

## **SECTION 5: Recognizing, Responding to, and Reporting Allegations and Suspicions of Child Sexual Abuse**

### **Executive Summary**

Although this report is focused on the prevention of child maltreatment and raising awareness among YSOs about the steps that can be taken to create and strengthen the youth serving environment to protect the children in their care, YSO personnel must also be ready to recognize child abuse when it occurs and to respond to it immediately, appropriately and effectively.

In the introduction to this report, the statistics for the various forms of child abuse and neglect in both the United States and in Massachusetts are presented in summary form. Given these numbers, it is certainly within the realm of possibility that no matter how large or small a YSO is, at least *some* of the children and youth participating in, or receiving services from its programs could have been, are, – or may be at risk to become – victims of sexual abuse and human trafficking (as a sexually exploited child)<sup>1</sup>. This is not to say that every YSO in Massachusetts definitely has children or youth in these circumstances – only that it is possible. And if it is possible, then every administrator, manager, supervisor, employee and volunteer should be able to recognize what it looks like, how to respond to it, and how to get them the help they need to make it stop.

Affording the maximum protection for children and youth requires YSOs to increase staff and volunteer awareness about child abuse, to train them to recognize a child who may be in trouble, and to inform them about their responsibilities under the Massachusetts reporting laws and the policies and procedures of the YSO. Leadership must then support the staff in those responsibilities and actions by creating a culture where child safety and abuse prevention are a priority; where all staff and volunteers are encouraged to come forward; where concerns about behaviors can be expressed and discussed without fear; and where immediate and appropriate action is taken to respond to the child/youth, and to report the allegation, suspicion, or disclosure to the people and organizations responsible to respond.

In the Code of Conduct section above, the Task Force addressed the importance of establishing in writing the expected behaviors of staff and volunteers when supervising or interacting with children and youth. Further, the section emphasized training, education and ongoing conversations and supervision about defining and understanding the differences between appropriate, inappropriate and harmful behaviors, and establishing clear lines of communication, reporting, and the actions to be taken should any staff or volunteer witness an event, interaction or situation that falls outside of the boundaries of appropriateness. In this way, inappropriate

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<sup>1</sup> The term Human Trafficking is used by DCF as an umbrella term to include the two new (as of February 2016) allegations of abuse: Human Trafficking – Sexually Exploited Child, and Human Trafficking – Labor.

behaviors or boundary violations with children and youth that were inadvertent or due to inexperience can be addressed through intervention, supervision, and monitoring – and corrected before they cross the line into harmful or abusive behaviors that must be reported.

Similarly, in the Introduction to this report, the symptoms – both behavioral and physical – that children and youth exhibit when being subjected to various types of physical, emotional and sexual maltreatment were outlined. For convenience, they are repeated in chart form below. The behavioral characteristics of the grooming process were also described to point out the warning signs that indicate an offender may be preparing a child or youth for eventual sexual contact. Again, if all staff and volunteers understand and conform to the Code of Conduct, it makes the behaviors of those who do not feel the rules apply to them easier to notice.

In addition to recognizing the symptoms of the various types of abuse, YSO staff may become aware that a child is being maltreated or abused because another child, or another adult points out the symptoms or otherwise indicates that a child is at risk. In still other circumstances, the child may self-disclose the alleged abuse – either directly to a YSO adult, or indirectly by describing the situation as happening to “a friend” and asking the adult for advice.

This section focuses on the situations where a staff member/volunteer in a YSO suspects or has evidence that a child or youth is a victim of abuse – particularly sexual abuse or human trafficking/sexually exploited child – and what the individual, his or her supervisors, and the YSO must do in response. It also explains the Massachusetts mandatory reporting laws, how to make a report to the Department of Children and Families (DCF), and DCF’s responsibilities and possible responses. The section also addresses more specifically the circumstances and resulting actions that should occur when the alleged abuse is being perpetrated by someone within the YSO – either by an adult staff member or volunteer, or by another child/youth. Finally, the section addresses the emerging issue of child trafficking and some of its unique characteristics.

Minimum required elements for YSOs to prepare leadership, staff and volunteers to recognize, respond to, and report allegations, suspicions or disclosures of child abuse are presented below in Table 6, and an implementation and decision making model for how YSOs of various size can access and meet those requirements follows.

**Table 6**

**Minimum Required Elements for Recognizing, Responding to, and Reporting Child Abuse**

- All employees and volunteers:
  - Are aware of their legal/organizational obligations to immediately report suspected abuse.
  - Are trained to recognize the signs and symptoms of abuse.
  - Know how to respond to a child who discloses abuse.
  - Know how to report concerns, suspicions, allegations and disclosures of abuse.
- Clear, written procedures that provide step-by-step guidance on what to do if there are any concerns, allegations, suspicions or disclosures of abuse (current or historic)
- A designated person (agent)/group/office whose role it is to receive reports of suspected, observed or disclosed abuse.
- A clear reporting chain is identified that contacts (or assists reporters in contacting) DCF and/or law enforcement.
- Clear guidelines on conducting internal investigations when the alleged perpetrator is an employee or volunteer in the YSO.
  - Includes providing supervision and support to staff and volunteers following an incident or allegation, and a communication plan for parents/community.
- Information/training about the issues of child-on-child and youth-on-youth abuse and human trafficking (sexually exploited child).

