



GOVERNMENT OF MALTA

Government response to the consultation on 'The Social Regulatory Standards for Domestic Violence Residential Services'

03.09.2020

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Executive Summary

Introduction and overview

1. A brief introduction about the subject.

The Social Regulatory Standards for Domestic Violence Residential Services are aimed at establishing the level of service expected to be delivered by service providers in the field. These guide decision-making practices in various aspects of service provision, mainly the sufficiency of services in shelters, workforce competence, and the management of the service. These social regulatory standards are based on the basic principles of dignity, privacy, right for choice, safety, realising potential, equality, individuality, and diversity.

2. The public consultation date.

Include the objective and purpose of the public consultation.

On the 2nd of July 2020, the Government launched two sets of Social Regulatory Standards for Public Consultation. The purpose of this public consultation was to receive feedback from the general public on Domestic Violence Residential and Community-Based Services. The Social Care Standards Authority aims at having a comprehensive and extensive public consultation that reaches different professionals, staff working in settings offering services in the field of domestic violence, individuals who have availed or are availing of services in the field as well as relatives of these persons, and other persons who are interested in the subject matter.

3. This consultation sought views on:

- Guidelines for Domestic Violence Residential Services. Seven standards were identified addressing: Intervention Procedures, Individualized and Holistic Service Planning, Rights and Empowerment, Safety and Security, Safekeeping and Dissemination of Information, External Relations and Collaborations, and Service Quality Management.

Responses to the consultation and process used to seek stakeholder views

This document is the Government Response to this consultation and sets out the Government's decisions on these matters.

4. The closing date of the public consultation. Which methods were used to receive the feedback?
The total amount of responses. From whom you received the feedback?

This consultation closed on the 3rd of August 2020. The consultation documents were available online and responses were accepted electronically, on paper, by phone or through one-to-one meetings upon request. In total, there were circa **333** comments on different aspects of the

standards. Kindly refer to Annex A for the full list of respondents who have submitted their feedback on this set of Standards.

5. Include (if any) meetings with stakeholders and list who the stakeholders were.

Feedback was gathered from service providers in the field, namely Dar Merħba Bik, Fondazzjoni Sebħ, St Jeanne Antide Foundation, Victim Support Malta, Agency Appoġġ, and also the Commission on Gender-Based Violence and Domestic Violence during orientation meetings held individually either through a personal meeting or through video conferencing.

Summary of responses and decisions

The following is a summary of the consultation responses received. We would like to thank all those who took the time to respond to the consultation and participate in stakeholder meetings around the consultation exercise.

6. Statistics.

- Total feedback received: 14
- Total feedback received by individuals: 5
- Total feedback received by organisations: 9
- Total feedback received through email: 14
- Total feedback received through online form: Nil
- Total feedback received by post: Nil

- Summary of feedback received.

The majority of respondents expressed the need to ensure high quality services for victims of domestic violence.

Fifteen percent of all received comments (51 comments) were either general comments about the standards or feedback attributed directly to the introduction to the standards, the principles on which the standards are based, the glossary or general terminology.

Amongst the general comments, respondents pointed out:

- The need to include a gender-based perspective on domestic violence as established in the Istanbul Convention which states that domestic violence is often a form of gender-based violence on women, rooted in the historical power imbalance where men hold more power than women in most spheres of life. Also, 'Gender-based Violence' and 'Domestic Violence' are both safeguarded by the same Legal Act in Maltese Law.
- The key aspects of service provision that shall ensure client support to enhance their ability to live independently and to refer to other services for specialized help and support.
- Existing procedures that are in place in current service provision.
- The concerns emanating from financial problems that can make it more difficult for service providers to meet the required standards therefore suggesting that payments issued by the government and PSP agreements are to be reviewed accordingly.
- The need to adjust terminology to include gender queer individuals. Significant feedback was also received on the list of characteristics that individuals shall not be discriminated

against which shall include political affiliations and skin colour, amongst others, as suggested.

