



Marac Information Sharing and Operating Protocol Checklist

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Introduction

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

A Marac is a meeting where information is shared about the victims who are at the highest risk of serious harm or murder due to domestic abuse, between representatives of **Police Scotland, Criminal Justice Social Work, Health (both physical and mental), Adult Support & Protection, Children's Statutory Services, Education, Housing Providers (including Homeless Services), Independent Domestic Abuse Advocates (Idaas), Substance Misuse Services** and other specialists from the statutory and voluntary sectors. After sharing all relevant and proportionate information, representatives volunteer actions (based on risks identified) to increase safety through the development of a multi-agency action plan.

The primary focus of the Marac is to safeguard the adult victim and their children. The Marac will also make links with other fora in relation to child protection and the disruption of perpetrator behaviour. At the heart of a Marac is the working assumption that no single agency or individual can see the complete picture of the life of a victim, but all may have insights that are crucial to their safety. The victim does not attend the meeting but is represented by an Independent Domestic Abuse Advocate (Idaa) who speaks on their behalf.

Who is this guidance for?

This guidance is for local representatives who are involved with the strategic work of a Marac, primarily Steering or Oversight Groups, Marac Chairs, Marac Administrators/Coordinators and domestic abuse professionals.

What is in the guidance?

This guidance contains templates which will support the implementation of the SafeLives Marac model. The templates align with the 10 principles of an effective Marac, in particular principle five (research and information sharing) and principle ten (governance). SafeLives believes the 10 principles promote good practice in and around the Marac to ensure that victims of domestic abuse receive a consistent, safety-focused service wherever they are based whilst allowing for local differences in practice. These principles must always sit alongside professional judgement.

Using the templates:

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

- The name of the Marac
- Any appropriate multi-agency logos
- Reference to information security and GDPR
- The date of the meeting where relevant
- Marac documentation containing data relating to victims should be marked 'RESTRICTED WHEN COMPLETED' and should only be transmitted by secure means.

For more information:

- Contact SafeLives Scottish Marac Development Officer at info@safelives.org.uk

1. Marac Information Sharing Protocol Checklist¹

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

Understanding issues around sharing information without consent are crucial when writing an ISP. You are also advised to contact the [Information Commissioner's Office](#) for guidance on specific issues relating to information sharing and GDPR.

1. Introduction

- **Outline the purpose of the Marac Information Sharing Protocol.**
Example: The purpose of the Marac Information Sharing Protocol is to set out the legal grounds for information sharing between all agencies who have agreed to work together within the Marac framework in accordance with the relevant legislation in order to: increase the safety of all victims, including children; enable the protection of vulnerable people; and reduce crime and disorder locally.
- **List all relevant legislation.**
Example: The Data Protection Act (1998), The Children and Young People (Scotland) Act (2014), Human Rights Act (2000) and any other relevant legislation.
- **Explain how the protocol sits with other inter-agency information sharing agreements in operation.**
Example: The Marac Information Sharing Protocol is designed to enhance existing arrangements rather than replace them.
- **List all signatory agencies.**
- **Set out the commitments of signatory agencies.**
Example: To share information in high risk situations, to comply with all relevant legislation, to register with the Information Commissioner's Office, to seek their own legal advice, to use the data disclosed only for the agreed purpose etc.

2. Data

- **Specify the nature of the data each agency will share regarding victim, child(ren), perpetrator(s) and possible future partners.**
Example: Police will share relevant crime incidents, offender information etc.; housing will share vandalism records, neighbourhood complaints etc.
- **Define the different types of data to be shared (non-personal data, depersonalised data, personal data and sensitive personal data) and outline the different ways in which these types of data will be used.**

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

- **Outline the statutory gateways for information sharing.**
Example: Explain how the relevant provisions of the Crime and Disorder, Human Rights, and Data Protection Acts allow for information sharing in certain circumstances.
- **Explain best practice around obtaining consent from the victim.**
Example: It is best practice to obtain consent but not obligatory in high risk cases and this approach is not always safe.
- **Outline where public interest overrides the need to obtain consent from the victim.**
- **Highlight the need for proportionality to govern decisions made about sharing information.**
Example: Signatory agencies should consider the perpetrator's right to a private life under Article 8 of the Human Rights Act, and balance this with the need to share information.
- **Set out the role of the data controller/ single point of contact for each signatory agency.**
Example: The data controller must be of a sufficient standing within the signatory agency to have a co-ordinating and authorising role as they are responsible for ensuring that the agency they represent obeys the protocol and all relevant legislation, etc.

3. Process

- **Outline how signatory agencies meet disclosure requests.**
- **Outline how signatory agencies meet subject access requests (e.g. by the victim or perpetrator).**
- **Explain how signatory agencies will agree on the criteria for 'weeding' data.**
- **Specify the key principles when handling media involvement in relevant cases.**
- **Information sharing with and referral to and from other Maracs.**

Example: Consistency, honesty, impartiality, and a consent-based approach when making information public.

