LISTENING TO AND WORKING WITH VICTIMS OF ABUSE

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WE CARE. WE COLLABORATE. WE INNOVATE. WE EXCEL.

How can an organisation respect the wishes and autonomy of an adult who has experienced abuse while also meeting its responsibilities to protect others, investigate concerns and maintain confidence in its decision-making?

How can we effectively protect/manage all areas…

- Victim of Abuse
- Future potential victims of abuse
- Organisational – Reputational Risk
- Organisational – Financial Risk
- Organisational – Colleagues
- Public Protection
- Subject of Concern – recognise fairness, Principles of Natural Justice, confidentiality
- Legal Duty
- Moral Duty
- Other Duty?

SETTING THE SCENE...

This is fiction

Self Care

Slides – this is not recorded and we will not share slides.

Questions & Delivery

Q&A Rules - Concentrate on Process

You don't have to agree with me!

Correct Decision?

Maintain confidentiality within the learning environment.

DISCUSSION

Police Process and Powers	Special Measures	NGB Process	Outcomes – Police
Outcomes – NGB process	Publicity/ Confidentiality	Threats	Trust/belief
Fears	History	Guarantees	Support

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GATEWAYS TO REFER WITHOUT CONSENT

- Local Safeguarding Legislation – Adult at Risk
- Common Law Public Interest – including (inter alia):
  - The adult would be placed at greater risk
  - The adult is being intimidated, coerced or controlled
  - Evidence may be destroyed
  - There is a wider public interest in disclosure
  - Other people may be at risk
- UK GDPR/Data Protection Act provisions permitting safeguarding-related information sharing.
- A lawful basis may permit disclosure without consent. But permission to share does not, by itself, establish that disclosure is necessary and proportionate at that point.



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A model for high-risk organisational decisions

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The Bottom Line…
A defensible decision is not one that eliminates all risk. It is one that shows the organisation recognised the risks, listened properly, used its powers lawfully, acted proportionately and remained ready to reconsider.

ANY QUESTIONS?