**Key Findings and Recommendations**

- In addition to building a prevention structure that proactively works to protect children and youth from sexual abuse, YSOs must also work to prepare staff and volunteers to recognize, respond to, and report abuse that is alleged, suspected or disclosed.
- YSO staff and volunteers must be trained to recognize the signs and symptoms of abuse.
- Maximum protection for children and youth requires YSO leadership and staff to be familiar with the Massachusetts child abuse reporting laws, the offices and numbers to call, the timeframes involved, and the 51A reporting form.
- YSO Policies and Procedures and Codes of Conduct should include the state's reporting requirements and clearly state that the YSO expects all staff and volunteers – mandated or not – to immediately report any suspicions, allegations, or disclosures of child abuse.

- YSO leadership should identify an individual, a team, or department that will act as a designated agent to talk with staff about any concerns, receive reports of alleged abuse, and either make contact with DCF or assist the reporter in doing so.
- YSOs need to “normalize” reporting as a requirement and support staff and volunteers in their responsibilities. Reporting chains must be clearly defined.
- All YSO employees and volunteers should know how to respond to a child/youth who discloses an abusive situation and YSO policies and procedures should have clear guidance on the steps to follow if this occurs. Guidance and sample flow charts are provided.
- Knowing what happens when a report is made to DCF and the legal protections for reporters can help “demystify” the process and reduce staff reluctance to come forward.
- Reports of alleged sexual abuse involving YSO staff, volunteers or even other YSO children/youth will require additional internal reporting structures, investigation (limited), notification to parents, and communication planning.
- The emerging area of child trafficking requires YSOs to be aware of the additional signs and symptoms of commercially exploited children, and the resources available should it be suspected.

### **Recommended Implementation and Decision Making Model**

STEP 1 - RECOGNIZE: Determine and implement appropriate ways to inform YSO staff and volunteers about the signs and symptoms of child abuse and neglect, and make them aware of their responsibilities under Massachusetts law.

- Introduce to prospective staff and volunteers during the screening and hiring process that the YSO, in addition to providing its services, strives to provide those services in an environment that is safe and that responds immediately to allegations, suspicions or disclosures of child abuse.
- Include in the YSO’s Policies and Procedures and Code of Conduct the requirement for all staff and volunteers to report any allegations, suspicions or disclosures of child abuse.
- Use the information in this section on the Massachusetts definitions of child abuse, the Chart on Physical and Behavioral Indicators of Abuse/Child Trafficking (below), the DCF Reporting Brochure and the Sample Reporting Flow Chart in Appendix 10 as handouts to introduce the facts about child abuse and its symptoms.
  - Keep focus on answering the basics: “What is child abuse?” “How do I recognize it?” and “What am I supposed to do when I see it?”
- Depending on size and number of employees and volunteers, YSO leaders can consider conducting roundtable discussions, “brown-bag” lunches, in-service training or “professional days” on the topic of child/youth safety.

- Consider assigning online training modules to be completed; partnering with other YSOs already conducting training programs; or inviting DCF or other local social service agencies to conduct an on-site workshop or training (Also see Training section below).

STEP 2 - RESPOND: Determine the process by which the YSO will prepare staff and volunteers to respond to a child/youth who discloses abuse. Consider ways to encourage and support staff in coming forward to report child abuse that is suspected, observed, or disclosed.

- Teach staff and volunteers that the way a disclosure of child abuse is handled can affect the impact it has on the victim.
- Reproduce and use the Guidelines for Disclosures below to discuss the ways to respond to children and youth who disclose abuse so that they feel supported and believed.
- Ensure that whoever is talking with staff and volunteers about these topics is comfortable with the subject matter. These are not easy conversations to have, but they are critical – not taboo. The comfort of the presenter can affect the comfort of staff and volunteers.
- Maximize opportunities to talk with staff about child/youth protection issues and policies. Regular conversations will make it easier for staff to discuss behaviors, ask questions and approach situations from a prevention perspective.
- Ensure that staff knows that reporting suspected abuse (even if the reporter is unsure) affords protections for the reporter under Massachusetts law. The protection of the victim is the primary concern. Reluctance to come forward and report is often a result about concerns of personal liability.

STEP 3 - REPORT: Determine the YSO responses to allegations, suspicions and disclosures of child abuse committed by individuals outside the YSO, and by YSO staff or volunteers. Include the specific cases of suspected child-on-child or youth-on-youth abuse, and child trafficking.

- Staff must understand the steps to follow in making a report – and to whom the report must be made.
- In simplest form, a YSO can choose to designate a single person or “officer” to whom all reports are made. The designated reporter then assumes the responsibility (or helps the reporter) to contact the authorities, provide the required information, and follow up with the filing of the 51A Report Form (See Appendix 11).
- Ensure the reporting chain is clearly described. In smaller organizations, the reporting chain could be a single person. In larger organizations, the chain could include supervisors, managers, human resources, communications and legal staff.
- Provide forms that will make it easier for incidents to be recorded by staff and ensure the confidentiality and security of those records (see Sample Incident Report in Resources section).
- If the offender is a YSO staff member or volunteer, an additional internal reporting and investigation process will likely need to happen concurrent with the DCF response. This includes:

- Interviewing the alleged offender and informing them of the allegations
- Determining the employment status of the alleged offender
- Coordinating with DCF the response to the victim and family
- Notifying the rest of the staff and providing support
- Assessing the conditions that allowed for the abuse to occur
- Preparing a response to other parents, and to the media
- Make staff and volunteers aware that abuse can also take place between children or youth, and that children/youth also exhibit the symptoms of being sexually exploited or trafficked. In either case the process is the same – report to the designated reporter and contact DCF.
- These processes should be identified in the YSO’s policies and made clear to all staff and volunteers.

**End of Executive Summary**