abuse as set out by the Domestic Abuse Act 2021. As set out in the Act, Domestic Abuse is defined as:

- (1) Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if
 - a. A and B are each aged 16 or over and are personally connected to each other, and
 - b. The behaviour is abusive.
- (2) Behaviour is “abusive” if it consists of any of the following:
 - a. Physical or sexual abuse.
 - b. Violent or threatening behaviour
 - c. Controlling or coercive behaviour.
 - d. Economic abuse (see subsection (4)).
 - e. Psychological, emotional, or other abuse.

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

(3) “Economic abuse” means any behaviour that has a substantial adverse effect on B’s ability to

- a. Acquire, use, or maintain money or other property, or
- b. Obtain goods or services.

(4) For the purposes of this Part A’s behaviour may be behaviour “towards” B despite the fact that it consists of conduct directed at another person (for example, B’s child).

(5) References in this Part to being abusive towards another person are to be read in accordance with this section.

Personally Connected is defined in section 2 of the Domestic Abuse Act 2021 as:

(1) For the purposes of this Part, two people are “personally connected” to each other if any of the following applies:

- a. they are, or have been, married to each other.
- b. they are, or have been, civil partners of each other.
- c. they have agreed to marry one another (whether or not the agreement has been terminated).
- d. they have entered into a civil partnership agreement (whether or not the agreement has been terminated).
- e. they are, or have been, in an intimate personal relationship with each other.
- f. they each have, or there has been a time when they each have had, a parental relationship in relation to the same child (see subsection (2)); they are relatives.

(2) For the purposes of subsection (1)(f) a person has a parental relationship in relation to a child if:

- a. the person is a parent of the child, or
- b. the person has, or has had, parental responsibility for the child.

(3) In this section:

- “child” means a person under the age of 18 years.
- “civil partnership agreement” has the meaning given by section 73 of the Civil Partnership Act 2004.
- “parental responsibility” has the same meaning as in the Children Act 1989 (see section 3 of that Act).
- “relative” has the meaning given by section 63(1) of the Family Law Act 1996.

1.2 Purpose of the Multi-Agency Risk Assessment Conference (MARAC)

The MARAC is a best practice model, rolled out nationally, to respond to high risk victims of domestic abuse. It is a process that facilitates the sharing of multi-agency information and a collaborative assessment of risk and action planning to reduce serious harm to victims of domestic abuse.

The role of the MARAC is to facilitate, monitor and evaluate the effective information sharing to enable appropriate actions to be taken to increase public safety. The responsibility to take appropriate action therefore rests with individual participating agencies; it is not transferred to the MARAC. The MARAC is a process, not a formal body that holds risk.

The process is open to all partner agencies, both statutory and voluntary, who are engaged with the safeguarding of victims and their families from domestic abuse.

The key aims of the MARAC are:

- To share information to increase the safety, health and wellbeing of victims and their children/dependants.

- To jointly construct and implement a risk management plan that provides professional support to all those at risk and increase safety.
- To reduce repeat victimisation.
- To improve agency accountability.
- To improve support for staff involved in high risk cases.
- To work in partnership, where necessary, to safeguard children and adults.
- To determine whether the perpetrator poses significant risk to any particular individual or to the general community (linking when necessary to the Multi-Agency Public Protection Panel (MAPPA) process).

The heart of the MARAC is based on the principle that no single agency or individual knows the complete picture of the life of a victim, but all may have insights that are crucial to their safety and that of their children.

2. Identifying MARAC cases

Victims of domestic abuse may be identified as a result of direct victim disclosure, routine enquiry, or professional enquiry following the identification of the signs and symptoms of domestic abuse.

Guidance on identifying and responding to domestic abuse is available at www.glostakeastand.com

Once an agency or professional has identified domestic abuse, they should in the first instance consider any necessary immediate safety measures to secure the victims safety; this may involve calling emergency services to report crime, ensure medical attention is provided, and ensuring the victim has a safe environment to talk to the professionals involved.

Once safe to do so, an assessment of risk should be made using the Domestic Abuse, Stalking and Harassment and Honour Based Violence Risk Identification, Assessment and Management Tool (DASH)-See Appendix 1.

Cases identified as 'High Risk' should be referred into the Gloucestershire MARAC by following the process outlined in this guidance. High Risk can be determined through visible high risk, escalation, victim perception and professional judgement (see section 2.1c for more detail).

2.1 Conducting a DASH Risk Assessment

The DASH¹ risk assessment is an evidence based tool, developed from extensive research into domestic homicides, 'near misses' and lower level incidents. The DASH has been

¹ Richards, L (2009) Domestic Abuse, Stalking and Harassment and Honour Based Violence Risk Identification, Assessment and Management Tool (DASH): www.dashriskchecklist.co.uk

developed nationally to ensure a consistent approach to domestic abuse risk assessment and provides a practical tool for all professionals who identify domestic abuse.

The DASH should be used whenever a professional identifies that someone is experiencing domestic abuse. It is a tool designed to be used for those suffering current rather than historic domestic abuse, and ideally, should be used as part of an immediate response to an incident of domestic abuse.

It is important to be aware that risk in domestic abuse situations can change very quickly, and as and when things change you should re-visit the risk assessment. Events and circumstances may undergo rapid and frequent change. Where this is the case, assessment must be kept under review.

The DASH risk assessment should not be relied upon as the sole assessment of risk; as such it should also be used in conjunction with your professional judgement. The DASH is not designed as a predictive process, and there is no existing accurate procedure to calculate or foresee which cases will result in homicide or further assault and harm². The tool therefore provides a framework and structure for understanding risk, but the overall assessment of risk should be determined with your own professional judgement of the circumstances in mind.

2.1a How to use the DASH

It is advised that the DASH is completed on a face to face basis, or over the phone, with the victim in a safe environment. There may however be exceptional circumstances in which you will have to complete the DASH retrospectively following a conversation with the victim; in these circumstances it is advised that the professional has a good understanding of the key risk factors identified in the DASH in order to aid the conversation and ensure enough information is gathered.

Before completing the DASH:

- Ensure immediate safety issues are addressed and the victim is in a safe environment.
- Establish how much time the victim has to talk to you and that it is safe for them to talk with you now.
- Take note of their contact details.
- Establish the whereabouts of the perpetrators and any children/dependants.
- Explain that you are asking these questions to better understand their circumstances and make an assessment of risk.
- Identify early on who the victim is frightened of (partner/ex-partner/family member).

The DASH consists of 28 questions, of these questions there are some that relate to 'high risk' indicators. The High Risk indicators are as follows³:

² DASH practice guidance for all front line staff, www.dashriskchecklist.co.uk.

³ www.dashriskchecklist.co.uk

Victim's perception of risk of harm: victims of domestic abuse often tend to underestimate their risk of harm from perpetrators of domestic abuse. However, if they say they fear further harm to themselves, their child(ren) or someone else this should be taken seriously when assessing future risk of harm.

Separation (child contact): victims who attempt to end an abusive relationship are strongly linked to intimate partner homicide. Many incidents happen as a result of child contact or disputes over custody.

Pregnancy/new birth (under 18 months old): domestic abuse can start or get worse in pregnancy. Victims who are assaulted whilst pregnant, when they have recently given birth or who have young children are at heightened vulnerability and risk. This is in terms of harm to them and to the unborn/young child. Consideration should be given to an escalation in abuse.

Escalation: repeat victimisation and escalation must be identified. Domestic abuse victims are more likely to become repeat victims than any other type of crime; as violence is repeated it often gets more serious.

Isolation/community issues: victims of domestic abuse can often be isolated from their support networks of family and friends, limiting their ability to seek support. Needs may also differ amongst ethnic minority groups, older people, people with disabilities, travelling communities and LGBT people; this may be linked to perceived racism, language, culture, insecure immigration status and access to relevant support services. It is important here to note possible 'Honour'-based violence and forced marriage. Where victims are particularly isolated and vulnerable, their concerns should be taken seriously.

Stalking: persistent and consistent calling, texting, sending letters and following. Domestic abuse stalkers are the most dangerous, with stalking and physical assault identified as being significantly associated with murder and attempted murder. This is not just about physical violence but also coercive control and jealous surveillance. (Detailed stalking guidance is available at www.glostakeastand.com)

Sexual Assault: those who are sexually assaulted are often subjected to more serious injury. Those who report a domestic sexual assault tend to have a history of domestic abuse whether or not it has been reported.

Strangulation (choking/suffocation/drowning): this includes all attempts at blocking someone's airway.

Credible threats to kill: a credible threat of violent death can very effectively control people and some may carry out this threat.

Use of weapons: this does not have to only apply to traditional weapons such as knives and guns, but can be any item used to inflict damage and injury to a person.

Controlling and/or excessive jealous behaviour: complete control over the victim's activities and extreme jealousy are associated with serious violence and homicide. It is important to note that the perpetrator may also try and control professionals as well.

Child Abuse: evidence shows that both domestic abuse and child abuse can occur in the same family. Child abuse can act as an indicator of domestic abuse in the family, and vice versa. It is also important to note if children are witnessing or hearing the abuse.

Animal/pet abuse: there is a link between cruelty to animals, child abuse and domestic abuse. The use or threat of abuse against pets is often used to control others in the family. Abuse of animals may also indicate a risk of future harm.

Alcohol/drugs/mental health: the abusers use of drugs and alcohol are not the cause of abuse, but may be a risk of further harm or escalation. Physical and mental ill health has also been shown to increase the risk of domestic abuse.

Suicide/Homicide: threats from an offender to commit suicide have been highlighted as a factor in domestic homicide.

Note: within the DASH form used locally, high risk indicators are highlighted in blue bold lettering. Some of the factors listed above may be covered by more than one question on the DASH form.

In order to get a comprehensive assessment of risk, it is important to ask all the questions; ensuring you don't run the risk of overlooking something significant that may then result in your response being inadequate.

The DASH can be answered using ticks to signify a yes or no response; you are also encouraged to write additional relevant information and to be specific within comments whether it is the view of the victim, or your professional judgement/opinion.

Gloucestershire Domestic Abuse Support Service (GDASS) have created a completion guide for the DASH. This can be found in Appendix 2.

2.1b Police Risk Assessment

The police will also risk assess using the questions detailed in the DASH risk assessment. The DASH questions are however included in the Vulnerability Identification Screening Tool (VIST); this tool ensures that attending officers can access all relevant assessments and referrals on their handheld device for domestic abuse, child protection and adult safeguarding. Whilst officers use the VIST, their assessment of risk in domestic abuse cases will be the same as any other agency completing the DASH, with high risk DASH assessments, via the VIST, being referred into MARAC.

2.1c Outcome of the DASH

Following the completion of the DASH, a victim may be assessed at:

Standard Risk: Current evidence does not indicate likelihood of causing serious harm.

Medium Risk: There are identifiable indicators of risk of serious harm. The perpetrator has the potential to cause serious harm but is unlikely to do so unless there is a change in circumstances, for example, failure to take medication, loss of accommodation, relationship breakdown, and drug or alcohol misuse.

High Risk: There are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact would be serious.

