



Home Office

Multi-Agency Assurance Panels

Process guidance

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Introduction

1. This document provides the Multi-Agency Assurance Panel (MAAP) chairs and panel members with guidance regarding the role of, and the process for, undertaking MAAPs.
2. This guidance complements the [Competent Authority guidance](#) which provides information for staff in the Single Competent Authority within the Home Office to help them decide whether a person referred under the National Referral Mechanism (NRM) is a victim of modern slavery. It reflects relevant provisions of the Modern Slavery Act 2015, the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 and the Human Trafficking and Exploitation (Scotland) Act 2015first paragraph here.

Background

3. In October 2017, the Government announced a wide-ranging package of reforms to the NRM. There are four strands to NRM reform:
 - Quicker, more certain decision making, that victims have confidence in;
 - Increased support to victims before, during and after the NRM;
 - Improved identification of victims of modern slavery, and,
 - Addressing the specific vulnerabilities of children.
4. Part of these reforms included the creation of a Single Competent Authority (SCA) within the Home Office (replacing the existing two Competent Authorities in the National Crime Agency and UKVI), where all modern slavery decisions will be made regardless of the nationality of the potential victim and the development of a digital system to support the NRM process. A further feature of the reform programme is the establishment of independent MAAPs to review all negative conclusive grounds decisions made on cases referred to the SCA.
5. MAAPs are chaired by an independent professional appointed via a public appointments process. Panel members are drawn from a selection of professions including from police/law enforcement; local authorities and Non-Governmental Organisations (NGOs), all of whom have experience and knowledge of dealing with victims of modern slavery.
6. MAAPs form part of the end-to-end decision-making process that takes place within the SCA. MAAPs do not make final decisions about who is a victim of modern slavery; all final decisions remain with the SCA.

Overview of the current NRM process

7. Following an NRM referral from a First Responder to the SCA, a 'reasonable grounds' (RG) decision is aimed to be made within 5 working days of receiving the referral.
8. A positive RG decision means that the SCA suspects but cannot prove that the individual is a victim of modern slavery. If the individual receives a positive RG decision they become entitled to a minimum 45-day Recovery and Reflection period.
9. During this minimum 45-day period the SCA collects further evidence about the case and the victim to make a 'conclusive grounds' (CG) decision, which assesses, on the balance of probabilities, whether 'it is more likely than not' that the person is a victim of modern slavery. The time taken to reach a CG decision is affected by the availability of evidence that must be sought by the decision maker. If on the balance of probabilities, it is considered that the individual is a victim of modern slavery then a positive CG decision is made.
10. If, however, on the balance of probabilities it is considered that the individual is not a victim of modern slavery then a negative CG decision is made. All negative CG decisions are currently reviewed by a senior decision-maker (a technical specialist) who reviews the decision before it is issued to the individual.

MAAPs: Purpose and role

11. The MAAPs form part of the revised decision-making process within the SCA. The main aim and purpose of introducing MAAPs is to help ensure robust and consistent decision-making processes are undertaken within the NRM, as well as to improve victim and stakeholder confidence in NRM decisions.
12. MAAPs are required to review all negative CG decisions made by the SCA across England, Wales, Scotland and Northern Ireland. MAAPs do not review negative RG decisions.
13. MAAPs add a further level of scrutiny into the decision-making process, meaning that all negative CG decisions on referrals made to the SCA are considered by three separate individuals or groups (the SCA decision maker, the SCA technical specialist, and the MAAP).
14. MAAPs do not hold a decision-making role. Their role is to consider all negative CG decisions, assessing the information available to the decision maker at the time they made the decision, confirm whether they agree that the decision maker has made the decision in line with Competent Authority guidance, and that the evidence provided and used in the decision-making process has been appropriately weighed and considered. The MAAP chair records and documents the outcome of the discussion, detailing the reasons why there may be a disagreement with the decision made by the SCA. This is then emailed back to the SCA.
15. To enable the MAAP to reach a conclusion on each case referred to them, they have access to the same evidence that the SCA decision maker has made their decision upon.
16. The final decision regarding the CG decision remains the responsibility of the SCA. MAAPs do not have the ability to overturn negative CG decisions made by the SCA.
17. The MAAPs have the ability to ask the SCA to review a case, where they consider that the decision has not been made in line with the existing Competent Authority guidance; that, in the MAAPs view, evidence that would add value and clarity has not been sought; or that the evidence that has been provided and used in the decision-making process was not appropriately weighed and considered. The SCA will review this feedback; however, the final decision whether further consideration is required and if so whether the outcome should be different ultimately lies with the SCA.
18. Questions the MAAPs may pose to reach their conclusions, may include:
 - were all the required parties contacted to obtain information?

