

Shropshire Multi-Agency Risk Assessment Conference (MARAC) INFORMATION SHARING PROTOCOL



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## 1.0 Introduction

* 1. The purpose of the Shropshire Multi-Agency Risk Assessment Conference (hereafter referred to as MARAC) Information Sharing Protocol is to set out the legal grounds for information sharing between all agencies who have agreed to work together as set out in the [Shropshire MARAC Operating Protocol](https://shropshire.gov.uk/crime-and-community-safety/domestic-abuse/multi-agency-risk-assessment-conference-marac/) in accordance with the relevant legislation in order to:
* increase the safety and enable the protection of all victims of domestic abuse, including children and adults with care and support needs; and
* reduce crime and disorder locally.
	1. This Protocol is designed to enhance and work in conjunction with other Shropshire Safeguarding Community Partnership Information Sharing Policies and Guidance, which can be accessed on multi-agency procedures pages of the following websites:
* [Keeping Adults Safe in Shropshire](http://www.keepingadultssafeinshropshire.org.uk/) (Information Sharing Protocol and Practice Guidance)
* [Shropshire Council Community Safety Pages](https://www.shropshire.gov.uk/crime-and-community-safety/) (Information Sharing Arrangement for Shropshire Safeguarding Community Partnership)
* [Safeguarding Shropshire’s Children](http://www.safeguardingshropshireschildren.org.uk/) ([Regional Information Sharing and Confidentiality Procedures](https://westmidlands.procedures.org.uk/pkphs/regional-safeguarding-guidance/information-sharing-and-confidentiality))
	1. This protocol fulfils the requirements of the following legislation and statutory guidance:
* [Data Protection Act 2018](https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted) (including [General Data Protection Regulations:GDPR](https://gdpr-info.eu/))
* [The Caldicott Principles](https://www.gov.uk/government/publications/the-caldicott-principles)
* [Common Law Duty of Confidentiality](https://www.ukcgc.uk/manual/confidentiality)
* [Common Law Police Disclosures](https://www.app.college.police.uk/wp-content/uploads/2016/08/NPCC-2017-Common-Law-Police-Disclosures-CLPD-%E2%80%93-Provisions-to-supersede-the-Notifiable-Occupations-Scheme-NOS.pdf)
* [Freedom of Information Act 2000](https://www.legislation.gov.uk/ukpga/2000/36/contents)
* The Crime and Disorder Act 1998 (“CDA 1998”) (particularly Section 115)
* The Children Acts 1989 and 2004 (“the Childrens Acts”)
* [Working Together to Safeguarding Children 2018](https://www.gov.uk/government/publications/working-together-to-safeguard-children--2)
* The Care Act 2014
* [Care and Support Statutory Guidance](https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance)
* Rehabilitation of Offenders Act 1974
* The Equality Act 2010
* The Human Rights Act 2000 (“HRA 2000”)
* The Gender Recognition Act 2004