Risk of serious harm (Home Office 2002): 'A risk which is life threatening and/or traumatic, and from which recovery, whether physical or psychological, can be expected to be difficult or impossible'.

Guidance on identifying and responding to domestic abuse is available at www.glostakeastand.com. This will provide guidance on responding to cases assessed at Standard or Medium Risk.

Cases identified as high risk should be referred into MARAC.

High risk can be determined in the following ways:

- **Visible High Risk:** This accounts for the number of ticks on the DASH. If the victim has answered yes to 14 or more questions, the risk of serious harm is clear and the case would meet the referral criteria for referral to MARAC.
- **Professional Judgement:** If the outcome of the DASH is less than 14, a professional can refer the case to MARAC on the grounds of professional judgement of high risk where they deem it appropriate. In these circumstances the professional will have identified key high risk factors from the DASH, and may also consider further contextual or circumstantial information not captured within the DASH that raises concerns of serious harm. The **victim's perception** of risk should also be considered.
- **Potential Escalation:** If the outcome of the DASH is less than 14, but the result of the DASH indicates that the victim is experiencing an escalation in frequency or severity of abuse, the case should be referred into MARAC on the grounds of potential escalation. Where there have been a number of police call outs, all police VISTS are reviewed within the police multi-agency daily meeting and where necessary VISTS will be escalated to high risk based on escalation (consideration will be given to the Safe Lives criteria of 3 or more police call outs in the past 3 months).

2.1d Discussing risk with the victim

Informing the victim of their risk level following completion of the DASH can be difficult, and it is important that this is handled sensitively. Letting the victim know that they are at high risk of serious harm or death may be frightening and overwhelming for them to hear. It is therefore important that you state exactly what your concerns are by using the answers the victim gave to you, and explain what the next steps are i.e. safety planning, referral to services etc.

Equally, telling the victim that they are not currently high risk and that you may need to refer them to a different agency or provide a different service as a result may be

disappointing for the victim. This therefore needs to be managed carefully to ensure the victim doesn't feel like their situation is being minimised or so they don't feel embarrassed for reaching out for help. Explain to them that there are high risk factors linked to serious harm and that if they experience any of these in the future that they should contact appropriate services, or emergency services.

If a victim has not been identified as high risk, you can still provide them with relevant contact details for support services, and conduct a safety plan with them. Guidance on identifying and responding to domestic abuse can be found at www.glostakeastand.com alongside the contact details for relevant support agencies.

3. Responding to a high risk DASH assessment

3.1 Immediate safety measures and referrals

Once you have identified a victim as high risk, you should at first consider any immediate safety measures before making a referral to MARAC. This may include ensuring any medical needs are attended to, whether emergency accommodation should be explored and whether police involvement is required.

MARAC cannot respond immediately to risks identified in a case, it is therefore paramount that you implement a safety plan/safety measures to protect the victim prior to their case coming into MARAC. MARAC will aim to respond to any referrals within 48 hours/2 working days, but if you feel a more urgent response is required, please follow this up with the MARAC Coordinator who can look to arrange an urgent review of the referral.

Guidance on Identifying and Responding to Domestic Abuse is available at www.glostakeastand.com and provides more detail on safety measures you may wish to consider.

You may also wish to consider discussing a safety plan with the victim; the GDASS safety advice sheet is available in Appendix 3.

Gloucestershire Domestic Abuse Support Service (GDASS) can be contacted at any stage to provide professional advice and guidance.

As the victim has been identified as being at high risk of serious harm, you should also make a referral to GDASS so that an Independent Domestic Violence Advisor (IDVA) can make contact and provide specialist support and safety planning. Consent from the victim is preferred, but referrals can be made without consent due to the high risk assessment. This referral should be made as soon as high risk domestic abuse has been identified.

The IDVA is a specialist in assessing and reducing risk of harm in domestic abuse cases. They work closely with partner agencies to create safety plans, and are integral to the MARAC process. Further details on the services provided by GDASS and how you can make referrals can be found:

www.gdass.org.uk

Helpdesk: 01452 726570

support@gdass.org.uk / Secure: gdass.referral@gsg.cjsm.net

If during the risk assessment process, you identified any risk to children or vulnerable adults, you should make a referral to children's social care and adult social care. Details on making these referrals can be found:

Children's Social Care: <http://www.gloucestershire.gov.uk/health-and-social-care/children-young-people-and-families/report-a-child-at-risk/>

Adult Social Care: <http://www.gloucestershire.gov.uk/health-and-social-care/adults-and-older-people/report-suspected-abuse-safeguarding-adults-at-risk/>

3.2 Referral to MARAC

Once you have taken any necessary safety measures, you should then make your referral into MARAC.

In order to make a referral, please ensure you have all the information you need from the victim. This will include names, dates of birth, address of victim, perpetrator and any children or vulnerable adults.

The full MARAC referral form/DASH assessment is available in Appendix 1.

The referral to MARAC also includes the full DASH assessment, ensuring you only have one form to complete. Please ensure you familiarise yourself with the referral and DASH, and when making a referral to MARAC it is completed as fully as possible.

Given your high risk assessment, you are able to make a referral into MARAC without the victims consent. It is however advised that you seek, where possible, the victims consent to make the referral.

Where victims have consented to the process, their views and wishes are more readily available to the MARAC when considering risk management plans. If the victims does not wish to give their consent, where safe to do so, it is advised that you still inform them of the referral into MARAC; detailing that you are sufficiently concerned for their safety that you will be making the referral.

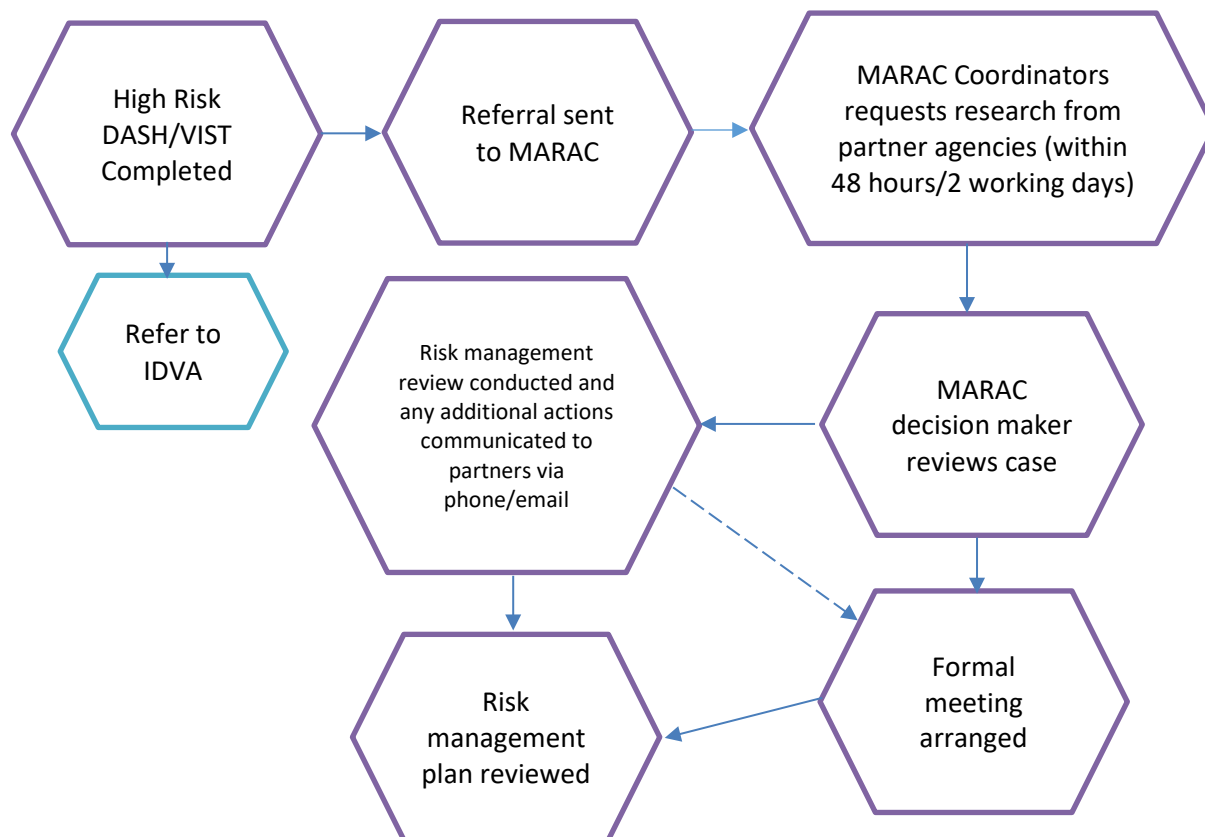
There may also be circumstances where the risks are so high that you are unable to seek consent or make the victim aware of the referral.

Full details on the legislation that allows for information sharing without consent in high risk domestic abuse cases can be found in Appendix 4.

All MARAC referrals are submitted to the MARAC Coordinator:
MARAC@gloucestershire.pnn.police.uk

4. The MARAC Process in Gloucestershire

The below diagram provides an overview of the current MARAC process in Gloucestershire at the point of referral.



Should a MARAC victim experience a further incident of domestic abuse within 12 months since their last referral MARAC should be notified and the case should be reviewed as a repeat case. Should a MARAC victim experience further incidents outside of 12 months since their last MARAC referral they will need to reach the high risk threshold again and be re-referred in to MARAC.
Pre-release MARACs will be considered regardless of time since last referral.

4.1 MARAC Case Research

As detailed in the above diagram, once a high risk DASH MARAC referral is made, the case details are circulated by the MARAC Coordinator to all MARAC partner agencies for them to collate and submit their research on the case.

In order to support agencies in providing consistent and relevant information, a MARAC research form has been developed for agencies to complete. This is available in Appendix 5.

This form provides structure for the type of information that is required by the MARAC to make an appropriate assessment of risk and plan actions to manage that risk. Information collated by agencies may vary, but will include in most cases:

- Demographic information about all parties involved in the MARAC case.

- Agency level of engagement with the victim, perpetrator, children or vulnerable adults.
- Context of recent contact with any party involved in the MARAC case.
- Any recent attitude, behaviour or demeanour changes identified.
- Any information linked to risk, including recent incidents/disclosures.
- Detail on who is considered to be at risk, and what the key priorities ought to be to secure that persons safety.
- Action that an agency can take to support the MARAC process and the victim.
- Any relevant history or further detail, including any risk to staff or other people who may come into contact with any party involved in the MARAC case.

**All information sharing must be necessary, relevant and proportionate and should be shared in line with the MARAC Information Sharing Agreement.
This is the responsibility of each individual agency.**

The main aim of collating research on MARAC cases is to ensure a broad picture is gathered of the circumstances and a clear understanding of all the agencies involved in the case. This sharing of information allows for a fuller picture of the risks to be developed and ensure agencies can work together in order to reduce risk.

When a request for research is made, the MARAC Coordinator will provide a timescale for completion. This will usually be within 72 hours of the referral being circulated. There will however be some circumstances where research is requested within a smaller timescale; this will be in cases where the risk is known to very high, or the case is of a complex nature, requiring the MARAC to be convened within a day or so of its referral.

