



# **Multi-Agency Practice Guidance for Dealing with Cases of Domestic Abuse and Sexual Violence to Safeguard Adults with Care and Support Needs**

**THE MID AND WEST WALES SAFEGUARDING  
BOARD**

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### **Dissemination/ Implementation**

Agencies are requested to undertake the following in order to ensure the implementation of this Policy/Procedure/Guidance

MAWWSB	<ul style="list-style-type: none"> <li>• Place on MAWWSB website.</li> <li>• Send to Partner Agencies for dissemination</li> <li>• Disseminate to partner agencies training leads for inclusion within training as appropriate</li> <li>• Update relevant training to reflect Policy/procedure/ guidance</li> </ul>
All Partner Agencies	<ul style="list-style-type: none"> <li>• Disseminate Policy/Procedure/Guidance to all Service Leads/ Heads of Service/Safeguarding leads/ staff via appropriate communication channels e.g. LOGs</li> <li>• Place within own website and include a link with MAWWSB Website <a href="https://www.cysur.wales/">https://www.cysur.wales/</a></li> <li>• Update in house Policies and Procedures to reflect Policy/Procedure/Guidance as appropriate.</li> <li>• Update in house training to reflect process as appropriate.</li> </ul>

### **Assurance**

Agencies will be requested to undertake the following in order to assure the MAWWSB with regards to dissemination and implementation of this policy:

<b>MAWWSB</b>	<ul style="list-style-type: none"> <li>• To seek assurance from Partner Agencies that implementation has occurred</li> </ul>
<b>Partner Agencies</b>	<ul style="list-style-type: none"> <li>• To provide MAWWSB with assurance that the above implementation have been completed</li> </ul>

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## 1. Introduction

This document provides additional guidelines to assist partners of the Mid and West Wales Safeguarding Board to work together to address the issues of Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV) where they affect adults with care and support needs and also where these referrals fall outside of the adult at risk threshold.

It is also important to remember that research suggests that Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV) occurs in all sections of society irrespective of race, gender, culture, nationality, religion, sexuality, disability, age, class or educational level.

Under the Social Services and Well-being Act 2014 safeguarding concerns relating to an adult at risk (See definition below) must be reported to the local authority's social care department as they have statutory responsibility for determining whether s126 duty to carry out enquiries are necessary. If s126 enquiries are required, the local authority can do this or it can request that a more appropriate agency make these enquiries on their behalf. Partner agencies are duty bound to engage with the statutory safeguarding process.

Adult at Risk Safeguarding duties apply to an adult who: has needs for care and support (whether or not the local authority is meeting any of those needs) **and**; is experiencing, or at risk of, abuse or neglect; **and** as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

(Working together to Safeguard People Guidance issued under the Social Services and Well-being Act 2014):

### **Who may be considered for statutory enquiry under S126 of the Social Services and Well-being Act 2014.**

Any adult who may be at risk as defined and outlined above, can be considered for a statutory safeguarding enquiry. This may include people with learning disabilities, mental health issues, older people, and people with a physical disability or impairment. It may also include adult victims of abusive care practices; neglect; domestic abuse; hate crime; female genital mutilation; forced marriage; modern slavery; trafficking and anti-social abuse behaviour. It may also include an individual who may be vulnerable as a consequence of their role as a carer in relation to any of the above.

An adult's need for additional support to protect themselves may be increased when complicated by additional factors, such as, physical frailty or chronic illness, sensory impairment, challenging behaviour, drug or alcohol problems, social or emotional problems, poverty or homelessness and it is important to note that vulnerability can fluctuate.

## **2. Regional Arrangements for Violence Against Women Domestic Abuse and Sexual Violence in Mid and West Wales (VAWDASV)**

In Mid and West Wales, support and multi-agency responses to victims of domestic abuse and sexual violence are overseen by the Regional VAWDASV arrangements. This consists of a regional multi-agency strategic governance structure that includes a Regional Strategic Board that is responsible for high level planning and an operational delivery group that oversees the delivery of services. Both forums have strong third sector representation from domestic abuse services with the region. The VAWDASV governance structure reports to the regional safeguarding board, providing robust oversight and strong governance arrangements. It should be noted that services and planning that sit within this structure have a broader responsibility which extends to victims of domestic abuse who may not be assessed as adults at risk as per the definition outlined above.

