

The Mulberry Bush Third Space – Policy for responding and reporting allegations of Historical abuse



Version 1.1

Date: 29.05.2020

Reviewed on Date: 17.11.2021 (next review due 17.11.23)

Policy Owner: Designated Safeguarding Lead (DSL) : Dave Roberts

Designated Safeguarding Trustee: Zoe Lattimer

Distribution: Whole Charity (via Bush Telegraph)

1.0 Scope of this policy

- 1.1 This document does not replace the existing safeguarding policy in place for those children disclosing current abuse or historical abuse whilst visiting MB3. Staff members will adhere to the [Mulberry Bush Organisation Safeguarding Policy](#)
- 1.2 This policy covers situations where an adult, in any capacity, is visiting MB3 and discloses to a member of the staff team that they were abused as a child.
- 1.3 It will also cover situations where abuse details are discovered, in any medium, within the archive collections held at MB3.
- 1.4 The management of historical abuse takes place within legal requirements for information sharing as outlined in the [Data Protection Act 2018](#) - UK General Data Protection Regulation (GDPR)

2.0 Aim of the policy

- 2.1 This policy will outline the procedure for dealing with visitors' disclosures and discoveries within the archive collections and take into account and demonstrate the following:
 - We will take all allegations, in whatever form, seriously in relation to allegations of historical abuse.
 - We promote the welfare of former pupils who allege historical abuse. We safeguard children who may currently be at risk from alleged perpetrators.
 - We will share information carefully and make decisions based on legal and best practice requirements.
 - We can provide information to anyone regarding the process of sharing information to external organisations.

3.0 Definition and training

- 3.1 Historical abuse - is the actual or likely abuse (as defined in the MB Organisation safeguarding policy) reported by an adult that s/he or another person was abused as a child or young person.
- 3.2 The staff team will attend mandatory safeguarding training. The MB3 staff will have further training in interview techniques, and report writing. They will attend any external training provided by appropriate external organisations or the police.

4.0 Duty of care

- 4.1 There is a growing recognition that a disclosure of historic abuse may reveal current risks to others from an alleged perpetrator. Some high-profile cases have shown the potential extent of abuse by just one individual.

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- 4.2 Everyone working at MB3 has a duty of care to anyone who discloses historic sexual and/or physical abuse.
 - 4.3 Everyone at MB3 has a duty of care to report abuse disclosed within an archival record, whether in text or audio format.
 - 4.4 The staff team will be supported in their supervision sessions and reflective space to discuss any issues that have arisen from dealing with an allegation.
- 5.0 Visitors accessing their own records in the archive collections
- 5.1 Following a request to access a file in the Archives, MB3 staff will review the record for potentially sensitive or emotional content. They will then write to the individual requesting access. (See appendix A or B)
 - 5.2 Prior to arriving at MB3 the archive visitor will be informed of the nature of the file and that, if they can, they should bring someone with them to provide support.
 - 5.3 If when reviewing the file the staff member finds the record contains evidence of historic abuse that has not previously been reported, the staff member should make a note of the document reference number and title and record this information on the MB3 tab of the 'Mulberry Bush Outreach Safeguarding Monitoring' spreadsheet.
<https://bit.ly/2WGY11t>
- 6.0 Visitors disclosing historic abuse whilst at MB3
- 6.1 In the event of a visitor disclosing to a member of the team that they were abused, the MB3 staff member must take the allegation seriously, regardless of the passing of time. The staff member should try to ascertain if this abuse was ever reported.
 - 6.2 If the visitor states that the abuse was never reported:
 - 6.2.1 The staff member should make a note of the time and date the disclosure was made and record, verbatim, the words that the visitor used.
 - 6.2.2 If possible, the member of staff to whom the disclosure is made should try to gather basic information, such as if the alleged perpetrator is still alive, where they may be.
 - 6.2.3 Questioning should be conducted in a sensitive manner and the visitor should be informed of the process that will now take place at MB3.
 - 6.3 If the visitor states that the abuse has been previously reported:
 - 6.3.1 The staff member should still note the time and date when the disclosure was made and record, verbatim, the words that the visitor used.

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6.4. Notes taken by the staff member during the disclosure must be passed onto the staff member's Line Manager who will liaise with the Designated Safeguarding Lead.

7.0 Role of the staff member

7.1 The staff member's role is to gather information not to investigate the allegations. Information gathering is important as it may help other external agencies in their investigations or help those organisations to decide on what steps they need to take.

7.2 The staff team should be aware that any notes taken by them may be subject to disclosure and/or a witness statement required. This 'evidence of first complaint' is an important evidential issue for abuse cases. It is critical to handle these situations as sensitively as possible. Notes should be kept in a safe, secure place.

7.3 Where the alleged perpetrator can be identified because details such as name, date of birth/age, address etc. are known, this information should be reported to the relevant Safeguarding/Child Protection Department. If the alleged perpetrator is known to currently have contact with children, then this information must also be reported.

Given that MB3 holds national archival collections, the appropriate Safeguarding/Child Protection Department for the area of the country where the abuse took place should be contacted.

7.4 All information collected must be recorded on the MB3 tab of the 'Mulberry Bush Outreach Safeguarding Monitoring' spreadsheet. <https://bit.ly/2WGY11t>

8.0 Archive materials which include known historic abuse

8.1 Due to the nature of the archive collections, certain materials are likely to hold information about historic abuse. These can vary from general descriptions to specific individuals or cases.

