



Child Protection Refresher 2022

Module 2 – Dealing with Disclosures

In this module we will cover:

- recognising abuse
- dealing with a disclosure
- new legislation and guidance.

Recognising abuse

Adults are best able to protect children when they understand their specific caring responsibilities and how they need to work together in partnership with others to promote the best interests of children and families.

One individual alone cannot have a full picture of a child's needs and circumstances and, if children and families are to receive the right help at the right time, everyone who comes into contact with them has a role to play in identifying concerns, sharing information, and taking prompt action.

In order to fulfil this responsibility effectively anybody working or volunteering with children or young people should make sure their approach is child-centred. It is important that staff determine how best to build trusted relationships with children and young people.

This means that they should consider, at all times, what is in the best interests of the child.

Anyone working or volunteering with children should be aware that a child may not feel ready, or know how to tell someone that they are being abused, exploited, or neglected, and/or they may not recognise their experiences as harmful.

A child may feel embarrassed, humiliated, or threatened. This could be due to a number of factors including:

- their vulnerability
- disability
- sexual orientation or
- language barriers.

This should not prevent staff from having professional curiosity and speaking to the designated safeguarding lead if they have concerns about a child.

Principles to follow when dealing with a disclosure

The Seven R's

1. Receive

- Stay calm and be patient.
- Find a quiet place where your conversation will not be interrupted. Remember your organisation's guidelines about being alone with a child or young person.
- Be welcoming, even if the time isn't convenient for you. It may have taken a great deal of courage for them to approach you, and they may not do so again.
- Listen carefully and take it seriously.

2. Reassure

- Try to make the child or young person feel safe and secure. Reassure them that they have done nothing wrong by telling you.

3. Respond

- Ask questions for clarification only.
- Explain what you will do with the information and what will happen next.

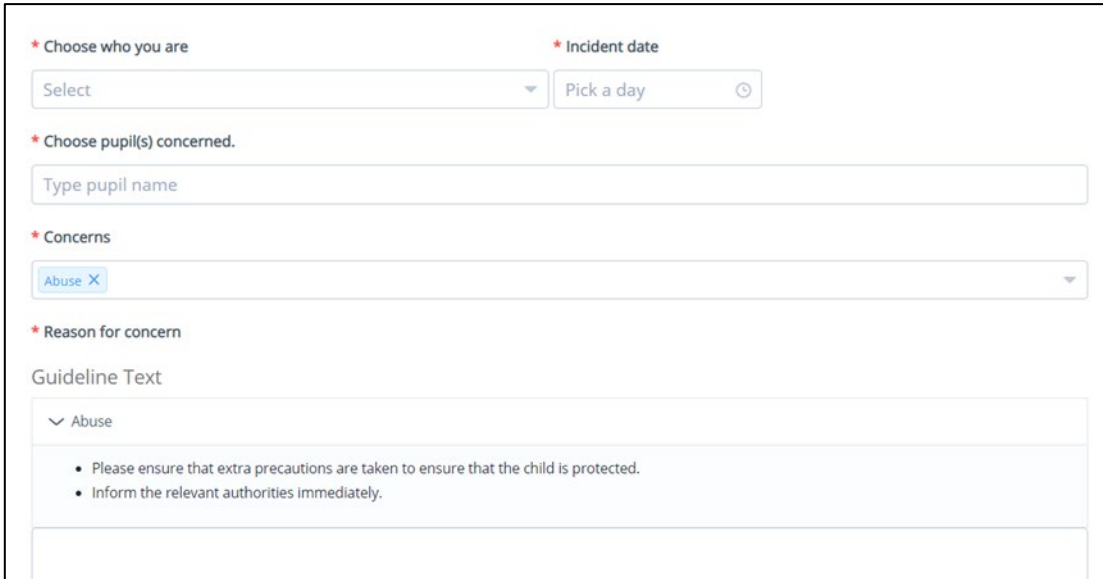
4. Report

- Follow your organisation's policy and procedures for child protection.
- If the child is in immediate danger, call 999.

5. Record

- Write down what you have been told as soon as possible. It should be dated, timed, and signed. Without delay, it should then be given to the designated safeguarding lead.

Some organisations will have an online reporting system. If this is the case for your organisation, it is important that you read any additional text and follow the instructions given.



