

**Hackney MARAC (Multi Agency Risk Assessment Conference) Protocol**

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# 1. Overview

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

1.2. This protocol outlines each agency’s accountability and responsibility towards the MARAC. The protocol is informed by [10 Principles of an Effective MARAC](https://safelives.org.uk/sites/default/files/resources/The%20principles%20of%20an%20effective%20MARAC%20FINAL.pdf).

1.3. The MARAC will:

- Share information to increase the safety, health and well-being of adult and child victims of domestic violence

- Provide clear professional advice from involved agencies

- Review cases and ensure that all possible strategies for increasing the safety of victims and imposing sanctions to deter repeat offending are fully explored and implemented in a coordinated way,

- Ensure that agreed actions are carried out in a timely manner

- Identify policy / practice / partnership issues arising from casework and raise these through the appropriate channels

- Contribute to the development of best practice around safety planning and prevention of harm in domestic abuse cases

# 2. MARAC Referral criteria

2.1 The following are the four criteria for referring domestic abuse to the MARAC:

1. Visible High Risk the number of ‘ticks’ on the 24 questions asked in the [Domestic Abuse Risk Assessment](https://docs.google.com/document/d/1__lmavBwAPSMJBrMq12clFZ7hlGW2nYS03mQazaKXoQ/edit) or [Intergenerational Domestic Abuse Risk Assessment](https://docs.google.com/document/d/13wNVtY3kzBNCAmuaTRMmAIInJmb6nn9Dp3_zzbZv4v0/edit). If you have ticked 14 or more ‘yes’ boxes the case would normally meet the MARAC referral criteria; or,

2. Potential Escalation: locally Hackney has agreed that 4 or more incidents of domestic abuse in a 12 month period should lead to a referral to MARAC. This is to help identify where abuse appears to be escalating and where it is appropriate to assess the situation more fully by sharing information at MARAC.

3. Professional judgment: if a professional has serious concerns about a victim’s situation, they should refer the case to MARAC. There will be occasions where the particular context of a case gives rise to serious concerns even if the victim has been unable to disclose the information that might highlight their risk more clearly. This could reflect extreme levels of fear, a small number of behaviours which in themselves are particularly concerning (e.g. rape, strangulation, stalking), cultural barriers to disclosure, immigration issues or language barriers particularly in cases of ‘honour’-based abuse. This judgment is informed by professional experience and/or the victim’s perception of their risk; or,

4. Repeat Case: where the victim has been referred to the MARAC within the last 12 months and there has been at least one further incident by the same perpetrator against the same victim since the initial referral

# 3. MARAC composition

3.1. The MARAC is chaired by a Detective Inspector from Hackney’s Community Safety Unit within the Metropolitan Police Service or a Service Manager from Hackney Council’s Domestic Abuse Intervention Service which sits within the Children and Families Service.

3.2. The MARAC Coordinator (who sits within Hackney Council’s Domestic Abuse Intervention Service) supports the MARAC Chair throughout the meeting and minutes the discussion and actions.

3.3. The MARAC consists only of professionals.

3.4. Member agencies are required to:

- Check their agency’s records in advance of the MARAC on all cases

- Attend every MARAC and stay for discussion on all cases if possible

- Provide an update on their agency’s involvement on all cases

- Send a deputy from their agency when not able to attend

- Agree actions on behalf of their agency

- Follow up on actions within and on behalf of their agency

- Update the MARAC Co-ordinator regarding completion of actions

- Ensure client files - victims, perpetrators and children - have a ‘flag’ that they have been discussed at MARAC and store MARAC minutes either on case files or in a repository where designated members of staff within their agency have access

3.5. Members of the MARAC include:

- Metropolitan Police Service Community Safety Unit (CSU)

- Hackney Council - Domestic Abuse Intervention Service

- Nia

- Victim Support

- The Probation Service

- Homerton University Hospital NHS Foundation Trust (Children Safeguarding)

- Homerton University Hospital NHS Foundation Trust (Adult Safeguarding)

- Clinical Commissioning Group MARAC Liaison Nurse

- East London NHS Foundation Trust (mental health services)

- Turning Point

- Hackney Council - Housing Needs and Benefits

- Hackney Council - Hackney Housing Anti Social Behaviour Team

- Hackney Council - Adult Social Care / Adult Safeguarding

- Hackney Council - Children and Families Service

3.6. Other agencies are invited to attend MARAC as needed e.g. when working with a victim, perpetrator or child being discussed.