4.2 MARAC Decision making

Once all research has been collated by the MARAC Coordinator, the case is then reviewed by the MARAC decision maker. This decision maker is single agency, but will make decision based on multi-agency information. **At any stage, MARAC partner agencies are asked to review the decisions made, and challenge where necessary.**

At this stage, each case will have one of the two following outcomes:

Risk Management Review: when multi-agency research has indicated that some action has already been taken to safeguard the victim, but additional action is required, this will be completed via email with the MARAC decision makers circulating their risk management review and requesting any necessary additional actions of agencies. The cases dealt with in this way will be those where the victim is engaging well with services and only minor additional actions are required.

If any agency disagrees with the decision to conduct a risk management review and feels a formal MARAC meeting is required contact with the MARAC decision makers should be made. Within this contact, the agency must outline their concerns for the case and detail what they hope a formal MARAC will achieve.

The MARAC decision makers will follow up any requests and hold discussions to agree a suitable approach for the case in question, which may in some circumstances result in a formal MARAC meeting being arranged.

Should any agency wish to escalate concerns or are unhappy with the decision makers actions, contact should be made with the MASH manager via the MARAC Coordinators.

Formal/bespoke MARAC: when multi-agency research indicates that the case is extremely high risk, or is very complex in nature, the case will be taken forward to a formal MARAC meeting. In these circumstances, robust risk management requires agencies to come together in a formal meeting to discuss the case in detail and develop jointly a plan to reduce the risk to the victim and other vulnerable persons.

The bespoke nature of these MARAC meetings means that specific professionals working directly with the victim or perpetrator can be invited to attend. These formal MARAC meetings may also request attendance from specialist agencies to provide their expertise, even where they may not hold information on the parties involved in the MARAC case.

Formal MARAC meetings are arranged as and when required and determined by the risk presented. Cases will be allocated a MARAC slot as soon as possible based on risk. In some cases, due to the nature of the risk, a MARAC meetings may be convened the next day.

Gloucestershire MARAC also operates a Pre-Release MARAC in which MARAC meetings are arranged to ensure a robust safety plan is in place for a victim prior to the prison release date of the perpetrator. This process is supported by GDASS and the police Domestic Abuse Safeguarding Team (DAST).

[4.3 Risk Management Plans](#)

The plan put in place to safeguard the victim, their children and any identified vulnerable person will vary dependant on the risks presented. Many plans will involve agencies working together to respond effectively. For details on possible actions from MARAC, please contact the MARAC directly.

All risk management plans will always ensure the victims wishes are taken into account. Where necessary however, the MARAC may need to act in the best interest of the victim even where this may be in conflict with the victims wishes. The views of the victim are generally presented to the MARAC via the Independent Domestic Violence Advisor (IDVA); further details on the role of the IDVA can be seen below. The views of the victim can however, also be presented to the MARAC by any other professional who is engaging well with them.

The development of a risk management plan, whether that is completed virtually, or via a formal MARAC meeting, remains a multi-agency responsibility. The final action plan from the MARAC is not the sole responsibility of the chair, but a collective decision agreed by all agencies who have been involved in the MARAC process. As such, all contributing agencies are expected to update on actions they have already taken, suggest actions that they can

take, and suggest and challenge other agencies to take action that will look to reduce the risk.

As such, the MARAC is not a formal body that holds the risk, but is a process that facilitates multi-agency information sharing and decision making. Agencies are therefore expected to participate fully in action/risk management planning and escalate any concerns to the MARAC chair should they feel there are gaps in the plan that need to be further explored.

Once a risk management plan is put in place, it's the individual agencies responsibility to update the MARAC coordinator as soon as the action is completed. Updates should also be given if an action cannot be completed, or if the completion of an action changes the risk and other agencies need to be informed.

Due to the high volume of MARAC cases, the MARAC coordinator will not chase agencies for updates on their actions. It is the responsibility of agencies to therefore provide updates as soon as possible; without these updates, it can be assumed that actions have not been completed and there are therefore gaps in the risk management plan.

4.4 MARAC Roles and Responsibilities

The below sections outline the key roles and responsibilities of the key MARAC members.

4.4a Role of the MARAC Decision maker/Chair

The MARAC decision maker/chair⁴ is responsible for establishing the MARAC process and ensuring the most appropriate response to high risk victims of domestic abuse; alongside the MARAC Steering Group.

The main role of the decision maker/chair is to:

- Review the agency information shares on each case; including the actions already taken by agencies; and alongside seeking IDVA advice, make decisions as to the MARAC response each case will receive.
- Suggest agency actions to be taken on those cases responded to virtually.
- Facilitate discussion, information sharing and action planning during the formal/bespoke MARAC. This will also include summarising the key risks to support action planning.
- Ensure the victim remains the focus of the MARAC, and ensure their views are represented at the MARAC (most often by the IDVA).
- Promote accountability and responsibility with partner agencies. The chair is not responsible for ensuring actions are completed, but should ensure agencies are aware of their responsibility to complete actions and update in a timely manner.
- Provide advice and guidance to agencies when requested, on how they may be able to respond to high risk cases, or discuss risk.
- Manage the MARAC coordinators.

It is important to note, that whilst the MARAC decision maker/chair will often coordinate the action plan for MARAC, they are not solely responsible for this or the risk for all MARAC

⁴ The MARAC is coordinated and chaired by Gloucestershire Police.

cases. Agencies who participate in the MARAC are expected to offer up actions for the safety plan, and the risk is managed and held by all agencies.

4.4b Role of the MARAC Coordinators

The MARAC coordinators are responsible for providing the administration and coordination support to the MARAC process.

The MARAC coordinators key responsibilities are to:

- Prepare and circulate MARAC cases to all partner agencies via secure means and request information shares within set timescales.
- Facilitate and ensure consistency in referral of cases from the full range of potential referring agencies based on the common risk identification tool (DASH) and referral forms.
- Prepare formal/bespoke MARAC meetings, ensuring circulation of paperwork in advance and inviting key partners to attend.
- Prepare accurate minutes and decision logs; updating decision logs once agencies provide updates on their actions from MARAC.
- Maintain a tracking system of MARAC cases and ensure repeat cases can be easily identified.
- Ensure relevant data is collected from the MARAC so that outputs and outcomes can be recorded and monitored by Safe Lives and the MARAC Steering Group.
- Maintain and develop necessary documentation to ensure the smooth running of the MARAC, such as referral forms, research form templates and minutes.
- Support the MARAC chair.
- Ensure information shares are in line with the MARAC information Sharing Agreement and that the principles laid out in this protocol and guide are adhered to; reporting any concerns to the MARAC chair or Steering Group.
- Make MARAC to MARAC transfers when necessary.
- Review any third party reports to consider any crime recording requirements in line with national policy.

4.4c Role of the IDVA and victim engagement in the MARAC process

The main purpose of independent domestic violence advisors (IDVA) is to address the safety of victims at high risk of harm from intimate partners, ex-partners or family members to secure their safety and the safety of their children. Serving as a victim's primary point of contact, IDVAs normally work with their clients from the point of crisis to assess the level of risk, discuss the range of suitable options and develop safety plans.

They are pro-active in implementing the plans, which address immediate safety, including practical steps to protect themselves and their children, as well as longer-term solutions. These plans will include actions from the MARAC as well as sanctions and remedies available through the criminal and civil courts, housing options and services available through other organisations. IDVAs support and work over the short- to medium-term to put victims on the path to long-term safety.

They receive specialist accredited training and hold a nationally recognised qualification.

The role of the IDVA is key to the MARAC process, as not only are they often working with all MARAC victims to ensure their safety, but they are also able to ensure the victims views are fully represented at the MARAC. This ensures that any action planning keeps the victims thoughts and feelings in mind, and also consider what the victim feels will make them safe.

In some circumstances, where the IDVA is unable to engage with the victim, another agency who is working with the victim may be able to represent their views at the MARAC.

At the point in which any agency identified a high risk victim of domestic abuse, they should refer to the IDVA.

4.4d Role of the MARAC Agencies

As the MARAC is a multi-agency process, many different agencies will be engaged. The MARAC process is aimed at ensuring robust multi-agency decision making and risk management; as such, all agencies collectively share the risk management plans at MARAC and should contribute effectively.

The key responsibilities for agencies are to:

- Risk-assess domestic abuse cases and ensure referral into MARAC when appropriate.
- Ensure all staff are aware of the MARAC process and the need to share appropriate and proportionate information to help reduce risk.
- Provide accurate and timely information shares to the MARAC coordinator on request. This should be completed in line with the MARAC Information Sharing Agreement.
- Provide fully completed MARAC research forms for those cases where the agency is involved with either the victim, perpetrator, children or other connected vulnerable person. These forms can be completed by a key worker, but it is the responsibility of the agency MARAC representative to ensure these are completed and submitted on time.
- Attend formal MARAC meetings. In some instances, agencies may be requested to attend even where they hold no information to share on the case; this will be to ensure expertise is utilised for robust risk management.
- Provide detail on what action can be taken to support the risk management plan and make suggestions on actions not just for your own agency, but for other agencies.
- Complete actions as soon as possible after the MARAC and provide updates to the MARAC coordinator. Due to capacity, the MARAC coordinator is unable to chase action updates, so it is agencies responsibility to ensure this is completed and can demonstrate their full role in the risk management of MARAC cases.
- Flag and tag files where possible and appropriate to ensure all staff are able to confidentially identify MARAC victims and identify repeat incidents. Flag/tags should remain in place for 12 months since the last referral in to MARAC.

4.5 Links to other multi-agency panels

Where necessary, the Gloucestershire MARAC will ensure it links in with any other multi-agency panels that discuss cases and looks to manage risk. This may include child protection or adult safeguarding panels. Should a case meet the criteria for multiple panels, discussions should be held to agree the best approach and ensure the case is managed appropriately. It is important to note that where there is cross-over, statutory processes, such as child protection meetings, will take priority over the MARAC.

Where a case links to other ongoing panels, the MARAC chair should be consulted to ensure an agreement of approach can be met. In some circumstances, multiple panels may be held for the same case due to the differing purposes of those panels, for example, a MARAC may take place to discuss the safety of the victim, but link into the MAPPA⁵ which will look to meet to manage the risk of the perpetrator.

The Gloucestershire MARAC will also have links to MARACs in other areas across the country. Where a MARAC victim moves to another county, or moves into Gloucestershire, MARAC to MARAC transfers are conducted to ensure the risk management plan travels with the victim.

5. Governance and Performance Management

The Gloucestershire MARAC is overseen and monitored by the MARAC Steering group. The role of this group is to:

1. To provide governance to the MARAC process, conducting regular troubleshooting and quality assurance.
2. To ensure the Gloucestershire MARAC operating protocol and information sharing protocol are fit for purpose and any resulting policy or practical issues are addressed.
3. To lead on the development of the MARAC process in Gloucestershire.
4. To ensure effective performance management of the MARAC.

The membership of the steering group is drawn from a range of member agencies of the MARAC process and is chaired by the County Domestic Abuse and Sexual Violence Strategic Coordinator.

