



# **Multi Agency Domestic Abuse** **Framework for Information** **Sharing and Governance**

Produced by Lincolnshire Domestic Abuse Partnership

Version 1.1

### Version History

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23.04.24	1.0	Added version history section	Lara Iggulden
28.06.24	1.1	New name for Domestic Abuse Related Death Reviews replacing Domestic Homicide Reviews	Natalie Watkinson

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## **1. Purpose**

This framework details the legislative and information governance considerations in relation to multiagency working to support partner agencies response to domestic abuse. This framework should be read in conjunction with existing frameworks/protocols which document the specific operational procedures and sharing requirements.

These will include the Multi-Agency Domestic Abuse Protocol, DHR Operating Protocol and the MARAC Operating Protocol, all of which can be located on the professionals' page.

[Domestic abuse – Professional resources \(lincolnshire.gov.uk\)](http://lincolnshire.gov.uk)

## **2. Background**

Domestic abuse is a significant social and criminal issue with real and fundamental consequences for individuals, families, and the wider community. No single agency can address or deal with the complex nature of domestic abuse and the most effective approach is that of multi-agency working.

This document has been created to ensure all partners have a framework for information sharing regarding domestic abuse, this will cover all areas of risk from those assessed as standard to high-risk domestic abuse.

## **3. Aims**

The key aims are:

- To improve identification of risk to those who are vulnerable victims of domestic abuse.
- To share information to increase the safety, health, and well-being of victims.
- To allow identification of risk and for partners to make appropriate reports and referrals to agencies for action to be taken against perpetrators of domestic abuse.
- To improve agency accountability.
- To improve agency communication.
- To improve support for staff involved in domestic abuse cases by using a multi-agency approach.
- To ensure there is a clear and consistent approach to information sharing across all partners in Lincolnshire.

Individual agencies continue to have responsibility to implement their own safeguarding procedures and take appropriate actions for risks identified.

This document does not replace any existing independent information sharing agreements that individual partners may already have in place with individual organisations across Lincolnshire, to support our response to domestic abuse cases.

## **4. Governance**

This framework outlines Lincolnshire's governance arrangements for domestic abuse and sets out the legislative context by which that governance must respond to and operate within. Largely in response to the Domestic Abuse Act 2021 the governance arrangements for Lincolnshire were reviewed and consulted on in 2020 to ensure that the partnership arrangements, commissioned services, and operational interventions were aligned to the new statutory duties and able to respond to the complex and broad domestic abuse agenda.

### **4.1 Legislative Requirements**

Part 4 of the Domestic Abuse Act 2021 places a four-part statutory framework for the delivery of support to victims of domestic abuse and their children in safe accommodation and provides clarity over governance and accountability.

1. Section 54 specifically places a duty on each tier one local authority in England to appoint a multi-agency Domestic Abuse Local Partnership Board which it will consult with as it performs certain specified functions under section 53. These are to:
  - assess the need for accommodation-based domestic abuse support for all victims in their area, including those who require cross-border support.
  - develop and publish a strategy for the provision of such support to cover their locality, having regard to the need's assessment.
  - give effect to the strategy (through commissioning / de-commissioning decisions)
  - monitor and evaluate the effectiveness of the strategy.
  - report back to central government.
2. Require local authorities to have regard to statutory guidance in exercising their functions.
3. Require the Secretary of State to produce statutory guidance, having consulted the Domestic Abuse Commissioner, local authorities and such other persons as considered appropriate. (This will be produced by DLUHC).
4. Require tier two councils to co-operate with the lead local authority, as far as is reasonably practicable.

The makeup of Local Partnership Boards may vary across local authority areas, but they are expected to include a broad range of representative partners. As a minimum, the Boards will include persons representing local authorities, victims and their children, domestic abuse charities or voluntary organisations, health care providers and the police or other criminal justice agencies.

The types of accommodation included/covered by the new duty are broad in recognition of the diversity of housing in which victims and their children may live. The new duty covers the provision of support to victims and their children residing in:

- refuge accommodation
- specialist safe accommodation
- dispersed accommodation
- sanctuary schemes
- move-on or second stage accommodation.