The screenshot shows a web form for reporting a concern. It includes the following fields and options:

- * Choose who you are:** A dropdown menu with "Select" as the current selection.
- * Incident date:** A date picker with "Pick a day" and a calendar icon.
- * Choose pupil(s) concerned:** A text input field with "Type pupil name" as a placeholder.
- * Concerns:** A dropdown menu with "Abuse X" selected.
- * Reason for concern:** A section titled "Guideline Text" with a dropdown menu showing "Abuse". Below it, there are two bullet points: "Please ensure that extra precautions are taken to ensure that the child is protected." and "Inform the relevant authorities immediately."



6. Remember

- Support the child by reassuring and listening to them.
- Do not:
 - promise confidentiality
 - ask leading questions
 - look panicked, shocked, or angry
 - make the child or young person repeat their story
 - interrupt
 - give an opinion
 - inform parents until you have had a discussion with your safeguarding lead
 - make any comments about the abuser or try to guess who they are.

7. Review

- Would you feel confident to deal with a disclosure?
- Do you feel confident in recognising warning signs that could help identify that a child is at risk?

If the answer is 'no' to either of these, you should speak to your organisation's designated safeguarding lead. You may require additional training or support for your wellbeing.

The importance of listening

Being able to listen will help you to understand a child's perspective and offer them appropriate support.

Why is listening to children and young people important?

- It helps in mutual understanding
- It helps to protect children
- It leads to better decision-making and outcomes
- It promotes respect
- It helps build resilience

How to develop your listening skills

- Create a safe space
- Listen patiently
- Be comfortable with silence
- Do not interrupt
- Be empathetic
- Always remain calm
- Facial expressions and open body language, such as nodding or sitting forwards, will show that you are listening
- Respond calmly with open questions or reflections to check you have understood
- Avoid judgment

Active listening is a skill and may take time to learn, but it will help to create a connection and mutual understanding between yourself and the person you are supporting.

Sometimes it may not be clear that a child is making a disclosure; it is therefore okay to ask open questions. Using open questions with the words, 'what,' 'when', 'who', 'how', and 'where' may clarify your understanding, and should inform you about the appropriate next action. Closed questions on the other hand can typically be answered with a 'yes' or 'no', and are less fruitful.

Which of these are examples of open questions?

Were you made to do anything?

That is a nasty bruise, when did you do that?

Did it happen in your bedroom?

What happened?

You seem to be upset and that's not like you. Is there anything worrying you? How are you feeling?

Did they hit you?

Where were you when you did it? Who were you with? What did the person do?

Did they touch your private parts?

What did the person say?

Answer

Open questions

That is a nasty bruise, when did you do that?

What happened?

Where were you when you did it? Who were you with? What did the person do?

What did the person say?

You seem to be upset and that's not like you. Is there anything worrying you? How are you feeling?

Closed questions

Did they hit you?

Did they touch your private parts?

Did it happen in your bedroom?

Were you made to do anything?

Remember, questions should not be used to investigate, only to clarify information. Some questions may invalidate evidence if used in court proceedings at a later date.

Making notes

The more specific your notes, the more useful they will be in forming a well-rounded picture for child protection professionals to act upon.

When they receive a report containing ambiguous, vague information, it makes their role extremely difficult.

For example

Instead of "Nicola was wearing inappropriate clothes for the weather".

Say exactly what you see, hear, or know:

"It was minus five degrees outside with a hard frost and Nicola was wearing a summer dress".



For example

Instead of “Omar is looking quite thin and he sometimes steals from other children’s lunchboxes”.

Say exactly what you see, hear, or know:

“Omar looks very underweight for his age and stage of development. In the last two weeks, he has taken food from other children’s lunchboxes”.

For example

Instead of “The mother gave an implausible account of how John had come to have so many bruises”.

Say exactly what you see, hear, or know:

“John’s mother said she wasn’t aware of the multi-coloured bruises on John’s arms and legs and that she thought he must have fallen over”.

‘Say exactly what you see, hear, or know’

Record keeping

The designated safeguarding person should take the lead in making sure all concerns, discussions and decisions made, and the reasons for those decisions are recorded in writing. They will ensure they are kept confidential and stored securely in separate child protection files.

Records should include:

- a clear and comprehensive summary of the concern
- details of how the concern was followed up and resolved
- a note of any decisions reached and any action taken, and the outcome.

Allegations against staff

It is hard to think that a colleague you work or volunteer with intends to inflict harm on a child, but the behaviour of abusers is often disguised as being in the best interest of the child. For example:

- Providing extra support when a child may be struggling.
Tom offers one-to-one sessions for some children in his class.
- Being a ‘trusted adult’ who takes time to listen to the child.
Tom gets on with the children with whom he works. One child he works with does not get on with his parents and so Tom offers to take him to the local café for a chat.

