Responding to a Disclosure

Types of disclosure:

Allegations of abuse or concerns about a child or adult at risk may arise in a number of ways:

- a child or adult at risk discloses alleged abuse,
- an adult discloses concern for a child or adult at risk,
- an adult discloses concerns about the behaviour of another adult, child or adult at risk,
- you notice signs of potential abuse of a child or adult at risk.

There may also be situations where you are informed of or observe behaviour which is inappropriate and may potentially lead to abuse. For such concerns, you should contact the local Authorities DO, DASM or in emergencies the police. The BCC Ltd Designated Safeguarding Lead Officer is available to advise.

It is not often that a victim of abuse will make a disclosure. Incidents or signs of abuse or mistreatment are more often than not, observed by other parties. However, in the instance that one is received, the following actions should take place.

The person receiving information concerning disclosure should:

- Listen carefully to what the child or the adult at risk has to say and reassure the child or the adult at risk they have done the right thing in telling. Undue and leading questions must be avoided as this could seriously prejudice any investigation. **The child or the adult at risk should never be asked to repeat their story to a colleague.**
- The child or the adult at risk is likely to have doubts and fears about what will happen and will need support. Be open and honest and explain to the child or the adult at risk what is to happen next. This is essential if the child’s or the adult at risk’s trust is to be gained. Therefore, promises to keep information secret must not be made and the child or the adult at risk must be told that the information will be passed on.
- There are particular issues with regard to gaining information from children with limited communication skills or the adult at risk and care should be taken that appropriate means are used to understand what is being said without ‘leading’ the child or the adult at risk.
- Record all that the child or the adult at risk has said on the Incident Report Form SG1. This should be completed as soon as possible, ideally on the same day as the disclosure. It should be dated and signed. Record the exact questions asked and the answers given – using the same vocabulary as the child or the adult at risk. New words should never be introduced when talking to the child or the adult at risk. No attempt should be made to investigate the disclosure. This is the role of Social Care.
- Contact the DO or DASM directly, stating that you wish to discuss a referral of possible abuse and pass on the incident report form SG1. It is likely that you will be asked to complete a referral form generated from the respective local authority, your completed SG1 will help you to do this. If the concern is about the Designated Safeguarding Lead Officer you must report your concern immediately to a Leadership Management Team.
member and/or the Chief Executive immediately. BCC Ltd team members are reminded of the corporate Whistleblowing Policy

- Notify the Designated Safeguarding Lead immediately.

**NB:** Some very young or those with disabilities may find it difficult to express themselves verbally. Communication difficulties may mean that it is hard for them to complain or be understood. Sometimes it is difficult to distinguish the signs of abuse from the symptoms of some disabilities or conditions, in relation to the nature of an individual's impairment. However, where there are concerns about the safety of a young person or vulnerable adult, record what has been observed and as much information as is possible that you have been told in detail and follow the BCC Ltd procedures to report these concerns as outlined above.

### Actions to Avoid

The person receiving the disclosure should not:

- panic
- allow their shock or distaste to show
- probe for more information than is offered
- speculate or make assumptions
- make negative comments about the alleged abuser
- approach the alleged abuser
- make promises or agree to keep secrets

### Responding to Suspicions

It is not the responsibility of anyone working for BCC Ltd in a paid or voluntary capacity, or those working in affiliated organisations, to decide whether or not abuse, maltreatment or neglect is taking place. However, there is a responsibility to report concerns in order that appropriate agencies can then make enquiries and take any necessary action to protect the young person or adult at risk.

### Role of Social Services

Social Services have a statutory duty to ensure the welfare of children or adults at risk, and work with the Local Authority DO or DASM to comply with its procedures. When a child or adult at risk protection referral is made, the Social Services staff have a legal responsibility to investigate. This may involve talking to the child/adult at risk and their family, and gathering information from other people who know those involved. Enquiries may be carried out jointly with the police. If action needs to be taken urgently and out of office hours, then the police will deal with the enquiry sensitively and effectively.

### Sharing Concerns with Parents

There is always a commitment to work in partnership with parents or carers where there are concerns about their children. Therefore, in most situations, it would be important to talk to parents or carers’ to help clarify any initial concerns. For example, if a child seems withdrawn, there may be a reasonable explanation. He/she may have experienced an upset in the family, such as a parental separation, divorce or bereavement.
When it is Not Appropriate to Share Concerns with Parents

There are circumstances in which a young person might be placed at even greater risk if concerns are shared (e.g. where a parent or carer may be responsible for the abuse or not able to respond to the situation appropriately). In these situations or where concerns still exist, any suspicion, allegation or incident of abuse must be reported to the DASM or DO as soon as possible and recorded. Complete form SG1 and notify the Designated Safeguarding Lead Officer at the earliest opportunity. Once the report is made the decision to consult parents lies within the jurisdiction of Social Services and not the person making the referral.