## 2.0 Shropshire MARAC Member Agencies

1. Each Shropshire MARAC Member agencies must sign up to this Protocol as Shropshire MARAC Member Agencies. The person signing the protocol must be of a sufficient standing within the signatory agency to have a coordinating and authorising role as they are responsible for ensuring that the agency they represent adheres to this protocol and all relevant legislation.
* Army Welfare Service (AWS)
* Connexus Homes Ltd
	+ Midlands Partnership Foundation NHS Trust
* The Probation Service
* Robert Jones Agnes Hunt NHS Trust
* Housing Plus Group
	+ Shrewsbury and Telford Hospitals NHS Trust
	+ Shropshire Community Health NHS Trust
	+ Shropshire and Telford Clinical Commissioning Group
* Shropshire Council: Adult Social Care
* Shropshire Council: Children Social Care
* Shropshire Council: Early Help
* Shropshire Council: Housing Options
* Shropshire Council: Learning and Skills
* Shropshire Domestic Abuse Service
* Shropshire Fire and Rescue Service
* Shropshire Recovery Partnership
* Soldiers, Sailors, Airmen and Families Association (SSAFA)
* Victim Support
* West Mercia Police
* West Mercia Women’s Aid (Independent Domestic Violence Advisors)
* West Mercia Rape and Sexual Abuse Support Centre (WMRSASC)/ (Independent Sexual Violence Advisors)
* Axis Counselling (Independent Sexual Violence Advisors)
* West Mercia Youth Justice Service
* Wrekin Housing Trust
1. All member agencies must have [signed this Protocol](#_9.0_MARAC_Signatories) and the [Shropshire MARAC Operating Protocol](https://shropshire.gov.uk/crime-and-community-safety/domestic-abuse/multi-agency-risk-assessment-conference-marac/).
2. The above agencies agree to the following commitments:
* To share information to keep an individual(s) safe from harm or to protect their wellbeing.
* Ensure the security of any information disclosed to them by any agencies pursuant to this Protocol.
* To have procedures in place for the safe receipt and secure storage of all MARAC documents and material.
* Ensure that MARAC information is only accessed by their staff and volunteers who need to have access to the information to ensure the implementation of the MARAC Operating Protocol.
* To comply with all relevant data protection legislation.
* To register with the Information Commissioners Office
* To ensure they have access to appropriate legal and information governance advice in signing and carrying out the functions as set out in this Protocol.
* To ensure it has suitable indemnity insurance in place to cover any liability that may be incurred arising from, or in any way connected with any acts or omissions of this Protocol.
* To process data only for the agreed purposes as set out in this Protocol and the [MARAC Operating Protocol](https://shropshire.gov.uk/crime-and-community-safety/domestic-abuse/multi-agency-risk-assessment-conference-marac/).
1. The MARAC Representative is the main Point of Contact and is responsible for the management of information to and from their agency related to MARAC. Requests for a new MARAC representative or agency should be made to the MARAC Coordinator. Prior to attending a MARAC new agencies and representatives should:
* Ensure that both this Protocol and the MARAC Operating Protocol are signed by their agency.
* provide a secure email address to enable all MARAC correspondence to take place.

### MARAC lead agency

1. West Mercia Police are the lead agency responsible for co-ordinating and managing the MARAC process. For the purposes of this Protocol, this means they are the Data Controller of all MARAC information that is shared including:
* Managing and storing multi-agency information associated with MARAC including:
* MARAC assessments and referrals
* MARAC meeting audio recordings.
* Records of relevant MAPPA correspondence and actions.
* MARAC meeting written records and action plans.
* Managing and storing MARAC Operating and Information Sharing Protocols signatories.
* Acting as the first point of contact for any MARAC information requests.
* Sharing MARAC Information with the Shropshire Safeguarding Community Partnership Domestic Abuse Strategic Group for the purposes of monitoring performance or enabling the completion of statutory functions (such as ensuring the effectiveness of safeguarding and community safety arrangements or to conduct statutory reviews),
* Sharing MARAC performance information with SafeLives or other Government Bodies as requested.
1. All communication related to MARAC should be sent securely via the MARAC Co-Ordinator to: marac.shrop@westmercia.pnn.police.uk

## 3.0 Data

### Involvement of data subjects

1. All people living in the UK have a number of [personal data rights](https://ico.org.uk/your-data-matters/) that MARAC member agencies must be aware of and consider when making decisions to share personal information as part of the MARAC Protocol. Therefore,
* the victim
* their dependents
* Any other person identified as being at risk
* the perpetrator

should be informed that information is being shared about them because of concerns for their safety (or their harmful behaviour in the case of the perpetrator); **unless** there is a [lawful basis](https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/) not to do so. The victim should be involved in the sharing of information to refer or include them in the MARAC process and provided with feedback as to the outcomes of the MARAC meeting at the earliest opportunity.

1. However, because of the risk of harm posed to victims of domestic abuse and their dependents:
* Discussing with or involving them in the MARAC process may increase the risk of harm to them.
* Notifying the perpetrator may increase the risk of harm to them.
* The victim may not consent to their information being shared but member agencies may assess that sharing their information is necessary and proportionate because of the risk of harm that is posed to them or their dependents.
1. MARAC member agencies must therefore make a judgment as to whether there is a [lawful basis](https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/) to share information without the victim’s consent or involvement. The judgment and lawful basis must be clearly stated when information is shared and recorded in agency records and MARAC meeting documentation. MARAC member agencies must complete and send an ‘[Information Sharing without Consent’ form](#_Appendix_1:_MARAC) when conducting a MARAC assessment and referral. This form may also be of assistance to support recording of decisions to share information in other parts of the MARAC process.
2. MARAC member agencies will follow the seven golden rules of sharing information ([HM Government:2018:4](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721581/Information_sharing_advice_practitioners_safeguarding_services.pdf)):
3. **1) Remember that the General Data Protection Regulation (GDPR), Data Protection Act 2018 and human rights law are not barriers to justified information sharing**, but provide a framework to ensure that personal information about living individuals is shared appropriately.
4. **2) Be open and honest** with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be, shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
5. **3) Seek advice** from other practitioners, or your information governance lead, if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
6. **4) Where possible, share information with consent, and where possible, respect the wishes of those who do not consent to having their information shared**. Under the GDPR and Data Protection Act 2018 you may share information without consent if, in your judgement, there is a lawful basis to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be clear of the basis upon which you are doing so. Where you do not have consent, be mindful that an individual might not expect information to be shared.
7. **5) Consider safety and wellbeing:** base your information-sharing decisions on considerations of the safety and wellbeing of the person and others who may be affected by their actions.

