



# Multi Agency Domestic Abuse Framework for Information Sharing and Governance

Produced by Lincolnshire Domestic Abuse Partnership

# **Version History**

<u>Date</u>	Version number	Amendment made	<u>Author</u>
12.11.24	1.0	Final version with full signatures of partners shared	Lara Iggulden
19.11.24	1.1	EMAS signed up and yearly review of document completed	Lara Iggulden

## **Contents**

Section	Page(s)
1. Purpose	3
2. Background	3
3. Aims	3-4
4. Governance	4-10
4.1 Legislative Requirement	
4.2 DARDRs	
4.3 DVDs	
4.4 Op Komoron	
4.5 Op Encompass	
4.6 Central Repository System	
4.7 Attendance at multi agency meetings	
4.8 Partnership Structure	
4.9 Scrutiny	
<ol><li>Referrals and consent</li></ol>	11-12
6. Monitoring and reviewing	12-14
Appendices	14-21
Appendix 1 - Information Sharing, Data	
Protection, Roles and Responsibilities	

 Appendix 2 – Definitions of Data Protection Legislation
 Appendix 3 – Acronyms List
 Appendix 4 – Partner signatures template and signed copies

#### 1. Purpose

This framework details the legislative and information governance considerations in relation to multiagency working to support partner responses 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, DARDR(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)

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

All partners are responsible for ensuring adequate and ongoing training and awareness is carried out within their organisation to ensure all relevant staff are aware of the current picture i.e up to date guidance, legislation and processes to follow within their organisation to ensure compliance.

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:
  - o assess the need for accommodation-based domestic abuse support for all victims in their area, including those who require cross-border support.
  - o develop and publish a strategy for the provision of such support to cover their locality, having regard to the need's assessment.
  - o give effect to the strategy (through commissioning / de-commissioning decisions).
  - o monitor and evaluate the effectiveness of the strategy.
  - o 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 partners.

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 Domestic Abuse Related Death Review (DARDR)

Domestic Abuse Related Death Reviews 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 <a href="DHR-Statutory-Guidance-161206.pdf">DHR-Statutory-Guidance-161206.pdf</a> (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 DARDRs 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 DARDRs please view the DARDR Protocol on the Professionals Hub.

## 4.3 Domestic Violence Disclosure Scheme (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)

<u>Domestic Violence Disclosure Scheme - GOV.UK (www.gov.uk)</u>

#### 4.4 Op Komoran

Lincolnshire police have now created a pathway for partners to report crimes that are non-urgent, so information can be submitted 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 <a href="Operation Encompass">Operation Encompass</a> | 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 organisations, health care providers and the police or other criminal justice partners.

Lincolnshire partners may include:

Criminal Justice Organisations: His Majesty's Prison and Probation Service Lincolnshire Police

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
Haven Domestic Abuse Service
Lincolnshire Domestic Abuse Specialist Service/EDANLincs

Domestic Abuse Perpetrator programme provider

Health Organisations:
Lincolnshire Integrated Care Board
Lincolnshire Community Health Services NHS Trust
Lincolnshire Partnership NHS Foundation Trust
United Lincolnshire Teaching Hospital NHS Trust

East Midlands Ambulance Service NHS Trust

**Housing Associations** 

Lincolnshire County Council Departments:
Adult Care and Community Wellbeing
Children's Health 0-19 service
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 (LSCP), Lincolnshire Safeguarding Adult Board (LSAB) and Safer Lincolnshire Partnership (SLP) 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 Komoran.
- 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 partners to be able to identify risk, consult with their safeguarding leads where required, complete relevant risk assessment documents such as DASH/S-DASH/H-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)

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: <u>LDAP Professional site MARAC resources</u>

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 <u>LDAP Professional site MARAC resources</u> 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 partners 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.

<u>Domestic abuse resources – Professional resources (lincolnshire.gov.uk)</u>

Once this document has been agreed to by all partners at Operational and Strategic level, LDAP will lead on a yearly review of this document and be responsible for ensuring the published list of documentation remains accurate and up to date, and that where there are any changes deemed of particular significance or importance these are communicated throughout the partnership for action as appropriate.

## Version 1.1

Please see appendix 4 for partner signatures; below is a list of partners contact information who have signed up to this framework.