## **3. Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV) Legislation and Statutory Definition.**

### **(Violence Against Women Domestic Abuse and Sexual Violence (Wales) Act 2015)**

This Act provides a strategic framework in Wales to improve arrangements for the prevention, protection and support of those affected by all forms of violence against women, domestic abuse and sexual violence. The overarching objective is to improve public sector responses in Wales to gender based violence and demonstrates the Welsh Governments commitment to eradicating all forms of violence and behaviour of this nature. In line with our regional arrangements and structures the Mid and West Wales Safeguarding Board has published a regional *VAWDASV Strategy 2023-2027*, which outlines strategic priorities and a delivery plan for the next 5 years. This can be accessed on our website:

<https://www.cysur.wales/media/20gh4vhu/mww-vawdasv-strategy-2023-28-final.pdf>

### **Domestic Abuse Act 2021**

The cross-government definition of domestic violence and abuse in Wales is:

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

- psychological
- physical
- sexual
- financial
- emotional

On the 29<sup>th</sup> April 2021, the Domestic Abuse Act 2021 was granted Royal Assent and became law. The aim of the legislation in Wales and England is to ensure that

domestic abuse is properly understood and that it is considered unacceptable. Unlike the Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV), which is only applicable to Wales, this legislation is UK wide and covers both Wales and England.

The Act supports the view that domestic abuse can take many forms and the legal definition now incorporates a range of abuses beyond physical violence. This includes emotional, coercive control and economic abuse, which can consist of a single incident or course of conduct.

To fall within the definition, both victim and perpetrator must be 'personally connected'. This ensures that different types of relationships are captured, including family members and someone within their 'family of choice' (commonly recognised within the LGBTQ+ community). The definition does not extend to paid or unpaid carers, unless they are personally connected.

Multiple perpetrators or victims may be identified, for example, an adult child may behave abusively towards their father and mother. Under such circumstances, appropriate assessment of risk should be applied to each individual.

There are various criminal offences that are relevant when considering Violence Against Women, Domestic Abuse and Sexual Violence, some of these are listed below.

### **Controlling and Coercive Behaviour**

Section 76 of the Serious Crime Act (2015) created a new offence of controlling or coercive behaviour in an intimate or family relationship. This legislation, which does not have retrospective effect, came in to force on 29th December 2015. Coercive or controlling behaviour does not relate to a single incident, it is a purposeful pattern of incidents that occur over time in order for one individual to exert power, control or coercion over another. The legislation aims to close a gap in the law around patterns of coercive and controlling behaviour during a relationship between intimate partners, former partners who still live together, or family members.

The Domestic Abuse Act extends the offence of coercive and controlling behaviour, no longer requiring abusers and victims to still be in a relationship or live together.

The definition includes incidents where extended family members may condone or share in the pattern of abuse e.g. forced marriage, female genital mutilation and crimes rationalized as punishing women for bringing 'dishonour' to the family.

### **Sexual Offences Act 2003**

Sexual offence act 2003 provide relevant offences for this guidance, some of these offences are –

- Rape – Section 1 of the S.O.A act 2003.
- Assault by Penetration – Section 2.
- Sexual assault by touching – Section 3.

- Causing a Person to Engage in Sexual Activity without Consent – Section 4.

## **Violent Offences**

- Murder – Common Law.
- Manslaughter – Common Law.
- Wounding or causing grievous Bodily Harm with Intent – Section 18 of the Offences Against the Person Act 1861.
- Wounding or Inflicting Grievous Bodily Harm – Section 20 of the Offences Against the Person Act 1861.
- Assault Occasioning Actual Bodily Harm – Section 47 the Offences Against the Person Act 1861.
- Common Assault / Battery – Section 39 the Offences Against the Person Act 1861.

## **4. Purpose**

This practice guide aims to identify effective joint working practices for all agencies when VAWDASV affects an adult at risk of abuse and neglect.

The purpose of this practice guide is to set out a minimum standard of service when an adult at risk requires support to protect them from VAWDASV and to identify appropriate support networks.

## **5. Objectives**

The objectives of this practice guide are:

- a) To provide guidance to all agencies in referring cases of concern to the appropriate service (Please also refer to the Wales Safeguarding Procedures).
- b) To provide guidance that enables agencies to apply a consistent approach to sharing information.
- c) To set out a minimum standard of service for responding to adults at risk who may be in need of protection and other support services because of VAWDASV.
- d) To include the principles of Wellbeing as described in the Social Services and Wellbeing (Wales) Act 2014.
- e) To support the statutory guidance framework; controlling or coercive behaviour in an intimate or family relationship (2015). (Definitions outlined above).