- were the people contacted given sufficient time to respond?
- was the evidence provided used in the decision-making process?
- was the evidence appropriately weighed and considered?

19. The SCA must give consideration to the MAAPs review of the negative CG decisions. However, it is not obliged to consider a case further even if it is the agreement of the MAAP for this to happen. If the SCA proceeds with issuing the negative CG decision it must feed back to the MAAP the reasons for doing so.

20. Further information regarding the process is detailed in the 'MAAP Process' section.

21. Training which reflects the SCA decision-makers' training is provided to support the MAAP role. The training is provided to all MAAP chairs and panel members in advance of undertaking the role.

Role: Chair of MAAP

22. The chair is required to review the information on each case assigned to them in advance of attending the MAAP. The chair is required to listen to the views of the panel members and share their own views regarding whether the negative CG decision was made in line with Competent Authority guidance, and whether the evidence provided and used in the decision-making process was appropriately weighed and considered.
23. The chair should enable each of the panel members to be responsible for leading on specific cases that are to be discussed during the MAAP. This will ensure an informed discussion across all MAAP members takes place, sharing knowledge and perspectives. The chairs and the panel members will be made aware of the allocation of cases within the originating email that contains the case files, to avoid confusion or duplication of effort.
24. The chair of the MAAP will be responsible for achieving a consensus among MAAP panel members in its review of all negative CG decisions referred to them by the SCA. If reaching a consensus is not achievable, then a majority decision of the MAAP will be suitable, with the chair holding any casting vote, if required.
25. Chairs will be able to chair MAAPs considering both adult and child cases.
26. The chair is required to record and document the outcome of the discussion the MAAP has had on each negative CG decision, be that an agreement or disagreement, and will own this document. This information will be contained in the email the chair will send back to the SCA. If the MAAP disagrees with the negative CG decision, the chair will be required to provide reasons as to why there was disagreement with the decision made by the SCA, along with any significant discussion points made during the MAAP. All this information should be emailed back to the SCA. See 'MAAP Process' section for further information.
27. Quarterly meetings will be held between MAAP chairs, the SCA, and Modern Slavery Unit NRM policy team, to maintain regular feedback. The meeting will provide all parties with the opportunity to meet, share lessons learned and best practice as well as highlighting issues, trends and themes that may have arisen during the process.
28. Similarly, it will provide the opportunity for the SCA to highlight areas that may require discussion and investigation. The meeting will ensure ongoing consistency across MAAPs and enable the SCA to reflect and act on issues raised, where possible and appropriate.

29. Outside of the quarterly meetings, if there are specific issues that a chair is facing or may have experienced, and they wish to discuss these with the SCA or Modern Slavery Unit, they should contact the SCA and a conversation or meeting will be arranged accordingly.
30. The chairs will be required to undertake annual performance appraisals as detailed in their Terms of Appointment. The performance appraisals will be undertaken by a senior member of the Home Office.

Role: Panel Members

31. MAAP panel members will comprise a range of representatives from relevant agencies, organisations and partners, including NGOs, with a background or relevant interest in modern slavery issues and in protecting vulnerable individuals. MAAP panel members will consist of individuals from the following areas:

- Police / Law Enforcement;
- Local Authority (adult/child respectively);
- NGO (adult/child respectively)

32. The knowledge and experience that panel members bring to the discussion of the cases must be recognised by all attendees, including the chair. To ensure all views are respected and appreciated, it is of paramount importance that an equivalence of contribution is fostered across MAAPs and by all attendees.

33. It is recognised that there will be times when a full complement of agencies attending each MAAP will not be possible. In these circumstances, the MAAP would be quorate if there is a chair and two panel members (from the three areas detailed above) in attendance.

34. The role of panel members will be to review every case assigned to the panel. Panel members will be required to lead on one or two cases during each MAAP. These cases will be allocated randomly to the panel members. Panel members will be made aware of the allocation of cases within the originating email that contains the case files.

35. At the MAAP, panel members will be invited by the chair to introduce and initiate the discussion about the cases they are leading on. All panel members will be required to share their views on cases being discussed, indicating whether they believe the negative CG decisions were made in line with published Competent Authority guidance, and whether the evidence provided and used in the decision-making process was appropriately weighed and considered.

