
Non-recent abuse

Policy and procedure for children abused in specific circumstances

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1. Synopsis

The NSPCC's aim is to end cruelty to children in the UK. It exists to protect children who have suffered abuse, to prevent abuse from happening, and to transform society so that child cruelty becomes a thing of the past. All children deserve a childhood free from abuse and neglect.

There are legal requirements (2014) on statutory bodies, and statutory guidance (2014) applying to the voluntary sector across England and the devolved nations, for organisations to do everything they can both to recognise and report abuse quickly and appropriately. This is to keep children and adults' safe, and to prevent such abuse from happening in the first place.

In relation to non-recent abuse, (also known as historic abuse), there are many ongoing investigations and inquiries - criminal and otherwise in institutions across the UK e.g. Operation Hydrant¹ and the Independent Inquiry into Child Sexual Abuse².

All staff must:

- be aware of and know what to do if they receive a referral about non-recent abuse
- know what to do when safeguarding concerns arise
- understand what the NSPCC expects of them in terms of their own behaviour
- know how to prevent harm to children
- know how to recognise potential child abuse concerns
- know how to recognise potential abuse of adults at risk.

This policy and procedure applies to all staff and volunteers (including trustees and interns), secondees, agency staff and students.

2. Definition

Non-recent abuse is an allegation of neglect, physical, sexual or emotional abuse made by or on behalf of someone who is 18 years or over, relating to an incident which took place when the alleged victim was under 18 years old. Allegations can be made by:

- an adult, making an allegation of abuse when they were under 18 years of age, that occurred at least one year before it was reported

¹ Operation Hydrant is the national policing operation established to manage and coordinate the increasing demand placed on police forces to respond to, investigate and manage non-recent historic abuse in institutional settings, or abuse alleged to have been perpetrated by persons of public prominence.

² The Independent Inquiry into Child Sexual Abuse (IICSA) will investigate whether public bodies and other non-state institutions have taken seriously their duty of care to protect children from sexual abuse in England and Wales.

- a child³ making an allegation of abuse that occurred at least one year before it was reported
- an individual who reports an allegation, on behalf of another child or adult, that occurred at least one year before it was reported

3. Related policies and procedures

- **NSPCC Safeguarding and Child Protection policy** and **'What to do if you have a concern about a child'** must be followed in conjunction with this document when dealing with any information relating to non-recent abuse. This additional policy and procedure is necessary as it predominantly focusses on disclosures of sexual abuse made by a child/adult that occurred 12 months ago or more and ensures consideration of and co-ordination where necessary, with other external inquiries (Operation Hydrant and IICSA).
- The **procedure for Managing Safeguarding Allegations Against Staff and Volunteers** must be used in conjunction with this policy where an allegation is made against staff or volunteers currently working for the organisation. Where there are allegations of abuse concerning NSPCC staff or volunteers who **no** longer work for the organisation, these will be considered as non-recent abuse and this policy and procedure will be followed.
- The **Complaints policy** will be invoked alongside this policy and procedure where an allegation is made of non-recent abuse and there is also a complaint about the NSPCC management of the case.

4. Why is the policy important?

In recent years, there have been increasing reports of child abuse in several institutions e.g. in BBC premises, the NHS, in children's homes, religious institutions and in schools. Allegations of sexual offending involving children have been made against people in prominent positions in public life e.g. those in the media. Those with experience in this specialist field believe there are likely to be further victims who have not felt able to come forward for the following reasons:

- fear of reprisals
- the degree of control exercised by the abuser

³ Child: This policy is in respect of all children. A child includes babies, children and young people from pre-birth up to 18 years. In Scotland, there is a variance to this where a child is someone up to the age of 16 unless the child is subject to a supervision requirement by a Children's Hearing, in which case they are considered a child until the age of 18 years.

- shame or fear that the allegation may not be believed
- unable to before but now aware that the abuser is being investigated for a similar matter.

An allegation of this nature can be received by any individual working for the NSPCC. Non-recent abuse allegations could be made against relatives, friends, carers, people in public prominence and/or a position of trust, or any other person who currently has, or previously had contact with children, young people or adults at risk. Disclosures normally, but not always, take place when the victim is no longer in circumstances where they consider themselves at risk from the perpetrator. When an allegation is received action must be taken because:

- the alleged abuse may not have been an isolated incident. It might be current and be perpetrated by the same person or someone else
- it comes to light that the non-recent abuse is part of a wider setting of institutional or organised abuse
- there is a probable likelihood that a person who abused a child/ren in the past may still be doing so
- the perpetrator may still be working with or caring for child/ren
- criminal prosecutions may still take place even though the allegations are historic in nature and may have taken place many years ago.

5. How to comply (procedure)

5.1 This procedure must be followed and a referral to other agencies will be necessary in the following circumstances:

- a) allegations of child abuse involving persons in public prominence and/or people in a position of trust
- b) allegations of child abuse which took place historically where there may have been a failure within an organisation to protect children
- c) allegations of child abuse involving persons who are likely to be active and other children may be at risk

5.2 When receiving information about non-recent abuse all staff should seek to obtain where possible the following:

- name and contact details of the person making the allegation. If a member of the public wishes to remain anonymous this should be respected, but this does not apply to professionals or staff working with the NSPCC
- name of the individual who the allegation is about and any other identifying information, including location

- name of any children involved
- date and time of when the abuse occurred
- key information about the nature of the non-recent abuse allegation
- establish, where possible, if the alleged perpetrator is still working with or caring for children
- establish whether other agencies are involved.