This practice guide recognises that:

- a) All agencies will always seek to act in the best interest of adults at risk with whom they are involved.

All agencies are bound by a duty to protect the confidentiality of shared material. The General Data Protection Regulation (GDPR) and Data Protection Act 2018 (DPA 2018) provides a legal framework for lawful information sharing. [The Mid and West Wales Safeguarding Board multi-agency Information Sharing protocol can provide further guidance.](#)

## **6. Effects of VAWDASV on Adults with Care and Support Needs**

It is important to recognise that adults with care and support needs may be the victims of VAWDASV themselves or be affected by it occurring within their household. This is likely to have a serious effect on their physical and mental well-being.

Research has mainly been carried out with women, and findings include that being disabled strongly affects the nature, extent and impact of abuse. That it is especially acute where the abusive partner is also the carer, the carer has considerable power and control and the victim relies on them.

Conversely, victims may be providing care for an abusive partner or family member with care and support needs, which can increase the level of risk and isolation.

Where adults at risk are victims of VAWDASV, they may need extra support to plan their future. The abuse or threat of abuse may continue after a victim has separated from the abuser. It is important to ensure that all adults at risk in this situation have appropriate support to enable them to maintain their personal safety.

The need for an offer of appropriate accommodation is paramount when responding to a case of domestic abuse. If the individual needs or wishes to leave their home, it is essential that the accommodation they are offered is fit for purpose and sustainable. This will essentially contribute to the individual's ability to sustain the move and maintain their safety, notwithstanding exploring the options for the person to stay at home and the perpetrator being asked to leave the home. It should be noted all local authority housing departments have a legal duty to offer accommodation to victims of domestic abuse, however arrangements for this and access will differ depending upon local arrangements and structures in place.

The severe lack of appropriate emergency and long-term accommodation and housing options available for individuals fleeing domestic abuse, in Mid and West Wales who are older and/or have care needs places additional significant challenges on agencies who offer support and respond to risk.

In all cases where the local authority has reasonable cause to suspect that an adult is at risk of abuse or neglect the Local Authority and Central Referral Unit should



hold strategy discussions under S126 process to determine if further action is to be undertaken and to identify the appropriate pathway to support. It is important to remember both victims of domestic abuse and perpetrators can meet the criteria to be considered as an adult at risk and such situations can be complex to manage and assess. Each should be considered as an individual in their own right and a skilled, sensitive and proportionate multi-agency response is likely to achieve the best outcome.

### **Mental capacity**

Where for example there are capacity issues for the victim, perpetrator or both, the person's history must be considered. For example, where there is no history of prior abuse, the assessment should establish if the abuse is a direct result of or a potential consequence of the effects of dementia or other condition affecting mental capacity, for the victim or perpetrator. In such situations a formal assessment under the Mental Capacity Act 2005 may need to be undertaken to establish if the person is deemed to have capacity or not.

However, when the perpetrator is a carer, assumptions should not be made that the preventing behaviour is due to carer stress without evidence or foundation. In such situations a carer's assessment should be considered which could help identify and alleviate any underlying stress within the household and prevent the situation escalating.

## **7. Police Responsibilities**

Domestic abuse is not a specific criminal offence. The term is used to describe a range of incidents occurring in particular circumstances. Dyfed Powys Police (DPP) will respond to all victims of domestic abuse so they can receive the appropriate quality of service according to their individual needs. All allegations will be properly investigated, and the perpetrators held accountable through the criminal justice system if the evidential threshold is met and it is in the public interest to prosecute them.

Dyfed Powys Police (DPP) will work with multi-agency partners to ensure the overriding priorities in dealing with all incidents of domestic abuse are:

- a) To protect the lives of adults and children who are at risk of VAWDASV;
- b) To ensure safeguarding and signposting to national and local support resources for victims of VAWDASV where there is consent to do so;
- c) To record all crimes in accordance with National Incident and National Crime Recording Standards.
- d) To facilitate effective action against offenders so they can be held accountable through the criminal justice system if the evidential threshold is met and it is in the public interest to do so.

