

SECTION VI

HANDLING OF

ALLEGATIONS AGAINST STAFF

CHAPTER 27

ALLEGATIONS AGAINST STAFF, CARERS AND VOLUNTEERS

SCOPE OF CONCERN

This Chapter touches upon the following situations:

- Where there is suspicion or allegation of abuse by a person who works with children in either a paid or unpaid capacity i.e. any employee, foster parent, child carer, or volunteer.
- When allegation or suspicion arises in connection to the individual's work.

GENERAL PRINCIPLES IN HANDLING ALLEGATIONS OF CHILD ABUSE AGAINST STAFF, CARERS AND VOLUNTEERS

- 27.1 When a staff of an organisation suspects an incident of child abuse has occurred or has received allegation of such abuse, he/she must report this to the supervisory and management level.
- 27.2 The responsible organisation or agency must ensure that allegation is investigated and that any justifiable action is taken to ensure that the service is safe for child / children.
- 27.3 Upon receipt of an allegation of abuse by a staff, the supervisory management of the organisation should ensure that they follow the complaint procedures as set out by the organisation.
- 27.4 Any disciplinary process must be clearly separated from child protection enquiries.
- 27.5 Child protection enquiries take priority over any disciplinary investigations, and will determine whether the investigations can be carried out concurrently.
- 27.6 Enquiries must be conducted in the strictest confidence so that information can be given freely and without fear of victimization and in a way that protects the rights of the staff, employees, volunteers, foster carers and child carers concerned.
- 27.7 Information about an allegation must be restricted to those who have a need to know in order to :

- protect a child / children;
 - facilitate enquires;
 - manage disciplinary / complaints aspects; and
 - protect the rights of the alleged perpetrator.
- 27.8 In circumstances that suggest a criminal offence may have been committed, the case should be reported to the police unit as appropriate to safeguard the welfare of the child (refer to paragraph 24.23 of Chapter 24 for the procedures in making report to the Police).
- 27.9 Even when there is insufficient evidence to support a criminal offence with or without proceeding initiated, complaints, regulatory or disciplinary procedures may still be justified.
- 27.10 If, following the conclusion of protection process, further enquiries are pursued for the purpose of disciplinary, regulatory or complaint investigation, they should be arranged in a way that avoids repeated interviews of the children or other vulnerable witnesses.
- 27.11 The need for consultation with the Family and Child Protective Services Unit (FCPSU) on child protection investigation must not delay a referral, which should be in accordance with the procedures in as stipulated in respective Chapters.

HANDLING OF SUBSTANTIATED ALLEGATIONS

- 27.12 Where the allegations are substantiated, relevant information must be passed to the appropriate unit for follow up as stipulated in respective Chapters of this Procedural Guide.

HANDLING OF UNSUBSTANTIATED ALLEGATIONS

- 27.13 Where, following initial enquiries, there is insufficient evidence to determine whether the allegation is substantiated, the outcome of enquires should be recorded.
- 27.14 The member of staff concerned must be notified of the outcome.
- 27.15 Consideration must be given to the support the staff member may need, particularly if returning to work following suspension, if any.
- 27.16 The child and his/her parents should also be informed of the outcome.

- 27.17 Consideration should be given to the provision of support or counselling for the child, and where appropriate, his/her parents, taking full account of a child's needs particularly if a seemingly false or malicious allegation has been made.
- 27.18 Staff conducting disciplinary proceedings should also be informed of the findings of the investigation on allegation against the staff concerned upon its conclusion.