- Useful reference material that can be added with the reference list in Annex 5.
- The need for greater collaboration between service providers and the Commission on Gender-Based Violence and Domestic Violence to ensure that service provision, including campaigning and training, continues to evolve around the needs of victims of violence.
- The concern when it comes to identifying real victims and pretend victims where there might be the possibility of pretend victims to abuse of the system by availing of such services with the intention of getting child custody, for example.
- The need for a Social Impact Assessment process that should take place in parallel with standard formulation. As a response to this, the SCSA undertakes Social Intelligence Exercises which aim at collecting useful insights on service quality amongst others through collaboration and dialogue with professionals, relatives, service users, service providers, and staff in the field.
- The concern when reports are made by third parties of cases of domestic violence experienced by older persons with dementia living within domestic communities.

Some of the feedback was directly related to the glossary, for which amendments were suggested to the following terms: 'competent person', 'dependent person', 'individual representative', 'key worker', 'staff', 'helpline', 'service provider' and 'volunteers'. Additionally, the term 'discrimination' and 'gender-based violence' will be introduced as part of the glossary.

With regards to 'Principles', amendments were suggested to the following aspects:

- To amend the list of characteristics of what shall constitute as equal treatment (this will be accounted for in the next section below).

Most feedback was attributed to the content of the standards and annexes. More than 30% of all feedback received for this set of standards directly relates to Standard 1 which constitutes aspects of service provision that revolve around fairness, transparency, accessibility, and comprehensiveness in service delivery to be able to respond to evolving needs of individuals who avail of such services. This standard includes aspects such as accessibility and awareness of services, admission and intake procedures, and moving out from a shelter.

Standard 1 – 105 comments (Effective and Respectful Intervention Procedures) amongst which include aspects related to:

- Assessment tools which should be assessed and analysed,
- Assessments which should be built gradually through an active, ongoing, and spiral process rather than a one-time development of a document,
- Acknowledging receipt of a referral for a shelter service once a referral is received,
- Encouraging individuals to retain contact with the service provider if they wish to do so and it is safe for them once they move out of a shelter,
- Terminology which should address gender queer individuals thus not limiting gender to only men and women,
- Support which shall be given for as long as it is required by the individual,
- Providing rapid response which may be affected by the extent of disclosure from those seeking the service, and also the assistance of other relevant entities such as the police,
- Accessibility of services to individuals such as legal aid when there are no financial means on behalf of the individuals,
- Disseminating reliable and updated information,
- The importance of empowerment and self-determination of individuals,

- The importance of safety planning and informal support networks as protective factors that lead to risk mitigation, while always respecting decisions taken by individuals unless these are harmful to themselves or others.

Standard 2 – 39 comments (Individualized and Holistic Service Planning) amongst which include aspects related to:

- The policies and procedures that individuals availing of the service need to adhere to which shall be explained upon admission and shall be further reconfirmed during their stay,
- The policies and procedures to be followed by the staff and management which shall be exclusively developed separate from the general rules and regulations that need to be adhered to by both staff and individuals availing of the services and so ensuring that any kind of documentation shall be made accessible and explained in an adequate manner to whoever it is entitled to,
- Extension of stay in the shelter which would largely depend on safety issues that might still be present,
- The need to be clear as to who should act as the independent representative as there might be the risk of this person being the abuser,
- The unfeasibility to provide additional services to cater for individual requirements to address impairments or illiteracy when it comes to interpreting information,
- The involvement of individuals, as much as possible, when developing personal support plans and service agreements.

Standard 3 – 56 comments (Rights, Self-Empowerment and Wellbeing) amongst which include aspects related to:

- The challenge for NGOs to offer support to children accompanying individuals due to issues of care, custody, and consent,
- The difficulty of changing the key worker in cases where there would only be one residential key worker in the shelter,
- The importance of continuous active involvement in the community, despite availing of shelter services, as long as it is safe for the individuals,
- Aspects of vulnerability amongst children accompanying individuals,
- The importance of ensuring consistency when providing information without undue delay and bias,
- Aspects in food handling which entail that residents should not be expected to have a food handling certificate however they should always adhere to hygiene and safety measures whilst being supervised by a support worker who should be in possession of a valid certification.