Should any agency identify any issue with the MARAC process, they can report this into the steering group via the DASV Strategic Coordinator to be considered and resolved where possible. The Steering group will also report into the Domestic Abuse Partnership Board should any identified issues be difficult to resolve or require senior leadership intervention.

Should an agency wish to make a formal complaint about the conduct of a specific agency involved in the MARAC process, this should be made in line with that agencies complaints procedure. It is advisable that notification of any formal complaint is also copied to the steering group chair so they are able to address any generic issues within the MARAC process.

⁵ Multi-Agency Public Protection Panels (MAPPA): statutory process to manage high risk offenders.

In order to ensure the continued development of the MARAC and ensure the process remains robust, the steering group will also undertake regular case audits. Results from the case audits will be incorporated in the steering group action plan to continue the development of the MARAC.

The role of the Steering group is to also oversee the performance management of the MARAC process. Regular data on the MARAC is considered by the steering group to consider the following:

- Volume of referrals
- Repeat victimisation rate
- Multi-agency referral numbers
- Trends and patterns linked to those cases identified in the MARAC process

Should an agency wish to request data on the MARAC process, this request should be made in the first instance to the MARAC Chair or the DASV Strategic Coordinator.

5.1 Information Sharing

All agencies participating in MARAC will be required to sign up to both the Gloucestershire Information Sharing Partnership Agreement (GISPA) and the MARAC Information Sharing Agreement (Appendix 6).

All agencies are reminded that information shared and discussed by agency representatives throughout the whole MARAC process and MARAC meetings should remain strictly confidential and must not be disclosed to third parties who have not signed up to the MARAC ISP, without the agreement of the partners of the meeting.

Should any agency need to share information from the MARAC, permission should be sought from the original source of the information. Agreement to share MARAC risk management plans should be sought from the MARAC Coordinators.

6. Key MARAC Contacts

Gloucestershire MARAC Chair and Coordinators

Email: MARAC@gloucestershire.pnn.police.uk

Tel: 01452 753467

Gloucestershire MARAC Steering Group

County Domestic Abuse and Sexual Violence Strategic Coordinator

Email: Sophie.Jarrett@gloucestershire.pnn.police.uk

Tel: 01452 753295

Gloucestershire Domestic Abuse Support Service (GDASS)

For advice, referral and IDVA service

Website: <http://www.gdass.org.uk>

Email: support@gdass.org.uk

Secure email: gdass.referral@gsg.cjism.net

Helpdesk line: 01452 726570

Professionals line: 01452 726561

Further details on support available in Gloucestershire, and guidance documents to support agency response can be found at www.glostakeastand.com

7. Appendices

Appendix 1: DASH risk assessment

Gloucestershire Domestic Abuse, Stalking, Harassment and Honour Based Violence

DASH 2022
(Based on 2009 original)
Risk Assessment Form

Level of Risk SELECT _____

Name of Person Completing/Agency:	/	Contact email/phone	/
Date of completing:			
Date of incident:			
Police incident No. (if not known please state):			
OIC (if not known please state):			

Victim Details

Surname		Forename	
DOB			
Address	Own Occ. <input type="checkbox"/> / Private rent <input type="checkbox"/> /Housing Assoc. <input type="checkbox"/>		
Postcode		Male/Female	SELECT
Contact details (phone and/or email) /Safe time to contact	/		
Ethnic Self Classification (16+1 code)			
Professional perceived ethnicity (6+1 code)			

Children

(PLEASE MAKE SURE THAT THESE BOXES ARE MARKED YES/NO – INFO SENT TO SOCIAL CARE AND FORMS PART OF ANY RISK ASSESSMENT FOR THEM IF CONFIRMED TO BE PRESENT)

	Name	DOB	School	GP	Present During Incident?	Resident at Address?
1					Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
2					Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
3					Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
4					Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>

Perpetrator Details			
Surname		Forenames	
DOB			
Address			
Postcode		Male/Female	SELECT
Contact No			
Ethnic Self Classification (16+1 code)			
Professional perceived ethnicity (6+1 code)			
Is Perpetrator Parent To Child(ren) above			
Relationship	Spouse <input type="checkbox"/>	Ex-spouse <input type="checkbox"/>	Partner <input type="checkbox"/> Ex-partner <input type="checkbox"/> Family member <input type="checkbox"/>
	Other <input type="checkbox"/>	Specify:	

Vulnerable Adults Present
Do Not Include 'The Victim' of the Domestic Abuse unless they meet the definition* below

Any professional who becomes aware of a vulnerable adult who is being abused should make an Alert to the **Adult Helpdesk** of Gloucestershire County Council on **01452 426868** in office hours. Out-of-hours service is provided by the Emergency Duty Team. The Alert will be made within 24 hours.

Full Name	Date of Birth	*Nature of vulnerability (A vulnerable adult is 18 or over and is, or may be, in need of community services due to age, illness or mental or physical disability AND who is, or may be, unable to take care of himself/herself or protect himself/herself from significant harm or exploitation).

CURRENT SITUATION
The context and detail of what is happening is very important.
The questions highlighted in blue bold are high risk factors: please provide detail for these questions to aid understanding of risk.
Tick the relevant box and add comments wherever possible to expand and add context.

1	Has the current incident resulted in injury? (please state what and whether this is the first injury)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
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2	Are you very frightened? Comment:	YES <input type="checkbox"/>	NO <input type="checkbox"/>
----------	---	---------------------------------	--------------------------------

3	<p>What are you afraid of? Is it further injury or violence? (Please give an indication of what you think(name of abuser(s)).... might do and to whom)</p> <p>Kill: You <input type="checkbox"/> Children <input type="checkbox"/> Other <input type="checkbox"/></p> <p>Further injury and violence: You <input type="checkbox"/> Children <input type="checkbox"/> Other <input type="checkbox"/></p> <p>Other (please clarify): You <input type="checkbox"/> Children <input type="checkbox"/> Other <input type="checkbox"/></p>
----------	---

4	Do you feel isolated from family/ friends i.e. does (name of abuser(s).....) try to stop you from seeing friends/family/Dr or others? Comment:	YES <input type="checkbox"/>	NO <input type="checkbox"/>
5	Are you feeling depressed or having suicidal thoughts?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
6	Have you separated or tried to separate from (name of abuser(s)....) within the past year? Comment:	YES <input type="checkbox"/>	NO <input type="checkbox"/>
7	Is there conflict over child contact? (please state what) Comment:	YES <input type="checkbox"/>	NO <input type="checkbox"/>
8	Does (.....) constantly text, call, contact, follow, stalk or harass you? (Please expand to identify what and whether you believe that this is done deliberately to intimidate you? Consider the context and behaviour of what is being done) <i>N.B. If no details are provided Enhanced DASH will <u>not</u> be completed by SPOC.</i> Comment:	YES <input type="checkbox"/> Expand Below	NO <input type="checkbox"/> To Q9
ENHANCED DASH (S-DASH)	If Yes to 8		
	• Is the victim very frightened?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	• Is there previous domestic abuse and harassment history?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	• Has (....) vandalised or destroyed property?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	• Has (....) turned up unannounced >3 times a week?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	• Is (....) following victim or loitering near victim?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	• Has (....) threatened physical or sexual violence?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	• Has (....) been harassing any 3 rd party since the harassment began (i.e. family, children, friends, neighbours, colleagues)?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	• Has (....) acted violently to anyone else during the stalking incident?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	• Has (...) engaged others to help, wittingly or unwittingly.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	• Is (...) abusing alcohol/drugs?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
• Has (....) been violent in past? Physical/psychological, Intelligence or reported.	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
If yes to 8 continue with additional stalking questions below			
	• Has (...) tried to be near you? Such as approach you, come to your home, come to your work.	YES <input type="checkbox"/>	NO <input type="checkbox"/>

ADDITIONAL STALKING QUESTIONS

- | | | | |
|---|--|---------------------------------|--------------------------------|
| • | Has (...) entered your house without your permission? | YES
<input type="checkbox"/> | NO
<input type="checkbox"/> |
| • | Has the stalking become worse in recent days/weeks? | YES
<input type="checkbox"/> | NO
<input type="checkbox"/> |
| • | Has (...) reached a point where they are expressing they have nothing to lose? For example 'I have no other way out', 'If I can't have you no one can' etc | YES
<input type="checkbox"/> | NO
<input type="checkbox"/> |
| • | Are there any situations where you can't avoid having contact with (...)?
Such as work, live close by, child contact. | YES
<input type="checkbox"/> | NO
<input type="checkbox"/> |
| • | Has (...) previously stalked you or someone else? | YES
<input type="checkbox"/> | NO
<input type="checkbox"/> |
| • | Has (...) experienced any significant changes in their life that might cause them stress/upset? For example, loss of loved one/job/relationship | YES
<input type="checkbox"/> | NO
<input type="checkbox"/> |

Children/Dependants*(if no children/dependants, please go to the next section)*

9	<p>Are you currently pregnant or have you recently had a baby in the past 18 months? Comment:</p>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	<p>Is anyone in the household pregnant? Yes or No If YES please identify who is pregnant and what their expected birth date is?</p>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
10	<p>Are there any children, step-children that aren't in the household? Or are there other dependants in the household (i.e. older relative/vulnerable adult)?</p>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
11	<p>Has (.....) ever hurt the children/dependants? Comment:</p>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
12	<p>Has (.....) ever threatened to hurt or kill the children/dependants? Comment:</p>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
13	<p>Is the abuse happening more often? Comment:</p>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
14	<p>Is the abuse getting worse? Comment:</p>	YES <input type="checkbox"/>	NO <input type="checkbox"/>

⁶ Additional questions added to support CRU in utilising SASH tool when required.

