

DUMFRIES & GALLOWAY  
PUBLIC PROTECTION COMMITTEE



**Multi Agency Risk Assessment Conference – MARAC –  
Information Sharing Protocol**

<b>Management Information</b>	
Responsible Manager	Public Protection Committee
Author	Name: Luis Pombo
	Designation: MARAC Coordinator
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## 1. Introduction

- 1.1 Multi Agency Risk Assessment Conference – MARAC - is a process established to respond to victims of domestic abuse who are at risk of significant harm and domestic homicide.
- 1.2 The purpose of this document is to set guidelines and to provide details of the legislation that allows agencies/ organisations to share information in the MARAC process.
- 1.3 MARACs are recognised nationally as best practice for addressing cases of domestic abuse that are categorised as high risk. MARACs in Dumfries and Galloway allow statutory and voluntary agencies/ organisations to give a consistent and structured response to managing the risk posed by perpetrators.
- 1.4 In a single meeting, a MARAC combines up-to-date risk information with a comprehensive assessment of the victim's needs and links those directly to the provision of appropriate services for all those involved in a domestic abuse case: victim, children and perpetrator. By using the knowledge and expertise of different agencies / organisations, the identified risks will be either reduced or managed in the most appropriate and effective way.
- 1.5 Dumfries and Galloway MARAC Signatory Agencies/ Organisations are:
  - Police Scotland – V Division, Domestic Abuse Unit
  - Dumfriesshire and Stewartry Women's Aid
  - Wigtownshire Women's Aid
  - Dumfries and Galloway Rape Crisis and Sexual Abuse Support Centre
  - ASSIST
  - NHS Dumfries and Galloway
  - Scottish Prison Service
  - Crown Office and Procurator Fiscal Service – Victim Information & Advice
  - Dumfries and Galloway Council
    - Adult Social Work
    - Children and Families Social Work<sup>1</sup>
    - Housing/ Homeless Department
    - Education
  - Victim Support Dumfries and Galloway<sup>1</sup>
  - Dumfries and Galloway Housing Partnership – Wheatley Group

## 2. Aims of a MARAC

- 2.1 The aims of a MARAC are:

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<sup>1</sup> Do not attend meeting but provide information and act on identified actions.

- To increase the safety, health and wellbeing of domestic abuse victims and their children by facilitating, monitoring and evaluating effective information sharing.
- To construct 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 victimisation.
- To increase public safety.
- To improve agency accountability.
- To improve support for staff involved in high-risk domestic abuse cases.

### 3. Information Sharing

#### 3.1 Legal Basis

3.1.1 Since cases presented at MARAC involve victims of domestic abuse who are at risk of significant harm including domestic homicide, information can be shared without consent within the MARAC process. The lawful bases for information sharing are described below.

3.1.2 Without detriment of any other legal basis that may be applicable, UK GDPR [Article 6\(1\)\(d\)](#) - *processing is necessary in order to protect the vital interests of the data subject or of another natural person* – and [Article 9\(2\)\(c\)](#) [Recital 46](#) form the core legal basis for each of the parties to process MARAC data.

3.1.2.1 Other relevant legislation includes:

- [DPA 2018 Schedule 1 Part 2 Conditions: 10, 11, 17, 18](#)
- Human Rights Act 1998: [Article 2](#) and [Article 3](#)

3.1.3 Only proportionate and directly relevant information to the safety of the victim and their children will be shared. This includes their personal information, information about the abuse they have suffered, their health, the support they have received from Social Work Services and other agencies/ organisations, their housing situation. It also includes information about the perpetrator as they are the source of risk that needs to be managed. This information can include the perpetrator's behaviour and criminal history, the risk that the perpetrator poses, their housing situation, their health information and whether they have spent time in custody.

3.1.4 Relevant information can therefore be shared when it is necessary to prevent a crime, protect the health and/ or safety of the victim and/ or the rights and freedoms of those who are victims of violence and/ or their children. It must be proportionate to the level of risk of harm to a named individual or known household.

#### 3.2 MARAC and Immigration Enforcement

3.2.1 Information shared during the MARAC process cannot be used to support immigration enforcement proceedings.

3.2.2 No agency should pass on information shared at MARAC meetings to Immigration Enforcement without explicit agreement of the MARAC Chair and then only for the purposes of safeguarding the victim(s).