Standard 4 – 28 comments (Safeguarding Safety and Security) amongst which include aspects related to:

- The need for health and safety risk assessments to take place and to ensure that new health and safety regulations are implemented and monitored,
- Ensuring that individuals who can self-medicate are able to do so,
- Allowing pets to accompany individuals in shelters,
- Ensuring that restrictive care is proportionate to the threat brought about by a given situation,
- The need for ongoing quality assurance to improve service provision and safeguard the safety of all individuals.

Standard 5 – 11 comments (Handling and Safekeeping of Data and Information Dissemination) amongst which include aspects related to:

- Serious concerns amongst NGOs working with victims in terms of client and staff safety, and liability when acquiring information on perpetrators,
- The appropriate use of terminology – substituting the term ‘discharge letters’ with ‘termination forms’.

Standard 6 – 13 comments (Interagency Collaboration and External Relations) amongst which include aspects related to:

- The concern amongst NGOs with regards to the struggle to raise funds to pay salaries and provide services whilst ‘competing’ for funds with all other NGOs working in different sectors due to not having a specialised fund supported by the state that caters for services in the field of domestic violence,
- The need for the informal networks of support to be assessed as these may potentially be harmful to the victims and therefore their involvement should only be due when necessary,
- The need for increased promotion of programmes and activities that empower women,
- Collaborations made with other entities for the benefit of the children which shall take place through the parent that the child is accompanying, thus empowering the same parent to work on child related matters, except in instances where the service provider’s intervention might be requested.

Standard 7 – 14 comments (Service Quality Management) amongst which include aspects related to:

- Specific training on domestic violence which shall be provided to staff,
- The need for all staff to be duly vetted to ensure a clean criminal record in relation to violence,
- Ensuring that both volunteers and staff are adequately supervised with clear lines of accountability,
- The need to evaluate and compare different methods of intervention adopted by staff.

Annex 1 – 1 comment

Annex 2 – 1 comment

Annex 3 – 2 comments

Annex 4 – 11 comments

Annex 5 – 1 comment

7. Your assessment and the Government’s decision (list the Government’s decisions).

The below is an account of the major proposed amendments after analysing the feedback gathered during the public consultation period. A significant number of amendments being proposed revolve mostly around terminology.

The statement at the beginning of the guidelines relating to masculine and feminine nomenclatures will be removed since the content of the standards is written in a gender-inclusive language and such statement might indicate otherwise.

In the ‘Introduction’ reference shall be made to services delivered in both emergency/first stage shelters, and also second stage shelters.

With regards to the glossary, the following changes will be due:

'Competent person' – to replace 'theoretical' with 'qualifications'.

'Dependant Person' – to replace the term 'dependant' with 'vulnerable' and amend as follows: Vulnerable persons may be children, persons with disability, persons with mental health problems, and older persons amongst others who might also be victims of domestic violence and who rely on the support given by the individual experiencing domestic violence seeking support from shelter services.

'Helpline' – To be removed from glossary (the Quality Indicator pertaining to the helpline/chatline will only be included in the guidelines for community-based services).

'Independent Representative' – To amend definition as follows: means a person who is independent from any aspect of the service and from any agency involved in the provision of service, working in the name of the person availing of the service or in his/her/their interest. The representative shall carry out such work after being appointed following a formal selection process that ensures the protection and safeguarding of the individual in whose name the said representative is acting as stipulated by law, such as in the case of guardianship or curatorship.

'Key worker' – the term 'action plan' in such definition shall be replaced by 'personal support plan'.

'Persons who experience domestic violence' – shall be substituted with 'individuals who experience gender-based and/or domestic violence' throughout the entire document.

'Personal Support Plan' – the definition of Personal Support Plan shall read as follows: *means a document that is based on a holistic assessment of the individuals that specifies how the individuals' needs and aspirations are going to be met. It also includes the resources required to fulfil such plan.* The rest of the definition shall be omitted since, within shelters, the service provider works with the adult victims of DV whilst children are usually assisted through their parents and in collaboration with other services when necessary such as school counsellors, Child Protection Services, etc. The challenges of consent would not usually allow the service provider to work with the children directly.

'Service Provider' – To amend as follows: means a person or an organisation that provides support through a range of services offered to individuals **and families**.

'Staff' – to replace the term 'rules' with 'policies' in the definition of 'staff'.