MAAP meetings and availability

36. It is the expectation that MAAP chairs and panel members will attend two or three MAAPs a month depending on availability and volume of cases.
37. Each MAAP will be undertaken by tele-conference.
38. The SCA require dates (and if required, times) of availability from both chairs and panel members, one month in advance to forward plan the MAAPs. If availability is known over a longer period, then this should be provided to enable the arrangements of MAAPs over a longer period.
39. The SCA will aim to arrange MAAPs at least one month in advance using the dates provided and notify the chairs and panel members accordingly via the email addresses they have provided

Terms of Appointment

40. Both MAAP chairs and panel members will be required to complete 'Terms of Appointment' which will include the need for confidentiality and recognition of data protection and sharing agreements, as well as the requirement to declare potential conflict of interests with cases being reviewed.
41. To ensure the independence of the MAAPs, where conflicts of interest are declared, the SCA would transfer the case to a different MAAP or require the panel member with the conflict of interest to remove themselves for the discussion of that case, if panel numbers allow.

Security Clearance

42. Prior to attending a MAAP, both chairs and panel members must be security cleared due to the information they will be reviewing.

MAAP Process

43. The MAAP forms part of the revised decision-making process within the SCA. The MAAPs only review negative CG decisions on cases which have been referred to the SCA.
44. Once a negative CG decision has been made by the SCA decision maker, a technical specialist within the SCA who has appropriate experience in modern slavery work must review the negative decision to make sure it is in line with the existing policy. If the technical specialist agrees that the decision should remain a negative CG decision, they will refer it to the MAAP for further assurance.
45. This process will all take place in advance of the individual being advised of their NRM decision. The MAAP will add a further level of scrutiny into the decision-making process, meaning that all negative CG decisions will be considered by three separate individuals or groups (the SCA decision maker, the SCA technical specialist, and the MAAP).
46. Using the email provided by the MAAP members, each case file will be emailed individually by the SCA to the members of the MAAP who will be attending the panel, thereby ensuring all the MAAP have access to the same documents. Each email will contain a single negative CG decision along with all the relevant information used by the SCA decision maker to make the original decision. In line with **General Data Protection Regulations** (GDPR) requirements, some of the information that relates to the potentially trafficked individual may be redacted. This information may include biographical information to protect the individual's identity; or information that is not of relevance or has not been used in the decision-making process. If any technical issues are experienced with opening the case files, the SCA should be contacted to resolve this.
47. E-mails will be issued to MAAP members by the SCA three working days in advance of the MAAP sitting. This will provide time for the negative CG decisions to be reviewed by MAAP members at their convenience, but in advance of the MAAP taking place.
48. Each MAAP will be undertaken by tele-conference. Information will be provided to each MAAP member on the email containing the negative CG decisions, so that each MAAP member has access to them: Each email will contain the following information:
 - A single negative CG decision;
 - Redacted versions of documents used by the SCA decision maker, in respect of the negative CG decision:

- MAAP member allocated to review the case;
- The scheduled timing of the MAAP;
- The tele-conference telephone number;
- The tele-conference access log-in code;
- The tele-conference chair's log-in code;
- The contact number for the technical specialist who will be available during the MAAP to provide advice should this be required.

49. The MAAP meeting should be undertaken in a courteous manner with all members being respectful of other members' views. The chair will be responsible for the chairing of each MAAP and ensuring the meeting runs to schedule.

50. When reviewing each negative CG decision, it is important to reflect on the role of the MAAP. The MAAP's role is to consider whether the negative CG decision was made in line with current published Competent Authority guidance (i.e. were all the required parties contacted to obtain information; were they given sufficient time to respond; was all appropriate evidence obtained; and was the evidence that was provided and used in the decision-making process, appropriately weighed and considered).

51. It may be that questions arise during the MAAP regarding the processes adopted by the SCA in reaching their original negative CG decision. To enable the MAAP to continue with its discussions in a timely fashion, the SCA will make a technical specialist available to them for the duration of each MAAP. The technical specialist will be able to respond to any technical or procedural questions regarding the SCA, that may arise. The chair will be responsible for contacting the technical specialist to raise these questions. The number to contact the technical specialist on will be provided on the initial email containing the case files. The technical specialist will not be present on the tele-conference when cases are being discussed and will not take part in the review of the negative CG decisions.

52. The technical specialist may not be the same individual who reviewed the negative CG decision earlier in the process. However, similar to the MAAPs themselves, it would be a requirement for the technical specialist that is 'on call' to the MAAP, to have reviewed and familiarised themselves with all the negative CG decisions being discussed by the MAAPs, in order to provide effective and efficient support to the MAAP.

53. Having reviewed each negative CG decision, a consensus would need to be reached on whether the negative CG decision should remain, or whether it is the consensus of the MAAP that the negative CG decision is disagreed with. If reaching a consensus is not achievable, then a majority decision of the MAAP will be suitable

and should be agreed upon. Where the decision is tied, the chair will have the casting vote.