There is a requirement to offer domestic abuse support through the new duty, this includes:

- advocacy support – development of personal safety plans, liaison with other services (for example, GPs and social workers, welfare benefit providers)
- domestic abuse-prevention advice – support to assist victims to recognize the signs of abusive relationships, to help them remain safe (including online) and to prevent re-victimisation.
- specialist support for victims with protected characteristics and / or complex needs, for example, interpreters, faith services, mental health advice and support, drug and alcohol advice and support, and immigration advice
- children's support – including play therapy and child advocacy.
- housing-related support – providing housing-related advice and support, for example, securing a permanent home and advice on how to live safely and independently.
- counselling and therapy for both adults and children

#### **4.2 DARDRs**

Domestic Abuse Related Death Reviews (DARDRs) were established on a statutory basis from 13 April 2011, under Section 9, Domestic Violence, Crime and Victims Act (2004). The revised Multi-Agency Statutory Guidance for the Conduct of Domestic Homicide Reviews 2016 [DHR-Statutory-Guidance-161206.pdf \(publishing.service.gov.uk\)](#) states a DHR is a review of the circumstances in which the death of a person aged 16 or over has, or appears to have, resulted from violence, abuse or neglect by -

(a) a person to whom he/she was related or with whom he/she was or had been in an intimate personal relationship, or (b) a member of the same household as himself/herself

held with a view to identifying the lessons to be learnt from the death.

In cases where a victim took their own life (suicide) and the circumstances give rise to concern, a review should be undertaken.

In Lincolnshire the governance of all DARDs sits with the Lincolnshire Domestic Abuse Partnership [LDAP] on behalf of the Safer Lincolnshire Partnership (SLP) who have statutory responsibility for this function.

For further information on DARDs please view the DARD Protocol on the [Professionals Hub](#).

#### **4.3 DVDS**

The Home Secretary has issued statutory guidance, under s77, Domestic Abuse Act 2021, in relation to the Domestic Violence Disclosure Scheme [‘DVDS’], also known as Clare’s Law.

The DVDS was introduced to set out procedures that could be used by the police to disclose information about previous violent or abusive offending, including emotional abuse, controlling or coercive behaviour, or economic abuse by an individual, where this may help protect their partner or ex-partner, and any relevant children, from violent or abusive offending.

For more information on the Home Office Guidance, please see the links below.

[Request information under Clare's Law: Make a Domestic Violence Disclosure Scheme \(DVDS\) application | Lincolnshire Police \(lincs.police.uk\)](#)

[Domestic Violence Disclosure Scheme - GOV.UK \(www.gov.uk\)](#)

#### **4.4 Op Komoron**

Lincolnshire police have now created a pathway for partners to report crimes that are non-urgent, so information can be passed on without the risk of police sending resources, which potentially ruins the relationship partners have built with victims. This also means that police have the full picture to base risk assessments on.

[op-komoran-guidance \(lincolnshire.gov.uk\)](#)

#### **4.5 Op Encompass**

Set up in 2020 across Lincolnshire, Op Encompass has helped to safeguard and support school children who are experiencing domestic abuse, and now, children in nurseries, pre-schools and with childminders [Operation Encompass | Lincolnshire Police \(lincs.police.uk\)](#)

#### **4.6 Central Repository System**

Agreed by Lincolnshire Domestic Abuse Partnership, this area of business is currently under development with a view to manage risk associated with repeat non-high-risk domestic abuse incidents\* (see section 5).

#### **4.7 Attendance at multi agency meetings**

The makeup of local partnership attendance may vary across local authority areas, but they are expected to include a broad range of representative partners. As a minimum, attendees

will include persons representing local authorities, victims and their children, domestic abuse charities or voluntary organizations, health care providers and the police or other criminal justice agencies.

