Prifysgol Cymru
Y Drindod Dewi Sant
University of Wales
Trinity Saint David

Appendix SE8

Staff best practice guidelines in relation to first disclosure

1.1. It is essential that when an incident is first reported by a student, it is dealt with appropriately. Failure to provide the correct advice and support and/or take the relevant action at this initial stage could result in detrimental outcomes for the reporting person (‘**reporter**’), the person who the matter is reported to (‘**the recipient’**) and the institution.

1.2. For example, the reporter may be dissuaded from taking the matter further when they would otherwise have done so; the recipient may make a record which prejudices any further criminal prosecution or the recipient may fail to take relevant action and the misconduct may escalate.

1.3. These guidelines aim to ensure that staff can:

- identify a first disclosure;
- create a safe environment where the reporter is able to make their own choices and decisions about what they would like to do next;
- provide appropriate initial advice and support;
- refer reporters to a second stage.

1.4 During the second stage, a Case Officer will be able to:

- provide substantive advice to the reporter in relation to the options available;
- continue to provide a safe environment where the reporter is able to make their own choices and decisions about what they would like to do next;
- identify appropriate support for the reporter. This may include external specialist support.

1.5 First stage recipients will be asked to adopt the approach set out below:

- Listen to the reporter but do not question him/her to elicit details of the incident. Do not interrupt or finish sentences. Concentrate on what they are saying, not on what you are going to say. Relate back to them what you have heard, so that you are clear when logging the first disclosure.
- Do not tell someone what they should do or act on their behalf without their explicit consent unless there is an immediate risk.
- Be honest about procedures such as confidentiality and safeguarding (see 1.13 & 1.15).
- If you do not know the answer to a question, be honest and, if you can, find out later rather than make something up.
- Be empathetic and acknowledge that it can be difficult to talk and that you are glad that they feel able to speak to you.

- There is no one size fits all response to a disclosure, as everyone's experience and response will be individual. Trauma impacts in different ways and people may respond differently from how you may expect.
- It is important to not make assumptions or cast judgements on what you think has happened.
- Do not offer advice, opinions or judgement about the incident.
- Use the First Disclosure template to make an appropriate report.
- The information recorded should be:
  - ❖ the names of the individuals involved;
  - ❖ a brief note of the alleged incident (in the words of the reporter);
  - ❖ a note of the advice given and any action taken by the recipient;
  - ❖ factual and not based on your own assumptions.

1.6 The main reasons for not taking a detailed note of the first disclosure at this stage are:

- the focus should be on listening and providing immediate assistance to the reporter;
- the recipient could be required to disclose any notes that he/she takes to the police in any subsequent criminal proceedings;
- at stage one, there is a high risk that any detailed note would not be accurate, comprehensive or in the correct form as the recipient will not have received any specialist training and the reporter is likely to be upset, distressed, and potentially in shock.

1.7 Important facts to establish are:

- When did the incident take place?
- If the incident has been recent, is the person in any physical pain;
- Are they safe right now?
- What do they need from you at this moment?

1.8 The recipient ensures that the reporter is provided with a set of guidance notes (which are available for downloading on MyDay) which they can take away to consider their options in advance of a meeting with a specialist Case Officer.

1.9 The guidance notes include the following information:

- contact details of the Student Services Department and external independent specialist agencies where reporters can obtain immediate support;
- details of any action which should be taken immediately if the incident has taken place within hours, e.g. to preserve evidence by attending the nearest sexual assault referral centre or hospital;
- details of options available and their potential outcomes, and the process related to each option, making the difference between criminal and disciplinary processes and outcomes clear.
- The main options are:
  - ❖ make a report to the police;
  - ❖ take time to consider options;
  - ❖ not make a report to the police but request that the university deals with the case under its disciplinary procedures;
  - ❖ take no further action.

1.10 The recipient then explains to the reporter that normally the next internal step is to speak to a Case Officer within the university who will be able to set out the options available. This will include identification of appropriate support and supporting the reporter to obtain that support. However, the reporter may decide to contact the police, NHS service, or external specialist agency (e.g. Sexual Assault Referral Centre) immediately, in which case the meeting with the Case Officer may come later.

1.11 If the student is unsure about what to do next, reassure that it is ok not to know what to do and that he/she is in control of the process.

1.12 The recipient needs to contact the Office of the Associate Pro Vice Chancellor immediately (secases@uwtsd.ac.uk). A meeting will be set up for the reporter with the Case Officer as soon as possible and the reporter will be informed of the time scale and offered the opportunity for a supporter to attend the meeting with them. Normally, a meeting will be set up within two clear working days of the incident being reported.

1.13 At the first disclosure stage, the reporter may decide that they do not want any action to be taken or any further advice or support provided. The recipient should still record the first disclosure and the record will be checked by the Office of the Associate Pro Vice Chancellor (Student Experience) to ensure that all appropriate advice was given and all appropriate action taken by the recipient and that there is no overriding reason why further action needs to be taken, e.g. to protect the reporter or others from harm or prevent a crime from taking place.

1.14 To ensure consistency of approach, staff will be required to log any first disclosures on the first disclosure template. The report will normally need to be sent to the office of the Associate Pro Vice Chancellor (Student Experience) who will ensure that the reporter will be contacted by a Case Officer, either to take the matter forward or check the record if the reporter has decided that they do not want any action to be taken nor any further advice or support to be provided. See also 1.13.

1.15 If the reporter makes a first disclosure in confidence and refuses to take the matter any further. A record should still be made and kept by the recipient on the first disclosure template, but the record should **not** be passed on to the Office of the Associate Pro Vice Chancellor (Student Experience) unless there is an overriding reason why disclosure of the information is required, e.g. to protect the reporter or others from harm or to prevent a crime from taking place. If confidentiality is not maintained, this could undermine the relationship of trust and confidence between the recipient and reporter, and potentially result in the reporter declining any further support and assistance.

1.16 If the recipient is not sure whether any further disclosure of information should be made, advice can be sought from the Office of the Associate Pro Vice Chancellor (Student Experience).

1.17 Support is available for staff to whom a first disclosure has been made. Please contact the HR Department or Student Services Department if you need this.