



Crime and Policing Bill

House of Lords Committee Stage Briefing

Guaranteeing training for mandated reporters of child sexual abuse

Overview

Child sexual abuse is a horrific crime that can have devastating, lifelong impacts on children and young people's lives. As part of efforts to protect children from this crime and [implement the recommendations of the Independent Inquiry into Child Sexual Abuse \(IICSA\)](#), the Government is seeking to place a mandatory duty to report child sexual abuse on those working and volunteering with children (Clauses 72-81).

If implemented properly, this mandatory reporting duty has the potential to ensure that more children suffering child sexual abuse are known to the authorities, and that adults working or volunteering with children know that sexual abuse of children cannot be tolerated or ignored. However, the duty will not achieve its aim of centring children's safeguarding within our child protection system if proper implementation is not embedded from the very start.

To realise the safeguarding potential of mandatory reporting, the Government must commit to investing in vital training, support and resources for all reporters.

We urge Peers to support the new Clause tabled by Baroness Featherstone ([amendment 287](#)) which proposes to hardwire the requirement for effective training for all mandated reporters within the mandatory reporting duty.

Why is training so important?

Without proper, consistent and ongoing training, the duty will not function to effectively safeguard children. All mandated reporters will need to be able to confidently identify and respond to child sexual abuse concerns to fulfil their obligations under the new duty. However, with the Bill's definition of a mandated reporter covering casual volunteers through to safeguarding professionals, we cannot assume that all mandated reporters will already have the necessary understanding required to carry out their responsibilities and to make appropriate referrals. This risks potentially overwhelming child protection services, reducing capacity for early help and family support; and, conversely, reports not being made that should be.

The implementation of mandatory reporting is a vital opportunity to reform how we collectively respond to child sexual abuse. There is already a significant need for greater training and support for skilled professionals to improve their response to child sexual abuse. [The Child Safeguarding Practice Review Panel's recent review into child sexual abuse within the family](#) found that "practitioners working with children and families have not been equipped with the knowledge, skills and practical guidance to identify and respond

confidently” to child sexual abuse concerns. This is a gap in our child protection system that must be closed to better protect children, and this duty provides us with both the impetus and opportunity to do so by taking a whole-system approach to embedding the duty.

As such, for the mandatory reporting duty to function as intended without compromising the safety of children, all mandated reporters must – at a minimum - be trained to:

- 1) Recognise signs, indicators, and disclosures of child sexual abuse;
- 2) Respond supportively and appropriately to a child who has disclosed abuse, and their family;
- 3) Judge when to make a report so it does not put a child’s safety at risk.

This amendment would ensure that provision of training is a core part of the duty itself, **instilling cross-sector and cross-government responsibility to act** so that all reporters – no matter what organisation, community or area they come from –are empowered to meet their newly legislated responsibilities to protect children and young people.

Amendment

Member's explanatory statement

This new clause would ensure that those subject to the mandatory reporting duty for child sexual abuse are provided with appropriate training to equip them to fulfil these obligations.

After Clause 79, insert the following new Clause –

“Training for those under a mandatory reporting duty

- (1) Any person who falls under the duty, as outlined in section 72(1), must be trained to an appropriate standard required to carry out their responsibilities under the duty.
- (2) Such training shall be deemed appropriate only if it includes, but is not limited to, the following components –
 - a. the recognised signs and indicators of child sexual abuse,
 - b. what it means to suspect a child sexual offence may have been committed under the duty, as outlined in section 74, including –
 - i. understanding the different ways children may disclose abuse, and
 - ii. the barriers to children disclosing abuse,
 - c. how to respond to and support a child who they have been given reason to suspect is the victim of a child sexual offence, as per the cases in section 74
 - d. how to make notifications, as referenced in section 72(2),
 - e. how to judge whether making a notification would pose a risk to the life or safety of a relevant child, as referenced in section 72(5), and
 - f. how to understand, identify and apply the exemptions for consensual peer on peer activity, as laid out in sections 75, 76 and 77.”

How does the amendment work?