5.3 Children's Services (CS)

When Children's Services practitioners receive information regarding non-recent abuse made by a child or an adult that they are working with (an open case) they will:

- speak to the line manager to establish if this policy and procedure (and/or any related policy and procedure) needs to be followed, and if so, follow the procedure which is to make a referral to children's social care for further action
- share information about the referral with the Helpline to ensure consideration is given, and where necessary action taken, to make appropriate links with other inquiries

When CS practitioners receive information about non-recent abuse where the child or adult is not known to them or they are not currently working with (a closed case) the following actions must take place:

- speak to the line manager to establish if this policy and procedure (and/or any related policy and procedure) needs to be followed
- share information about the referral with the Helpline for them to take further action and to ensure consideration is given, and where necessary action taken, to make appropriate links with other inquiries
- Notify the safeguardingboardteam@nspcc.org.uk⁴ and their Head of Service if the information received relates to a member of staff/volunteer who is currently working for the organisation or has previously done so.

5.4 Helpline

When the Helpline receives any report of abuse or in relation to non-recent abuse they will:

- make a referral to children's social care/police. If children's services are working with the child/adult (an open case) the Helpline will send a copy of the Helpline referral to the relevant service manager/practitioner

⁴ safeguardingboardteam@nspcc.org.uk – this is an email address managed by SQAU (Safeguarding Quality Assurance Unit) staff and is the external point of contact for LSCB safeguarding boards where they send queries/record checks requests through to the NSPCC. This email address is also used to direct people internally regarding record checks so emails do not come to one individual within SQAU.

- share the information with the duty manager who will review and approve the information
- consider whether the information shared meets the remit of Operation Hydrant
- consider referring to the Independent Inquiry into Child Sexual Abuse if consent for this is gained from the referrer and the concerns relate to non-recent sexual abuse
- Notify the safeguardingboardteam@nspcc.org.uk⁵ and their Head of Service if the information received relates to a member of staff/volunteer who is currently working for the organisation or has previously done so.

5.5 Childline

When Childline receives any report in relation to non-recent abuse the Childline staff member/volunteer will:

- in the case of familial or peer on peer abuse, discuss the concerns with the counselling supervisor, who in turn should contact the on-call manager, to agree a course of action and decide if a breach to the service confidentiality with that child is required and a referral to be made.
- Where a non-recent abuse allegation received relates to a non-familial abuse by an adult / organisation the on-call manager must consult with the Head of Service and/or Head of Helplines, regarding whether a referral by the helpline to partner agencies is required and ensure that the allegation is progressed via the Helpline for them to make considerations as detailed above at 5.4

5.6 Other directorates

Other directorates (fundraising, corporate services, people, strategy, policy and evidence).

Where any concern arises about non-recent abuse staff will:

- discuss this with their line manager to establish if this policy and procedure (and/or any related policy and procedure) needs to be followed, and if so, that this is referred to the Helpline for them to action (as detailed above at 5.4)
- Notify the safeguardingboardteam@nspcc.org.uk⁶ and their Head of Service if the information received relates to a member of staff/volunteer who is currently working for the organisation or has previously done so.

⁵ safeguardingboardteam@nspcc.org.uk – this is an email address managed by SQU (Safeguarding Quality Assurance Unit) staff and is the external point of contact for LSCB safeguarding boards where they send queries/record checks requests through to the NSPCC. This email address is also used to direct people internally regarding record checks so emails do not come to one individual within SQU.

⁶ safeguardingboardteam@nspcc.org.uk – this is an email address managed by SQU (Safeguarding Quality Assurance Unit) staff and is the external point of contact for LSCB safeguarding boards where they send queries/record checks requests through to the NSPCC. This email address is also used to direct people internally regarding record checks so emails do not come to one individual within SQU.

5.7 Role of the Safeguarding Unit (SU)

The Safeguarding Unit are responsible for ensuring that a comprehensive check is instigated of Children's Services, Helpline, Childline, Child Trafficking and Advice Centre (CTAC), and People directorate records. This can take place at the same time as the Helpline/Children's Services is dealing with the allegation via external agencies.

The Safeguarding Unit will inform the Inspection Unit when an allegation of non-recent abuse (in accordance with the criteria listed at section 5.1 above) is received by any directorate within the NSPCC relating to an allegation of non-recent abuse against a member of staff who has previously worked with the organisation.

If the concern is about an existing member of staff, this will be dealt with via the procedure for Managing Safeguarding Allegations Against Staff and Volunteers.

The head of the Safeguarding Unit will quality assure any reports written by the Inspection Unit and will deal with any related concerns that arise out of this.

5.8 Role of the Inspection Unit

When the Inspection Unit are notified about an allegation of non-recent abuse against a member of staff who has previously worked with the organisation they will undertake a review of organisational records and liaise with other parts of the organisation to gain full information in relation to the allegation.

The head of the Inspection Unit will keep the head of Safeguarding Unit informed about the progress of the work that is undertaken.

They will establish a timescale for completing the report and will seek legal advice on the most appropriate wording to be used in the final report. The final report will include:

- the NSPCC's involvement with the person who is the subject of an allegation of non-recent abuse and critically appraise NSPCC practice, management and organisational structures
- clarity between the standards and norms of practice at the time of the allegation and those existing now
- identification of any learning and areas for improvement in NSPCC practice, management and/or processes

They will send their report to the head of the Safeguarding Unit for quality assurance purposes and to deal with any concerns that arise out of their investigation as per the Case Review Procedure.