Lincolnshire partners may include:

Criminal Justice Organisations:

Lincolnshire Police

National Probation Service

District Councils:

Boston Borough District Council

City of Lincoln Council

East Lindsey District Council

North Kesteven District Council

South Holland District Council

South Kesteven District Council

West Lindsey District Council

Domestic Abuse Charities

Lincolnshire Domestic Abuse Specialist Service/EDANLincs

South Lincolnshire Domestic Abuse Services

Domestic Abuse Perpetrator programme provider

Health Organisations:

Integrated Care Board

Lincolnshire Community Health Services

Lincolnshire Partnership Foundation Trust

United Lincolnshire Hospital Trust

Housing Associations

Lincolnshire County Council Departments:

Adult Care and Community Wellbeing

Children's Services

Lincolnshire Domestic Abuse Partnership

Lincolnshire Fire and Rescue

Lincolnshire Recovery Partnership

Other victim support organisations

Additional partners may be liaised with on a case-by-case basis or attend multi agency meetings where required.

*Please see Appendix 3 for a list of acronyms.*

#### **4.8 Partnership Structure**

The DA partnership sits alongside the Lincolnshire Safeguarding Children Partnership, Lincolnshire Safeguarding Adult Board and Safer Lincolnshire Partnership as a separate structure in the LCC Adult Care and Community Wellbeing directorate within the Community Safety Team. However, there is a view to integrating key functions across the key partnerships to create efficiencies where appropriate, reduce duplication for partners and improve the collaborative working at both strategic and operational levels.

The DA partnership has the following groups, of which separate terms of reference are available for each:

- The DA Programme Board – LCC Senior Leadership Board
- DA Strategic Partnership Group (Advisory role to the LCC programme board)
- DA Operational Partnership Group

Subgroups include:

- The MARAC Steering subgroup
- DARDR and Learning subgroup
- Q Collaboration Communications subgroup
- Safe Accommodation Subgroup

Operational delivery groups:

- MARAC
- DARDR decision panel and DARDR meetings
- DVDS panel meetings

The DA partnership, strategy and delivery plan is coordinated and managed by the DA Business Manager.

#### **4.9 Scrutiny**

The DA partnership will be required to:

- Report back to central government as part of the statutory duty
- Report annually to the Public Protection and Communities Scrutiny committee
- Provide regular reports to LCC's Chief Executive and portfolio holder/s
- Report to the DA Programme Board on a quarterly basis

Other arenas for information sharing:



- Domestic Violence Disclosure Scheme
- Op Komoron
- Op Encompass
- Central Repository System for Non-High-Risk cases \*(see section 5)

## 5. Referrals and consent

When domestic abuse is disclosed, it is the responsibility of individual agencies to be able to identify risk, consult with their safeguarding leads where required, complete relevant risk assessment documents such as DASH/S-DASH (see DA resources link below for guidance and forms) and make appropriate referrals to report safeguarding concerns where appropriate and offer victims appropriate support services.

[Domestic abuse resources – Professional resources \(lincolnshire.gov.uk\)](https://lincolnshire.gov.uk/domestic-abuse-resources-professional-resources)

Once a DASH is completed, professionals will need to consider the level of risk and if this meets criteria for referring to MARAC. For further information on the MARAC referral form and process map, please follow this link: [LDAP Professional site MARAC resources](#)

Consent is not required to refer to someone to MARAC, you can do this on an alternative lawful basis under Data Protection Legislation. *Please see Appendix 2 for the definitions of Data Protection Legislation.* The organisation managing the referral is responsible for determining their lawful basis for processing and ensuring that their obligations are being met.

Professionals should inform the person they are completing a DASH with that they are referring them to MARAC and explain why. If they refuse to complete a DASH, try to use professional curiosity to gain further risk information and complete the DASH with the information provided, using professional judgement.

When completing the MARAC referral form, look to ask if the victim would like contact from an IDVA, here, consent is required, for further contact from an IDVA.

For more information on the operating protocol for MARAC, please refer to the [LDAP Professional site MARAC resources](#) and search for the MARAC Operating Protocol.

If there is no imminent risk of serious harm or death, professionals should look to follow current procedures by completing a DASH, look to gain consent and refer to domestic abuse support services; look to complete any child and adult safeguarding referrals if required and report any imminent risks/crimes.