15	<p>Does (.....) try to control anything you do and/or are they excessively jealous? <i>(In terms of relationships, who you see, being 'policed at home', telling you what to wear for example. Consider honour based violence and stalking and specify the behaviour)</i></p> <p>Comment:</p>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
16	<p>Has (.....) ever used weapons or objects to hurt you?</p> <p>Comment:</p>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
17	<p>Has (.....) ever threatened to kill you or someone else and you believed them?</p> <p>Comment:</p>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
18	<p>Has (.....) ever attempted to strangle/choke/suffocate/drown you? <i>(Consider when was the last time this happened, how frequently etc)</i></p> <p>Comment:</p>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
19	<p>Does (....) do or say things of a sexual nature that makes you feel bad or that physically hurt you or someone else? <i>(Please specify who and what)</i></p> <p>Comment:</p>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
20	<p>Is there any other person that has threatened you or that you are afraid of? <i>(If yes, consider extended family if honour based violence. Please specify who)</i></p> <p>Comment:</p>	YES <input type="checkbox"/> Expand Below	NO <input type="checkbox"/> To Q21
ENHANCED DASH	<p>If Yes to 20</p> <ul style="list-style-type: none"> • Truancing – if U18 is victim truancing? 	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	<ul style="list-style-type: none"> • Self-harm – is there evidence of self harm? 	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	<ul style="list-style-type: none"> • House arrest and being 'policed at home' – is the victim being kept at home or their behaviour/activity being policed? 	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	<ul style="list-style-type: none"> • Fear of being forced into an engagement/marriage – is the victim worried that they will be forced to marry against their will? 	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	<ul style="list-style-type: none"> • Pressure to go abroad – is the victim fearful of being taken abroad? 	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	<ul style="list-style-type: none"> • Isolation – is the victim very isolated? 	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	<ul style="list-style-type: none"> • A pre-marital relationship – is the victim believed to be in a relationship that is not approved of? 	YES <input type="checkbox"/>	NO <input type="checkbox"/>

- Attempts to separate or divorce (child contact issues) – is the victim attempting to leave the relationship? YES NO
- Threats that they will never see the children again – are there threats that the child(ren) will be taken away? YES NO
- Threats to hurt/kill – are there threats to hurt or kill the victim? YES NO

Additional Information:

21	<p>Do you know if (.....) has hurt anyone else?<i>(children/siblings/elderly relative/stranger, for example. Consider HBV. Please specify who and what)</i></p> <p>Children <input type="checkbox"/> Another family member <input type="checkbox"/></p> <p>Someone from a previous relationship <input type="checkbox"/></p> <p>Other <i>(please specify)</i> <input type="checkbox"/></p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
22	<p>Has (.....) ever mistreated an animal or the family pet?</p> <p>Comment:</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
23	<p>Are there any financial issues? For example, are you dependent on (.....) for money/have they recently lost their job/other financial issues?</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
24	<p>Has (.....) had problems in the past year with drugs (prescription or other), alcohol or mental health leading to problems in leading a normal life? <i>(Please specify what)</i></p> <p>Drugs <input type="checkbox"/> Alcohol <input type="checkbox"/> Mental Health <input type="checkbox"/></p> <p>Comment:</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
25	<p>Has (.....) ever threatened or attempted suicide?</p> <p>Comment:</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
26	<p>Has (.....) ever breached bail/an injunction and/or any agreement for when they can see you and/or the children? <i>(Please specify what)</i></p> <p>Bail conditions <input type="checkbox"/> Non Molestation <input type="checkbox"/></p> <p>Occupation Order <input type="checkbox"/> Child Contact arrangements <input type="checkbox"/></p> <p>Forced Marriage Protection Order <input type="checkbox"/> Other <input type="checkbox"/> Comment:</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
27	<p>Do you know if (.....) has ever been in trouble with the police or has a criminal history? <i>(If yes, please specify)</i></p> <p>DA <input type="checkbox"/> Sexual violence <input type="checkbox"/> Other violence <input type="checkbox"/> Other <i>(please specify)</i> <input type="checkbox"/></p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
28	<p>Has the victim or perpetrator access to lawfully held and licensed weapons.</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>

**If Yes
to 28**

- Please provide full details – Weapons, Ammunition, Certificate Number etc.

Other relevant information (from victim or professional) **which may alter risk levels.**

Describe: *(consider for example victim's vulnerability - disability, mental health, alcohol/substance misuse and/or the abuser's occupation/interests-does this give unique access to weapons i.e. ex-military, police, pest control) or is there serial offending?*

COMPULSORY SECTION: Please provide a Summary of the case and any detail on your professionals judgement of risk:

Does the victim want contact from Gloucestershire Domestic Abuse Support Service? YES NO

GDASS offer a free and confidential service to victims of domestic abuse

01452 726 570. www.gdass.org.uk / support@gdass.org.uk

If yes, please advise the victim that the information they have provided on this form will be shared with GDASS

For victims of stalking, please refer GDASS or for non-domestic abuse related stalking, contact stalkingclinic@gloucestershire.police.uk for details of relevant support agencies. More details on local support can be found at www.glostakeastand.com

FOR INFORMATION

National Domestic Violence Helpline is available 24 hours a day, 7 days a week for victims of domestic abuse

0808 2000 247 (24 hours)

www.womensaid.org.uk

Outcome of risk assessment

STANDARD/MEDIUM

For **STANDARD/MEDIUM risk DASH (Domestic Abuse)** please refer to GDASS at gdass.referral@greensquareaccord.cjsm.net

For **STANDARD/MEDIUM risk DASH (non DA Stalking)** please refer to Victim Support <https://www.victimsupport.org.uk/resources/gloucestershire/> or www.glostakeastand.com for local support options.

HIGH RISK

If the case is assessed as **HIGH risk Domestic Abuse**, please advise the victim that the case may be referred to **MARAC (regardless of consent)**, and explain what the MARAC is. YES

For **HIGH risk DASH (Domestic Abuse)** please refer to MARAC at marac@gloucestershire.police.uk And the GDASS IDVA Service: gdass.idva@greensquareaccord.cjsm.net

'Multi-Agency Risk Assessment Conferences (MARAC's) are meetings where information about HIGH risk domestic abuse victims (those at risk of murder or serious harm) is shared between local agencies to draw up a coordinated safety plan that helps victims with options to keep them and their children safe'.

For **HIGH risk DASH (Stalking)** please refer to Stalking Clinic at stalkingclinic@gloucestershire.police.uk and request a referral for the victim to the Independent Stalking Advocacy Caseworker (ISAC)

Risk Management Framework

This is based on the Offender Assessment System (OASys) developed by the Prison and Probation Services definitions of what constitutes standard, medium, high risk.

Please use your professional judgement to categorise the risk level.

As a guide, standard risk cases are usually scored as anything under 7, medium between 7-14 and High risk 14 or above. Scoring is based on the numbered questions, with additional questions enhancing understanding of risk and influencing your professional judgement. **Your professional judgement is the overriding factor however, so this must be at the forefront when categorising risk.**

Risk To Victim and Family:		
STANDARD <input type="checkbox"/>	MEDIUM <input type="checkbox"/>	HIGH <input type="checkbox"/>
Current evidence does not indicate likelihood of causing serious harm .	There are identifiable indicators of risk of serious harm. The offender has the potential to cause serious harm but is unlikely to do so unless there is a change in circumstances, for example, failure to take medication, loss of accommodation, relationship breakdown, drug or alcohol misuse.	There are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact would be serious . Risk of serious harm (Home Office 2002 and OASys 2006): 'A risk which is life threatening and/or traumatic, and from which recovery, whether physical or psychological, can be expected to be difficult or impossible'.
COMPULSORY SECTION FOR HIGH RISK:		
Under what basis has the client met the high risk threshold for MARAC:		
Visible high risk (from DASH): <input type="checkbox"/>	Professional Judgement of high risk: <input type="checkbox"/>	Escalation in severity and/or frequency: <input type="checkbox"/>
Please indicate under which lawful basis you are sharing information (please see MARAC guidance at www.glostakeastand.com)		
Child Protection Act 2004: <input type="checkbox"/>	Pt.3 Schedule 8 Data Protection Act 2018 (Safeguarding): <input type="checkbox"/>	Common Law: <input type="checkbox"/>
S.115 Crime & Disorder Act 1998: <input type="checkbox"/>	Human Right Act 2004: <input type="checkbox"/>	The Care Act 2014: <input type="checkbox"/>
Data Protection Act 2018: Article 6: Article 9:		
Please ensure the information you share is relevant, adequate and necessary to achieve the purpose (Safeguarding), proportionate and will not significantly increase the risk to client/family.		

Appendix 2: GDASS DASH completion guide

Question number	Question	Historical / Current	Include the following information:
1	Has the current incident resulted in injury?	Currently only	<u>Current</u> incident only. Otherwise select 'No' <u>Note previous injuries regardless</u> (FIRST/WORST/LAST) include approx. dates of injuries and any medical treatment received.
2	Are you very frightened?	Currently only	Most people will say they are scared, but we need to know what the worst thing they think could happen is – don't give them the option, let them tell you. Who they feel the risk is to i.e. Children/Themselves/New partners etc. Use Q3 to record this.
3	What are you afraid of? Is it further injury or violence?	Currently only	As above
4	Do you feel isolated from family/ friends i.e. does (name of abuser(s)....) try to stop you from seeing friends/family/Dr or others?	Currently only	Has the AP <u>made</u> them feel isolated?
5	Are you feeling depressed or having suicidal thoughts?	Currently only	Is this diagnosed? If so, are they receiving medication for this?
6	Have you separated or tried to separate from (name of abuser(s)....) within the past year?	Currently only	Within the past year only. How many times? When was the last time? What makes them go back, in their opinion?
7	Is there conflict over child contact?	Currently only	Note any child contact arrangements. Are these court ordered?

8	Does (.....) constantly text, call, contact, follow, stalk or harass you?	Currently only	If texts/calls, how many approx. a day? Are they possibly being tracked? Why do they feel they are being watched? Is this feasible?
9	Are you currently pregnant or have you recently had a baby in the past 18 months?	Currently only	Within last 18 months only.
10	Are there any children, step-children that aren't in the household? Or are there other dependants in the household (i.e. older relative/vulnerable adult)?	General	Remember other vulnerable adults.
11	Has (.....) ever hurt the children/dependants?	Include Historical	This is referring to direct physical abuse only. Including inappropriate chastisement. Note down if there is significant emotional abuse but select 'No'.
12	Has (.....) ever threatened to hurt or kill the children/dependants?	Include Historical	As above.
13	Is the abuse happening more often?	Currently only	More often. So in what way has it escalated? How regularly is it happening now compared to previously?
14	Is the abuse getting worse?	Currently only	This refers to increase in severity only. Primarily relating to physical incidents. How does the current abuse compare to previously?
15	Does (.....) try to control anything you do and/or are they excessively jealous?	Currently only	Tracking – Why do they feel they are being watched? Is this feasible? What aspects of their life do they feel they have no control over? Consider parenting
16	Has (.....) ever used weapons or objects to hurt you?	Include Historical	This can include normal household objects. If AP have threatened to use a weapon select 'No' but note this with which weapon
17	Has (.....) ever threatened to kill you or someone else and you believed them?	Include Historical	The key to this is whether they believed the threat. Do they think this is a real possibility?

