

# Child Protection Response Team Roles

This guidance was drawn from content experts and serious case reviews from international sources including both case dismissals and convictions and from the international protocol on managing allegations of child abuse by staff and other adults. This guidance is not legal advice and should not be interpreted as such.

#### The role of the response team:

The role of the child protection response team is to coordinate the school's response to an allegation of child abuse once it comes to light. The nature and size of the response team will depend on a number of factors, including the nature of the allegation. In forming this team, the response team leader should draw on the expertise that exists within and external to the school community, and within any allegations management team or external multi-disciplinary team that may be formed (see the <u>international allegation protocol</u> for more information). The team should include individuals with expertise in the areas set out below. The response team should not take any action that would prejudice any investigation being carried out by law enforcement or other government agency, or any internal inquiry that is commissioned or carried out for the school. The response team is responsible for the internal review of the allegation.

## Key responsibilities common to all team members:

- Best interests of child and any potential victims are the top priority
- Remain neutral and avoid receiving or making public testimonials of support for accused
- Convey belief not blame to victims
- Maintain confidentiality of people and details, but transparency of process
- Reassess recommendations when new information is available
- Review existing child protection policies in light of this concern/allegation

#### Individual team roles

This list is not exhaustive. Individuals may perform multiple roles and additional responsibilities may be allotted based on the seriousness of the incident and the needs of the stakeholders.

Every team should discuss their shared understanding of abuse and inappropriate behavior with a child. While there is no 'one size fits all' guidance for response teams or their response teams should strive for collaborative and diverse engagement. This process may minimize errors that could compound the crisis. Consensus and agreement should be sought in any recommendations to the team leader or facilitator. Note: Board chair will be response team leader in the event the head of school is involved or unable to be impartial in the concern or crisis.

<sup>&</sup>lt;sup>1</sup> Managing Allegations of Child Abuse by Educators and Other Adults, (ITFCP, September 2018)

#### Team leader or facilitator and spokesperson

- Balances and coordinates child protection response, legal response, management response and communications response, which may not be complementary. ITFCP allegation protocol is recommended guide for international schools. In cases of peer abuse, please consult EdPortal.ICMEC.org/Incident Response and Peer on Peer Abuse Toolkit.<sup>2</sup>
- Familiar with applicable local laws and school child protection policies.
- This person has no appearance of, or actual conflict of interest in this case.
- May take immediate response including mandatory reporting, referrals, safeguarding/risk
  assessment of vulnerable children, identification of further victims, and communication with
  individual at center of concern and victim's parent/s or caregiver/s.
  - Identification of possible further victims should not be limited in scope and should include any child the alleged offender has contact with including family or household members, on school grounds or off. Timing should be balanced with need for confidentiality and any law enforcement response.
  - o In case of accused staff members, previous and subsequent schools should be notified in addition to any local, youth-serving or community organization accused has ties, with the permission of law enforcement, if applicable.
  - Maintains confidentiality for all involved (may use nonidentifying labels such as Student 1, Witness A, etc.)
  - Should avoid or limit viewing of any sexual images of children.
- Coordinates school response to allegation. May convey recommendations to final decision maker/s on school leadership team.
- Spokesperson for both internal and external communications or may share role with communications director, if applicable.
- As spokesperson:
  - provides a single point of contact for the school;
  - promotes view that trust in transparency and protective protocols will result in trust for institution;
  - keeps a board member fully updated, but keeps some board members aside so they can perform role of ultimate independent decision-maker, if necessary;
  - o addresses issues of restitution, reconciliation, and recovery of reputation;
  - o promotes accountability in response; and
  - o handles all media inquiries, if applicable.
- Answers staff questions and provides talking points, if applicable
  - o Provides clear and timely communication on process, timeline and rumor control.
  - Supports whistleblowing protections, if applicable.
  - Addresses guilt, uncertainty, and fear staff may be feeling.
  - o Stresses communication, transparency, and confidentiality in review process.
- Provides community with FAQ responses (may include parents, students, and alumni).

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<sup>&</sup>lt;sup>2</sup> Peer on peer abuse toolkit, Farrer & Co.

- When appropriate and permitted by law enforcement, provides facts about parameters of abuse, prevention of reoccurrence, and rumor control.
- Communicates transparently about review process and maintains confidentiality for all involved.
- o Provides timeline and monitors speed of resolutions.
- o Responds with compassion as parents may feel powerless, guilty and afraid.
- Engages student voice and attentive to impact felt by students, if applicable.
- Determines if applicable policies and procedures were in place and followed.
- Ensures policies are updated and lessons learned are incorporated in a cycle of abuse prevention rather than crisis management.
- Identifies and retains outside experts as needed.
- Supports victims and prioritizes student protection and abuse prevention to support school's reputation.
- Refrains from public pronouncements in support of accused prior to final decision on case.
- Has deep level of child protection training and leads periodic training on scenarios and case study responses with response team.
- Has developed relationships with local partners and/or identified relevant authorities (reporting hotlines, hospitals, embassies, law enforcement, child advocates, etc.)
- Delegates responsibility for writing report and communicating findings to person/s conducting internal inquiry, if applicable.
- Does not allow misguided attempts to influence external investigation or internal review from those who hope their good reference of accused carries weight.
- May need to set parameters of internal inquiry.