Any organisation working with children and young people should have clear policies and procedures in place for dealing with allegations, complaints, and concerns.

Allegations that may meet the harm threshold

The words ‘allegation’ and ‘concern’ are often used interchangeably. People may feel apprehensive about using the word allegation, so the focus should be on the behaviour ascribed to them.

A concern or allegation should be raised where anyone working in the organisation has:

- Behaved in a way that has harmed a child or may have harmed a child.
Trudy is 13 years old. She tells you a colleague of yours has hit her friend.



- Possibly committed a criminal offence against or related to a child.
A colleague you work with is being investigated for having indecent images on their phone.
- Behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children.
Mary works as a volunteer with children. She tells the children if they don't do as they are told they will have to go and stand outside in the rain.
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.
Mr Thomas is an English teacher. He often tells the sixth form pupils who his latest partner is and what he has been doing at the weekend.

Dealing with an allegation or concern

All staff and volunteers should feel able to raise concerns about poor or unsafe practice and know that their concerns will be taken seriously and treated confidentially. Failure to report in the correct way may put a child at further risk.

It is not your responsibility to investigate, but you do have an obligation to pass on disclosures, allegations, or your concerns to the appropriate person so that they can act to protect a child if necessary.

You must always follow your organisation's child protection policy and procedures.

Allegations of abuse made against a member of staff or volunteer should be dealt with quickly and in a fair and consistent way that provides effective protection for the child or young person, as well as the person who is subject to the allegation.

Allegations against a member of staff who is no longer working or volunteering at the organisation should be referred to the police.

Further information

If an organisation removes an individual from work in regulated activity with children because the person poses a risk, then the organisation must report to the Disclosure and Barring Service. They will consider if the individual needs to be barred.

Education

Low-level concerns

The term 'low-level' concern is any concern – no matter how small – that an adult working in or on behalf of the school may have acted in a way that:

- Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work, and
- Does not meet the harm threshold or is otherwise not considered serious enough to consider a referral to the designated officer at the local authority (LADO).

Examples of 'low-level' concerns include:

- Being over-friendly with children.
Miss French often hugs the children in school.



- Having favourites.
Mr Brown only buys birthday cards for his top-performing students.
- Taking photographs of children on their mobile phone, contrary to school policy.
At sports day Julie, a Teaching Assistant takes photos of the event on her mobile phone.
- Engaging with a child on a one-to-one basis in a secluded area or behind a closed door.
Teressa works as a school mentor. Her sessions with the children are on a one-to-one basis in a separate school building on her own.
- Humiliating pupils.
Mr Settle is known for publicly teasing children if they answer a question wrong in class

Sharing low-level concerns

Schools and colleges should recognise the importance of creating a culture of openness, trust and transparency to encourage all staff to share low-level concerns so that they can be addressed appropriately.

To help achieve this education settings should:

- ensure staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others
- empower staff to self-refer
- address unprofessional behaviour and support the individual to correct it at an early stage
- provide a responsive, sensitive and proportionate handling of such concerns when they are raised
- share responsibly with the right person and record and deal with concerns appropriately.

If schools and colleges are in any doubt as to whether the information which has been shared about a member of staff as a low-level concern in fact meets the harm threshold, they should consult with their local authority.

Any concerns that you may have about a member of staff must be reported immediately to the headteacher or principal. Where there are concerns about the headteacher or principal, this should be referred to the chair of governors, chair of the management committee, or proprietor of an independent school as appropriate. This should be done without having any discussion with any other member of staff. You should not alert the person you are concerned about as this could compromise any further investigation.

Schools must teach children how to report concerns or worries to trusted adults at school or elsewhere in their lives.

Schools and colleges should ensure they understand the local authority arrangements for managing allegations, including the contact details and what information the local authority designated safeguarding officer will require when an allegation is made.

Whistleblowing

All staff should feel able to raise concerns about poor or unsafe practice to the senior leadership team and should have the confidence that they will be taken seriously. Failure to report in the correct way may put a child at further risk. Whistleblowing must be embedded across safeguarding policies and in the code of conduct. A whistleblower is protected by law and cannot be treated unfairly or lose their job.

