

FACTSHEET 4: DEALING WITH ALLEGATIONS OF ABUSE

- Managing disclosures from a child
- Dealing with allegations
- Referring to police/children's services
- Managing internal disciplinary processes

Managing Disclosures made by a Child

Dealing with a child's disclosure of abuse is a challenging and sensitive issue, staff need to understand how to react appropriately. Given that any evidence gathered from a child's initial disclosure can also have a significant impact on future investigations it is important that staff understand how to deal effectively with any disclosures of potential abuse a child may make.

- Listen positively to the child/young person reporting the issue carefully, take them seriously and reassure them.
- Where necessary, ensure the child is immediately safe from further abuse.
- Do not ask the child any leading questions or direct the conversation- allow them to tell you themselves in their own time.
- Do not promise the child complete confidentiality- explain to them that you may have to pass the information on to other specific individuals in authority in order to ensure they, and other children can be kept safe.
- Clearly record in writing as soon as possible the exact nature and details of the allegation. Record exactly what the child has said, use their own words to describe the alleged behaviour. This will be important evidence if the case proceeds to court or through a disciplinary process. Stick to the facts as reported and do not give any opinions. Sign and date the note.

Dealing with Allegations

It is imperative in the interests of the child and of the person who is the subject of the allegation to deal with allegations as quickly and fairly as possible. It is also important to

be consistent in your approach to handling allegations.

As discussed in Factsheet 3 your organisation should have a clear policy and procedure for dealing with allegations made in the workplace. Ensure that staff understand who they should report to- usually the most senior member of staff, however you may decide to allocate the responsibility to any nominated child protection coordinator.

Consider the need for:

- Police investigation- you must refer to police if it appears that a criminal offence may have been committed
- Children's social care services involvement- if it appears there has been significant harm to the child, or there is likely to be ongoing significant harm then you should refer the case to local children's services. If you are unsure about what to do contact your local child protection service and discuss the issues with them (see the Children Youth and Families website for more information and contact details: <http://www.cyf.govt.nz/about-us/contact-us/index.html>)
- Disciplinary action in the workplace

If it appears, after preliminary investigations, that significant harm has occurred or is likely to occur you should immediately refer the case to the police/ children's services.

Inform the child's parents/carers as soon as possible. Keep them informed of progress and once any investigation is concluded inform them of the outcome. However, bare in mind that you should not disclose details of the case relating to the individual accused. Also, **if it appears a criminal offence has occurred be extremely careful not to take any action or discuss any details which may interfere with a police investigation.**

Ensure the person accused is also kept up to date and offered appropriate support, e.g. via counselling services, employment occupational health providers, union or professional association support services etc. Allegations can be made maliciously and can be extremely distressing to the individual involved and their families.

Consider whether suspension of the individual is necessary until the allegation is resolved- this will usually be the case if there is any indication of ongoing risk to children or if it appears a criminal investigation may be required or it is likely that if proven the individual will be dismissed from their post.

Managing the Internal Disciplinary Process

If it appears that a referral to external agencies is not required, or if the police/children's

services enquiries have concluded, you will need to manage your own internal disciplinary process and make a decision about the individual's suitability to continue to work safely with children in your organisation.

The individual involved should be given full opportunity to respond to the allegation and make representations. Even if they resign/leave or refuse to engage with the process a thorough investigation **MUST** be carried out and a conclusion reached as to whether or not the allegation is substantiated. It is not sufficient to close an investigation if an individual leaves your organisation- this may simply allow future risk to other children.

Keep full, clear and detailed records of the process of the investigation, the outcome reached and the reasons for this. It is advisable to provide a copy to the individual themselves and retain a copy in their personnel record- this is important when dealing with future requests for references or providing information to police or other external investigatory bodies.

Once any investigation is concluded it is useful to review the circumstances and consider if there are any changes to your organisation's policies, procedures or practices that can be implemented that will help prevent similar incidents or allegations being made in the future.

More general information about what to do if you are worried a child is being abused can be found in the UK Department for Education's website following the link below. Although this document refers to the process of referral and investigation in England and Wales it contains useful general information relevant to all practitioners working with children dealing with: the legal issues affecting the sharing of information; what you should do if you have concerns about a child's welfare; what will happen once you have informed someone about those concerns; what further contribution you may be asked or expected to make to the processes of assessment, planning, working with children, and reviewing that work

<http://publications.education.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=DFES-04320-2006&>

If you are worried a child is suffering abuse at home you can find more information on what to do on the New Zealand Children, Youth and Family service website at:

<http://www.cyf.govt.nz/keeping-kids-safe/if-you-are-worried/index.html>