

Wednesday 30 September 2015

By email to: FGMconsultation@homeoffice.gsi.gov.uk

Home Office consultation on the draft statutory multi-agency practice guidance on Female Genital Mutilation (FGM)

1. The Association of Directors of Children's Services Ltd (ADCS) is the professional association for directors of children's services (DCS) and their senior management teams. Under the provisions of the Children Act 2004, the DCS is the chief officer responsible for the discharge of local authority functions with regard to education and children's social care and also acts as a champion for children and young people across wider children's services.
2. The Serious Crime Act 2015 makes a number of distinct changes to criminal law in order to enhance the protection of children and young people. In particular section 74 places a new duty on regulated professionals working in healthcare, social care settings or schools, to report suspected cases of Female Genital Mutilation (FGM) directly to the police. This is a personal duty and it applies when, in the course of their work, a professional is either informed by the girl that an act of FGM has taken place or if they observe physical signs which appear to show an act of FGM has been carried out.
3. When such concerns arise the regulated professional, such as a teacher or doctor, will be asked to telephone 101 - the non-emergency police number - with information in the first instance, followed by a referral to their local safeguarding service in the usual manner. Our members are uncertain about professional disclosures being made to call handlers and would ask for greater clarity around this process in the final guidance – will reports made by a qualified professional be handled and recorded differently?
4. We believe greater clarity is needed in the guidance around who is deemed to be regulated, particularly in the field of education - nursery staff are qualified and hold professional status, for example, but they aren't explicitly covered here.
5. We also seek clarity about how the Home Office plans to communicate this duty and the published practice guidance with all safeguarding partners across the country. While we share the government's determination to eliminate FGM in all its forms, we are concerned that the disjointed approach taken to date is causing some confusion amongst those working on the ground.
6. The move to introduce mandatory reporting will not alone keep women and girls safe and we are disappointed that greater weight has not been given to community-based preventive work. Surely stopping FGM from happening in the first place is the ultimate goal and education about the long-term physical and emotional side effects of FGM and support for victims is crucial in achieving this.
7. ADCS believes the most common reason people fail to report this form of abuse is because they simply do not recognise the signs. Local and national government must work together to ensure that all professionals, and local communities, are aware of the need for vigilance and how best to raise concerns about FGM with the appropriate agency. There is no one size fits all solution to this complex moral, social and cultural issue.

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8. Finally, whilst ADCS does not support the principle of mandatory reporting, the Serious Crime Bill has already been enacted and this duty is contained within it. We would therefore urge the government to review the impact of this move in child protection terms in order to establish how effective mandatory reporting has been; the evidence from other countries to date has been somewhat mixed.

For further information, please contact Katy Block, ADCS Policy Officer, katy.block@adcs.org.uk 0161 826 9490.

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