\*The central repository system is currently under development, however once it is in place it is the vision that all agencies will complete a non-high risk referral form to access the agreed process for this system.

Consent will not be required to refer someone to the central repository system, this can be done on an alternative lawful basis under Data Protection Legislation. The organisation

managing the referral will be responsible for determining their lawful basis for processing and ensuring that their obligations are being met.

Professionals should always consider if they need to take action to manage immediate risk, for example, contacting emergency services (police, ambulance, fire service) and/or support via children's and adult services referrals, making sure internal systems and referral forms are updated with what has been completed.

This section will be reviewed and updated accordingly once the central repository system becomes operational.

## **6. Monitoring and Reviewing**

The Domestic Abuse Partnership will be required through the statutory duty under the Domestic Abuse Act to produce a needs assessment, strategy and report to central government on a regular basis in relation to the duty under accommodation-based services as well as monitoring the effect of the statutory duty on community-based services. The needs assessment and strategy for Lincolnshire will cover the statutory duty required under the Domestic Abuse Act 2021, however it will extend to include the full breadth of the Domestic Abuse agenda and include a full strategic assessment of Domestic Abuse and the work across other partnerships.

For more information on the types of domestic abuse, how to respond to domestic abuse and information on services, please view the multi-agency domestic abuse joint protocol.

[Domestic abuse resources – Professional resources \(lincolnshire.gov.uk\)](https://lincolnshire.gov.uk/domestic-abuse-resources-professional-resources)

Once this document has been agreed to by all partners at Operational and Strategic level, LDAP will look to review this document yearly and ensure all partners agree to any changes made in the future.

This framework was adopted by all partners on:

Next review due:

## **Appendices**

### **Appendix 1 - Information Sharing, Data Protection, Roles and Responsibilities**

#### **1.1 Purpose**

It is recognised that to fulfil the aims and objectives of this framework, it is necessary for the relevant agencies to exchange personal, special category (sensitive) and criminal conviction information about those accessing their services.

#### **1.2 What, When and How**

The types of information shared includes, but is not limited to the following:

- Names, DOBs, contact details, addresses of victims, perpetrators and children.
- Information on the incident (what has happened) and the individuals involved.
- What referrals have been completed or safeguarding measures implemented.

Agencies will use a central repository system, (this is yet to be determined) for non-high-risk information and MODUS for high-risk information to be shared at MARAC. In the interim that a central repository system is not in place, please refer to your own safeguarding guidance, look to complete DASH risk assessments, report any immediate safeguarding to police, refer to domestic abuse support agencies with consent and complete any child or adult safeguarding referrals where required.

Please refer to the MARAC Operating Protocol for more information on how MODUS is used on the professional site. These platforms will share relevant and timely information about identified victims, perpetrators and children. Sharing data between agencies in this manner is essential to help reduce repeat victimisation and reduce risk.

#### **1.3 Purpose Limitation**

Data will be shared on a regular, ongoing basis and will be limited to only the relevant partners who it is necessary to access and process that information, in order to provide the respective support and services.

The agencies understand that information shared under this arrangement will only be used for the specific purpose for which it was shared and in no circumstances will the information be processed further in a manner that is incompatible with the original purpose of which it was collected. Agencies sharing information under this arrangement are responsible for the quality of the information that it is sharing and must ensure it is accurate, relevant, and usable and is the minimum information necessary to fulfil the intended purpose.

## **1.4 Data Protection Relationships**

The agencies acknowledge that for the purposes of data protection legislation, each organisation is recognised as a Controller. Agencies are therefore independently responsible for meeting their obligations and responsibilities under data protection law.

## **1.5 Lawful Basis for Processing**

The agencies are responsible for determining their lawful basis for information sharing and processing, ensuring that the exchange of data is lawful, fair and transparent and that the obligations under data protection law are met. Please see section 4.1 of this framework for Legislative Requirements and Appendix 2 Referrals and Consent for further information.

Any information shared and the processes used to share such information must be compliant with the Human Rights Act.