3.2.2.1 This decision must be documented and sent to the MARAC Coordinator for storage in the given case file.

3.2.3 Immigration Enforcement (IE) will not normally be part of MARAC or a MARAC Signatory as they do not have a specific safeguarding function.

### 3.3 The MARAC Meeting

3.3.1 At the start of every meeting, all partner agencies must accept/agree to the MARAC Confidentiality Statement in order to facilitate the exchange of information between partners.

3.3.2 MARAC Confidentiality Statement:

*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 MARAC 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 community;*
- *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 victimisation;*
- *To improve agency accountability; and*
- *Improve support for staff involved in high-risk Domestic Abuse cases.*
- *The responsibility to take appropriate actions rests with individual agencies; it is not transferred to the MARAC. The role of the MARAC is to facilitate, monitor and evaluate effective information sharing to enable appropriate actions to be taken to increase public safety.*

*By taking part in this meeting, we agree to abide to these principles.*

3.3.3 Individual agencies may also have their own procedures relating to the sharing of information and these should also be followed.

### 3.4 Referrals

3.4.1 Referrals should be made using the Dumfries and Galloway MARAC Referral Form, that can be obtained by contacting the MARAC Coordinator, and emailed to: [marac@dumgal.gov.uk](mailto:marac@dumgal.gov.uk) with the phrase **[OFFICIAL – SENSITIVE]** in the e-mail subject line and body; this will encrypt the email and make it secure.

3.4.2 If the referring agency/ organisation does not have a secure email address (“.gov.uk”, “.pnn”, “.cjsm”, “nhs.scot”, etc.) the referral should be made to the MARAC Coordinator by telephone: 01387 260 072 or 07734 073 521 or via an MS Teams call.

3.4.2.1 This also applies to any data sharing prior to the MARAC taking place and after it.

3.4.3 When a referral to MARAC is made, the referring agency/ organisation must, where possible, discuss their concerns with the victim and advise of the referral to MARAC; this **is not** the same as requesting consent. It is the responsibility of the referring agency/ organisation to inform the victim, where considered safe to do so, that they are to be discussed at a MARAC meeting.

3.4.3.1 The referring agency should also briefly explain what a MARAC is and should explain to the victim that they will be provided feedback after the meeting if it is safe to do so.

3.4.4 If the referral to MARAC has not been discussed with the victim, either because it is unsafe to contact the victim or because contact cannot be made with the victim, this should be recorded, and the referring agency then will need to consider the need for confidentiality balanced against countervailing public interests. The referring agency/ organisation should note this on their recording systems and state in the referral form the reasons why the referral has not been discussed with the victim.

3.4.4.1 This should not be a barrier for an agency/ organisation to submit a referral to MARAC.

3.4.5 Professionals referring to MARAC should be aware of their own agency’s/ organisation’s internal processes in relation to making a referral.

3.4.6 Referrals and all other MARAC data will be shared in a secure way i.e. secure email and marked **[OFFICIAL – SENSITIVE]** or as described in Item 3.4.2 above if a secure email is not available.

## 4. MARAC to MARAC Transfers

4.1 Case transfers to other MARACs will be managed by the MARAC Coordinator who will ensure that the case transfer to the relevant MARAC is done in a secure way.

4.2 Case transfers from other MARACs to Dumfries and Galloway MARAC will also be dealt with by the MARAC Coordinator in line with the principles of this Information Sharing Protocol.

## 5. Data Management

### 5.1 Processing and Storage

- 5.1.1 Confidentiality is vital to the credibility of the MARAC process as well as the partner agencies' and organisations' credibility and reputation.
- 5.1.2 Dumfries and Galloway Council and the MARAC Coordinator are the Data Controllers for MARAC purposes. The other MARAC Partners – Police Scotland, Scottish Prison Service, NHS Dumfries and Galloway, Wigtownshire Women's Aid, Dumfriesshire and Stewartry Women's Aid; Victim Support; Dumfries and Galloway Rape Crisis and Sexual Abuse Support Centre – will be Data Controllers in their own right.
- 5.1.3 MARAC data will be processed and stored in accordance with the requirements of the MARAC process and in line with the seven principles of the [UK GDPR Article 5\(1\)\(2\)](#): 'lawfulness, fairness and transparency'; 'purpose limitation'; 'data minimisation'; 'accuracy'; 'storage limitation'; 'integrity and confidentiality'; and 'accountability'.
- 5.1.3.1 All MARAC data will be stored electronically in a secure folder within DG Council's records system. This folder will only be accessed by the MARAC Coordinator. The VAWG Development Officer and the Public Protection Manager will also be granted access in case of any eventuality and/ or emergencies.
- 5.1.4 Due to their sensitive nature, MARAC files will be marked **[OFFICIAL – SENSITIVE] [RESTRICTED WHEN COMPLETED]** and will be stored securely; access to files will be restricted and only available to authorised staff e.g. MARAC Coordinator, designated MARAC representative(s), or specially authorised staff, etc. MARAC data will only be used for MARAC purposes i.e. managing the source of risk – the perpetrator – and enhancing the safety of the victim(s).
- 5.1.5 Stored MARAC data will be destroyed five years after the victim's last involvement or three years after the victim's death.
- 5.1.5.1 Anonymised statistics obtained from these data can be stored indefinitely.
- 5.1.6 Information Sharing Impact Assessment completed on ...