# 4. Frequency of MARAC meetings

4.1. MARAC meetings are held once a fortnight on a Thursday though the schedule is adapted in the period before Christmas each year to minimize the gap between MARACs during the holiday period.

4.2. The MARAC commences at either 9 or 9:30 a.m. depending on case numbers). The MARAC Coordinator is responsible for scheduling in discussion with the Chair.

# 5. MARAC Referral process

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

5.2. Referrals are sent to MARAC@hackney.gov.uk or MARAC@hackney.gov.uk.cjsm.net.

5.3. Referrals made by staff from agencies should copy in their agency’s MARAC representative.

5.4. The referral deadline is 1 p.m. on the Thursday a week before the MARAC.

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

5.6. The MARAC Co-ordinator and a manager from the Domestic Abuse Intervention Service will exercise their quality assurance role by raising with MARAC representatives / agency managers referrals to MARAC any referrals which seem inappropriate e.g. where the risk levels appear very low or concerns do not relate to domestic abuse issues. Cases can be withdrawn from the MARAC agenda only by the referring agency themselves agreeing to withdraw. If a case is withdrawn after the MARAC agenda has been circulated then all MARAC members will be informed of this and given a summary of the reason.

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

5.8. The MARAC Coordinator will send the referral to Hackney Council’s Domestic Abuse Intervention Service for allocation within DAIS, to the London Crime Prevention Fund funded IDVA Service or to an IDVA Service who recently been allocated to the victim / survivor.

# 6. Restricted MARAC meetings

6.1. A ‘restricted’ MARAC meeting will be held where a MARAC referral concerns a victim or perpetrator who works in or is related to a staff member who works in an organisation that is one of Hackney MARAC’s member agencies. Restricted MARAC meetings may also be held where the Chairs agree that because of the victim or perpetrator having a public status the need to manage confidentiality is such that a restricted meeting is warranted.

6.2. The MARAC Chairs and the MARAC Co-ordinator will liaise with the referrer and the Chairs will agree which agencies should be part of the MARAC meeting based on the information they hold or are likely to hold and the need for them to be involved in undertaking actions regarding the victim or perpetrator.

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

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

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

# 7. Before the MARAC meeting

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

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

7.3. Members will check their agencies’ records regarding the referred victims, alleged perpetrators and children. The agency will then take action as needed (e.g. sharing of information, meeting to discuss and action plan, disruption of perpetrators) to reduce risk to *any* victims and children identified by the agency in advance of the MARAC.

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

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

# 8. During the MARAC meeting

8.1. The MARAC meeting is held virtually via Google Calendar, administered by the MARAC Co-ordinator via the MARAC@hackney.gov.uk email address.

8.2. The MARAC has a confidentiality agreement embedded within the Google Calendar invite which people agree to as a condition of entry into the meeting and to which the Chair refers attendees at the outset of the meeting.

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

8.4. The Chair will go through the running order, enabling visiting professionals with no involvement in other cases to present before any cases presented by Members.

8.5. Cases will be presented by the referrer or the domestic abuse professional working with the victim.

8.6. Cases will be presented verbally and in a standardised way, focusing on relevant facts, areas where there are gaps in knowledge, setting out the risk of harm and action already taken to protect the victim and sanction/disrupt the perpetrator.

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

8.8. All Core member agencies will share information held by them on the victim, perpetrator and any children discussed in each case. They will make clear any involvement from MAPPA (Multi Agency Public Protection Arrangements) or other relevant panels (e.g. the Gangs Panel or the Extra Familial Risk Panel).

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

8.10. In all cases the Chair will invite / suggest analysis which highlights risk factors and actions from agencies to reduce the risk. The Chair will agree specific and timed actions on each case including who will update the victim.

8.11. The Chair will ensure that in all cases there is a clear action on how the outcome of the MARAC meeting is communicated to the victim and also to other protective and interested parties as appropriate such as the victim’s parents / carers. Action planning by agencies is guided by safeLives’ [MARAC Representatives’ Toolkit](https://safelives.org.uk/sites/default/files/resources/Representatives%20toolkit_0_1.pdf).

