OPERATING PROTOCOL

FOR THE

NOTTINGHAMSHIRE MARACs

Multi-agency Risk Assessment Conferences for Domestic Violence

Developed July 2009
Revised September 2011, October 2012 and September 2016
Updated May 2013, September 2016, August 2017
Reviewed annually by Nottinghamshire MARAC Steering Group
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Nottinghamshire MARAC Protocol Revised September 2017
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1. **Introduction**

The Protocol aims to provide operational guidance to all statutory, voluntary, community partners involved in the Nottinghamshire MARACs, detailing aims, responsibilities and structure of the MARAC.

The purpose of the MARAC is to “facilitate, monitor and evaluate effective information sharing to enable appropriate actions to be taken to increase public safety”, allowing agencies to share up to date, relevant information and provide appropriate services for everyone involved in Domestic Abuse – survivor, family and perpetrator - via a coordinated response.

The Protocol should be read in conjunction with the following documents:

- The MARAC Best Practice Guidance for Nottinghamshire 2017
- The Nottinghamshire MARAC Steering Group Terms of Reference

There are two MARAC Operating Protocols that exist, one for Nottingham City and one for Nottinghamshire County. This document is for the county of Nottinghamshire which covers, Bassetlaw, Newark and Sherwood, Mansfield, Ashfield, Gedling, Broxtowe and Rushcliffe.

The principles of this Protocol will be applied regardless of gender, disability, nationality, race or ethnic origin, age, religion / belief and sexual orientation.

The MARAC is designed to work in conjunction with other existing agencies and procedures and not replace them e.g. Inter-Agency Practice Guidance in relation to Children and Domestic Violence, (EHAF), Multi Agency Public Protection Arrangements (MAPPA), Safeguarding Adults, alcohol and drug use assessments.

2. **MARAC Aims**

The MARAC will combine up to date risk information, a timely assessment of the survivors needs and links those directly to the provision of appropriate services, providing a co-ordinated multi-agency response to high risk domestic violence cases, in a single meeting.

1. To share information to increase the safety, health and well-being and to reduce repeat victimisation of survivors of domestic violence and their children.
2. To determine whether the perpetrator poses a significant risk to any particular individual or to the general community
3. To construct jointly and implement a risk management plan providing professional support to all those at risk and reduce the risk of harm.
4. To reduce repeat victimisation
5. To improve agency accountability
6. To improve support for staff involved in high risk domestic abuse cases

The above aims will have the following additional impact:

- Enhance support services offered to domestic violence victims
- Expand and co-ordinate the provision of information sharing among the agencies
• Increase the safety of children and associated adults who live with domestic violence
• Increase perpetrator(s) accountability and responsibility
• Provide accountability to the public, to survivors and to other agencies for the way in which domestic violence is handled in Nottinghamshire.

3. MARAC Responsibilities

1. To focus attention on high risk cases of domestic abuse using the Nottinghamshire DASH as a risk identification tool.
2. To improve information sharing, information flow, co-ordination and working between participating agencies
3. To administer and record MARAC meetings, agreed actions and agencies’ completion of these actions.
4. To promote informed and consistent case handling among agencies.
5. To protect the rights of all concerned.
6. To increase confidence in agencies’ actions and case handling of domestic violence and abuse.
7. MARAC Cases will not duplicate other case handling conferences, however information will still be shared where appropriate e.g. (Child Protection) need to look at wording issues
8. To build and maintain effective partnership and multi agency working with appropriate services, organisations and public institutions.
9. To provide data to evaluate the overall effectiveness of the MARAC process
10. To deal with operational issues through the MARAC or via the MARAC Steering Group
11. To support any formal review including but not limited to Serious Case Review and Domestic Homicide Review where an individual subject to MARAC has been severely injured or murdered.
12. To raise awareness of the MARAC process to other practitioners
13. To liaise with Nottinghamshire Safeguarding Children Board (NCSCB) for decisions in relation to MARAC processes which may impact on the safety and welfare of children and young people or safeguarding processes in Nottingham.
14. To liaise with Nottinghamshire Safeguarding Adults Board, for decisions in relation to the MARAC process which may impact on the safety and welfare of adults at risk and safeguarding process in Nottinghamshire.