It is the responsibility of the attending officers to identify if the victim appears to have care and support needs and/ or be at risk of Domestic Abuse. Dyfed Powys Police will comply with the Welsh Safeguarding Procedures and the Social Services and wellbeing Act and ensure that, where appropriate, they share information with safeguarding partners.

A report of concern will be made to the Local authorities) in all cases where:

- It is believed that an adult at risk is suffering or are at risk of suffering significant harm (NB in adult Safeguarding 'significant harm' does not need to have occurred to justify a referral)
- It is believed that an adult at risk is in need of more support services

If there is any uncertainty regarding the need for a referral, a consultation can be sought through the relevant Local Authority Social Services.

### **Domestic Violence Protection Notices (DVPN) and Domestic Violence Protection Orders (DVPO).**

These may be used following a domestic abuse incident where the offender has been violent or threatened violence towards the victim and it is necessary to protect them from further violence or threats. They can also be considered after the incident has happened, such as during case discussions at Daily Discussions and MARAC meetings.

The process is designed to give breathing space to victims by granting a temporary respite from their abuser and allowing referral to support services without interference. The point at which victims seek help or leave their abuser can be when they are most at risk. The DVPN/DVPO process can be pursued without the victim's active support, or even against their wishes, if this is considered necessary to protect them from violence or threat of violence. The victim also does not have to attend court. This can help by removing responsibility from the victim for taking action against their abuser.

Where authorised by a police officer at the rank of Superintendent, police may serve a DVPN then an application to court for a DVPO must be made within 48 hours. If the court issues a DVPO it must last for a minimum of 14 days and a maximum of 28 days.

Breaches of a DVPN/O should be reported to police immediately. If a constable has reasonable grounds to believe a DVPN/O has been breached, they can arrest the suspect and place them before a magistrates court, providing further protection to protect the victim. A breach of a DVPO is a civil breach of a court order. The penalty for a breach of a civil order is £50 for every day that the person is in default of the order, up to a maximum of £5000 or 2 months' imprisonment. Consideration will be given to the commission of further offences, which may result in the suspect being arrested and investigated for these further offences as well.

Breaches of a DVPO have a power of arrest attached. Therefore, any breaches should be reported to police who have the power to arrest and place the suspect before a magistrate's court. A breach of a DVPO is a civil breach of a court order and the penalty is as outlined above.

### **Domestic Violence Disclosure Scheme (DVDS).**

Domestic Violence Disclosure Scheme (DVDS) (Clare's Law). The aim of this scheme is to give members of the public a formal mechanism to make enquires about an individual who they are in a relationship with, or who is in a relationship with someone they know, and there is a concern that the individual may have a record of violence or abuse.

If police checks show that the individual has a record of abusive offending, or there is other information to indicate the person you know is at risk, the police will consider sharing this information with the person(s) best placed to protect the potential victim. Any concerned third party, such as a parent, neighbour, friend or professional can make an application, not just the potential victim.

A third party making an application would not necessarily receive the information about the individual concerned. It may be more appropriate for someone else to receive the information such as the potential victim or another person who is best placed to protect the potential victim. If an adult at risk is open to Social Services, then the normal police checks process should be used.

The Domestic Abuse Act 2021 will strengthen existing legislation and puts the DVDS on a statutory footing.

### **8. Consent and Data Protection**

The General Data Protection Regulation (GDPR) and Data Protection Act 2018 (DPA 2018) protects personal privacy and upholds individual's rights and sets out key principles for lawful information sharing. This is further supplemented with a [regional multi-agency information sharing agreement](#). It should be noted whilst it is good practice to seek a person's agreement to request a service or make a report if there are concerns, a person's unwillingness to agree or give consent should not prevent a report being made to social care where there are reasonable grounds to be concerned regarding someone's welfare, or who may be at risk of harm. Furthermore, whilst consideration must always be given to at least informing the individual of an intention to make a report or request a service, if it is considered sharing this prior to any report being made will not put the person or another member of the household (for example a child) at further serious and increased risk of harm, it is lawful and appropriate to make the report without prior agreement and notification and this should be done promptly and without delay. Further advice and support can be provided by contacting the relevant LA safeguarding team.