8.12 The MARAC Coordinator will clarify any actions agreed with the Chair before the next case is heard, noting in particular any feedback to be given to chairs of Hackney’s MAPPA (Multi Agency Public Protection Arrangements) or MASE (Multi Agency Sexual Exploitation) Meetings or agencies’ representatives at these meetings.

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

9.1. Applications for disclosure of a possible perpetrator’s offence history under the [Domestic Violence Disclosure Scheme (commonly known as Clare’s Law](https://www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-violence-disclosure-scheme-factsheet)) do not need to come to the MARAC for discussion.

9.2. When the MARAC considers DVDS disclosure as an option agencies will err on the side of agreeing formal disclosures by police on a ‘right to know’ basis where victims are in relationships with partners who have committed domestic abuse against previous partners.

# 10. After the MARAC meeting

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

10.2. Referrers and Secondary Members who have confirmed their involvement with victims, alleged perpetrators and children discussed at the MARAC will be sent minutes on those specific cases.

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

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

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

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

10.7 The MARAC Co-ordinator will receive updates from and liaise with the agencies who agreed to take actions from the MARAC and whether / when they have been completed.

# 11. MARAC to MARAC transfer

11.1 If within a year of being heard at MARAC the victim moves out of Hackney the referreror MARAC Member who learns of this informs the MARAC Coordinator.

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

# 12. Repeat MARAC referrals

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

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

Violence / threats of violence to the victim (including threats to property); or

A pattern of stalking or harassment; or,

Rape or sexual abuse.”

# 13. Victims, alleged perpetrators and children

13.1 Consent should be sought from victims but lack of consent should not be a barrier to referring them to MARAC (see MARAC Referral Form for exceptions to confidentiality). Referrers should where possible explain to victims why a MARAC referral is being made, what this involves and tell them the outcome.

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

13.3 Referrers should seek to ascertain if victims or perpetrators have children, live or work with children or have partners who have children so the MARAC can take a view about any safeguarding measures required. Children living in a home where abuse is occurring to an extent that a MARAC referral is being made should always be referred to the Children and Families Service in the Local Authority where they live. If living in Hackney, children should be referred to Hackney’s [Multi Agency Safeguarding Hub](https://docs.google.com/forms/d/e/1FAIpQLSdnw7KDUp6nwbbyrVmeg8D3JGFe0GjIYbBM1qlaUtHo9q-lIg/viewform) (020 8356 5500).

13.4 16 or 17 year old children can be victims and perpetrators of high risk domestic abuse and when this occurs they need to be referred to the MARAC in their own right. If living in Hackney, 16 and 17 year old children causing or experiencing high risk domestic abuse should be referred to Hackney’s [Multi Agency Safeguarding Hub](https://docs.google.com/forms/d/e/1FAIpQLSdnw7KDUp6nwbbyrVmeg8D3JGFe0GjIYbBM1qlaUtHo9q-lIg/viewform) for statutory safeguarding to be considered.

# 14. Significant Case Review Meetings

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

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

# 15. Information Sharing

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

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

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

[‘Public task’ basis](https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/lawful-basis/a-guide-to-lawful-basis/lawful-basis-for-processing/public-task/) under the General Data Protection Regulation (GDPR)

Working Together to Safeguard Children 2015

Page 5 of statutory guidance: [https://www.gov.uk/government/publications/safeguarding- practitioners-information-sharing-advice](https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice)

14.43 of the Care Act 2014 statutory guidance:

<https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#using-the-care-act-guidance>

[Domestic Abuse Act 2021 Statutory Guidance (para 404)](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1007814/draft-da-statutory-guidance-2021-final.pdf)

Common Law

Compliance with a Court Order

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

15.5 For more detailed guidance please see SafeLives page:

[http://www.caada.org.uk/sites/default/files/resources/Legal%20Ground](http://www.caada.org.uk/sites/default/files/resources/Legal%20Grounds%20for%20Sharing%20Information%20Guidance.pdf)

[s%20for%20Sharing%20Information%20Guidance.pdf](http://www.caada.org.uk/sites/default/files/resources/Legal%20Grounds%20for%20Sharing%20Information%20Guidance.pdf)

# 16. Confidentiality

16.1 The MARAC is not a public forum and attendance shall be limited to those agencies who are able to provide a contribution with regard to listed cases. See **Appendix A** (page 15) for Confidentiality Agreement. In accepting the invite to the MARAC agencies agree to its terms.