4. NOTTINGHAMSHIRE MARAC Partners are as follows:

A1 Housing
Ashfield District Council
Ashfield Homes
Bassetlaw District Council
Broxtowe Borough Council
Broxtowe Womens Project
Members attending the MARAC should have the authority within their agencies to offer and prioritise the actions that arise from the MARAC and be able to make an immediate commitment of resources to those actions. If the MARAC member cannot make the MARAC meeting a representative should go on his/her behalf. Agencies should inform the MARAC administrators of any changes or absences that affect attendance prior to the MARAC meeting.

5. Governance of Operating Protocol and Nottinghamshire MARAC

Governance lies with the Safer Nottinghamshire Board through the Domestic and Sexual Abuse Executive and the Nottinghamshire MARAC Steering group. Each partner agency described in section 4 is invited to send a senior officer to represent the organisation on the Nottinghamshire MARAC Steering Group which meets on a quarterly basis to agree all policy issues relating to Nottinghamshire MARACs including any changes to protocols. The Steering Group then refers strategic decisions back to the DSA Exec on behalf of the Safer Nottinghamshire Board and provides an annual MARAC report. For more information please refer to Nottinghamshire MARAC Steering Group Terms of Reference.
6. Protocol

6.1 Definitions

Domestic violence is defined as:

“Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse:

a. psychological
b. physical
c. sexual
d. financial
e. Emotional

Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

‘Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.”

This also includes so called ‘honour’ based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.

The Government definition of Domestic Violence was refreshed in March 2013

A MARAC is a multi-agency approach to managing the highest risk domestic violence cases (within this definition) in a single meeting. The highest risk cases will be identified through the agreed risk assessment process, professional judgement, as repeat incidents and/or severity of incidents i.e. use of weapons.

“A domestic violence MARAC combines up to date risk information with a comprehensive assessment of a victim’s needs and links those directly to the provision of appropriate services for all those involved in a domestic violence case: victim, children and perpetrator.”

Co-ordinated Action Against Domestic Abuse (CAADA) MARAC Implementation Guide on behalf of the Home Office

6.2 Operation of the MARAC

There are two Nottinghamshire MARACs each with an IDVA Service and a MARAC Administrator provided by a local specialist DV Service and commissioned by the MARAC Steering Group

North MARAC

Covering the districts of Bassetlaw, Mansfield, Newark & Sherwood
South MARAC
Covering the Districts and Boroughs of Ashfield, Broxtowe, Gedling and Rushcliffe,

Meetings: each MARAC meets every two weeks throughout the year, to discuss and share information on the most high risk cases of domestic abuse. Safety plans are devised relevant to the individual case to address risks faced by the survivor and family and appropriate work with the perpetrator. It may also cover risk to agency staff, neighbours and community. MARAC is not limited to numbers but will be based on threat, harm, need and risk.

Referrals: Agencies should refer all high risk Domestic Violence cases to the MARAC through the MARAC Administrator by completing the Domestic Abuse Stalking Harassment and Honour Based Violence Risk Identification Checklist, known as DASH form, and a MARAC Referral Form (see Appendix 3).

The DASH risk assessment should be completed as soon as the referral agency is aware of the incident/situation and the MARAC referral should be submitted to the MARAC Administrator as soon as possible for discussion at the next available MARAC. The case will be heard at the MARAC within 4 weeks of the referral being submitted.

Risk Assessment: There is guidance on the back of the DASH form (see Appendix 3) on how to determine if the case is high risk. The risk assessment process is not just based on the number of ticks but also the professional judgement of staff. There is further guidance on risks to children in the household and referral pathways for safeguarding and support. See also Nottinghamshire Safeguarding Children’s Board “Inter Agency Practice Guidance on Children and Domestic Violence”.