			Approx. dates of incidents. Most recent date.
18	Has (.....) ever attempted to strangle/choke/suffocate/drown you?	Include Historical	Did they lose consciousness? Were threats made at the time? How regularly is this happening? Are they using objects to do this? i.e scarves/belts. Approx. dates of incidents. Most recent date.
19	Does (....) do or say things of a sexual nature that makes you feel bad or that physically hurt you or someone else?	Currently only	If this is not happening currently select 'No'. Note any previous incidents.
20	Is there any other person that has threatened you or that you are afraid of?	Currently only	Always consider HBV. Get details (name/Address/DOB if possible) of anyone who poses an additional risk. This is especially important if HBV is suspected.
21	Do you know if (.....) has hurt anyone else?	Include Historical	Consider Clare's Law. Are these DV related?
22	Has (.....) ever mistreated an animal or the family pet?	Include Historical	This includes inappropriate chastisement Do they currently keep animals? Has a report been made to police or RSPCA?
23	Are there any financial issues? For example, are you dependent on (.....) for money/have they recently lost their job/other financial issues?	Currently only	How is money earned? What is it spent on? Can the victim reasonably live on their income? Should allegations management be considered? (Usually high risk only).
24	Has (.....) had problems in the past year with drugs (prescription or other), alcohol or mental	Include Historical	Are they currently receiving any medical treatment or counselling for these?

	health leading to problems in leading a normal life?		Approx. how much is taken? Is this a normal amount for this person? How does it affect their behaviour?
25	Has (.....) ever threatened or attempted suicide?	Include Historical	Although it says include historical, consider mainly throughout this relationship. Include approx. dates and the victim's perceived reasons for these. Was medical interventions used or sought.
26	Has (.....) ever breached bail/an injunction and/or any agreement for when they can see you and/or the children?	Include Historical	Are there convictions for this? Do they know whether there have been breaches relating to offences against others?
27	Do you know if (.....) has ever been in trouble with the police or has a criminal history?	Include Historical	Consider Clare's law.
28	Has the victim or perpetrator access to lawfully held and licensed weapons.	Currently only	If considered high risk, this must be reported to police immediately.
Summary of MARAC Referral and any other relevant information:			Use this box to outline <u>the first, worst and last incidents</u> . If you feel this is high risk, use this box to clearly outline exactly why you feel there is <u>an immediate risk of significant harm or murder to the victim</u> . Use bullet points. If you feel it is high risk but are not referring to a MARAC, use this box to explain why. For example, case may already be held by MARAC or client is moving to refuge. In the case where client is moving to refuge request a MARAC to MARAC transfer from MARAC coordinator after discussion with your line manager. List any agencies or workers already involved, including best method of contact. Are the children, if any, known to Social Care.



SAFETY PLANNING AND ADVICE

Keeping Safe at home

- Plan escape routes out of your property, if the perpetrator comes in the front door, how do you get out?
- Set up a code word with your friends and family, if they call they know when you're in trouble.
- Keep with you any important and emergency telephone numbers: e.g. Police DV unit, 24 hour domestic abuse helplines. Emergency contacts.
- Are there neighbours you can trust? If so ask them to contact the police if they hear anything
- Pack an emergency bag for yourself & the children. Hide it somewhere safe away from the house, maybe with a friend you can trust
- Keep a small amount of money on you at all times – including change for the bus or phone.
- Keep your mobile phone on you and charged, with credit, at all times. If this is not possible, can you hide one somewhere?
- If you suspect he or she is about to become violent, try avoid the kitchen or garage where there are likely to be knives or other weapons.
- Avoid locking yourself in small rooms. Always try and get out of the property.
- Give your friends or family a spare key to your house, if you are locked in they can help you escape.

If you have recently left your property

- Does your new property have secure windows and doors? If not speak to GDASS or your landlord about making it more secure.
- Avoid places where you are isolated or alone or places you used to go with the perpetrator, at least in the immediate period of separation, if possible.
- Alter your routine as much as you can. E.g. alter your working hours, walks home etc
- If you have any regular appointments that your partner knows about e.g. Hospital, Doctor etc, try to change your appointment time and/or the location of the appointment.
- Try to choose an alternative route or mode of transport when approaching or leaving places you cannot avoid. E.g. work/schools etc.
- Consider informing your employer or others at your place of work – particularly if you think your partner might try to contact you there.
- Mobile phones can be traced so try to change your SIM card or even better get a new pay as you go phone.
- Some mobile phones, particularly iPhone, have tracking programmes attached. Please refer to your manual or change your handset if you are not sure whether this could affect your phone.
- If you do wish to telephone your partner, ensure it is from a number withheld phone. Dial '141' before typing the number to withhold it.
- Avoid using shared credit or debit cards, as if your partner saw the statements it would show where you have been.
- Your support worker can help you open a new account if you need to.
- Make sure your address does not appear on any Court papers.
- Talk to your children about the need to keep your whereabouts confidential. Especially if they are having contact with the perpetrator.
- Ensure schools have any relevant court orders relating to the children, or a photograph of the perpetrator if they have been told by a court that they are not to have contact.

Packing an Emergency Bag

Having an Emergency Bag means that if you had to flee your house you can take some basic belongings with you easily reducing the need to return to the property when it may not be safe to do so.

What to Pack:

- Some form of identification.
- Passports, Visas and work permits.
- Money, savings books, cheque book, credit/debit cards.
- Keys for the House, Car, Work etc. (You could get additional keys cut and put them in your bag)
- Child, Family Tax and any other benefit information
- Driving licence & car registration documents.
- Prescribed medication/repeat prescription.
- Clothing & toiletries for you and the children.
- Address book & emergency contact numbers.
- Personal items (photos etc.) or favourite toys for your children.
- Copies of any legal documents e.g. injunctions

Do not put yourself in danger getting these items, pack what you can; there may be opportunities to get things later on.

Social Networking

Facebook:

How to **block** someone from contacting you:

- Choose 'privacy shortcuts', this is the second button in from the right on the blue bar at the top.
- Choose 'How do I stop someone from bothering me?'
- Write email address or user name in the box – select 'Block'

Blocking someone prevents them from being able to view your page or searching for you from their username or email address. They will be able to search from someone else's account if they want to.

General privacy/security settings:

- 'Privacy shortcuts' – 'See more settings'

This then allows you to stop people being able to find you if they 'google' you and choose who can add you as a friend.

- Select 'Security' from the left hand list

This allows you to choose your security settings for your profile.

Twitter:

General privacy/security settings:

- Choose the icon second in from the right on the main toolbar, 'settings'.
- Choose 'Security and Privacy' from the list of options on the left hand side of the page.

You can then choose whether you allow people to follow you without verification and who can tag you in pictures etc.

- The 'settings' icon, as above, also allows you to select to deactivate your account at the bottom of the page.

Instagram:

How to **block** someone from contacting you:

- Open mobile app. Click on a person's name if they are showing on your timeline, or use the search function (the magnifying glass at the bottom of the screen) to find them by name.
- Open their profile. Select the three dots in the top right hand corner.
- Choose 'block'. Then choose 'block' on the 'are you sure...' message.

- To hide your story from certain people, also choose 'hide your story'. Although if they are blocked they should not be able to see this anyway.

General privacy/security settings:

- Open mobile app, open your profile by selecting the person on the bar at the bottom of the screen.

- Select the three dots in the top right hand corner

- Scroll down to 'Private Account'. Press the button to turn it on. It is blue when on.

This then means that only your friends can see your profile and you have to 'accept' people who wish to follow you. Hashtags will not work in the wider network in this mode.

Snapchat:

How to **block** someone from contacting you:

- Open mobile app. Screen should show front facing camera.
- Select the search function. Find contact then click on them.
- Choose 'Block' or 'Remove friend' from the left hand side of the page.

To stop someone viewing your story:

- Open mobile app. Screen should show front facing camera.
- Swipe right then select the settings clog.
- Select 'custom' under 'Who can view my story' then choose which friends you are happy to be able to view it.

Someone who is blocked should not be able to view your story.

Whatsapp:

How to **block** someone from contacting you:

- Open mobile app. Choose conversation (single person only).
- Select the three dots in top right hand corner. Then choose 'More'. Select 'Block'

How to email chat history:

- Open mobile app. Choose conversation
- Select the three dots in top right hand corner. Then choose 'email chat'. Then following instructions and enter email address.

This is useful if you would like to block someone but need a record of the chat history. Or if you would like to send a chat history to police, your support worker or another professional. You cannot redact this function and the whole chat history will be sent.

To leave a group:

- Open mobile app. Choose group conversation.
- Select the three dots in top right hand corner. Select 'group admin'.
- Choose 'Exit group'. Then choose 'Delete group'

Do not accept friend requests from someone you do not know, even if they share mutual friends. Ensure that Location Settings are turned off on your phone. Updating your social networking with these on will alert your followers/friends as to where you are. Location settings vary phone to phone, please check your manual if you are not sure how to do this.

Appendix 4: MARAC research form

MARAC Research Form			
Ensure information sharing is relevant and proportionate			
Date completed:		Date of MARAC:	
Name of victim		DOB:	
Address:			
Alleged Perpetrator:		DOB:	
Address:			
Dependants (u 18) <i>Include DOB</i>	1.		
	2.		
	3.		
	4.		
	5.		
Others living at address:			
Agency:			
Key Worker: (if applicable)		Contact:	
Form completed by:		Contact:	
Completed regarding	Victim <input type="checkbox"/>	Alleged Perpetrator <input type="checkbox"/>	Other (please specify)
If you are/have been working with victim and alleged perpetrator please complete a separate form for each.			
Is the case currently open to your agency:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>		
Details of contact with person: <i>(Please detail last contact and whether or not, if applicable, they have engaged with the service)</i>			
Note any recent attitude, behaviour and demeanour, including any changes to these:			
Highlight any relevant information relating to current risk: <i>(Including your professional judgement and any potential triggers)</i>			
Who do you feel is at risk? <i>(Include reasons why)</i>			
What are the greatest priorities in regard to this persons safety?			
Actions required from MARAC: <i>(Please include any actions you wish to receive from this process)</i>	1.		
	2.		
	3.		
	4.		

Do you have any other information which would be useful:

For example:

- Previous attendances
- Others who may be at risk
- Relevant history
- Risks to staff

**Please send the completed form to the MARAC Coordinator secure address on:
marac@gloucestershire.pnn.police.uk**

Appendix 5: Legislation for sharing information

Full details on the information sharing processes for MARAC can be found in the MARAC Information Sharing Agreement at www.glostakeastand.com

Information is exchanged at the MARAC on the basis of the following (allowing information to be shared when the victim has not consented):

- Crime and Disorder Act 1998: purpose of prevention and detection of crime. Section 115 details which 'relevant authorities' have the power (but not a legal duty) to share information if it is necessary for the purposes of any provision under the Crime and Disorder Act.
- Human Rights Act: Articles 2&3: right to life, right to be free from torture or inhuman or degrading treatment.
- The Care Act 2014: Prevention of abuse and Neglect.
- Mental Capacity Act 2005: Person lacks the mental capacity to make the decision regarding consent.
- Common Law: overriding public interest.
- Children Act 2004: Section 10: Clear that effective information sharing supports the duty to cooperate to improve the well-being of children.
- Digital Economy Act 2017: Part 5: Sharing personal information across organisational boundaries to improve public services.
- Health and Social Care (Quality & Safety) Act 2015: sharing information where this will facilitate care for an individual.
- National Health Service Act 2006: Section 251, Regulation 5, for the provision of care and treatment and the management of health and adult social care services.

Appendix 6: MARAC Information Sharing Agreement

1. Introduction

All parties to the Multi-Agency Risk Assessment Conference (MARAC) must abide by the Information Sharing Agreement.

The parties agree that the data sharing under this agreement will involve processing of personal data which must be carried out in accordance with Data Protection legislation (the UK General Data Protection Regulation and/or the Data Protection Act 2018).

They agree that some of the personal data may be 'special category data' or 'criminal offence data' and some of the processing may be 'sensitive processing' for which sharing can only occur in narrow circumstances.

The parties recognise that dependent on their status and the purpose of the processing that some sharing may be processing for law enforcement purposes while some may be for general purposes.