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

Under the Criminal Procedure and Investigations Act 1986 (CPIA), if/when an individual is

charged with an offence the police are required to disclose the existence of all material

created as part of the investigation. As a result the existence of the MARAC referral and risk

assessment will be disclosed to the defence. However this will be listed as ‘sensitive

information’ and will only be fully disclosed if a Judge deems it absolutely necessary in the

interests of justice. Even on the rare occasion when this may happen the defence will be

issued with the following instructions:

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

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

16.4 It is the duty of referring agencies and MARAC members to store and communicate information pertaining to the MARAC safely.

# **17.** **Observers**

17.1 The MARAC is generally attended only by those with a contribution to make to the cases being discussed. Observers will be limited to two per meeting and must be from member organisations or approved external bodies e.g. SafeLives, Ofsted and must adhere to the [MARAC confidentiality agreement](https://docs.google.com/document/u/0/d/1khhsfQR-UZsvgVxLCZc8pcrnO6cR1XUIcHhKPEZsYso/edit).

# 18. Role of MARAC Representatives

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

# 19. Changes to MARAC Membership

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

# 20. Issue resolution

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

# 21. Equalities

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

# **22.** **MARAC governance**

22.1 In Hackney the [Violence Against Women and Girls Strategic Board](https://docs.google.com/document/d/1Lg3BnEYV-gOsXn_irEFFM-oxmU-KHzrbX3XfgRuJW9k/edit) undertakes the functions of the Community Safety Partnership (established under Sections 5-7 of the Crime and Disorder Act 1998) regarding Violence Against Women and Girls. See **Appendix B** for a structure chart.

22.2 The VAWG Board delegates its functions regarding oversight of the MARAC to the MARAC Steering Group.

22.3 The MARAC Steering Group’s purpose is to

 - monitor the effectiveness of the MARAC (using MARAC data, quality assurance by

 MARAC member agencies and service user feedback)

 - identify areas of risk and challenge to the management of high-risk domestic abuse

 - identify and promote good practice

 - agree, implement and review changes as needed to improve the MARAC.

22.4 The MARAC Steering Group is chaired by the Service Manager for Hackney’s Domestic Abuse Intervention Service and consists of managers within MARAC Member agencies -

22.5 The MARAC Steering Group takes place on a quarterly / three-monthly basis.

22.6 The MARAC Steering Group Chair reports to the VAWG Strategic Board twice annually.

# 23. MARAC quality assurance

23.1 A MARAC annual self-assessment takes place; this can be conducted by SafeLives or if undertaken without their presence is informed by their model of self-assessment. The self-assessment explores how the MARAC is functioning with respect to the [10 Principles of an Effective MARAC](https://safelives.org.uk/sites/default/files/resources/The%20principles%20of%20an%20effective%20MARAC%20FINAL.pdf)

23.2 The MARAC Steering Group undertakes audits within their respective agencies twice per year.

23.3 10 MARAC cases are selected for each twice-yearly audit exercise and audits are conducted by MARAC Steering Group members prior to meeting to identify any issues arising.

23.4 Learning emerging from the exercise is sent by the MARAC Co-ordinator to the MARAC Steering Group and shared at any MARAC updates to the VAWG Strategic Board and the VAWG Operational Group.

# 24. MARAC Protocol responsibility

24.1 The MARAC Protocol sits with Hackney Council, is held and updated by Children and Families Service.

24.2 Any questions about the Protocol should be directed to

MARAC marac@hackney.gov.uk

# Appendix A: MARAC Confidentiality Agreement

| **MARAC name**  |   | **Date of MARAC** |   |
| --- | --- | --- | --- |

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

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

**The purpose of the meeting is as follows:**

* **To share information to increase the safety, health and well-being of victims - adults and their children;**
* **To determine whether the perpetrator poses a significant risk to any particular individual or to the general public;**
* **To construct jointly and implement a risk management plan that provides professional support to all those at risk and that reduces the risk of harm;**
* **To reduce repeat victimization;**
* **To improve agency accountability and;**
* **Improve support for staff involved in high risk DV cases**
* **The responsibility to take appropriate actions rests with the individual agencies; it is not transferred to the MARAC. The role of the MARAC is to facilitate, monitor and evaluate effective information sharing to enable appropriate actions to be taken to increase public safety.**

**By being present in this meeting we agree to abide to these principles.**

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**Appendix B Hackney Violence Against Women and Girls Structure**

 