Consent: Referring agencies should endeavour to obtain consent from the victim/survivors prior to referring a case to MARAC. Where consent is declined a referral should still be made as long as the risk assessment is clearly “High”. Lack of consent should be made clear on the referral form showing legal reasons for sharing and grounds for MARAC referral see Appendix 3.

Repeats: Where further incident of concern* occurs within 12 months of a case going to either of the Nottinghamshire MARACs this case must be considered for a further MARAC meeting. Where there is a persistent risk that is not being managed by existing multi-agency arrangements, the case should be returned as a repeat MARAC case. All agencies are responsible for identifying repeats. If it has been longer than 12 months since the MARAC discussion then the case is taken as a new referral. Agencies are expected to flag MARAC cases for 12 months on their databases where data protection allows. *concern includes any significant risk identified by any agency

Outside catchment area: Each MARAC will accept referrals from other MARACs or agencies when a high risk victim/survivor is known to move into its catchment area. MARAC cases will be referred on to the appropriate MARAC or Police force area if victims move outside the MARAC catchment area. (Contact details for all England and Wales MARACs are held at Safelives)

Services to female survivors before MARAC: Once allocated to the MARAC each victim/survivor is allocated an IDVA (Independent Domestic Violence Advocate) within 2
working days and given details of the women’s 24 hour Domestic Violence Helpline. Each victim/survivor is notified as soon as possible by the IDVA through a safe method of communication. The victim/survivor is informed that their case is going to the MARAC; explain what this means and that their role is to project the survivors’ voice in the MARAC. The IDVA will then gather information on historical and current abusive experiences and feelings and perceptions of future risk/abuse as well as risks to dependent children from the survivor and will create a research form which will be presented by a representative of the IDVA team at the MARAC.

Services to male survivors before MARAC: are as above for females but men will be referred to the Nottinghamshire Male IDVA service and given details of the MALE men’s advice line. The male IDVA will be the voice of the survivor at the MARAC.

**MARAC Discussions:** Each case will be discussed at the MARAC, averaging 12 minutes per case.

Each agency has the opportunity to share information before actions are suggested. The IDVAs feed in information from the victim(s). Actions are then volunteered by agency representatives to reduce the identified risk factors, discover any missing information and support everyone involved. Actions should be specific and timed. Where it is necessary to inform another agency that is not part of the Information Sharing Protocol of the risks in a case (e.g. child’s school), this is agreed through the chair person at the meeting.

**MARAC Actions:** Each agency involved with the case will take responsibility for the actions they have agreed to at the meeting and feed back to the MARAC Administrator within the deadline specified. Completed MARAC actions must be reported by email on the template provided in the minutes, in advance of the next MARAC meeting, to allow an email trail and accurate reporting to the Chair. All actions must be completed within 14 days but where more urgent deadlines are needed for safety reasons a specific shorter timescale will be agreed and minuted. The lead agency for on-going support will be decided on a case by case basis at the MARAC.

Cases will generally come to the MARAC once only, unless:

- there has been a further incident of concern since the last meeting
- An agency or agencies have not completed their agreed actions
- an agency or agencies have not fulfilled their role in the partnership agreement.

“The responsibility to take appropriate actions rests with individual agencies. 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”

*Coordinated Action Against Domestic Abuse (CAADA) MARAC Implementation Guide on behalf of the Home Office*

### 6.3 Emergency MARACs

An emergency MARAC is only called in exceptional circumstances. This would be when a survivor is assessed and the risk of harm is so imminent, immediate action is required. Statutory services have a duty of care to act at once rather than waiting for the next MARAC.
These referrals are agreed between the referring agency and the lead agency – Police PPU.