## **9. Local Authorities**

In accordance with the Wales Safeguarding Procedures and Social Services and Well-being ( Wales) Act , 2014, (part 7), it is the responsibility of the relevant Local Authority to make a decision about what course of action will be taken following a risk assessment depending on the seriousness of the abuse, following a report or request for a service. The designated safeguarding lead can provide practitioners and agencies with support and advice in respect of any issues that may arise in respect of mental capacity and consent and information sharing and outlined above.

In the event a disagreement should arise between professionals and agencies about a decision, response or the provision of services that cannot be resolved informally then practitioners and agencies should refer the [MAWWSB Resolution of Professional Differences Protocol](#). This provides a framework to formally address and resolve any disputes or disagreements between agencies, professionals and practitioners.

## **10. DASH Risk Assessment**

All relevant staff, as identified by their organisation, who have direct contact with adults at risk should be trained to complete the Risk Indicator toolkit (DASH) where it is identified that an adult at risk is in a domestic abuse situation.

The DASH tool is for all professionals working with victims of domestic abuse, stalking, and harassment and honour based violence.

The recognised risk categories that are utilised by Dyfed Powys Police are standard, medium and high. It is recognised however other agencies who complete the DASH outside of Dyfed Powys Police may approach the risk assessment differently depending on their specific role and organisation or agency and may exercise professional judgement and refer to specialist services for support.

Standard	Current evidence and risk indicators do not indicate the likelihood of causing serious harm i.e. there is no escalation in seriousness or frequency.
Medium	There are identifiable indicators of risk of serious harm. The offender has the potential to cause serious harm but is unlikely to do so unless there is a change in circumstances, for example failure to take medication, loss of accommodation, relationship breakdown and drug or alcohol misuse.
High	There are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact would be serious. Risk of serious harm is a risk that is life threatening and/or traumatic and from which recovery, whether physical or psychological, can be expected to be difficult or impossible.  In addition, a significant escalation in severity or frequency of

	incidents should be considered as high risk. The professional judgement of a practitioner also identify high-risk cases.
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All victims whether assessed as High, Medium or Standard must receive safety planning and safeguarding advice. This should be tailored to be bespoke individual needs of the victim.

Where the victim is remaining in a relationship with, the perpetrator, safety-planning measures can be put in place to reduce risk, which should be reviewed periodically and dynamically, if new information or safeguarding reports are received.

Relevant staff should have training, to a level depending on their role and responsibilities, in completing the DASH risk assessment tools and to support understanding regarding the criteria for a referral to Multi-Agency Risk Assessment Conference (MARAC).

### **Stalking and Harassment in Domestic Abuse Incidents**

Stalking is a pattern of repeated, unwanted behaviour that causes victims to feel distressed or scared. It can be perpetrated by men or women. It is a recurring theme in many domestic homicides and it is a high-risk indicator.

Stalking often has a huge emotional impact on those it affects. It can lead to feelings of depression, anxiety and even post-traumatic stress disorder. It is a psychological as well as physical crime.

Stalking can be direct; by confrontation or by following the victim. It can also be conducted via phone, mail or on-line. It may be indirect; facilitated via third parties including family, associates and work contacts.

Domestic abuse investigations may include harassment-type offences and vice versa. Harassment can be a direct part of the domestic abuse or can occur due to the actions of people associated with the abuser.

Where stalking is apparent, it is vital that this is identified and appropriately dealt with. An enhanced safeguarding response allied to a prompt, robust and effective intervention with the perpetrator must take place.

The Police may consider the imposing of stringent bail conditions where bail is granted. Police Investigators should ensure that the granting of a restraining order following a conviction or acquittal at court is pursued by CPS prosecutors.

Victims of stalking and harassment in a domestic incident should be asked the additional 11 questions from the S-DASH for Stalking and Harassment cases (2009). This is to ensure an accurate risk assessment can be conducted and a full understanding of the victim's circumstances be obtained in order to safeguard and intervene appropriately. Please note this is an additional tool that is only completed

by Dyfed Powys Police as outlined below.

Advice for those who have engaged in stalking behaviour can be obtained by contacting the National Stalking Clinic on 020 8702 6104 or emailing [NationalStalkingClinic@nhs.net](mailto:NationalStalkingClinic@nhs.net).

Advice and support for people who are victims of stalking can be found online at <http://www.stalkinghelpline.org/> or on the National Stalking Helpline 0808 802 0300.