Whistleblowing procedures should protect staff members who report colleagues that they believe are doing something wrong and are neglecting their duty of care. If a member of staff feels unable to raise a concern or is



worried about how the organisation is dealing with a concern they have raised, they should seek support through the NSPCC Whistleblowing Advice Line (0800 028 0285).

The law

A detailed list of the laws and guidance can be found in the Resources section. This section shows a sample of the key ones for each nation.

Overarching legislation includes:

- **United Nations Convention on the Rights of the Child**
States 'Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.'
- **Data Protection Act 2018**
Controls how personal information is used by organisations, businesses, and government.
- **Human Rights Act 1998**
Sets out the fundamental rights that everyone in the UK is entitled to.
- **Equality Act 2010 (Excluding Northern Ireland)**
Legally protects people from discrimination, including the Public Sector Equality Duty.

England

The main laws that protect children and vulnerable adults

- **Children Act 1989**
This Act describes the paramount nature of children's welfare and the duty of care that agencies and organisations have in place to protect them.
- **Female Genital Mutilation Act 2003**
Under the 2003 Act, it is an offence for any person in England, Wales, or Northern Ireland (regardless of their nationality or residence status) to perform FGM or to assist a girl to carry out FGM on herself. It is also an offence to assist a non-UK national or resident to carry out FGM outside the UK on a UK national or permanent UK resident.
- **Children Act 2004**
Enhances the provisions of the 1989 Act and details the arrangements to safeguard and promote children's welfare.
- **Children and Social Work Act 2017**
This Act improves support for looked after children and care leavers, promotes the welfare and safeguarding of children, and makes provision about the regulation of social workers.

- **Working Together to Safeguard Children**

A guide to inter-agency working to safeguard and promote the welfare of children.

- **Keeping Children Safe in Education**

Statutory guidance for schools and colleges on safeguarding and safer recruitment. The guidance is split into five sections.

Governing bodies and proprietors should ensure that those staff who work directly with children read at least Part one of this guidance.

Governing bodies and proprietors, working with their senior leadership teams and especially their designated safeguarding lead, should ensure that those staff who do not work directly with children read either Part one or Annex A (a condensed version of Part one) of this guidance. This is entirely a matter for the school or college and will be based on their assessment of which guidance will be most effective for their staff to safeguard and promote the welfare of children.

1. Safeguarding information for all staff
2. The management of safeguarding
3. Safer recruitment
4. Allegations made against/Concerns raised in relation to teachers, including supply teachers, other staff, volunteers and contractors
5. Child- on- Child Sexual Violence and Sexual Harassment

Governing bodies and proprietors should ensure that all governors and trustees receive appropriate safeguarding and child protection (including online) training at induction. This training should equip them with the knowledge to provide strategic challenge to test and assure themselves that the safeguarding policies and procedures in place in schools and colleges are effective and support the delivery of a robust whole school approach to safeguarding. Their training should be regularly updated.

- **Prevent duty guidance**

The Prevent strategy is one part of the UK government's overall counter-terrorism strategy which is called CONTEST. The aim of Prevent is to reduce the threat from terrorism by stopping people becoming terrorists or supporting terrorism. The strategy also means intervening to stop people from moving from extremist groups into terrorist-related activity.

- **Multi-agency statutory guidance on female genital mutilation 2016**

Statutory guidance on FGM for England and Wales.

Wales

The main laws that protect children and vulnerable adults

- **Children Act 1989**

This Act describes the paramount nature of children's welfare and the duty of care agencies and organisations have in place to protect them.



- **Female Genital Mutilation Act 2003**
Under the 2003 Act, it is an offence for any person in England, Wales, or Northern Ireland (regardless of their nationality or residence status) to perform FGM or to assist a girl to carry out FGM on herself. It is also an offence to assist a non-UK national or resident to carry out FGM outside the UK on a UK national or permanent UK resident.
- **Children Act 2004**
Enhances the provisions of the 1989 Act and details the arrangements to safeguard and promote children's welfare.
- **Safeguarding Vulnerable Groups Act 2006**
The Act enabled a central service that would bar unsuitable people from working with children and vulnerable adults. Today it is called the Disclosure and Barring Service and it provides criminal records and barring functions to help employers make safer recruitment decisions.