'Volunteers' – to add this statement with current one: Volunteers shall follow the same code of ethics and code of practice as the rest of the staff working in such services.

The term 'discrimination' shall be added to the glossary, as defined in the Equality for Men and Women Act (Cap.456).

The term 'gender-based violence' shall be added to the glossary, as defined in the Gender-based Violence and Domestic Violence Act (Cap. 581).

General Terminology

The list of personal characteristics which individuals must not be discriminated against shall be used in a consistent manner throughout the guidelines. Since the list is relatively long, this list can be mentioned once, and reference shall then be made to this list whenever required. The characteristics noted down in bold have been introduced to the list following the feedback received. Individuals shall not be discriminated against on the basis of sex, sexual orientation, age, race/ethnic origin, **social origin, civil and socio-economic status, colour**, religion/belief, gender identity, gender expression, sex characteristics, **genetic features**, language, **nationality, political opinion, property**, family responsibilities, **pregnancy**, health including mental health status and physical, intellectual, sensory or social abilities.

The term 'elderly' shall be replaced throughout by the term 'older persons'.

Instead of 'discharged from the service' the term 'moving out' shall be used throughout.

Whenever the possessive determiners 'his' or 'her' are used, the possessive determiner 'their' should be added as well to include gender queer individuals.

Also, the term 'alleged' shall be used prior to the term 'perpetrator'.

Any reference made in the document to 'persons who experience domestic violence' shall be substituted with: 'individuals who experience gender-based and/or domestic violence'.

Amendments to Standard 1:

Standard Statement shall be amended to read: This standard promotes rights that ensure that service delivery shall be fair, transparent, accessible, and comprehensive to be able to respond to evolving needs. Individuals who experience domestic violence shall be supported to have a smooth and safe transition both when **moving into a shelter** as well as when they move out.

Any P.I. that relates to outreach work would be more appropriately included only in the guidelines for community-based services, thus P.I.s 1.3, 1.6 and 1.7 shall be omitted.

P.I. 1.5 shall be amended to read as follows: When developing educational, outreach, prevention, community, or residential services, efforts shall be made to avoid stereotypes and other misinformed assumptions related to gender whilst encouraging all members of society including children to contribute actively to prevent all forms of violence and abuse.

P.I. 1.9 shall be amended as follows: The management shall identify social and cultural patterns, strengths, limitations, and barriers of access to services, and commit to analyse and propose solutions to address specific geographical requirements through proper data collection, processing and analysis.

Quality Indicator 2, pertaining to the Helpline and Chatline service, shall be omitted from the guidelines pertaining to residential services and shall only be included in the guidelines for community-based services.

To amend P.I. 3.1 to read: Service provision shall be sustainable and able to provide support and care for as long as is required without creating unnecessary dependency.

To add a new P.I. after 3.1 that reads: There shall be awareness on the gendered nature of domestic violence thus develop services that are gender specific.

P.I 3.4 to add: as far as the shelter's operational procedures are involved.

To add P.I. after P.I. 3.5 to read: Assessment tools shall be revised and updated following research and evidence-based practices and the necessary training shall be provided to staff undertaking such assessments.

P.I. 3.7 shall be amended as follows: Once a referral is received, the service provider shall acknowledge receipt of the referral and the source of referral shall be informed about the processing of the application.

This P.I. shall be followed by a P.I that states that: If an acknowledgement letter is issued upon a request for service, all necessary precautionary measures shall be taken to ensure that this is received by the individual that it is addressed to.

To omit P.I. 3.8 which refers to assessing whether the safety of individuals is at stake to prevent further incidents (as it is a given that the aim of a shelter service is to protect and safeguard victims).

P.I. 3.9 shall be amended as follows: Upon admission, the necessary details of the individuals are taken and immediate needs are identified.

P.I. 3.10 shall be amended as follows: A full comprehensive assessment shall then be compiled within 2 working days from the admission which shall include aspects of the individual's physical, psychological, emotional, behavioural, and cognitive functioning.

A P.I. shall follow to include that: Assessment reviews shall be carried out periodically.

In P.I. 3.12 shall be amended as follows: If medical and/or psychiatric assistance is required upon admission this is provided after consulting with the individuals involved, unless there is a threat to the safety of oneself or that of others.