This new clause is intended to guarantee that all mandated reporters receive vital initial and ongoing training on the following (as a minimum):

- **Spotting recognised signs and indicators of child sexual abuse**, so mandated reporters [do not feel compelled to wait for a disclosure or witness abuse before reporting a safeguarding concern](#), and are empowered to intervene early to proactively prevent further harm.
- **How the duty works**, including what, when and how the duty requires them to report, and when reporting should be delayed so it does not compromise the child's safety;
- **Recognising different forms of disclosure**, which may be verbal or non-verbal and not always easy to identify;
- **How to support a child who has disclosed abuse** during and after reporting – and how to appropriately involve and support their family – as it is vital that children are not left without support after a report has been made;
- **How to judge whether a sexual relationship between young people is consensual** and falls under the exemptions to reporting in Clauses 75-77.

The evidence

Professionals need better support to report and respond to child sexual abuse

[Professionals routinely contact the NSPCC Helpline and Whistleblowing Helpline and the Lucy Faithfull Foundation Stop It Now Helpline](#) seeking advice and knowledge that they lack and/or their organisational systems or training has not provided them with. Common questions can be on topics such as clarifications of the definitions of abuse; online sexual abuse and situations involving harmful but legal content online; and responding to harmful and/or problematic sexual behaviour between children.

These are all [essential areas in which mandated reporters must be competent and confident](#) if they are to fulfil their new duty to report on abuse. For example, a reporter cannot report child sexual abuse if they do not understand whether a child has disclosed to them, as disclosures can come in many forms and emerge over a long period of time, requiring consistent engagement from a trusted adult. [There are also many barriers that children face to disclosing abuse](#), which reporters must be aware of if they are to safely and appropriately support children to come forward and report their concerns.

It is vital that children who disclose their experience of abuse to a trusted adult are [met with an appropriate, confident and empathetic safeguarding response](#). Therefore, anyone under a mandatory duty must be trained, not only in what their responsibilities are, but crucially in how to support a child after a disclosure has been made. Without this, the duty cannot meaningfully improve the support and effectiveness of our child protection system.

With professionals already seeking support in how to do this, and the duty also covering volunteers, **it is vital that Government addresses this implementation gap and ensures consistent and high-quality training**, so all mandated reporters can consistently and appropriately identify and respond to abuse without compromising the safety of children and young people.

Poor organisational culture greatly impacts individual reporting capabilities

This training will be particularly important for mandated reporters whose organisations do not already foster a culture of safeguarding and openness. The Independent Inquiry into Child Sexual Abuse (IICSA), in its final report, highlighted **the vital importance of organisational culture in empowering people to report concerns**. The mandatory reporting duty does not place accountability upon organisations to ensure a safeguarding culture is ingrained into their policies and practices, and so Government must guarantee that all those to whom the duty applies, no matter what they do or where they do it, will receive the necessary high-quality training. Without this training, the duty may risk cases which desperately require the attention of local agencies getting lost amongst other reports made ‘just in case’, and highly vulnerable children being overlooked.

By baking this guarantee into primary legislation, Government can be confident that the duty will be applied and regulated consistently, and mandated reporters will be reassured that they will not face professional sanctions due to a lack of organisational resourcing and knowledge. Government intends for this duty to empower our child protection system to better tackle child sexual abuse, and so **it is not enough to leave this guarantee of training to regulations**, because the success of the duty is intrinsically reliant upon the skills and confidence of those it applies to.

Therefore, we call on Peers to support this amendment to ensure:

1. We have an upskilled child protection workforce that can confidently meet the requirements of the new mandatory reporting duty and proactively safeguard children;
2. Disclosures and abuse experienced by children are met with an appropriate safeguarding response;
3. The new duty is implemented safely and effectively.

Questions for Peers to pose to Government:

- Will the Government commit to investing in training and support for those who fall under the mandatory reporting duty to carry out their reporting responsibilities appropriately and consistently?
- How does Government plan to ensure that the complex provisions within the mandatory reporting duty are communicated effectively to all those under the duty, no matter their pre-existing level of safeguarding expertise?
- How will Government measure the success of the mandatory reporting duty?

We can support you with further briefings, speaking notes and evidence.

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