**6) Necessary, proportionate, relevant, adequate, accurate, timely and secure**: ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up to-date, is shared in a timely fashion, and is shared securely (see principles)

**7) Keep a record** of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

###  Information processing:

1. MARAC member agencies will share and manage information with one another about data subjects in order to fulfil the objectives of a MARAC as set out in the [MARAC Operating Protocol](https://shropshire.gov.uk/crime-and-community-safety/domestic-abuse/multi-agency-risk-assessment-conference-marac/).
2. MARAC information is any information that is shared or received by an agency for the purposes of conducting a MARAC as outlined in the MARAC Operating Protocol.
3. Where a judgment has been made that MARAC information can be shared without the consent of the [victim or others](#_Involvement_of_data); the lawful basis for the sharing of information between MARAC member agencies is supported by [Article 23 GDPR](https://gdpr-info.eu/art-23-gdpr/) and [Schedule 8 Data Protection Act 2018](https://www.legislation.gov.uk/ukpga/2018/12/schedule/8/enacted) and will be deemed necessary and proportionate to:
* Prevent crime and disorder associated with domestic abuse (s115 Crime and Disorder Act 1998).
* Safeguard and promote the welfare of children (s11 Children Act 2004)
* Protect and promote the wellbeing of adults with needs for care and support, and their carers who are experiencing or are at risk of abuse or neglect as a result of domestic abuse (s6 Care Act 2014)
* Protect the vital interests of the victim and others who may be at risk of harm as a result of the domestic abuse they are experiencing (Article 6(1)(d) General Data Protection Regulations) .
1. The following **types of personal data** will be shared regarding the victim, their dependents (children or adults with care and support needs), perpetrators or other people who may be identified as being at risk of or posing a risk of harm:
* Basic personal data
* Special categories of personal data (as outlined in Article (9)(1) GDPR)
* Personal data relating to criminal convictions and offences
1. The sharing of personal data will not be justified if the reasons for the request can be satisfied by the provision of non-personal or depersonalised information. Wherever possible non-personal or depersonalised information should be provided in preference to personal data.
2. The Gender Recognition Act 2004 restricts occasions when personal data may be disclosed concerning a person who holds or has applied for a gender recognition certificate. This protocol recognises the obligations of all parties to conform to its requirements.
3. The **nature** of the personal data shared between MARAC member agencies about the [victim and others](#_Involvement_of_data) will include information about relationships, household(s) and any other contextual factors that enable the MARAC Operating Protocol to have effect; specifically to:
* Inform a MARAC assessment and referral.
* Enable the objectives of the MARAC to be fulfilled.

1. If any MARAC member agencies are aware that the information supplied is inaccurate or incomplete they must at the earliest opportunity notify the supplying organisation either directly or through the designated officer. The designated officer will ensure that the Business Process or System Owner is made aware of the alleged inaccuracy or incompleteness.