### 5.2 Partner Agencies and Organisations

- 5.2.1 Individual partner agencies/ organisations will follow their own data processing and storage procedures.
- 5.2.1.1 A list of MARAC Signatories can be found under Items 1.5 and 7 of this ISP.

### 5.3 Privacy Information and Right of Access (Subject Access Rights)

- 5.3.1 Individuals discussed at MARAC have the right to request access to and receive a copy of the information that was shared about them in the MARAC process.

- 5.3.2 Under UK GDPR, individuals have a right to be informed about the collection and use of their personal data.
- 5.3.3 Dumfries and Galloway MARAC will process individuals' information for the purposes described in Item 2 -Aims of MARAC – above.
- 5.3.4 Individuals' information will be retained for the periods described in Item 5.1.5 above.
- 5.3.5 Individuals' data will be shared with the MARAC Signatory Agencies – Item 7 – below.
- 5.3.6 Dumfries and Galloway MARAC has a Privacy Notice which is available at: [www.dgppp.....](http://www.dgppp.....)
- 5.3.7 “All staff involved in MARAC will comply with their requirement to undertake the mandatory training courses on GDPR (General Data Protection Regulation), Records management training and training on the Data Protection Act 2018”.
- 5.3.8 Each of the MARAC partner agencies has their own data protection policies and procedures and they can be contacted as/ if necessary.
- 5.3.9 Access to information processed by partners under MARAC may be available to a victim or perpetrator either under [Subject Access Rights \(SAR\)](#) as described in the DPA/ GDPR or the [Freedom of Information \(Scotland\) Act 2002 \(FOI\(S\)A\)](#).
- 5.3.10 The MARAC Partners agree to consult to ensure that all other relevant Partners are made aware of any FOI(S)A requests or SARs received and are given the opportunity to make representations regarding disclosures and/ or exemptions.
- 5.3.11 The MARAC Coordinator will be the main point of contact for this process.
- 5.3.12 The final decision on disclosure, or the application of exemptions, will rest with the Partner who received the request. Exceptions detailed in [Schedules 2-4 of the DPA 2018 and built in UK GDPR provisions](#). For example, under DPA 2018, Schedule 2, Part 3 para 16 - Protection of the Rights of Others, some information can be withheld or edited where the data or information identifies another individual and where the third-party information does not form part of the requested information, except where it is reasonable to comply with the request without that individual's consent.
- 5.4 Withdrawal from the MARAC Process and MARAC Data**
- 5.4.1 Any agency/ organisation that withdraws from the MARAC Process should destroy all MARAC related information from their systems in accordance with their information management guidance.
- 5.4.2 Confirmation of the data destruction will be communicated in writing to the MARAC Coordinator, i.e. via email [marac@dumgal.gov.uk](mailto:marac@dumgal.gov.uk)

## 6. Date of Review

- 6.1 This protocol will be reviewed in April 2026.



## 7. Signatories

Name	Agency	Signature	Date
	Police Scotland – V Division, Domestic Abuse Unit		
	Dumfriesshire and Stewartry Women's Aid		
	Wigtownshire Women's Aid		
	Dumfries and Galloway Rape Crisis and Sexual Abuse Support Centre		
	ASSIST		
	NHS Dumfries and Galloway		
	Scottish Prison Service		
	Dumfries and Galloway Council		
	Victim Support Dumfries and Galloway		
	Dumfries and Galloway Housing Partnership - Wheatley Group		
	Crown Office and Procurator Fiscal Service – Victim Information & Advice		