The parties accept that in terms of Data Protection legislation they are individual controllers in their own right for the personal data held them under this ISA until the point where that data is shared directly with and received by another partner(s) – at that point the recipient partner(s) will assume individual controllership of their copy of the personal data disclosed to them.

A third party (processor) providing services for and on behalf of a signatory organisation (controller) is covered by the membership of the controller. It is the responsibility of the controller to ensure a UK GDPR-compliant contract, with sufficient instructions on the processing of personal data, is in place between the controller and the processor.

2. The Agreement

This agreement sets out the details for the sharing of Personal Data between the parties. The parties consider this data sharing necessary to fulfil their responsibilities to the MARAC protocol.

All Parties will use the same degree of care as it uses to protect its own strictly confidential information, which is processed under current Data Protection legislation, to maintain the data in strict confidence.

All Parties shall not make any use of, or otherwise process, the data and information received other than for the agreed purpose(s) and shall not attempt to re-identify individuals where data has been anonymised or de-identified or undo or reverse any pseudonymisation used.

All Parties shall restrict access to the data and information received solely to its staff members and/or the staff members of any authorised third-party organisation, who need to have such access in order to carry out the agreed purpose(s).

All Parties are responsible for ensuring the accuracy, completeness and validity of the data.

All Parties will use its reasonable endeavours to ensure that appropriate security and confidentiality procedures are in place to protect the transfer and use of the Personal Data by:

- a) Complying with any organisations specific data security requirements such as the Data Security and Protection Toolkit (DSPT), management of police information (MoPI) or as agreed by the parties.

3. Parties

The parties accept that in terms of Data Protection legislation they are individual controllers in their own right for the personal data held by them under this ISA until the point where that data is shared directly with and received by another party – at that point the recipient party will assume individual controllership of their copy of the personal data disclosed to them.

Details of all Parties, including their name and address and ICO registration number, can be found in Addendum 4.

All parties shall appoint a Single Point of Contact (SPoC) who will work together to reach an agreement with regards to any issues arising from the data sharing and to actively improve the effectiveness of the data sharing agreement.

4. Purposes

The purpose of this document is to enable routine and effective information sharing between the parties.

The purposes of this Information Sharing Agreement is to complement and safeguard the purposes of the *Gloucestershire Multi-Agency Risk Assessment Conference (MARAC) Operating Protocol and Guide*.

5. Categories of Information to be Shared

Personal Information
Special Category Data
Criminal Offence Data
(see [definitions](#) in Addendum 1)

5.1 Description of the information to be shared:

This will vary depending on the nature of the risks identified and the proposed action being taken however any request for information is likely to include;

- Personal demographic information of perpetrator, victim and children: Names, aliases, address, gender, date of birth, physical description, tenancy status, school details.
- Personal information linked to risk: Any health or mental health conditions that impact on behaviour, risk or vulnerability; disability; pregnancy/new birth; substance misuse; cultural/diversity issues; child protection concerns.
- Known history of domestic abuse/Stalking; previous incidents; relevant criminal convictions; professional encounters; current involvement with agencies and ongoing action.
- Risks identified: this will include any information known linked to risk factors highlighted in the VIST risk assessment or Stalking Risk Profile (SRP).
- Victim's views and wishes relating to their circumstances.

Requests for MARAC or Stalking Clinic minutes for use as evidence must be made to those agencies who have shared information on specific cases in the first instance. Request for the sharing of evidence from either process must also be made to Police Legal Service Department under Schedule 2 Part 1 (5) of the Data Protection Act 2018 (DPA 2018).

6. Frequency of Information Sharing

The sharing will take place as often as required. Sharing will take place on the request of the MARAC/Stalking Clinic Chair, Coordinator and partner agencies at the point of receipt of a high risk domestic abuse or stalking referral, or a change in circumstances/risk to a case already open to either process.

On occasion, information will be shared at meetings on an ad hoc basis with/by agencies that are not party to this Agreement. They are required to sign a confidentiality statement to confirm that they will adhere to the DPA 2018 & UK GDPR; this will be arranged by the MARAC Coordinator and managed by the MARAC decision makers. Personal Data will be anonymised or pseudonymised wherever possible.

Agencies are permitted to take informal notes during meetings, but these must be kept confidential and secure within any case files and destroyed securely once they are no longer required.

7. Lawful Basis for Information Sharing

Each Party shall ensure that it processes the Shared Personal Data fairly, transparently and lawfully during the Term of this Agreement.

Each Party agrees that the legitimate grounds under the Data Protection Legislation for the processing of Shared Personal Data are:

Article 6 – Processing of Personal Data

- d) processing is necessary in order to protect the vital interests of the Data Subject or of another natural person;
- 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

Article 9 – Processing of Special Category Data

- 2. c) processing is necessary to protect the vital interests of the Data Subject or of another natural person where the Data Subject is physically or legally incapable of giving consent;
- g) Processing is necessary for reasons of substantial public interest

Article 10 - Processing of Personal Data relating to criminal convictions and offences

- Processing shall be carried out under the control of Official Authority or when the processing is authorised by UK law and the appropriate safeguards are in place. (See Schedule 1 DPA)

Data Protection Act 2018 – Schedule 1 DPA conditions

- 6. Statutory etc and government purposes
- 7. Administration of justice and parliamentary purposes
- 10. Preventing or detecting unlawful acts
- 16. Support for individuals with a particular disability or mental condition
- 18. Safeguarding of children and of individuals at risk

Data Protection Act 2018 – Schedule 2 DPA conditions

- 2. Crime and Taxation
- 5. Information required to be disclosed by law etc or in connection with legal proceedings
- 7. Functions designed to protect the public

Data Protection Act 2018 Law Enforcement Processing – Part 3 DPA 2018

- Gloucestershire Constabulary is a Competent Authority under Part 3 DPA 2018 and is processing the Shared Personal Data under Part 3.

Data Protection Act 2018 - Schedule 8: Conditions for sensitive processing under Part 3

Statutory etc purposes

- 1. This condition is met if the processing –
 - a. Is necessary for the exercise of a function conferred on a person by an enactment or rule of law, and
 - b. Is necessary for reasons of substantial public interest

The Acts listed in Appendix 5 cover the above Schedule 8 condition.

8. Data Quality

The parties acknowledge that they have a general duty to ensure that personal data is accurate, separate to the requirement to take steps where an individual exercises the right to rectification or erasure. The parties acknowledge that the shared data is limited to the data described in Clause 5.1

The parties therefore agree:

- To have systems in place to identify any personal data that is inaccurate as to any matter of fact.
- That if parties discover that personal data is inaccurate as to any matter of fact, they will ensure that the data is made accurate and will notify any partners with whom they had shared that personal data of the accurate data.
- If they are notified that inaccurate personal data has been shared with them, they will immediately take steps to amend the inaccurate data.
- That opinions are accurate so long as they are correctly recorded. If they discover that an opinion is incorrect (for example because it is based on inaccurate data), then they will record that the opinion is incorrect. They recognise it may still be important to retain the incorrect opinion rather than delete it (for example, to explain why they took specific steps or in case of a complaint or a legal claim).
- If they discover that they have shared an opinion which is incorrect because it is based on inaccurate personal data, they will notify any partner within whom they had shared the incorrect opinion.
- If they are notified that an incorrect opinion has been shared with them, they will immediately take steps to delete the incorrect opinion, unless it is important to retain a record of that opinion. If so, they will ensure that the record clearly shows the opinion is incorrect.

If a party notices any errors in the data they will notify the relevant SPOC within 24 hours of becoming aware, via who will feed into the appropriate departments if an inaccuracy has been identified.

9. Data Retention and Deletion

The Data Receiver shall not retain or process Shared Personal Data for longer than is necessary to carry out the Agreed Purposes.

Parties shall continue to retain Shared Personal Data in accordance with any statutory or professional retention periods applicable in their respective areas of work and profession.

The Data Receiver shall ensure that any Shared Personal Data are returned to the Data Discloser or securely destroyed in the following circumstances:

- a) On termination of the Agreement;
- b) On expiry of the Term of the Agreement;

- c) Once processing of the Shared Personal Data is no longer necessary for the purposes it was originally shared for, as set out in section 4

10. Notification of Data Subject Requests, Freedom of Information Requests and Personal Data Breaches

10.1 Data Subject Rights

All Parties will comply with the rights of the Data Subject in a fair and consistent manner and in accordance with any specific legislative requirements, regulation or guidance.

All Parties must ensure that they have appropriate policies and procedures in place to facilitate both the protection and the exercising of Data Subject rights.

All Parties must be transparent and inform Data Subjects of the intended processing and their applicable rights.

The receiving party shall promptly, and in any event within five (5) working days of receipt of the request or correspondence, inform the data disclosing party that it has received a request and shall forward such request or correspondence to the data disclosing party.

The Parties each agree to provide assistance as is reasonably required to enable other Parties to comply with requests from Data Subjects to exercise their rights under the Data Protection Legislation within the time limits imposed by Data Protection Legislation.

All Parties are responsible for maintaining a record of individual requests for information, the decisions made and any information that was exchanged. Records must include copies of the request for information, details of the data accessed and shared and where relevant, notes of any meeting, correspondence or phone calls relating to the request.

Signposting in relation to exercising data subject rights should be available in the signatories addendum 4 held by the MARAC Coordinators.

The point of contact for this agreement will ensure that privacy information is in place so that individuals are informed about the use of their personal data, except where an exemption applies.

10.2 Freedom of Information

The parties acknowledge that each party has obligations under the Freedom of Information Act (FOI) 2000 and the Environmental Information Regulations (EIR) 2004.

All parties shall assist and co-operate with the other to enable the other party to comply with its obligations under FOIA and the EIR. This is in line with the requirements laid out in the Lord Chancellor's Code of Practice issued under section 45 of FOIA.

Where a party receives a request for Information in relation to information which it received from another Party, it shall (and shall procure that its sub-contractors shall):-

- (a) Contact the other party as soon as reasonable after receipt and in any event within two Working Days of receiving a Request for Information;
- (b) The originating authority will provide all necessary assistance as reasonably requested by the party to enable the other party to respond to a request for Information within the time for compliance set out in Section 10 of the FOIA or Regulation 5 of the Environmental Information Regulations.

10.3 Personal Data Breaches and Reporting Procedures

The Parties shall each comply with the obligation to report a Personal Data Breach to the appropriate Supervisory Authority and (where applicable) Data Subjects under Article 33 of UK GDPR and shall inform the other party/parties of any Personal Data Breach irrespective of whether there is a requirement to notify any Supervisory Authority or data subject(s).

The Parties agree to provide reasonable assistance as is necessary to each other to facilitate the handling of any Personal Data Breach in an expeditious and compliant manner.

The Data Receiver shall notify within 24 hours or as soon as reasonably practicable the Data Discloser upon it becoming aware of any Personal Data Breach relating to the Shared Personal Data and shall:

- a) Do all such things as are reasonably necessary to assist in mitigating the effects of the Personal Data Breach;
- b) Implement any measures necessary to restore the security of any compromised Shared Personal Data;
- c) Work with the Data Discloser to make any required notifications to the Information Commissioner's Office and affected Data Subjects in accordance with the Data Protection Legislation (including the timeframes set out therein); and
- d) Not do anything which may damage the reputation of the Data Discloser or its relationship with the relevant Data Subjects, save as required by Law.