## 4.0 Sharing Information outside of MARAC

1. MARAC information is strictly confidential and must not be disclosed to third parties who have not signed up to this information sharing protocol. Any information to be shared outside of MARAC will be an agreed action as part of individual cases discussed.
2. Any requests for MARAC information from non-signatories to this Protocol or from individuals discussed at MARAC should be directed to the MARAC Co-Ordinator. As the lead agency, West Mercia Police will consider the legal basis of the request in the first instance. If West Mercia Police consider that there may be a basis on which to respond to the request; the views and agreement of all agencies who are involved in the case will be sought via their MARAC Representative beforehand. The following principles apply:
	* MARAC Information shared must not be disclosed to any third party without the written consent of the agency that originally provided the information to MARAC.
* If the recipient has a request to disclose by operation of the law or an order of the Court, Tribunal or Regulatory Body; the receiving agency must advise the body making the request of the following:
	1. the information shared at MARAC is owned by the individual agencies and it is they who need to be contacted and asked to share the relevant information.
	2. there needs to be a specific purpose the information is required. Information shared should only be enough to satisfy the purpose for which it is shared.
	3. the MARAC is a process where agencies work together to identify and respond to risk and only those assessed to be at risk of serious harm or homicide are discussed; therefore the requesting body must consider what risks are posed by disclosing any information they do receive with the perpetrator of domestic abuse.
	+ Subject access and other data rights– If any party receives a subject access request in respect of data which has been provided by another party for the purposes of MARAC, it will then be the responsibility of the receiving party to contact the provider of the data, in order to determine whether that party considers that the provisions with regard to third parties apply or wishes to claim an exemption. If an individual raises other requests in relation to their privacy rights, such as the correction of inaccurate data, the receiving party should deal with this in a similar way.
	+ Where any party provides information to West Mercia Police they will not cause an investigation to be progressed unless the victim subsequently gives their consent. Victimless led prosecutions may be considered in conjunction with the Crown Prosecution in exceptional circumstances. West Mercia Police must record the information in compliance with Home Office Counting Rules on Crime Recording but can use this information only as intelligence where there is no support from the victim for an investigation.
1. Information shared with and referral to and from MARACs in other areas will be carried out in line with this and the MARAC Operating Protocol.
2. MARAC data will be submitted to Safelives on a quarterly basis to both contribute to their [national MARAC dataset](https://safelives.org.uk/practice-support/resources-marac-meetings/latest-marac-data) and also enable the tracking of MARAC performance in Shropshire benchmarking it with national data (with the support of SafeLives).
3. MARAC data (including benchmarking data from SafeLives) will be shared with the Shropshire Safeguarding Community Partnership Domestic Abuse Strategic Group to:
* contribute the local multi-agency profile of domestic abuse for the purposes of monitoring performance and understanding the needs of local population;
* enable the completion of statutory functions (such as ensuring the effectiveness of safeguarding and community safety arrangements or to conduct statutory reviews).

## 5.0 Security and data management

1. All MARAC information must be stored and processed securely so that its integrity and confidentiality are maintained at all times. All personal information transmitted in writing will be marked “OFFICIAL SENSITIVE”. The transmission of personal information by email must sent by secure means, with the use of additional encryption when there is not an appropriate secure email system. Any personal information that is shared verbally must include an explanation as to the basis on which information is being shared. All verbal information sharing must be recorded in agency records.
2. Signatories to this Agreement undertake that personal data shared will be retained only for the specific purpose for which it was given or requested. The recipient of the information is

 required to keep it securely stored.

1. Signatories to this Agreement agree to store all information in accordance with their agency security policies and agree to produce a copy of such policy to any other party to this

 Protocol upon request.

1. The recipient of information will dispose of it securely when it is no longer required. All MARAC member agencies will conduct twelve monthly audits of their security arrangements with regard to material transmitted pursuant to this Protocol to ensure that they are effective. Files containing information from partner sources will be reviewed in line with organisational policy.

## 6.0 Complaints and Breaches

1. Non-compliance with the Data Protection Act 2018 may amount to a criminal offence.
2. A complaint can include indications that the procedure is not working efficiently. Should a MARAC member agency become aware of inefficiencies or breach within the existing Protocol a review can be initiated early, that is, before the next due date. Any concerns in this regard should be referred to the MARAC Chair in the first instance.
3. Any breach of personal data must be reported to the appropriate partner responsible for the data within 24 hours of discovery, so that a decision can be made to report to the Information Commissioner’s Office within the statutory timescale.
4. Any breach of this Protocol by signatories will be referred to the signatories personally and dealt with in accordance with the information governance and if necessary internal disciplinary procedure of the respective parties. The MARAC Chair must also be notified of the breach and any action taken. The MARAC Chair should escalate any significant breaches or concerns to the Shropshire Safeguarding Community Partnership Domestic Abuse Strategic Priority Group.

1. Where any party views the breach of this Protocol as being so severe as to undermine the confidence in the arrangement, it may suspend the Protocol with immediate effect without notice. In this event, the Shropshire Safeguarding Community Partnership Domestic Abuse Strategic Group must be notified.