DPP use a specific Stalking Risk Identification Tool, which enables them to better identify the risk levels associated to cases of stalking. The DPP specialist Domestic Abuse officers will also be able to support with advice and guidance.

### **Daily Discussions (DD) and Domestic Abuse Multi-Agency Risk Assessment Conference (MARAC)**

The Daily Discussion (DD) is a multi-agency meeting where domestic abuse cases that meet MARAC threshold are discussed. The DD provides an early opportunity for partner agencies to safeguard those affected by domestic abuse, creates a multi-agency action plan to address the identified risks and increase the safety and wellbeing of those at risk. DD also acts as a triage stage for the Multi-Agency Risk Assessment Conference (MARAC).

A MARAC is a multi-agency meeting that discuss domestic abuse victims who have been identified as high risk of serious harm or homicide. An enhanced review of the safety plan developed and implemented by the DD takes place.

Both the DD and MARAC are attended by representatives from a range of agencies including police, health, child protection, housing, Independent Domestic Violence Advisors (IDVAs), probation, mental health and substance misuse and other specialists from the statutory and voluntary sectors.

During the meetings, relevant and proportionate information is shared about the current risks, enabling representatives to identify options to increase the safety of the victim and any other vulnerable parties, such as children.

The primary focus of the DD-MARAC is to safeguard the victim (victim can be as young as 16years old). However, taking in to account the UK law which priorities the safety of children, the DD-MARAC will also make links with other multi-agency meetings for example and processes to safeguard children and manage the behaviour of the perpetrator.

At the heart of a DD-MARAC is the working assumption that no single agency or individual can see the complete picture of the life of a victim to be able to identify and manage the risks, but all may have insights that are crucial to their safety. The victim does not attend the meeting but is represented by an IDVA, who represents their views and wishes and ensures that victim's safety remains the focus of the meeting.

These processes work seamlessly together to reduce the risk of serious harm and

increase the safety and wellbeing of victims and their children.

The aims/purpose of the multi-agency meetings:

### **Daily Discussion (DD)**

1. Safeguard each individual by sharing information to increase the safety, health and well-being of adult and child victim/survivors of domestic abuse in a timely manner.
2. Individuals/Families affected by domestic abuse receive a faster, coordinated response.
3. Support and intervention are provided closer to the timing of the incident.
4. A specialist domestic abuse worker ensures the voice of the victim/survivor is represented at the planning stage.
5. Determine whether the alleged perpetrator poses a significant risk to any particular individual or to the general community.
6. Review risk and ascertain if all safeguarding / professional support is in place (Repeat Cases)
7. Ensure previous MARAC actions have been completed, to enhance the risk management plan, reduce repeat victimisation and improve agency accountability.
8. Discuss DVDS applications
9. A consistent threshold is applied to all MARAC criteria cases.
10. Abide by the 10 principles of an effective MARAC as recommended by Safelives.

### **MARAC (MARAC)**

1. Share information to increase the safety, health and wellbeing of victims, including adults and their children;
2. Determine the level of risk that the perpetrator poses to the victim and associated children, and whether there is any risk to the general public;
3. Review and enhance the risk management plan developed at DD, providing additional professional support to all those at risk, aiming to reduce the future risk of harm;
4. Reduce repeat victimisation;
5. Abide by the 10 principles of an effective MARAC as recommended by Safelives;
6. Improve agency accountability;
7. Improve support for staff involved in high risk domestic abuse cases;
8. Contribute to the development of best practice; and
9. Identify policy issues arising from cases discussed at the MARAC and raise these through the appropriate channels.

## **MAPPA (Multi-Agency Public Protection Arrangements):**

Arrangements are designed to protect the public, including victims of crime, from serious harm by sexual or violent and other dangerous offenders. Section 325 to 327B of the Criminal Justice Act 2003 established 'Multi-agency public protection arrangements' (MAPPA) and requires criminal justice agencies and other bodies to work together in partnership with these offenders.

The responsible authorities are the Police and Her Majesty's Prison & Probation Service and they have a responsibility to ensure that the risks posed by the qualifying offender are assessed and managed appropriately.