**Process for an Emergency MARAC:**

- Initial phone call referral by ANY agency to lead agency (Police Public Protection Unit)
- Lead agency then contacts all other relevant statutory agencies at once and makes them aware of the situation.
- Non-statutory agencies are not expected to attend unless they are the referrer. However, they may be contacted by phone during the meeting to check what information they have and if there are specific actions they can take to address risk.
- The Emergency MARAC should be held as soon as possible, please refer to the Police “Threat to life” documentation for further information.
- The initial referring agency must attend so the details presented at the meeting are accurate.
- Basic target hardening, Police identification marker etc should be carried out as soon as possible/practical, (if the MARAC takes place in a matter of hours more likely they will occur after in combination with other actions agreed).
- Urgent actions must be executed immediately. The emergency MARAC should be prioritised on the next MARAC agenda, so that the chair can review the action list and present the case to all attending agencies.

**6.4 Information Sharing without Consent**

Information Sharing without Consent can be done under the Data Protection Act, Human Rights Act, Children Act 1989 and 2004, Crime and Disorder Act (prevention or detection of crime), Caldicott Guidelines and decisions to disclose are done on a case by case basis. Only proportionate information will be disclosed in relation to the level of risk to the individual/household. All decisions must be properly documented on the referral form, identifying the reasons to disclose, risks, what information disclosing. For further information refer to the Best Practice Guidance and CAADA Implementation Guide p45 (3rd edition Dec ‘07).

**6.5 Equality and Diversity**

Each MARAC will treat all individuals with absolute respect regardless of their age, gender, race, ethnic origin, sexual orientation or disability. Consideration will be given to providing additional support for victim/survivors and dependent children with specific needs for services such as language interpreters, specialist advice, mental health support.

Cases are monitored for data on BME/LGBTQI/Male and Disabled Victim/Survivors. Where low numbers are coming through to MARAC as compared with the population this will be addressed by the Safer Nottinghamshire Board Domestic Violence Performance and Strategy Group.

**6.6 Complaints**

If an agency has a complaint to make e.g. about actions not being done by another signatory agency, they are to take this complaint through their own agency’s procedures and notify the
MARAC Steering Group Representative who will then monitor the complaint through the
Steering Group.

If an individual who has been referred to the MARAC has a complaint this will be dealt with by
the agency the complaint is concerning. The agency will use its own complaints procedures.
If the complaint is about the process of the MARAC, this will go to the Safer Nottinghamshire
Board, who will deal with this accordingly.

6.7 Breaches

Breaches of the agreements will be dealt with through the Steering Group. MARAC members
are to be aware that breaches of the MARAC protocol may increase the risk to a survivor who
is already high risk.

6.8 Withdrawal

If an agency wishes to withdraw from the MARAC operating protocol they must do so formally
in writing, give clear indications why they wish to withdraw and provide at least two weeks’
notice of the withdrawal. The letter must be sent to the Safer Nottinghamshire Board and the
MARAC Chair.

6.9 Best Practice Guidance

All the information shared at MARAC is subject to the agreements set out in the MARAC Best
Practice Guidance for Nottinghamshire and Nottingham City 2017 and the Confidentiality
Statement read out at the start of each meeting. These documents are reviewed bi-annually by
the MARAC Steering Group/DSA Exec.

6.10 MARAC minutes

When a person requests MARAC minutes they will be informed that they need to access
information from the services involved this would mean the requester would need to engage
with the service(s) information governance leads to access information.

7.0 MARAC - AGENCY RESPONSIBILITIES

ALL Agencies will:

1. Send a representative(s) to the MARAC every fortnight – unless there is prior agreement
that representatives will only attend when existing service users are discussed. All agency
representatives must have the authority to represent and act on behalf of their agency. If
the regular representative is unable to attend a suitably briefed replacement should attend
and the MARAC Administrator kept informed of the situation.