To add 2 new Performance Indicators (P.I.) following P.I. 3.16 that reads: A safety plan shall be drawn for every individual availing of the service with the contribution of the same individual, the appointed key worker, and the interdisciplinary team if and as required. The safety plan shall also identify informal support networks all of which shall be considered as protective factors that contribute to risk mitigation.

P.I. 3.21 to be reworded to: If a shelter service is requested and there is no vacant space or else admission is not possible due to incompatibility with the service's rules, the management shall offer its support and assistance for an alternative accommodation to be found which is suitable and safe for the individuals.

To add a P.I. after P.I. 3.22 as follows: All precautionary measures shall be taken to ensure that in case of same-sex couples the individuals involved are not housed in the same residential facility, if both happen to be seeking shelter services.

To amend P.I. 3.25 to read: Service provision shall revolve around personal autonomy and self-determination, thus focusing on enhancing the strengths and bolstering the resilience of individuals and supporting their life choices as far as these do not put them or others at risk.

To add P.I. after 3.26: Alternative solutions shall be discussed with the individuals should they be requested to move out of the shelter due to misconduct.

P.I. 4.4 to amend to: The individuals shall be involved in assessing the possible risks for themselves and/or others upon leaving the shelter.

P.I. 4.8 shall be amended as follows: If the individuals have to leave suddenly or due to an emergency, the move shall occur with the minimum possible risk for themselves and others and in so far as is possible according to the service's policy on discharge.

To add P.I. after 4.8: The reasons for and the details of the discharge, shall be appropriately and clearly documented.

P.I. 4.9 to amend to: With the individuals' consent, unless otherwise required by legal conditions imposed, significant professional workers and persons responsible for the individuals' care shall be notified **without undue delays** about an emergency or sudden discharge. These persons shall be provided with any required documentation in line with data protection regulation.

To add another P.I. after 4.11 as follows: The management shall be aware of the professionals that should follow a case after the concerned individuals and their children move out of a shelter to ensure the safety of the children involved especially in cases where the individuals decide to leave prior to an agreed date.

Amendments to Standard 2:

P.I. 1.2 shall be amended as follows: Once accepted into the service, the individuals, or their representatives shall be, **as much as possible**, involved in developing the details of the service agreement to which they agree.

To add P.I. after 1.2 that shall read: The service agreement shall be developed after individuals are assigned a key worker who will guide and assist the individuals accordingly when such agreement is being developed.

P.I. 1.3 shall be amended to read as follows: The individuals, or their representatives, shall be provided with a dated copy of this written service agreement at least in both Maltese and English and which both themselves and the service provider sign.

To add a P.I. after 1.3 that shall read: In case the individuals refrain from signing the service agreement, the key worker shall provide an explanation on why this is required and shall answer any questions that the individuals might have.

To amend P.I. 1.8 as follows: The service shall be terminated or extended in partnership with the individuals bearing in mind their safety, needs, expectations, and best interest. **The service agreement in place shall be revised accordingly.**

P.I. 1.10 shall be amended as follows: The service shall have documented policies and procedures which shall guide the staff and management in their daily work, which shall be accessible to them and documented in a manner which the staff and management can both understand.

P.I. 1.11 shall be amended as follows: The service shall also have documented policies and procedures that apply to the individuals availing of the service of which they shall be aware of and shall adhere to.

P.I. 1.12 shall be amended as follows: The staff shall read, explain and help the individuals understand the regulations, policies and procedures that they need to follow whilst residing in the shelter.

To amend P.I. 2.1 as follows: Planning of services shall be established upon the principle that the individuals shall assume their right to control their lives as much as possible, if they are able to do so **without putting themselves, the staff working with them or significant persons in their lives at risk.**

To amend P.I. 2.2 to read: An independent representative may be appointed to provide support in situations where personal autonomy and self-determination may be limited.

To include 'homophobia' and 'transphobia' with the examples mentioned in P.I. 2.4. and replace 'other sorts of discrimination' with 'discrimination due to intersectionalities'.

P.I. 2.5 shall be amended as follows: The key worker shall keep regular contact with the individuals and with all those involved in providing support.