Advice and guidance includes:

- **Keeping learners safe**
Keeping learners safe is the statutory guidance issued by Welsh Ministers. It must be read and followed by local authorities and governing bodies of maintained schools, voluntary-aided and foundation schools, further education settings and independent schools.
- **Safeguarding guidance (Welsh Government, 2021)**
Provides guidance on following the law on safeguarding people.
- **Wales Safeguarding Procedures and Practice Guides**
Provides guidance on safeguarding procedures.
- **Prevent duty guidance**
The Prevent strategy is one part of the UK government's overall counter-terrorism strategy which is called CONTEST. The aim of Prevent is to reduce the threat from terrorism by stopping people becoming terrorists or supporting terrorism. The strategy also means intervening to stop people from moving from extremist groups into terrorist-related activity.
- **Multi-agency statutory guidance on female genital mutilation 2016**
Statutory guidance on FGM for England and Wales.

Scotland

The main laws that protect children and vulnerable adults

- **Children (Scotland) Act 1995**
This provides the range and scope of local authority intervention in the lives of children and their families.
- **Protection from Abuse (Scotland) Act 2001**
This Act offers the power of arrest in relation to domestic abuse regardless of the relationship between the abused and the abuser.



- **Prohibition of Female Genital Mutilation (Scotland) Act 2005**

The Act makes it an offence for a person to carry out female genital mutilation. This includes sending a girl abroad for this purpose.

- **Children and Young People (Scotland) Act 2014**

The Act covers:

- the rights of children and young people
- any investigations and children's hearing legislation
- provision of services and support for children and young people
- the statutory operation of the Named Person and Child's Plan
- early learning and childcare
- adoption, foster, and kinship care
- the provision of free school lunches.

- **Female Genital Mutilation (Protection and Guidance) (Scotland) Act 2020**

This Act amends the Prohibition of Female Genital Mutilation (Scotland) Act 2005. Its aim is to strengthen the legal protection of those at risk of FGM.

Advice and guidance includes:

- **National guidance for child protection in Scotland**

Provides the framework for agencies and practitioners at local level to agree processes for working together to safeguard and promote child wellbeing.

- **Getting it right for every child (GIRFEC)**

GIRFEC is based on the principles reflected in the United Nations Convention on the Rights of the Child. It is a way for families to work in partnership with supporting agencies such as health and education. GIRFEC is central to all government policies which support children and young people and their families.

GIRFEC works on four main principles:

1. Being child focused
2. Based on an understanding of the wellbeing of a child in their current situation
3. Tackling needs early
4. A joined up working approach

- **Prevent duty guidance**

The Prevent strategy is one part of the UK government's overall counter-terrorism strategy which is called CONTEST. The aim of Prevent is to reduce the threat from terrorism by stopping people becoming terrorists or supporting terrorism. The strategy also means intervening to stop people from moving from extremist groups into terrorist-related activity.

- **Child Protection and Safeguarding Policy - Education Scotland**

This policy provides the framework within education to help staff understand their responsibilities in relation to child protection and promoting the welfare of children and protected adults.

The main laws that protect children and vulnerable adults

- **Criminal Law Act (Northern Ireland) 1967**
Makes it an offence to fail to report a relevant offence where a person has information that could lead to further action being taken.
- **The Children (Northern Ireland) Order 1995**
This is the principal legislation governing the care, upbringing, and protection of children in Northern Ireland.
- **Female Genital Mutilation Act 2003**
Under the 2003 Act, it is an offence for any person in England, Wales, or Northern Ireland (regardless of their nationality or residence status) to perform FGM or to assist a girl to carry out FGM on herself. It is also an offence to assist a non-UK national or resident to carry out FGM outside the UK on a UK national or permanent UK resident.
- **The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007**
This legislation sets out the framework for the Disclosure and Barring Service and requirements relating to those who work or volunteer with children and vulnerable adults.

Statutory guidance includes:

- **Safeguarding and Child Protection in Schools - A Guide for Schools**
This guidance assists schools in fulfilling their safeguarding responsibilities and child protection role.
- **Co-operating to Safeguard Children and Young People in Northern Ireland**
Provides the overarching policy framework for safeguarding children and young people in the statutory, private, independent, community, voluntary and faith sectors.

Summary

This module has covered a refresher on receiving and responding to a disclosure or allegation, including the importance of open questioning, and listening skills.

- Can you remember the seven R's?
- Do you know what to do if you are concerned about someone?
- Do you know what key laws and regulations are important to you?

If the answer is 'no' to any of these, please revisit the section.

Anyone working with children or young people has a responsibility to provide a safe environment in which they can learn and thrive.

You are now ready to complete the corresponding questionnaire. Click **Questionnaire 2** to begin the questions.