2. Agree to use the same DASH forms for Risk Assessment of domestic violence cases (See
Appendix 3).

3. Use the checklist to assess for high-risk cases. Refer appropriate cases to the MARAC
Administrator: (See Appendix 3) All high risk victims are referred to IDVA and MARAC as
soon as practicable (e.g. within 48 hours)

4. Agencies must enable staff to have sufficient time to prepare properly for presenting MARAC cases.

5. Share information on relevant cases with partner agencies at MARAC meetings, in line with the agreed MARAC Best Practice Guidance and Confidentiality Statement. Written notes should be password protected or sent via secure email. If agencies are contacting other partners of the MARAC re a case outside of the MARAC meeting their details, the case number and name of the survivor will be sufficient evidence to disclose information. If the other agency has any doubts they are to call the individual back for extra confirmation using the contact numbers provided by all agencies. Information that can be discussed is in relation to the survivor, children, perpetrator and work the agency is undertaking. Also where there is relevant risk posed, the perpetrator’s family or other relations may also be discussed. All information disclosed must be proportionate to the risk factors.

6. Develop an action plan for each case at the MARAC meeting

7. Act upon tasks as agreed at the MARAC within the timescales agreed and always before the next meeting. Inform MARAC Administrator of actions completed.

8. Liaise with the IDVA team about any change of circumstance or new intervention with the survivor. In exceptional circumstances will contact the lead agency to call an Emergency MARAC

9. Contribute to monitoring and evaluation of the performance of the MARAC.

10. EACH AGENCY, which undertakes work within the MARAC, will be responsible for complying with their own agency Domestic Violence Policy, Equality and Diversity Policies, Child Protection Policies, Information Security and Data Protection procedures along with the MARAC Information Sharing Agreement.

11. Take appropriate action to Safeguard Children and Vulnerable Adults. Each agency will ensure that all confidential MARAC information is kept or disposed of securely.

12. Provide a representative at the appropriate level to attend the MARAC Steering Group, which will meet quarterly. The Steering Group will be responsible for the evaluation of the overall effectiveness of the MARAC process. They will uphold key principles and hold partner agencies to account.

8 MARAC – INDIVIDUAL AGENCY ADDITIONAL RESPONSIBILITIES

8.1 Nottinghamshire Police will:

1. Fulfil their agency responsibilities as listed above
2. Monitor the risk assessment process for determining high risk cases
3. Identify their high risk cases every two weeks.
4. Prioritise the order of the cases for the MARAC agenda, in line with MARAC criteria
5. Provide MARAC Administrator with a list of numbered cases plus appropriate contact
details and family information to add to the MARAC Agenda one week in advance.

6. Chair the fortnightly MARAC meeting, on a rota basis, in conjunction with partner
agencies.

7. The chair will ensure that the confidentiality agreement is read out and signed at each
MARAC meeting.

8. The chair will summarise action points after each case.

9. The chair will read out incomplete actions only at the next meeting.

10. Refer perpetrators that pose a danger to the public to MAPPA as appropriate and
according to MAPPA guidelines and MAPPA MARAC Protocol.

Note: Where perpetrators are identified as Level 2/3 MAPPA, this case may not be required
to go to a MARAC as well. Level 1 cases would need to be referred to MARAC as well.

8.2 MARAC Administrator will:

1. Provide administration for the fortnightly MARAC meeting: preparing the agenda, minutes
of previous meeting and record of actions completed for the MARAC.

2. Provide MARAC members with details of cases one week in advance, to prepare for the
next week’s meeting.

3. Communicate with agencies who are relevant to each case to ensure that they are aware
of the MARAC details. Where reps are unable to attend, bring written data supplied by
agency. MARAC administrator will record agencies who send apologies in prior to the
MARAC and non attendance.

4. Record the list of agreed actions for each case and each agency attending the meeting.

5. Follow up actions where necessary to provide details of uncompleted actions to the next
meeting.

6. Organise an Emergency MARAC as required.

7. Following an Emergency MARAC, ensure that the case is on the next MARAC agenda as a
priority and that all relevant agencies are invited to attend.

8. Where repeat cases are brought to MARAC, bring along a breakdown of previous actions
that have been tried.

9. Ensure MARAC induction pack is sent out consistently to all new MARAC representatives.

8.3 IDVA Service will:

1. Attempt to contact the victim / survivor within 48 hours of receiving the referral when there
is a safe contact detail on referral.