1. There are 3 categories of offender:
  - 1- Registered sexual offender. This includes offenders required to comply with notification requirements under Part 2 of the Sexual Offence Act 2003.
  - 2- An offender who has been convicted of an offence under Schedule 15 of the CJA 2003 and:
    - who has been sentenced to 12 months or more in custody, or
    - who has been sentenced to 12 months or more in custody and is transferred to hospital under s47/s49 of the Mental Health Act 1983 ('MHA 1983'), or
    - who is detained in hospital under s37 of the MHA 1983 with or without a restriction order under s41 of that Act.
  - 3- Other dangerous offender: a person who has been cautioned for or convicted of an offence which indicates that he or she is capable of causing serious harm **and** which requires multi-agency management. This might not be for an offence under Schedule 15 of the CJA 2003.
2. There are 3 levels of risk management for the qualifying offender, depending the level of risk they pose.
  - Level 1- Ordinary agency management
  - Level 2- Active multi-agency management
  - Level 3- Active enhanced multi-agency management
3. Level 1 offenders are managed by the lead agency (Police or HM Prison/Probation Services)- information sharing, disclosures and discussions between agencies are necessary even at Level 1.
4. For Level 2 and 3 offenders, MAPPA meetings are held to discuss the management of the offender and to ensure that there's robust Risk Management Plan in place to manage the risk posed.
5. MAPPA provides an enhanced statutory framework designed to increase partnership working which ensures that each agency provides value to manage the risk posed by the offender.



## **The Need for a Multi-Agency Approach**

Within the context of domestic abuse, it is recognised that no one agency holds all the information required to effectively assess the needs of victims and their children, or to fully assess the risk of serious harm to victims.

The responsibility to take appropriate action rests with individual agencies; the responsibility does not transfer to the DD-MARAC. Agencies **MUST NOT** wait until a case has been discussed at a multi-agency meeting before taking necessary action or giving advice or access to services. It would be far more relevant for a victim to receive help prior to the meeting and information regarding this brought to DD-MARAC.

Likewise, the MARAC process should not be used as a tool to escalate cases through the system, whether it is housing, social care assessments or other services – this can be done outside of the MARAC forum.

If a victim or perpetrator is identified as either MAPPA level 2 or level 3 nominal, this case will not be discussed in MARAC.

MAPPA Guidance 2012 states:

“22.22 To avoid duplicating efforts and resources, the work of MARAC and MAPPA should be co-ordinated in such a way as to provide the most effective response to the victim. The MAPPA meeting should take precedence over MARAC. The reason for this is that MAPPA, unlike MARAC is a statutory set of arrangements. “

“22.23 Where an offender is a MAPPA offender and meets the criteria for Level 2 or 3 MAPPA management, and the victim has been referred to the local MARAC, the Independent Domestic Violence Advisors must be invited to the MAPPA meeting together with any other professional who has relevant information about the victim.

The MAPPA meeting will ensure that the risk assessment and MAPPA Risk Management Plan effectively identify and put in place actions to protect the victim. The quality of the MAPPA RMP will be enhanced with the additional information that the IDVA and others can provide. This will support the effective management of the offender and reduce the potential risk of harm to the victim.”

## Appendix 1 – Mid and West Wales Regional Pathway to Support

***NB- If police attention/presence or medical attention is required urgently, please call 999***

***Police enquiries call: 101***

# Mid and West Wales VAWDASV Regional Pathway to Support

This Regional Pathway to Support has been designed in partnership with the VAWDASV Specialist Providers across the region, to assist in assuring consistency and continuation of service availability and accessibility for citizens of the Mid and West Wales region.

This Pathway firstly acknowledges the disruption to service delivery relating to Covid-19, also known as the Coronavirus outbreak. It is intended that this document will set out the clear pathway to VAWDASV support and advice for citizens and professionals living and working within the region.

It is important to acknowledge that all Specialist Service Providers are continuing to operate, albeit with reduced and/or limited resources. The majority of services are being delivered via remote working; however, all agencies will respond to referrals via their normal referral routes.

### **Access to Support**

In terms of access to support we maintain a consistent route to services via the **Live Fear Free Helpline on 0808 8010800** – This helpline is open to women, men and young people experiencing any form of Domestic Abuse or Sexual violence (DA/SV).

The **Live Fear Free Helpline** will provide immediate advice and guidance before signposting to a local Specialist Support Provider.