54. Following the conclusion of the MAAP, the chair will be required to update the SCA on the conclusion of the MAAP for each negative CG decision that it reviewed - whether the MAAP agreed or disagreed with the negative CG decision made by the SCA. If it is the latter, the chair will provide reasons for the disagreement along with any significant discussion points made during the MAAP.
55. There is no template provided by the SCA to draft the chairs report. An email response on each specific case is sufficient, as this will enable the chair to use their independence to draft and own the response on behalf of the MAAP.
56. However, each report must contain the names of the panel members that reviewed the case and must state whether the original negative CG decision has been agreed or disagreed with. If the decision is disagreed with, then the key issues as to why the decision was disagreed with should be detailed, along with any significant points that were raised throughout the discussion to support this conclusion. This will enable the SCA to understand the MAAPs reasoning for disagreeing with the negative CG decision and allow for proper reflection.
57. The chairs report will be emailed back to the SCA. The chair should 'reply' to the email that was issued from the SCA to themselves, which contained each of the negative CG decisions. The reason for 'replying' to the original email is so that when the new digital NRM system is rolled out, each email will be incorporated into the chronology of each specific case ensuring that no information is mis-allocated, and that all information is appropriately collated.

MAAP Process: Updating the SCA

58. MAAP chairs are required to email outcomes back to the SCA within 2 working days following the MAAP, to ensure the decision-making process continues in a timely way.
59. The SCA will review the chair's email and update each case.
60. If the MAAP has agreed with the SCA's negative CG decision, a notification will be generated and issued to the individual accordingly.
61. If the MAAP has disagreed with the SCA's negative CG decision it will be referred to a technical lead within the SCA for an additional review and the case notes updated accordingly.
62. The technical lead will consider the reasons provided by the MAAP in respect of their disagreement with the original negative CG decision.
63. If the technical lead disagrees with the MAAP's conclusions and agrees that the negative CG decision should remain, they will forward the case to a decision maker to generate a notification which will be issued to the individual.
64. If the technical lead agrees with the reasons provided by the MAAP, the negative CG decision would be referred back to a SCA decision maker.
65. In this circumstance, the technical lead may request that the decision be amended to a positive CG decision; or require the SCA decision maker to undertake further investigations in line with the views of the MAAP.
66. In all cases and at any point where feedback is required throughout the process, the technical lead will update the individual's case notes for audit purposes and update the MAAP chair to advise them on the next steps or approach. This could also include a conversation with the chair to help clarify the reasoning behind the chosen approach. This will ensure the chair is made aware of the subsequent actions and ensure the two-way communication continues. It will be the responsibility of the chair to provide any feedback received from the SCA throughout the process to the panel members if required or, if it has been requested, during the original MAAP.
67. If the technical lead agrees with the MAAP that the negative CG decision should be amended to a positive CG decision, the decision would be revised by the SCA decision maker. The decision maker would update the case notes and generate a notification to be issued to the individual accordingly. The technical lead will advise the chair of the new outcome to complete the 'feedback loop'.

68. If, following the MAAPs conclusion, the technical lead decides that the decision should be further investigated, then the SCA decision maker will undertake these investigations. These investigations may lead to either a positive CG decision or a negative CG decision being made.
69. If these investigations result in a positive CG decision, the technical lead will advise the chair of the new outcome to complete the 'feedback loop'; and the SCA decision maker will update the case notes accordingly and generate a notification which will be issued to the individual which details the decision.
70. If, following the further investigations, the decision remains a negative CG decision, the technical lead will advise the chair of the outcome and explain how it was arrived at; this will close the 'feedback loop' and the SCA decision maker will update the case notes accordingly and generate a notification which will be issued to the individual which details the decision.
71. If, following the further investigations, additional evidence or information becomes available but a negative CG decision is again made on the case, the case will be referred to a new MAAP for consideration under the existing procedures. However, in these circumstances, the original chair will be made aware of this, in order to complete the feedback loop.

Reconsiderations

72. MAAPs will not impact on the reconsideration process for NRM decisions.
73. If an individual considers the SCA has made an incorrect negative CG decision, the first responder or support provider involved in the case, can submit additional evidence or raise specific concerns that the decision is not in line with the published Competent Authority guidance.
74. The SCA may agree to reconsider the negative CG decision in light of the additional evidence provided or the specific concern raised by the first responder or support provider.
75. If, as a result of the additional evidence provided, or the specific concern raised by the first responder or support provider, a negative CG decision is again made, this decision will be referred back to the MAAP for consideration under the existing procedures.