## 7.0 Review

1. Shropshire Safeguarding Community Partnership will review this protocol every three years. The nominated holder of this Protocol are the lead agency West Mercia Police who are responsible for ensuring that all MARAC member agencies are signed up to this Protocol, along with the MARAC Operating Protocol before participating in the MARAC process.
2. If a MARAC member agency is made aware of or becomes aware of discrepancies in the operation of the Protocol they can request a review prior to the next agreed date

## 8.0 Withdrawal

1. Any agency who wishes to withdraw from this protocol is required to write to the MARAC Chair. The writer must have the required authority from their agency and must outline their specific reasons for the withdrawal. The MARAC Chair will report the withdrawal to the Shropshire Safeguarding Community Partnership Domestic Abuse Strategic Priority Group and reply to the agency highlighting the importance of MARAC for all agencies and the method of re-joining in the future.

## 9.0 MARAC Signatories

 By signing the MARAC Information Sharing Protocol I accept that I am the Information Asset Owner for the information being provided by my agency/area of service. I agree to the contents of the Protocol and accept responsibility for its execution. I agree to ensure that staff are trained so that requests for information and the process of sharing itself for the purposes of MARAC is sufficient to meet the purposes of this Protocol.

 Signatories must also ensure that they comply with all relevant legislation.

Name

Signature

Organisation

Position

Date



**Shropshire**

**MARAC**

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## Information sharing without notifying the victim

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SafeLives recommend that all practitioners have a good working knowledge of the provisions in [The GDPR 2018 and the Data Protection Act 2018)](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/) and refer to the Information Commissioner’s Office (ICO) for advice and guidance on information sharing. You should also refer to internal policies and your Shropshire Safeguarding Community Partnership MARAC’s Operating Protocol and Information Sharing Protocol.

|  |  |
| --- | --- |
| **Name of client**  |        |
| **Date of Birth**  |       |
| **Address** |       |
| **Children** | **DOB** | **Address**  | **School (if known)** |
|       |       |       |       |
|  |  |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Perpetrator name** |  | **DOB** |  |
| **Address (if different to above)** |  |

**Concerns and risk information**

|  |  |  |
| --- | --- | --- |
| Who are you concerned about | What are your concerns or worries? Include who they may be at risk from (may be self-harm) | Are there any immediate concerns requiring immediate action? |
| Child[ren] |  |  |
| Client/victim |  |  |
| Perpetrator |  |  |
| Family member |  |  |
| Agency Staff |  |  |

##### Information sharing decision making process

To be kept on file

|  |  |
| --- | --- |
| What information am I sharing? (be clear & concise) |  |
| For what purpose am I sharing this information? |  |
| With whom am I sharing this information (name agency/ies) |  |
| Has the client met the MARAC referral criteria  | Visible high risk (DASH RIC) [ ] Professional Judgment [ ] Escalation in severity &/or frequency of abuseRepeat referral  |
| Lawful Basis for Sharing Information - consider Vital Interest / Legitimate Interest / MARAC ISP |  |
| I am sharing information based on the legal authority of (tick one or more): |  |
| Child Protection Act 2004 | [ ]  |  |
| s.115 Crime & Disorder Act 1998 | [ ]  |
| Pt 3. Schedule 8 Data Protection Act 2018 | [ ]  |
| Human Rights Act 2004 | [ ]  |
| Common Law | [ ]  |
| The Care Act 2014 | [ ]  |
| I have balanced the following considerations: |
| Information is relevant? [ ] Information is adequate & necessary to achieve the purpose [ ] Information is proportionate [ ] Sharing this information will NOT significantly increase risk to the client/family [ ]  |
| I have discussed this internally with: (line manager/senior practitioner) |
|  |
| Has the client been notified of or involved in the decision to share information? Yes [ ]  Date: No [ ]  Reasons for not informing client:  |
| Referrer sharing the information: Date:  |

##### Guidance for Sharing Information without notifying the victim

Sharing personal information is essential to safeguard the individual. [Article 5 of the GDPR](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/principles/) sets out seven key principles which lie at the heart of the general data protection regime.

* Lawfulness, fairness and transparency
* Purpose limitation
* Data minimisation
* Accuracy
* Storage limitation
* Integrity and confidentiality (security)
* Accountability

These principles should lie at the heart of your approach to information sharing (processing personal data).

The GDPR specifies what individuals have a right to be informed about when you collect and use their personal data, who you share it with and how long you keep it for. Providing this information is a key element of the principle of transparency and can also help you to build trust with clients. This form has been designed to encourage the safe, lawful and secure sharing of personal information with relevant agencies by providing a clear framework to assist and record the decision-making process.