Where agencies are required to share information relating to individuals who are deceased, while this data is not subject to data protection legislation, it must still be processed in a manner which maintains confidentiality. This particularly relates to cases within the DHR process.

## **1.6 Transparency and Individual Rights**

Agencies are responsible for providing individuals with concise, accurate and easy to understand information about how their personal data will be used in relation to the purpose. In addition to this, each agency must ensure that their own privacy information is communicated in accordance with its own legal obligations.

Agencies are responsible for ensuring they have supporting policies and procedures in place to support individual rights.

## **1.7 Retention**

It is accepted that the agencies will set their own retention schedules because of different statutory requirements. However, in all cases when organisational retention periods expire and there is no longer a business requirement to hold the information, it must be securely deleted or appropriately anonymised.

## **1.8 Security Incidents/Personal Data Breach**

Partners must notify each other immediately of any fact or event which results in, or has the potential to result in, the compromise, misuse, or loss of information shared under this arrangement.

Partners must notify each other immediately of any personal data breach if the breach relates to information shared under this arrangement.

Partners must fully co-operate with any investigation required because of such a security incident or personal data breach.

### **1.9 Elevated Risk under MARAC**

If any concerns regarding a data breach relate to MARAC, then the MARAC administration team should be notified immediately.

Any concerns that relate to non-high-risk referrals, then the manager of the agency involved in the data breach should be contacted and discuss if any other agencies are involved, should they be notified also. Once the central repository system is in place, the manager of this should be made aware immediately.

### **1.10 Minimum Security Controls**

Personal data must be always kept secure. It is therefore necessary to agree common security practices between partners. The following link sets out the minimum controls and standards that partners shall have in place: [Minimum security controls – third party information sharing and processing policy – Annex A – minimum security controls - Lincolnshire County Council](#)

All partners are expected to comply with these minimum controls but where that is not possible, any amendment or variation must be agreed by all partners.

## Appendix 2 – Definitions of Data Protection Legislation

- **Data Protection Legislation** means the UK GDPR; the DPA to the extent that it relates to processing of personal data and privacy; all applicable Law about the processing of personal data and privacy.
- **UK GDPR** means the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation) (United Kingdom General Data Protection Regulation), as it forms part of the law of England and Wales, Scotland and Northern Ireland by virtue of section 3 of the European Union (Withdrawal) Act 2018.
- **DPA** means the Data Protection Act 2018.
- **Law Enforcement Processing** means processing personal data for law enforcement purposes under Part 3 of the Data Protection Act 2018.

### Appendix 3 - Acronym List

<b>Title</b>	<b>Acronym</b>
Adult Safeguarding	ASG
Adult Care and Community Well-being	ACCW
Boston Borough District Council	BBC
Children's Services	CS
City of Lincoln Council	COLC
Domestic Abuse	DA
Domestic Abuse, Stalking & Harassment and Honour-based abuse risk assessment	DASH
Lincolnshire County Council	LCC
Lincolnshire Domestic Abuse Partnership	LDAP
Domestic Abuse Related Death Review	DARDR
Domestic Violence Disclosure Scheme	DVDS
Department of Levelling Up, Housing and Communities	DLUHC
East Lindsey District Council	ELDC
Ending Domestic Abuse Now Lincolnshire	EDANLincs
Fire and Rescue	F&R
Independent Domestic Violence Advisor	IDVA
Integrated Care Board	ICB
Lincolnshire Community Health Services	LCHS
Lincolnshire Domestic Abuse Specialist Service	LDASS
Lincolnshire Partnership Foundation Trust	LPFT
Lincolnshire Recovery Partnership	LRP
Multi Agency Risk Assessment Conference	MARAC
National Probation Services	NPS
North Kesteven District Council	NKDC
South Holland District Council	SHDC
South Kesteven District Council	SKDC
South Lincolnshire Domestic Abuse Services	SoLDAS
Stalking risk assessment tool	S-DASH
United Lincolnshire Hospital Trust	ULHT
West Lindsey District Council	WLDC