Mandatory reporting of child sexual abuse consultation

Confidentiality

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), the UK General Data Protection Regulation (GDPR) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential.

If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Home Office.

The Home Office will process your personal data in accordance with the DPA and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

(Please type your response, if any, here.)

About you

**Question 1.** Your name

(Please type your answer here.)

**Question 2.** Address and postcode

(Please type your answer here.)

**Question 3.** To help us analyse our responses, could you please tell us in what capacity you are responding to this consultation.

(Please delete the responses which don’t apply.)

Child or young person under age 18

* Care leaver
* Birth parent
* Adoptive parent
* Foster carer
* Social worker
* Family support worker
* Charity, voluntary, community and social enterprise sector representative
* Educational institution (e.g. early years setting, school, alternative provision setting, college, university)
* Sport sector
* Academic
* Health practitioner
* Police officer
* Youth justice worker
* Probation officer
* Inspector or regulator
* Other

If you chose ‘other’ or wish to clarify your response, please describe the role that best describes you.

(Please type your response here.)

**Question 4.** If you are responding on behalf of a group or organisation, what is your role within that organisation?

(Please delete the responses which don’t apply.)

* Front line worker
* Manager
* Senior leader (director, chief executive)
* Corporate or administrative
* Other

If other, please let us know more about your role.

(Please type your response here.)

**Question 5.** If you are a representative of a group or organisation, please tell us its name and give a summary of the people or organisations that you represent.

(Please type your response here.)

Diversity

We know that we deliver better services when we receive feedback from a full range of backgrounds and experiences in the society we serve. We would be grateful if you could complete the following diversity questions. You can select ‘prefer not to disclose’ if you would rather not answer any question.

**Question 6.** What is your sex?

(Please delete the responses which don’t apply.)

* Male
* Female
* Prefer not to disclose

**Question 7.** What is your ethnic origin?

(Please delete the responses which don’t apply.)

* White-English
* White-Welsh
* White-Scottish
* White-Northern Irish
* White-British
* White-Irish
* White-Gypsy or Irish Traveller
* White-Roma
* Any other white background
* White and Asian
* White and black African
* White and black Caribbean
* Any other mixed or multi-ethnic background
* Asian or Asian British-Bangladeshi
* Asian or Asian British-Indian
* Asian or Asian British-Pakistani
* Asian or Asian-British: any other Asian background
* Black or black British-African
* Black or black British-Caribbean
* Any other black background
* Arab
* Other ethnic group
* Prefer not to disclose

The mandatory reporting duty

**Question 8.** In sharing findings from this consultation, may we quote from your response?

(Please delete the responses which don’t apply.)

* Yes – anonymously
* Yes – attribute to me
* Yes – attribute to my organisation
* No

**Question 9.** In addition to the definition of ‘regulated activity in relation to children’ provided by the Independent Inquiry, the government is proposing to set out a list of specific roles which should be subject to the mandatory reporting duty. Which roles do you consider to be essential to this list:

(Please type your response here.)

**Question 10.** What would be the most appropriate way to ensure reporters are protected from personal detriment when making a report under the duty in good faith; or raising that a report as required under the duty has not been made?

Please provide details to explain your response.

(Please type your response here.)

**Question 11.** In addition to the exception for consensual peer relationships, are there any other circumstances in which you believe individuals should be exempt from reporting an incident under the duty?

Please provide details to explain your response.

(Please type your response here.)

**Question 12.** We are proposing that there would be criminal sanctions where deliberate actions have been taken to obstruct a report being made under the duty. What form of criminal sanction would you consider most appropriate?

(Please delete the responses which don’t apply.)

* Fines
* Custodial sentences

**Question 13**. Should situations where a reporter has been obstructed due to active indifference or negligence also be subject to these sanctions?

(Please type your response here. Please provide details to explain your response, including practical examples where possible.)

**Question 14**. We would like to test the view that professional and barring measures apply to those who fail to make an appropriate report under the duty. Do you agree with this approach? Would different situations merit different levels or types of penalty?

(Please type your response here. Please provide details to explain your response, including practical examples where possible.)

**Question 15.** Are there any costs or benefits which you think will be generated by the introduction of the proposed duty which have not been set out in the attached impact assessment?

Please provide details to explain your response.

(Please type your response here.)

**Question 16.** In the light of the proposals outlined in this paper, what are the key implementation challenges and solutions reporters and organisations will face?

Please provide details to explain your response, including practical examples wherever possible.

(Please type your response here.)

**How to respond**

Please email this response as an attachment to: mr\_csa@homeoffice.gov.uk

Or you can print it and return to:

IICSA Response
Tackling Child Sexual Abuse Unit
Home Office
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