You must ensure the information you share is:

* adequate – sufficient to properly fulfil your stated purpose;
* relevant – has a rational link to that purpose; and
* limited to what is necessary – you do not share (or hold) more than you need for that purpose.

##### Purpose

You must be clear about what your purposes for processing are from the start. You need to record your purposes as part of your documentation obligations and specify them in your privacy information for clients. You can only use the personal data for a new purpose if either this is compatible with your original purpose, you get consent, or you have a clear basis in law. Reference your local Marac Operating/Information Sharing Protocol which will detail the Lawful Basis for information sharing in the Marac process.

##### Lawful Basis

There are six available lawful bases for processing. No single basis is ’better’ or more important than the others – which basis is most appropriate to use will depend on your purpose and relationship with the individual. Most lawful bases require that processing is ‘necessary’. If you can reasonably achieve the same purpose without the processing, you won’t have a lawful basis. You must determine your lawful basis before you begin processing, and you should document it. Take care to get it right first time - you should not swap to a different lawful basis at a later date without good reason. Your privacy notice should include your lawful basis for processing as well as the purposes of the processing. If your purposes change, you may be able to continue processing under the original lawful basis if your new purpose is compatible with your initial purpose (unless your original lawful basis was consent). If you are processing special category data you need to identify both a lawful basis for general processing and an additional condition for processing this type of data. If you are processing criminal conviction data or data about offences you need to identify both a lawful basis for general processing and an additional condition for processing this type of data.

##### Consent

The GDPR sets a high standard for consent. But you often won’t need consent. Consent means offering individuals real choice and control. Genuine consent should put individuals in charge, build trust and engagement. When a person is assessed to be at high risk of serious harm or homicide (MARAC threshold) information can be shared without consent thus the client cannot choose or control the process. In order to lawfully process special category data (formally sensitive data), you must identify both a lawful basis under Article 6 and a separate condition for processing special category data under Article 9. These do not have to be linked.

You must ensure the personal data you are processing is:

* adequate – sufficient to properly fulfil your stated purpose;
* relevant – has a rational link to that purpose; and
* limited to what is necessary – you do not hold more than you need for that purpose.

##### Safety

The safety of the victim and children living with domestic abuse is paramount.

When considering whether to share information you must always consider risk factors – how great is the risk? Will that risk increase if information is shared. Can that risk be managed? Do I need to limit who the information is shared with? Record and document all decisions whether to share or not to share information. Decisions should be defensible NOT defensive.

##### Useful Links

SafeLives recommend that all practitioners have a good working knowledge of the provisions in [The GDPR 2018 and the Data Protection Act 2018)](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/) and refer to the ICO for advice and guidance on information sharing. You should also refer to internal policies and your local Marac Operating Protocol/Information Sharing Protocol.

* The ICO have published detailed guidance on [children and the GDPR](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/children-and-the-gdpr/).
* ICO guidance on [determining what is personal data](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/what-is-personal-data/).
* [The ICO guidance](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/the-right-to-be-informed/) will help you to understand what information you need to provide people with when you collect their personal data, when it needs to be provided, and how you can provide it.
* [GDPR – A Briefing for Maracs (SafeLives)](http://www.safelives.org.uk/sites/default/files/resources/GDPR%20Briefing%20for%20Maracs__0.pdf)
* [s.115 Crime & Disorder Act 1998](https://www.legislation.gov.uk/ukpga/1998/37/section/115)

If in doubt always seek advice from management/ your Data Protection Officer and or legal experts

# MULTI AGENCY RISK ASSESSMENT CONFERENCE

## Confidentiality Declaration

**Date:**

THE CHAIR OF THE MEETING REMINDS ALL CONCERNED OF THE PROTOCOLS WITHIN THE AGREED INFORMATION SHARING PROTOCOLS.

Information discussed by the agency representative, within the ambit of this meeting is strictly confidential and must not be disclosed to third parties who have not signed up to the information sharing protocols without the agreement of the partners of the meeting.

All agencies should ensure that the minutes 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 race, gender, sexuality and disability.

The purpose of the meeting is as follows:

1. To share information to increase the safety, health and well-being of victims – adults 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 that provides professional support to all those at risk and that reduces the risk of harm.
4. To reduce repeat victimisation.
5. To improve agency accountability.
6. To improve support for staff involved in high risk DV 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 SIGNING THE ATTENDANCE DOCUMENT WE AGREE TO ABIDE TO THESE PRINCIPLES.