Expert Advice
If you are not sure what to do, contact the Designated Safeguarding Lead Officer (and/or Deputy) if he/she is available. If neither are available, do not delay, obtain advice by contacting the respective local authority on the essential contact list. The police also have specially trained child protection teams who will give guidance and support.

Keeping Records
Information passed to Social Services or the police must be as helpful as possible, hence the necessity for making a detailed record using the Incident Report form SG1 at the time of the suspicion.

Reporting the matter to the Police or Social Services department should not be delayed by attempts to obtain more information and should be done the same working day. Referrals telephoned to the Social Services department should be confirmed in writing within 24 hours by the referring officer. A record should also be made of the name and designation of the Social Services member of staff or police officer to whom the concerns were passed, together with the time and date of the call, in case any follow-up is needed. Keep accurate, signed and dated copies of records detailing all your actions.

All records generated by a referral will be held manually in a locked file, accessible only by the Designated Safeguarding Lead and Deputy in accordance with Data Protection Act 1998.

Responding to Allegations

Allegations made against contractors and 3rd party deliverers to BCC Ltd
If a safeguarding allegation is made about a contracted partner or 3rd party deliverer, BCC Ltd is morally and legally obliged to respond and act appropriately. This may require a referral to social care. The Designated Safeguarding Lead/Deputy must be involved at the earliest opportunity. It is a contractual obligation that contractors and 3rd party deliverers do the same and have appropriate allegation handling procedures and referral procedures in place. To understand more about the contractual obligations placed on contractors and 3rd party deliverers in relation to safeguarding read Contractors Obligations.

Allegations made directly to contracted deliverers or their 3rd parties:
Contracted deliverers or their 3rd parties are contractually obliged to have Safeguarding referral procedures in place. As a minimum, the contractor/3rd party deliverer must comply with the referral process.
If an allegation is made directly to BCC Ltd about a contracted deliverer or their 3rd party agent, BCC Ltd has a moral and legal obligation to act without delay. On receiving information regarding an allegation or safeguarding concern, BCC Ltd will:

- Put the safety and wellbeing of children, young people and adults at risk, first
- Take all allegations seriously and listen carefully
- Commit to act in a time-sensitive manner
- Keep detailed records of the allegation plus any subsequent correspondence
- Handle all allegations sensitively
- Escalate incidents where there is a suspicion of abuse or maltreatment to the Local Authority Designated Officer (DO) or the Designated Adults Safeguarding Manager (DASM).
- Where there is a concern that a young person or adult at risk could be in immediate danger, contact the Police immediately
- Maintain confidentiality at all times

Every allegation or safeguarding incident can be different and BCC Ltd commits to approach each incident independently.

**BCC Ltd will not**

- Make judgments about the persons or parties involved in the allegations
- Dismiss allegations or attempt to persuade those reporting to retract their allegation
- Try to probe or gain additional information over and above what is offered

**BCC Ltd reserves the right to:**

- Escalate allegations of abuse or maltreatment to the DO, DASM or Police without prior warning to the alleged party
- Hold internal meetings to discuss conduct of deliverers or their 3rd party deliverers to determine their continued ability to provide a safe environment for children, young people and adults at risk.
- Terminate or suspend the delivery of contracts and services on behalf of BCC Ltd indefinitely if the contractor is unwilling or unable to adhere to all Safeguarding requirements as outlined in Schedule 3 of the contract.

**BCC Commits to:**

- Keep directly contracted organisations or 3rd party deliverers appropriately informed of their actions.
- Keep records for up to a period of 5 years

**Allegations of Previous Abuse**

Allegations of abuse may be made some time after the event (e.g. by an adult who was abused as a child or by a member of staff who is still currently working with children). Where such an allegation is made, BCC Ltd should follow the referral procedures and report the matter to the Social Services or the police. This is because BCC Ltd has legal and moral obligation to protect others from risk. Anyone who has a previous criminal conviction for offences related to abuse is automatically excluded from working with children or adults at risk. This is reinforced by the details of the Protection of Children Act 1999 and 2015 Working Together best practice.