P.I. 2.7 to divide into 2 separate P.I.s to read as follows: The individuals shall have a personal support plan in place irrespective of whether they are availing of services in a first stage emergency shelter or a second stage shelter.

P.I. 2.8: The depth and comprehensiveness of such plan shall be determined according to the type of service provision being offered and the needs of the individuals.

To add a P.I. following 2.8 to read: The personal support plan shall be treated as a flexible plan that is subject to reviewing and is amended accordingly from time to time depending on the individual's needs.

To amend P.I. 2.11 to read: The personal support plan shall be available at least in Maltese and/or English of which a copy shall be provided unless there are undue safety risks in doing so. Such plan shall always be made available if the individuals request it at any point in time.

To add P.I after 2.11: The individuals shall be supported to understand their personal support plan.

P.I. 2.12 shall be amended as follows: The individuals shall sign their plan and shall understand subsequent amendments done to such plan during the period of service provision.

Amendments to Standard 3:

To amend P.I. 1.7 to read: The individuals shall be continuously consulted when organizing activities and programmes as an empowerment tool so that service provision continues to evolve around those needs and issues of concern that the individuals are truly confronted with from time to time.

To remove 'religion or faith' from P.I. 1.10.

Quality Indicator 2 shall read: The service provider shall ensure that any information is delivered in a timely, complete, and suitable manner for the individuals who experience domestic violence to understand.

To amend P.I. 2.1 to include that: Any information delivered shall be free from any bias or agenda.

To amend P.I. 2.3 to read: Information shall be made available on all possible options and rights that the individuals and vulnerable persons close to them may be entitled to, be them legally, financially, socially, culturally, or medically related, amongst others, if there is a request for such information.

To amend P.I. 2.6 to read as follows: The individuals shall be provided with information related to therapeutic services such as family therapy both those offered in-house and also those offered outside the service which they can refer to both during their stay at the shelter and also when they move out.

To add a P.I. after 2.6 to read: The individuals are informed of the professionals' legal obligation to involve the police to ensure their safety if it is perceived that they are in imminent danger in order to ensure their best interest and wellbeing as well as that of any vulnerable persons, if present.

In P.I. 3.1 to add: with regards to rights and responsibilities, these shall be further explained throughout their stay.

To add the terms 'no stereotypes and gender bias' to the term 'non-violence' in P.I 3.2.

To add another Performance Indicator following 3.7 that reads: In case there is only one key worker within the shelter, the individual shall be given the opportunity to be referred to other services if this would be more of benefit to the same individual.

After P.I. 4.5 to include another P.I. that reads: If individuals have no financial means, they should still be offered and supported to access free Legal Aid.

P.I 4.6 shall be amended as follows: The individuals shall be given all the required support to decide on whether or not to file an official police report with the ultimate decision to be always of the individuals except in cases where life threatening and imminent danger is present and therefore professionals are duty bound to report for the best interest of the individuals.

To include financial assistance with the examples in P.I. 4.7.

In P.I. 5.1 to substitute the individuals' ethnicity and religion with the individuals' values and lifestyle choices.

To insert another P.I. after 5.1 to read: The staff preparing meals shall be aware if individuals, or their children if accompanying them, have any special dietary requirements, allergies or intolerances.

To amend P.I. 5.6 to read: Those individuals residing in the shelter who would prepare food for others shall take all necessary hygiene and safety measures and shall be supervised by a person who has a valid food handling certificate if they themselves would not be in possession of one.

To add with P.I. 6.2 – especially when there are additional vulnerabilities.

In P.I. 6.7 – it shall be noted that consent forms shall be available in both Maltese and English and to be signed by the parent that the child is accompanying in the shelter or the legal guardian.

Amendments to Standard 4:

To include a P.I. in Quality Indicator 1 stating that: The shelter shall have policies and procedures with regards to bringing domestic pets in the shelter.

With P.I. 1.7 to add: thus, the necessary health and safety checks shall be due as required.

To move P.I. 1.9 regarding risk assessments and safety planning to Standard 1 with P.I on Safety Planning (P.I. 3.16).

To add P.I. 1.37 that states that: Individuals residing in shelters who require police protection when they are out of the premises shall be assisted if needed especially in cases where children are involved.