Partner agency	<u>Name</u>	Email address
Boston Borough Council	Emily Spicer	emily.spicer@sholland.gov.uk
City of Lincoln Council	Emily Holmes	Emily.kate.holmes@lincoln.gov.uk
East Lindsey District Council	Emily Spicer	emily.spicer@sholland.gov.uk
East Midlands Ambulance Service	Charlotte Salt	Charlotte.salt@emas.nhs.uk
NHS Trust		
Haven Domestic Abuse Service	Sarah Pascoe	sarah@havendas.org.uk
His Majesty's Prison and Probation	Rachel Crook	Rachel.crook@justice.gov.uk
Service		
Lincolnshire Community Health	Craig Ferris	craig.ferris@ulh.nhs.uk
Services NHS Trust		
Lincolnshire County Council	Martyn Parker	Martyn.parker@lincolnshire.gov.uk
Lincolnshire Domestic Abuse	Celia Madden	celia.madden@edanlincs.org.uk
Specialist Service/EDANLincs		
Lincolnshire Fire and Rescue	Dan Moss	daniel.moss@lincolnshire.gov.uk
Lincolnshire Integrated Care Board	Vanessa Wort	vanessa.wort@nhs.net
Lincolnshire Partnership NHS	Dr Girish Kunigiri Medical	d.selkirk@nhs.net supporting
Foundation Trust	director	
Lincolnshire Police	Detective Superintendent Kam	Kam.mistry@lincs.police.uk
	Mistry	
Lincolnshire Recovery Partnership	Sarah Hancock-Smith	Sarah.hancocksmith@turning-
		point.co.uk

North Kesteven District Council	Terry Buzec	Terry_Buzec@N-KESTEVEN.GOV.UK
South Holland District Council	Emily Spicer	emily.spicer@sholland.gov.uk
South Kesteven District Council	Sarah McQueen	sarah.mcqueen@southkesteven.gov.uk
United Lincolnshire Teaching	Craig Ferris	craig.ferris@ulh.nhs.uk
Hospital NHS Trust		
West Lindsey District Council	Grant White	grant.white@west-lindsey.gov.uk

This framework was adopted by all partners on: 12th November 2024

Next review due: 19th November 2026

### **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 partners to exchange personal, special category (sensitive e.g race, ethnicity, religious, genetics, biometric, health, sexual orientation, political) and criminal conviction information, (e.g allegations, warning signals, intel, investigations, criminal orders and any conditions an individual must abide by) 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, NHS numbers, perpetrators and children.
- Information on the incident (what has happened) and the individuals involved.
- What referrals have been completed or safeguarding measures implemented.

This information will be shared when there are disclosures of domestic abuse, safeguarding concerns raised and any further concerns regarding domestic abuse being identified by partners which requires sharing with wider partners.

Partners will use a central repository system, (this is yet to be determined) for non-high-risk information and the MODUS system 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 services 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 partners 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, to provide the respective support and services.

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

### 1.5 Lawful Basis for Processing

The partners 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. However, in section 1.2 reason for sharing and processing information are described further.

Please see section 4.1 of this framework for Legislative Requirements, Appendix 2 and 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 1998.

Where partners 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/DARDR process.

## 1.6 Transparency and Individual Rights

Partners 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.

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

#### 1.7 Retention

It is accepted that the partners will set their own retention schedules because of different statutory requirements. It is also accepted that partners may follow published and approved guidance according to their sector of work. 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 partners 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**

Title	Acronym
Adult Safeguarding	ASG
Adult Care and Community Well-being	ACCW
Boston Borough Council	BBC
Children's Services	CS
City of Lincoln Council	COLC
Domestic Abuse	DA

Domestic Abuse, Stalking &	DASH
Harassment and Honour-based abuse	
risk assessment	
East Midlands Ambulance Service	EMAS
NHS Trust	
Lincolnshire County Council	LCC
Lincolnshire Domestic Abuse	LDAP
Partnership	
Domestic Abuse Related Death	DARDR
Review	
Domestic Homicide Review	DHR
Domestic Violence Disclosure Scheme	DVDS
Department of Levelling Up, Housing	DLUHC
and Communities	
East Lindsey District Council	ELDC
Ending Domestic Abuse Now	EDANLincs
Lincolnshire	
Fire and Rescue	F&R
Haven DAS	Haven Domestic abuse service
His Majesty's Prison and Probation	HMPPS
Service	
Independent Domestic Violence	IDVA
Advisor	
Lincolnshire Integrated Care Board	LICB
Lincolnshire Community Health	LCHS
Services NHS Trust	

Lincolnshire Domestic Abuse	LDASS
Specialist Service	
Lincolnshire Partnership NHS	LPFT
Foundation Trust	
Lincolnshire Recovery Partnership	LRP
Multi Agency Risk Assessment	MARAC
Conference	
North Kesteven District Council	NKDC
South Holland District Council	SHDC
South Kesteven District Council	SKDC
South Lincolnshire Domestic Abuse	SoLDAS
Services	
Stalking risk assessment tool	S-DASH
United Lincolnshire Teaching Hospitals	ULHT
NHS Trust	
West Lindsey District Council	WLDC

## **Appendix 4 – Partner signatures**

I (the signatory) have read the **Multi Agency Domestic Abuse Framework for Information Sharing and Governance** and agree to the requirement's set out to facilitate lawful sharing of information to support collaborative working within the partnership.

## Version 1.1

Partner agency:	
Name:	
Position:	
E-mail:	
Signature:	
Date:	

A signed (wet copy or digital) copy of the signature sheet should be scanned/e-mailed to: <u>Lara.lggulden@lincolnshire.gov.uk by 1<sup>st</sup> October.</u>