The point of contact is responsible for escalating the issue to their Data Protection Officer (DPO), Information Governance Manager, Senior Information Risk Officer or similar.

In the event that contact is unable to be made with the point of contact, parties must exhaust all reasonable endeavours, i.e. making direct contact with the affected party organisation's DPO or reporting to the MARAC Administrator/Chair via MARAC@gloucestershire.police.uk

11. Security

The parties agree to maintain a high standard of operational security by having and adhering to proper security policies, including physical security policies; IT security policies and business continuity policies.

The parties agree to protect the physical security of the shared data. This means they will, as a minimum:

- Ensure their organisation controls physical access to its premises;
- Ensure visitors to the premises either use only specific areas, or are required to wear visible visitor passes at all times whilst in the premises;
- Ensure proper physical control of printers and photocopiers so that personal data is not left lying on printers/photocopiers;
- Ensure secure disposal of printed materials, so that materials intended for disposal do not remain accessible. This may mean having locked confidential waste bins situated next to printers/photocopiers and in other strategic locations in the premises;
- Ensure that old computers, printers and other electronic equipment are disposed of safely and that all personal data is irretrievably deleted from any memory before disposal.

The parties agree to protect the electronic security of the shared data. This means they will, as a minimum:

- Ensure their organisation has a strong password policy that is adhered to by all personnel. This should include requiring a sufficiently complex password which is never kept with the device. The policy should require the password to be used until users are told to change that password; prevent reuse of passwords over a number of systems and prevent sharing of password among staff members;

Ensure staff user accounts are further protected by multi-factor authentication or at least be working with their IT partners to install MFA.

- [Multi-factor authentication for online services - NCSC.GOV.UK](#)
- Ensure their organisation installs security patches on electronic devices (including ensuring all operating systems' updates are installed in line with best practice);
- Ensure personnel are given access only to the electronic systems that they need to have. Senior staff may not necessarily need greater access than junior staff. Access rights should be continuously monitored and reassessed when staff members change their work;
- Ensure that any Wi-Fi connections are secure and that any guest Wi-Fi is on a segregated system, so that guests cannot access other systems from that Wi-Fi;
- Ensure that any data that is transferred, either within or outside the United Kingdom, is transferred securely, in line with best practice;
- Ensure that their organisation complies with the best practice of cyber security as detailed by the National Cyber Security Centre.

12. Staff Training

The parties accept the requirement to ensure that any personnel are able to access only the shared personal data necessary for their role and that they are appropriately and regularly

trained so that they understand their responsibilities in relation to personal data and Data Protection legislation.

It is the responsibility of each party to ensure that its staff members are appropriately and regularly trained to handle and process the shared Data in accordance with the organisational and technical security measures set out in Schedule 2 together with any other applicable national data protection laws and guidance and have entered into an employment contract inclusive of confidentiality clauses for the Processing of Personal Data.

13. Transfers

Shared personal data may only be transferred outside of the UK in compliance with the conditions for transfers set out in Chapter V of the UK GDPR.

The parties shall not be permitted to transfer Shared Personal Data to a third party unless it is required or allowed by law. The Parties agree to notify any impacted Parties of any such transfers as soon as it becomes aware the transfer is taking place.

If any party appoints a third-party Processor to Process the Shared Personal Data is shall comply with Article 28 and Article 30 of the UK GDPR.

14. Third Party Rights

A person who is not a party to this Agreement shall not have any rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this Agreement. This does not affect any right or remedy of a third party which exists, or is available, apart from that Act.

No one other than a Party to this Agreement, their successors and permitted assignees, shall have any right to enforce any of its terms.

15. Liability

No Party excludes or limits liability to the other Party(ies) for:

- a) Fraud or fraudulent misrepresentation.
- b) Death or personal injury caused by negligence.
- c) A breach of any obligations implied by section 12 of the Sale of Goods Act 1979 or section 2 of the Supply of Goods and Services Act 1982; or
- d) Any matter for which it would be unlawful for the parties to exclude liability.

Subject to section 13, no Party shall in any circumstances be liable whether in contract, tort (including for negligence and breach of statutory duty howsoever arising), misrepresentation (whether innocent or negligent), restitution or otherwise, for:

- a) Any loss (whether direct or indirect) of profits, business, business opportunities, revenue, turnover, reputation, or goodwill.
- b) Loss (whether direct or indirect) of anticipated savings or wasted expenditure (including management time); or

- c) Any loss or liability (whether direct or indirect) under or in relation to any other contract.

16. Dispute resolution (Data Subjects & Supervisory Authority)

In the event of a claim or dispute brought by a Data Subject or the Supervisory Authority concerning the Processing of Shared Personal Data against any Party, the Parties will inform each other about any such disputes or claims and will cooperate with a view to settling them amicably in a timely fashion.

The Parties agree to respond to any generally available non-binding mediation procedure initiated by a Data Subject or by the Supervisory Authority. If participating in proceedings, the Parties may elect to do so remotely (such as by telephone or other electronic means). The Parties also agree to consider participating in any other arbitration, mediation or other dispute resolution proceedings developed for Data Protection disputes.

17. Severance

If any provision or part-provision of this Agreement is or becomes invalid, illegal or unenforceable, it shall be deemed deleted, but that shall not affect the validity and enforceability of the rest of this Agreement.

If any provision or part-provision of this Agreement is deemed deleted, the Parties shall negotiate in good faith to agree a replacement provision that, to the greatest extent possible, achieves the intended result of the original provision.

18. No partnership or agency

Nothing in this Agreement is intended to, or shall be deemed to, establish any partnership or joint venture between any of the parties, constitute any Party the agent of another party, or authorise any Party to make or enter into any commitments for or on behalf of any other Party.

Each Party confirms it is acting on its own behalf and not for the benefit of any other person.

19. Indemnity

The Parties agree to indemnify each other and hold each other harmless from any cost, charge, damage, expense or loss which they cause each other as a result of their breach of any of the provisions of this Agreement, except to the extent that any such liability is excluded under any of the other terms of this Agreement.

20. Variation

No variation of this Agreement shall be effective unless it is in writing and signed by the Parties (or their authorised representatives).

21. Review

The Parties shall review the effectiveness of this Data sharing initiative every 12 months, having consideration to purposes set out in section 4 . The Parties shall continue, amend or terminate the Agreement depending on the outcome of this review.

The review of the effectiveness of the Data sharing initiative will involve:

- a) Assessing whether the purposes for which the Shared Personal Data is being processed are still the ones listed in this Agreement;
- b) Assessing whether the Shared Personal Data is still as listed in section 5.1
- c) Assessing whether the legal framework governing data quality, retention and Data Subjects' rights are being complied with; and
- d) Assessing whether Personal Data Breaches involving the Shared Personal Data have been handled in accordance with this Agreement and the applicable legal framework.

As the Constabulary are party to this agreement to satisfy with MoPI requirements this agreement will be reviewed annually.

22. Governing law

The Parties agree that any dispute or claim (including non-contractual disputes or claims) arising out of or in connection with it or its subject matter or formation shall be governed by and construed in accordance with the law of England and Wales.

23. Supplementary Documents

This agreement is to be supplemented by appropriate supporting documents, which may include:

- Retention Schedule
- Information Flow Map
- Gloucestershire Constabulary – Appropriate Policy Document – Processing of Special Categories of Personal Data and Criminal Convictions etc
- Gloucestershire Constabulary – Appropriate Policy Document – Sensitive Processing for Law Enforcement Purposes

MARAC and Stalking Clinic guides are available at www.glostakeastand.com

Addendum 1 – Definitions of personal and special category personal data

Personal data

Any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier.

This definition provides a wide range of personal identifiers to constitute personal data, including name, date of birth, identification number, location data or online identifier, reflecting changes in technology and the way organisations collect information about people. You may think information has been anonymised, but the legal definition takes into account other data held by the organisation. Therefore, if you hold the key to identify people from the anonymised data, then it is still covered by UK GDPR. This is known as 'pseudonymised' personal data.

Special Categories of Personal Data

- race
- ethnic origin
- politics
- religion
- trade union membership
- genetics
- biometrics (when used for ID purposes)
- health
- sex life
- sexual orientation

Addendum 2 – Article 6 UK GDPR Lawful Processing Conditions

Processing is only lawful if at least one of the following applies:

- The data subject has given **consent** to the processing of his / her personal data for one or more specific purposes
- The processing is necessary for the performance of a **contract** to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract
- The processing is necessary for **compliance with a legal obligation** to which the controller is subject
- Processing is necessary in order to protect the **vital interests** of the data subject or another natural person
 - This condition only applies in cases of life or death, such as where an individual's medical history is disclosed to a hospital's A&E department treating them after a serious road accident.
- 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
- Processing is necessary for the purposes of the **legitimate interests** pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child

Addendum 3 – Article 9 UK GDPR conditions for processing Special Categories

If you are processing special category data you must identify a lawful basis for processing in Article 6 (above), AND be able to meet one of the conditions in Article 9. The Data Protection Act 2018 also imposes additional conditions and safeguards when dealing with special category data.

Article 9(2) GDPR

- (a) the data subject has given explicit consent to the processing
- (b) processing is necessary for the purposes of employment and social security and social protection law
- (c) processing is necessary to protect the vital interests of the data subject or of another natural person
- (d) processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body
- (e) processing relates to personal data which are manifestly made public by the data subject;
- (f) processing is necessary for the establishment, exercise or defence of legal claims
- (g) processing is necessary for reasons of substantial public interest
- (h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services
- (i) processing is necessary for reasons of public interest in the area of public health

- (j) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes

Schedule 1 Data Protection Act 2018

Schedule 1 Part 1 contains specific conditions for the various employment, health and research purposes under Articles 9(2)(b), (g), (i) and (j) UK GDPR.

Schedule 1 Part 2 contains specific 'substantial public interest' conditions for Article 9(2)(h) UK GDPR.

- Schedule 1 Part 1: Conditions relating to employment, health and research
 - Employment, social security and social protection
 - Health or social care purposes
 - Public health
 - Research
- Schedule 1 Part 2: Substantial public interest conditions
 - Parliamentary, statutory and government purposes
 - Equality of opportunity or treatment
 - Preventing or detecting unlawful acts
 - Protecting the public against dishonesty
 - Journalism in connection with unlawful acts and dishonesty
 - Preventing fraud
 - Suspicion of terrorist financing or money laundering
 - Counselling
 - Insurance and data concerning health of relatives of insured person
 - Third party data processing for group insurance policies / life insurance
 - Automatic renewal of insurance
 - Occupational pensions
 - Political parties
 - Elected representatives responding to requests
 - Disclosure to elected representatives
 - Informing elected representatives about prisoners
 - Publication of legal judgments
 - Anti-doping in sport
 - Standards of behaviour in sport

Addendum 4- Signatories

The signatories' addendum will be held as a separate document held by the MARAC Coordinators