2. Collect and record information from the victim / survivor and their dependent children.

3. Report back from MARAC to the victim / survivor.

4. Call an emergency MARAC if necessary after discussion with the Chair.

5. Refer to other appropriate agencies when the survivor’s needs fall outside the IDVA remit,
or require specialist support and help, eg language interpreter.
6. Only refer on to another agency with the survivor's consent, (except in cases involving a child protection issue, a statutory duty or an overriding legal requirement).

7. Provide access to advice on a variety of issues such as housing, immigration, benefits and employment or refer to an appropriate support agency.

8. Identify other agencies supporting the survivor and contact them as appropriate.

9. Continually consider, mental capacity and adult and children safeguarding processes for the survivor themselves and known persons.

10. Continue support through the both civil and criminal proceedings.

11. Re-assess risk following MARAC actions and refer and signpost appropriately.

8.4 The MARAC Steering Group will:


2. Maintain and monitor funding of IDVAs, the MARAC Administrator and additional resources where possible following agreement by the Safer Nottinghamshire Board.

3. Provide a Strategic overview of the Coordinated Community Response, which includes the MARAC.

4. Support the MARAC partnership with training, evaluation and monitoring as agreed by MARAC Steering Group.

For further details on individual agencies’ responsibilities see the Safelives MARAC toolkit http://www.safelives.org.uk/node/558

9 Review

This Protocol will be reviewed by the MARAC steering group annually every March/April.
All agencies are signed up to the Best Practice Guidance and MARAC Operating Protocol. All agencies are using the same DASH Risk Identification Form.

Following Risk Assessment by any agency, MARAC Referrals are sent to the MARAC Administrator and then shared with IDVAs and Police Public Protection Unit (PPU). Police officers send high risk direct to PPU.

Case Log of all police high risk cases is agreed by Police Chair. Case Log is sent to MARAC Administrator using password protection.

MARAC Administrator sends out the Case Log using password protection to all MARAC representatives 7 working days before the MARAC.

Agencies conduct research within their organisations to find out what is known and details of current intervention in preparation for the MARAC.

MARAC MEETING
Agencies disclose information case by case at the meeting and then representatives volunteer actions that their agency can take to reduce risks to victims/survivors. Administrator records actions as they are offered and then confirms them with the meeting at the end of each case discussion, entering actions on the Action Update Log.

MARAC Administrator circulates the Minutes and the Action Update Log within 24 hours of the meeting. MARAC reps feedback to relevant staff and then notify MARAC Administrator when actions have been completed on the agreed template. If there are any outstanding actions these are raised at the next MARAC meeting.

Immediate action taken by police if necessary such as arrest, target hardening and child safeguarding referral to Social Care.

IDVAs attempt to make contact with victim/survivors on Case Log ASAP to start safety plan and discuss options.
APPENDIX 2

NOTTINGHAMSHIRE MARAC AGENDA

Name of MARAC
Date, time and location of meeting

AGENDA

1. Introduction of all attendees
   - apologies
2. Chair reads out MARAC confidentiality statement
3. Confidentiality statement signed by all attendees
4. Brief Review of minutes of the last meeting to agree true record
5. Outstanding Actions from last meeting identified
6. MARAC Case Log discussions:
   - Establish a running order for cases if required
   - All agencies share information about each case
   - Chair summarises action points after each case
7. AOB
8. Chair to close meeting

Date and time of next meeting:
APPENDIX 3

The current DASH RIC Form and referral Form can be found by clicking on the link below


Please note that:

a) Forms should be fully completed and will be returned if not
b) Agencies can telephone their MARAC administrator for advice to assist in completing the form
c) WAIS/NWAL will provide MARAC Awareness briefings
d) Where a specific agency is having difficulty completing forms, WAIS/NWAL will work with them to address this
e) Agencies who are not core members of the MARAC will be advised when they need to attend.