8.2 Where a collection or item is known to contain references to a specific abuse, the item will be closed to the public in perpetuity. In specific circumstances, the material(s) may be open for academic use

8.3 Where a collection or item is known to contain references to a culture or climate of abuse without detailing specific cases, any visitors wishing to view the material(s) will be made aware of the content prior to their visit.

8.4 Only relevant material will be shared with the visitor, thereby minimising the potential for distress.

9.0 Archive materials which include unknown historic abuse

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- 9.1 If a visitor discovers evidence of previously unknown historic abuse recorded in the archive collections, they should inform a member of MB3 staff.
 - 9.1.1 The archival material should be immediately removed from public access.
 - 9.1.2 The staff member should explain to the visitor what steps will be taken to record/report the disclosure.
 - 9.1.3 If there is no documentation within the collection to state that abuse has already been reported, the staff member should contact their Line Manager and Designated Safeguarding Lead.
 - 9.1.4 The staff member should make a note of the document reference number, and title and record this information on the MB3 tab of the 'Mulberry Bush Outreach Safeguarding Monitoring' [spreadsheet](#).
- 10.0 Monitoring and evaluation of historic abuse
 - 10.1 A multi-disciplinary team will meet on a regular basis to discuss current historic safeguarding concerns, specifically reviewing any actions that have been taken internally and externally, any actions to be taken, and to close any cases that are not being pursued. The 'Mulberry Bush Outreach Safeguarding Monitoring' spreadsheet will be reviewed and updated.
 - 10.2 If further action is required, the Designated Safeguarding Lead will contact the police or relevant agency.
- 11.0 Suspension of access to an archive collection or material(s)
 - 11.1 Whilst the information is referred to the police or other relevant agency the collection or material(s) will be removed from public circulation. Access conditions will be updated to 'closed'. Descriptions of the specific material(s) will be removed from the online catalogue.
 - 11.2 A form will be completed (see Appendix C) to be the place where the material(s) reside. Once the collection or material(s) are reopened the form will be filed.
 - 11.3 Public access to the material(s) will be reinstated only when the police or relevant agency no longer need the materials for their investigations. Thereafter, access will be strictly controlled. It is probable that non-academic requests to view the material(s) will not be permitted.
- 12.0 Monitoring and evaluation
 - 12.1 There will be a yearly thematic review of the data collected in order to provide any themes or patterns that will assist the team with their work on the collections in the archive.

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Appendix A – Template letter for visitors wishing to access their own pupil files

Dear

Thank you for requesting to access your pupil file(s) held at the Planned Environment Therapy Archives at the Mulberry Bush Third Space. We want to help you prepare as best as possible for your visit.

It is important to be aware that recordkeeping practices at specialist and residential schools varied enormously. Different management styles and internal processes will have an enormous impact on what was recorded, and what was kept, during your time at the school. You may find that events you remember clearly are not represented in your file; you might also find that the record details an event of which you have no recollection. It is also very possible that your record contains very little information of any kind, or does not answer the questions you have about your time at the school.

Regardless of the content, it is possible that the process of consulting your pupil file will bring to the fore your own memories from this period, some of which might be unwelcome. You may have realisations from the past that you thought you had dealt with, or that you have not actively thought about in a long time. We understand that this has the potential to be disturbing and upsetting.

Therefore, whatever your motivation for accessing your pupil file we recommend you arrange to bring someone with you who can support you both during your visit to the Archives and after you have left the Mulberry Bush Third Space.

We also want to reassure you that you are very welcome to talk to a member of the Mulberry Bush Third Space team about your experiences. During these conversations we will deal with any information you disclose with professionalism and sensitivity. However, depending on the nature of the experiences you share it might be necessary for the staff member to pass specific details on to the Mulberry Bush's Designated Safeguarding Lead.

Thank you for taking time to read through this information. If you have any questions before, during or after your visit please do not hesitate to get in contact.

Yours Sincerely

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Appendix B – Template letter for researchers wishing to access records which contain/might contain references to historical abuse

Dear

The collections held by the Planned Environment Therapy Archives at the Mulberry Bush Third Space record the histories of therapeutic communities in all their forms, without attempting to edit or disguise the memories of those who directly experienced these communities.

EITHER

We want to make you aware that the following item(s) are known to contain references to historical abuse:

Reference code(s)

These incidences have been formally recorded under our safeguarding policy and where necessary have been passed on to other relevant agencies. The records have now been returned to public circulation.

OR

We want to make you aware that, following a review by an Archivist, we believe it is likely that the following materials/collection may contain references to historical abuse:

Reference code(s)

If you encounter evidence of historical abuse when consulting these records, we ask that you immediately inform a member of staff who will take action in line with our Safeguarding Policy.

We are aware that the process of consulting original documents and/or sound recordings which deal with abuse are likely to bring to the fore your own memories, some of which might be unwelcome. You may have realisations from the past that you thought you had dealt with and which have the potential to be disturbing and upsetting.

If during your visit you wish to talk to a member of the Third Space team about your experiences we want to let you know that we will deal with any disclosures with sensitivity and professionalism. However, depending on the nature of those experiences, it might be necessary for the staff member to take notes of the conversation and discuss with you what steps that might need to be taken under our Safeguarding Policy.

Thank you for taking time to read through this information. If you have any questions before, during or after your visit please do not hesitate to get in contact.

Yours Sincerely

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Appendix C – Template form to leave in place of material(s) removed by the police

Archive & Library Removal Slip

Name	MBO Designated Safeguarding Lead / Gloucestershire Police		
Date			
Title or description of item			
Reference code			
For office use only			
<i>Location</i>		<i>Retrieved by</i>	
<i>Estimated date of return</i>		<i>Removal ref no</i>	