4. Security and Data management

- **Set out an acceptable standard of security when storing and processing data so that its integrity and confidentiality are maintained at all times.**
- **Outline how use of information outside of the meeting is governed.**
Example: To inform Non Harassment Order Requests, Child Protection Proceedings and Criminal Justice Social Work Reports.
- **Outline how long data should be kept after it is first collected.**

5. Complaints

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

6. Breaches

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

7. Review

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

8. Withdrawal

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

9. Signatories

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

10. Suggested appendices

You could also consider attaching the following to your Marac Information Sharing Protocol:

- SafeLives' Scottish Dash Risk Checklist
- SafeLives' Scottish Marac Toolkit
- SafeLives' Scottish Marac Overview

2. Marac Operating Protocol – Checklist

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

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

1. Introduction

- **Outline the purpose of the Marac Operating Protocol (MOP).**

Example: to establish accountability, responsibility and reporting structures for the Marac and to outline the process of the Marac.

- **Explain how the protocol sits with other safeguarding, public protection and information sharing protocols in operation.**

Example: The MOP is designed to enhance existing arrangements rather than replace them.

2. Partner agencies

- **List all signatory agencies and the strategic lead for Marac within those agencies.**

- **Refer to those that may be involved in the process on a case-by-case basis.**

- **Include the role of agencies at Marac. For example:**

- Outline the role of an agency Marac representative.
- What will agencies do when the Marac representative is unable to attend (statutory and larger voluntary sector agencies to send a deputy, smaller agencies to send information)
- The type of information brought by agencies and the actions offered.
- Identify the strategic lead for domestic abuse in each partner agency.

- **Identify how new agency representatives will be inducted into their role and who is responsible for this.**

3. Governance and performance management

- **Identify the objectives of the Marac and the framework in which these objectives are delivered.**

- **Outline the core responsibilities of the Marac steering group.**

- **Identify to which strategic group the Marac steering group reports.**

- **Detail the membership of the Marac steering group. Membership should include senior representatives from each of key agencies. This representation needs to be able to address the practical and resource implications of Marac; and develop and maintain internal protocols and procedures in relation to public protection.**

- **Note the frequency of the Marac steering group meetings. For example:**

- Monitor and evaluate the data from the Marac.
- Ensure that effective partnerships are maintained with other safeguarding and public protection bodies and other Marac areas.
- Monitor and regularly assess the overall performance of the Marac and ensure it operates in line with the 10 Principles of An Effective Marac.
- Address operational issues.
- Report to strategic partnership (e.g. Community Safety Partnership, Chief Officers Group or Local Violence Against Women Partnership) on a quarterly basis.
- Oversee efforts to raise awareness with local practitioners about the Marac
- Communicate the performance of the Marac to key stakeholders.
- Conduct/participate in reviews following a homicide where appropriate.
- Ensure that the Marac operates in line with legal responsibilities and keeps up-to-date with changes to legislation national guidance.

4. Process of the MARAC

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

Identification of Marac cases

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

Criteria for MARAC

- Identify what the threshold is for the Marac including:
 - Professional judgement.
 - Visible high risk (the number of 'ticks' using the SafeLives-DASH RIC)
 - Escalation (including the number of incidents there need to be and in what time frame).
 - Repeat Incident (any new incident, involving the same victim and perpetrator within 12 months of the case being heard at Marac)

Referral

- Outline how agencies can refer cases to the Marac
- Identify who can refer cases from within agencies.
- Explain to whom referrals should be sent and in what format (e.g. this may link to the Marac Information Sharing Protocol in relation to the use of Secure email).
- Identify that agencies need to use a common referral form.
- State what information this needs to include (see SafeLives' Scottish Forms)

- Identify the deadline for referrals to a Marac meeting (i.e. is this the same date every month? Is there a central list of Marac dates for the year and referral deadlines?).

Marac list/agenda

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

Actions before the Marac (where safe to do so)

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

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

- Explain the process for notifying the victim of the Marac (i.e. what is the responsibility of the referring agency)
- Identify the process for providing information to the victim about the Marac (e.g. letters or leaflets), who is responsible for this and in what circumstances.
- Describe the process through which the Idaa Service receives all Marac cases before the meeting in order to discuss safety planning and to bring the views of the victim to the meeting. Identify who, if there is no Idaa involvement, will speak to the victim.

Marac meeting

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

Minutes and administration

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

Information shared at MARAC

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

Action planning

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

Emergency Maracs

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

Referral to and from other Maracs

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

5. Equality

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

6. Evaluation

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

7. Complaints

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

8. Breaches

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

9. Withdrawal

- Make clear the process for withdrawing from the MOP.

10. Signatories

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

11. Review

- Specify a date and frequency for reviewing the protocol.

Suggested appendices

- SafeLives' Scottish Dash Risk Checklist
- SafeLives' GDPR Guidance
- SafeLives' Scottish Marac Toolkit
- SafeLives' Scottish Marac Overview