

## Part E: Consultation questions

Please read the accompanying consultation document before you answer the following questions.

### The current child protection system

1. To what extent do you agree or disagree with the following statements about the current child protection system?

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
Child protection training for practitioners should be improved so that they are better qualified and able to provide the right help at the right time to keep children safe.	✓					
More needs to be done within the child protection system to encourage new and innovative systems to better protect children.	✓					
Organisations with child protection responsibilities need to work better together.	✓					
Practitioners and organisations with child protection responsibilities sometimes recklessly fail to take proper action (including reporting) to stop or prevent child abuse and neglect.			✓			
Child abuse and neglect is generally under-reported by practitioners involved in children's lives.			✓			

### Other measures that could be introduced

It is important to consider fully the consultation materials before answering the questions in this section. In order to inform your answers to these questions, you will need to balance evidence of potential positive impacts of mandatory reporting or a duty to act against possible risks and issues that may be associated with their introduction.

**The introduction of a mandatory reporting duty**

The following questions seek your views on of the possible introduction of a mandatory reporting duty.

2. To what extent do you agree or disagree with the following statements?

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
Mandatory reporting will generate more reports of suspected and known cases of child abuse and neglect.	✓					
Increased reporting may divert attention from the most serious child abuse and neglect cases.	✓					
Increased reporting could mean that abuse and neglect would be captured at an early point in a child's life.	✓					
Mandatory reporting could have an adverse impact on the child protection system (e.g. impacting recruitment and retention of staff, creating a culture of reporting rather than acting, negatively impacting the serious case review process).	✓					
Mandatory reporting could dissuade victims from disclosing incidents of abuse and reduce 'safe spaces' for children.	✓					
Mandatory reporting could lead to greater prevention and awareness of abuse and neglect.	✓					
The introduction of a mandatory reporting duty would not in itself mean that appropriate action would be taken to protect children.	✓					

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
A mandatory reporting duty would ensure that those best placed to make judgements about whether abuse or neglect is happening – i.e. social workers – do so.				✓		

3. To what extent do you agree that the introduction of a mandatory reporting duty would directly improve outcomes for children?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
		✓			

4. Please outline any risks or benefits regarding the introduction of a mandatory reporting duty that haven't been articulated in the consultation.

[Free text box] PLEASE SEE ATTACHMENT

**The introduction of a duty to act**

The following questions seek your views on the possible introduction of a duty to act.

5. To what extent do you agree or disagree with the following statements?

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
A duty to act could strengthen accountability on individuals and organisations in protecting children from abuse and neglect.	✓					
A duty to act could have an adverse impact on the child protection system (e.g. impacting recruitment and retention of staff, and negatively impacting the serious case review process).	✓					
A duty to act on child abuse and neglect would be more likely to lead to better outcomes for children than a duty focused solely on the reporting of child abuse and neglect.			✓			

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
A duty to act allows professionals discretion to decide what action should be taken to best protect children in each case.			✓			
The focus of sanctions for the duty to act on deliberate or reckless failures would ensure that those responsible for the very worst failures in care would be held accountable.		✓				

6. To what extent do you agree that the introduction of a duty to act would directly improve outcomes for children?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
	✓				

7. Please outline any risks or benefits regarding the introduction of a duty to act that haven't been articulated in the consultation.

[Free text box] PLEASE SEE ATTACHED.

8. Having considered the issues outlined in the consultation and your answers above, which of the following would be most preferable? Please choose **one** option only.

	Please tick
Allowing the package of reform measures focused on improving how the whole system responds to child abuse and neglect to be implemented before considering the introduction of additional statutory measures.	✓
The introduction of a mandatory reporting duty focused on increasing the reporting of child abuse and neglect.	
The introduction of a duty to act, focused on taking appropriate action in relation to child abuse and neglect, with sanctions for deliberate and reckless failures.	

**Scope, accountability and sanctions**

This section is optional and relates only to the possible introduction of a mandatory reporting duty or a duty to act.

9. If a new statutory measure is introduced, do you agree with the following elements of the proposed scope?

A new statutory measure, should, if introduced:

	Please tick
Apply to all forms of child abuse and neglect (including online abuse and grooming).	✓
Apply to both suspected and known child abuse and neglect.	
Apply to abuse or neglect encountered during the course of a practitioner's day-to-day role only.	
Apply to abuse or neglect within the home and within organisations or institutions, e.g. boarding schools.	✓
Apply to present day abuse and neglect only (i.e. it would not apply retrospectively).	
Apply to children under 18 only.	✓
Be triggered if a practitioner had "reasonable cause to suspect" a child was being abused or neglected, or was likely to be abused or neglected.	

10. If there are aspects of the proposed scope that you disagree with, or you would like to provide further information to support your answer to question 9, please do so here:

[Free text box] PLEASE SEE ATTACHMENT

11. If you believe new statutory measures should extend to adults, please provide further information, taking into account the existing wilful neglect offence.

[Free text box] PLEASE SEE ATTACHMENT

12. Should the proposed activities outlined in paragraphs 65–68 of the consultation and table 1 be included if a new statutory measure were to be introduced?

Yes/~~No~~

13. Please provide your views, noting if any activities listed should be removed, and if there any other activities that should be included.

[Free text box] PLEASE SEE ATTACHMENT.

14. If a new statutory measure is introduced, where do you think accountability should rest (see paragraphs 69–70 of the consultation)?

	Please tick
At an individual level.	
At an organisational level.	✓
At both an individual level and an organisational level.	

15. If a new statutory measure is introduced, what do you think the type of sanction should be if it is breached (see paragraphs 71–74 of the consultation)?

Please tick	
Existing practitioner and organisation specific sanctions only.	✓
Existing practitioner and organisation specific sanctions <b>plus</b> additional sanctions involving the Disclosure and Barring Service (available only at an individual level).	
Existing practitioner and organisation specific sanctions <b>plus</b> criminal sanctions.	

16. Please provide further information about the reasons for your answers to the above questions on scope, accountability and sanctions, if you would like to do so.

[Free text box] PLEASE SEE ATTACHED

**Additional information**

17. Please detail any additional information that you feel should be taken into account in this consultation. This could include, but is not limited to:

- the operational impact of introducing a new statutory measure including on small businesses such as nurseries or children’s homes;
- how the new duty should interact with the existing FGM mandatory reporting model; and
- any additional research/evidence not referred to in the consultation document.
- The operational impact of extending either of the statutory measures to vulnerable adults

[Free text box]