



Home Office

FGM – Mandatory Reporting Duty

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Key principles

There is no justification for female genital mutilation. It is child abuse and it is illegal

FGM has long-term physical and psychological harms



Political or cultural sensitivities must not get in the way

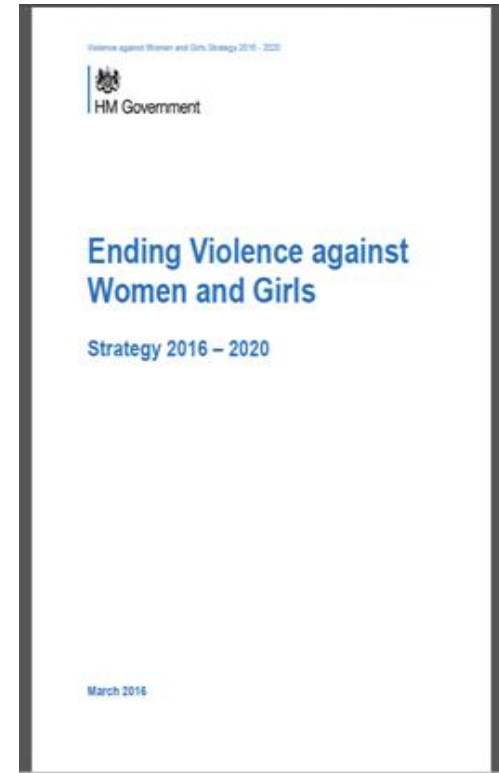
Legislation alone cannot eliminate the practice, it needs a multi-faceted response

FGM is a global problem which requires an international solution

A Strategic Framework

FGM part of Violence against Women & Girls strategy

- Preventing violence and abuse
- Provision of services
- Partnership working
- Pursuing perpetrators



Mandatory Reporting Duty – Overview

- Serious Crime Act 2015 amended the FGM Act 2003 to introduce a **new mandatory reporting duty** which came into force on 31 October 2015.
- Duty requires regulated health and social care professionals and teachers in England and Wales to report ‘known’ cases of FGM in under-18s which they identify in the course of their professional duties to the police.
- Note - mandatory reporting is different from mandatory recording of health data

Who?

- Regulated health and social care professionals
- Qualified teachers employed or engaged to carry out teaching work in schools and other institutions
- While the duty is limited to the specified professionals described above, non-regulated practitioners also have a responsibility to take appropriate safeguarding action in relation to any identified or suspected case of FGM, in line with wider safeguarding frameworks.
- The duty is a personal duty which requires the individual professional who becomes aware of the case to make a report; the responsibility cannot be transferred. The only exception to this is if you know that another individual from your profession has already made a report; there is no requirement to make a second
- In England and Wales

When?

- ‘Known’ cases are those where a girl under 18 either informs the person that an act of FGM has been carried out on her, or where the person observes physical signs on a girl appearing to show that an act of FGM has been carried out.
- Relevant age is the girl’s age at the time of the disclosure/identification of FGM.
- The duty does not apply in relation to ‘at risk’ or suspected cases or in cases where the woman is over 18, however you should follow local safeguarding procedures.
- The duty applies to cases directly disclosed by the victim; if a parent, guardian, sibling or other individual discloses that a girl under 18 has had FGM, the duty does not apply and a report to the police is not mandatory. Any such disclosure should, however, be handled in line with wider safeguarding responsibilities.

How?

- A report can be made by calling 101.
- Police will record the information and initiate the multi-agency response.
- Reports under the duty should be made as soon as possible after a case is discovered, and best practice is for reports to be made by the close of the next working day.
- In order to allow for exceptional cases, a maximum timeframe of one month from when the discovery is made applies for making reports. However, the expectation is that reports will be made much sooner than this.
- Further procedural information is available here:
www.gov.uk/government/publications/mandatory-reporting-of-female-genital-mutilation-procedural-information



Breach

- Failure to comply with the duty will be dealt with in accordance with the existing performance procedures in place for each professions.
- **FGM is child abuse, and employers and the professional regulators are expected to pay due regard to the seriousness of breaches of the duty.**

FAQs

I don't know much about FGM, what should I do to make sure I comply with the duty?

Wide range of [information and guidance on FGM](#) is available for all professionals, including a free [FGM e-learning package](#) and [multi-agency guidance on FGM](#).

The duty applies to my profession. If, while I am not at work, a girl discloses to me that she has had FGM, does the duty apply?

No. The duty only applies to cases discovered by a relevant professional in the course of the professional work. You should still follow your organisation's safeguarding procedures.

I have made a report under the duty, but my local process is to make a full referral to social services. Why do I have to report twice?

The legislation requires you to make a report to the police and does not require a second report to social services. If you are unsure of the interaction between the duty and local procedures you should speak to your safeguarding lead.

I have a duty of confidence to my patients, doesn't requiring a report to the police breach this?

No. Complying with the duty does not breach any confidentiality requirement or other restriction on disclosure which might otherwise apply, including any legal requirements.



Mandatory reporting is not a silver bullet.....

Duty supported by raft of wider Government activity:

- Effective leadership
- Building the evidence base
- The right legal framework
- Working with survivors and communities
- Partnership working
- Supporting frontline professionals
- Supporting victims

There is much more to do.....

- Maintaining momentum
- Embedding survivors' voices
- Policy into practice
- Measuring success

Contact

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NSPCC FGM Helpline

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