In P.I. 2.8 to add: Restriction of use must have a valid reason.

To amend P.I. 3.4 to read: The management shall acknowledge all concerns and complaints put forward by the individuals and other persons and gives account of proceedings and outcomes of investigation as part of ongoing quality assurance whilst ensuring that remedial action is taken in due time.

P.I. 4.1 to amend to: The service provider shall ensure that any health conditions including those related with mental and sexual health, allergies, and medicine and/or medication taken by the individuals and/or any accompanying children, are well known by the management and the staff, to ensure that the individuals' and children's wellbeing is safeguarded at all times.

To include another P.I. after P.I. 4.2: Individuals who can prepare, administer, and manage their medicine and medication on their own shall continue to do so unless this is deemed to place undue risk on them or others. Support and assistance shall be provided by authorized staff on this regard.

To amend P.I. 4.4 In the event that the individuals are feeling unwell and feel that they need healthcare services, the staff shall contact the appropriate persons and/or authorities as agreed in the service agreement **if it is not possible for the same individuals to contact these entities themselves.**

To amend P.I. 4.6 to: In case of prescribed medicine, any medication being administered shall be used solely by the individual that it was prescribed to.

Amendments to Standard 5:

An addendum shall be made to P.I. 1.3 to read as follows: Any personal information pertaining to the individuals availing of the service and **working staff** shall be processed according to the law on Data Protection and the GDPR.

Performance Indicator 1.4 relating to perpetrators shall be omitted.

To add a P.I. following 1.5 that reads: Any information being shared by the individuals and staff shall be recorded and processed according to the law on Data Protection and the GDPR.

P.I. 2.4 shall be amended to: There shall be absolute commitment by all the staff and the management to adhere to respective laws and regulations when it comes to **the sharing, processing, and retention** of data such as progress reports, termination forms, case notes and case reviews, amongst others.

Amendments to Standard 6:

Quality Indicator 1 shall be amended as follows: The service provider shall be in contact with significant persons close to the individuals who experience domestic violence only if it is necessary and if this does not put the individuals in any kind of danger

To amend P.I. 1.1 as follows: The staff and the management shall be able to understand the relationship that exists between the individuals and their families or significant others so as to determine whether these can be of support for the individuals without putting the safety of the individuals in danger.

P.I. 1.3 shall be amended as follows: The staff shall respect significant persons close to the individuals, value the opinions of these persons, acknowledge their expectations of the service, and provide information on how their concerns or comments will be dealt with if this is in the best interest of the individuals availing of the service.

To amend P.I. 2.5 to read: Individuals with children shall be supported to collaborate with schools, training institutions and educative programmes so that children continue to receive education, quality tuition, and have access to resources just like any other child their age.

To remove reference to 'child protection' in P.I. 2.6.

To amend P.I. 2.9 to read as follows: The individuals shall be supported to understand that in some instances it may be useful for child protection authorities to intervene whilst ensuring that the same individuals are given the chance to take decisions in the best interest of their child, **if they are able to do so.**

To add a P.I. following P.I. 2.9 to read: For the safety of children involved a referral to child protection services may be due, sometimes even without the consent of the mother, to safeguard the best interest of the child.

To add a P.I. after P.I. 2.10 that reads: Active communication and collaboration with the Commission of Gender-based Violence and Domestic Violence shall be sustained.

To amend Performance Indicator 2.14 to read: Information shall be acquired on state and EU funded schemes that may offer financial aid to develop new or existent programmes and services.

Amendments to Standard 7:

P.I. 1.3 shall be amended to read: Service coordination and general operational functions shall be carried out ethically and sensitively.

To add a P.I. following P.I. 1.4 to read: The management and staff shall be able to compare and evaluate the methods being used in their daily practice whilst remaining up to date with methods and tools used abroad.

P.I. 1.7 – to omit all examples as these are already included in a thorough list as mentioned above (the list of personal characteristics which individuals must not be discriminated against).

P.I. 1.16 shall be amended as follows: The staff, especially those who make the initial contact with the individuals, shall be trained to recognise any signs of domestic violence or any other abuse, **be aware of intersectionalities and contextual factors** and be able to take the necessary actions using safe and tested measures.