Specialist Service Providers in Mid and West Wales

<b>Survivor and Victim focussed services</b>				
<b>Local Authority</b>	<b>Provider(s) and Programmes</b>	<b>Specialism</b>	<b>Contact number</b>	<b>Covered by Live Fear Free Helpline</b>
Regional Service	IDVA Service-	High Risk Domestic	Carmarthenshire and Powys- 01267 221194	Yes

	Hafan Cymru and Pobl	Abuse	Pembrokeshire and Ceredigion- 01646 698820.	
Regional Service	New Pathways	Sexual Violence	Ceredigion: 01970 610124  Carmarthenshire: 01267 235464  Powys: 01267 226166  SARC Out of Hours (All areas) 07423 437020	Yes
National Service	BAWSO	VAWDASV BAME	0800 731 8147 (24 hr helpline)	
Powys	Montgomery Family Crisis Centre	Domestic Abuse	01686 629114	Yes
	Calan DVS	Domestic Abuse	01874 625146	Yes
Ceredigion	West Wales Domestic Abuse Service	Domestic Abuse	01970 625585 And/or 01239 615385	Yes
Carmarthenshire	Carmarthen DAS	Domestic Abuse	01267238410/234725	Yes
	Threshold DAS	Domestic Abuse	01554 752422	Yes
	Calan DVS	Domestic Abuse	01269 597474	Yes
	Dewis Choice	Domestic Abuse for people aged 60+	Referral via statutory agency e.g. safeguarding, police, health	No
Pembrokeshire	Pobl	Domestic Abuse	01646 698820	Yes
	Hafan Cymru	Domestic Abuse-Refuge Only	0808 80 10 800	Yes
<b>Interventions aimed at individuals perpetrating abusive behaviours</b>				
Region Wide	Threshold DAS Choices Programme	Perpetrators of Domestic Abuse	<a href="mailto:enquiries@threshold-das.org.uk">enquiries@threshold-das.org.uk</a> 01554 752422	No

	Calan DVS & MFCC Intervention Hub	Perpetrators of Domestic Abuse	<a href="mailto:gbranch@calandvs.org.uk">gbranch@calandvs.org.uk</a> 01639 794448  <a href="mailto:admin@familycrisis.co.uk">admin@familycrisis.co.uk</a> 01686 629114	No
	Forensic Psychology UK & Threshold DAS	Individuals displaying stalking behaviours	Service accessed via Dyfed Powys Police	No

### **Refuge**

Refuge provision and the availability of refuge accommodation will vary depending on the individual circumstances at each refuge at the time and the circumstances of the individual seeking refuge. As in normal circumstances, each request will be considered on a case-by-case basis, taking into consideration matters such as: current availability, facilities required, personal circumstances and safety of the person(s) seeking accommodation and the circumstances and safety of existing residents and/or their children.

Each Local Authority has specific measures and plans in place, regarding emergency accommodation stock to support the demand for refuge accommodation during this time.

### **MARAC and Daily Discussions**

Where staff have been trained (including staff outside specialist services) they must use the DASH Risk Identification Checklist and MARAC referral form where appropriate as per the usual process.

### **Personal Safety Alarm Provision**

Dyfed Powys Police have a supply of personal alarms and Skyguard alarms available to access. DPP and the Specialist Services have agreed a process for managing these alarms and promptly distributing to individuals who have been identified as requiring them.

**To report Adult at Risk concerns to Social Services please contact the relevant local authority:**

**CARMARTHENSHIRE:**

IAA service on 0300 333 2222 or make a referral through our website

[www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)

Email: [iaa@deltawellbeing.org.uk](mailto:iaa@deltawellbeing.org.uk)

**CEREDIGION:**

During Office Hours: Contact Centre – Tel: 01545 574000, Fax: 01545 574002

E mail: [contact-socservs@ceredigion.gov.uk](mailto:contact-socservs@ceredigion.gov.uk)

Outside of Office Hours: Emergency Duty Team – Tel: 0300 456 3554

**PEMBROKESHIRE:**

During Office Hours: Duty Team – Tel: 01437 776056

Email: [adult.protection.team@pembrokeshire.gov.uk](mailto:adult.protection.team@pembrokeshire.gov.uk)

Outside of Office Hours: Emergency Duty Team – Tel: 0300 333 2222

**POWYS:**

Powys People Direct:

Tel: 01597 827666

Email: [people.direct.adult@powys.gov.uk](mailto:people.direct.adult@powys.gov.uk)

For further information, please visit the Mid and West Wales Safeguarding Website  
<https://www.cysur.wales/>