To add 'new volunteers' with P.I. 2.8.

To add supervision of volunteers with staff supervision in P.I. 3.3.

P.I 3.5.1 shall be amended to read: the staff and volunteers are more aware of and are non-judgemental towards individuals and children, in any aspect of their personal life as stipulated in Standard 1 Performance Indicator 2.8 (which is the list of characteristics that individuals shall not be discriminated against);

P.I. 3.6 shall be amended as follows: The staff shall be given specialised and up-dated training when it comes to detecting violence, dealing with trauma, conducting risk assessments, and preventing secondary victimisation amongst others.

Annex 1 point iii, shall be amended to: contact details of other useful services such as the Social Care Standards Authority, **amongst others**.

Annex 2 point ix, shall be amended to: information about any **physical or mental** health condition and/or nutritional requirements of both the individuals and children (if present) that might affect service provision.

Annex 3 point i (vi) to substitute healthcare and medical assistance with physical and mental health. To add employment support and educational needs with point (ix). To add budgeting skills with the list.

Annex 3 point ii to amend to: personal dietary preferences and special requirements including allergies, intolerances, and faith-based requirements where applicable for both individuals and any accompanying children. If necessary, reference to a speech language pathologist may be due.

Annex 4: Manual of Policies and Procedures: To remove 'involuntary admissions' as these persons are not forced to get into the service however 'involuntary discharge' is to be retained since in case of misconduct individuals may be expected to leave.

Annex 4: Remove helpline/chatline from Manual of Policies

Annex 4: 1.16 to add 'protection of other vulnerable persons' with 'child protection'.

Annex 4: 2.3 To add Selection Process with Recruitment.

Annex 4: 3.5 To replace 'Injuries' with Accidents and Incidents and add 'harm to third parties' as a sub-clause.

Annex 4: 3.6.2 To add self-management with self-administration.

Annex 4: 3.6.5 To amend to: Admissions to hospital and other health facilities.

Annex 4: To add clause 4.5: Mental Health Emergency.

Annex 4: To add Pets with 5.0 Shelter Procedures.

Annex 5: To add the following link as part of the useful reference material: https://avp.org/wp-content/uploads/2017/04/ncavp_poc_ipvtoolkit.pdf

Implementation

8. When you intend to implement the decisions

In the coming weeks, all necessary amendments to the guidelines and legal notices will be made. The legal notices are expected to be approved by Cabinet and the SCSA will then launch the final draft.

Contact Details

If you have any questions regarding this response, please contact: regulations.scsa@gov.mt

Detailed overview of responses and the Government's response

The following section provides a brief summary of the initial proposals and the responses received, before setting out the final decision that has been made. *(Standard text)*

Question 1 : *insert the question (only if your Ministry decided to list a set of questions for the public to leave their feedback)*

Eg:

Question 1 : Do you agree

Consultation Proposal

1.1 We said in our consultation document that.....

Q1 Responses	
Agreed	
Disagreed	
Indeterminate	
No comment	

1.2 A significant majority of respondents (71%) either did not answer this question or were unable to express a clear opinion either way, mainly because they had insufficient knowledge on the subject to make a definitive judgement.

- 1.3 Among the respondents who agreed with our projections, it was commonly cited that.....
Others, while disagreeing with our proposal, accepted that

Post-consultation analysis / Final decision

- 1.4 Having considered the challenges to our projections, our assessment remains that....
- 1.5 We have considered very carefully the arguments presented on both sides of the question.
We acknowledge that

Annex A: List of respondents (*optional*)

Organizations (in no particular order):

Human Rights Directorate – Ministry for Justice, Equality and Governance
Office of the Commissioner for Mental Health
Fondazzjoni Sebħ
St Jeanne Antide Foundation
Victim Support Malta
Dar Merħba Bik
Commission on Gender-Based Violence and Domestic Violence
National Commission for the Promotion of Equality
Agency Appoġġ

Individuals (in no particular order):

Ms Beverley Abela
Dr Maria Aurora Fenech
Dr Marcelline Naudi
Mr Brian Chircop
Dr Michael Briguglio