#### In cases of adult victims (hereafter called survivors) of non-recent abuse:

- Assign survivor liaison and follow allegation procedures regardless of statutes of limitations or how much time has passed since the incident.
- o Provide prompt, compassionate response to disclosure. Avoid legalistic tone.
- Seek identification of other possible survivors and documentation of incidents by same alleged offender. Identification process may require community or alumni letter, temporary tip line, or other outreach into local or extended community, including previous and subsequent schools.
- Determine policies at time of abuse but consider all alleged offender behavior (including off school grounds) in light of the current policy and good safeguarding practice (for example, as set out in the international protocol), regardless of historic policy.
- Address issues of reconciliation between survivor/s and school, including evaluating any offender legacies, helping to identify other survivors, and facilitating in-person testimony or impact statements to senior leadership.
- o Evaluate existing policies considering historic events.

#### School board representative or liaison to board, in serious cases

- May be filled by board member assigned to child protection or be a reporting role for team facilitator/head of school/principal. Note that board chair is official spokesperson for the board.
- Promote view that trust in transparency and protective protocols will result in trust for institution.
- Keep a member of the board fully updated on developments or be that member as part of the response team. Full board is not fully briefed so they can be final, independent decision-makers, if necessary.
- Address issues of restitution, reconciliation, and recovery of reputation.
- Promote accountability and ensure a victim centered response.
- Ensure accountability for existing policies and procedures.
- Identify and retain outside experts as needed.
- Support victims and prioritize student protection and abuse prevention as means of securing school's reputation.
- Ensure policies are updated and lessons learned are incorporated in a cycle of abuse prevention rather than crisis management.

## Law enforcement or investigative agency liaison, if applicable

- May be law enforcement (LE) or investigative agency person assigned to case or team leader.
- Ensure lines of communication are open.
- Ensure victim referred to trained first responder and not coached or pressured to recant (initially may ask that victim not receive counseling).
- Establish documentation and evidence security, including physical and digital evidence. For digital devices, ensure they are powered off and secured in lead or aluminum foil lined space to inhibit remote erasure from cloud storage. Only experienced IT or LE expert should attempt to view evidence on these devices.
- Ensure disclosure notes and bystander statements are recorded in victim's or bystander's own language.
- Provide a list of bystanders present at incident and disclosure.
- Protect victim and accused from retaliation.
- Monitor and report on social media.
- Assist with identification of additional victims, for example through temporary tip line and community or alumni notification.
- Ensure that all necessary evidence is provided to law enforcement.
- Remain in close contact with law enforcement, explain the school's objectives to law enforcement and work with them to help the school to achieve these. For example, by explaining why it would be better if the police were able to arrest the alleged perpetrator away from school grounds, why extensive delays in an external investigation are difficult for the school to manage, or why the school needs to be provided with details of the investigation once it is completed, in order to be able to reach a decision on the alleged perpetrator's employment.

## Victim and family advocate or liaison

- May be appointed from outside the school, in some cases.
- May have dual role as mental health/healthcare liaison or designated safeguarding lead.
- Family should be informed immediately and any reason for not informing them (for example, due to a fear for the safety of the victim) should be clearly documented.
- Advocate should be absent from inquiry discussions involving evidence, testimony of the accused
  or bystanders. Avoid discussions of information that cannot be shared with the victim or family
  members to avoid inadvertent coaching.
- Act quickly to provide victim agency and sense of control (even if small things, such as when/where to meet).
- Establish a connection and build trust, if trust does not exist explore other options.
- Strive to avoid repeated interviews or re-traumatizing actions.
- Ensure victim blaming language is avoided and confidentiality observed.
- Monitor victim to ensure not coached or pressured to recant, but do not impose own cultural values (for example, regarding honor)
- Ensure hints and partial disclosures about or by additional victims are followed up without pressuring victim.
- Explain process always be willing to offer something else if there is an action you cannot take. Focus on what CAN be done.
- Take child-led approach, not pushing institutional agenda.
- Assist with access to qualified medical care and trauma-informed counseling (note that law enforcement may require counseling not occur before second responder interview).
- Reinforce pro-social/anti-bullying messages throughout school.
- Work with staff on trauma-informed care when victim returns to school.
- Ensure mandatory reporting responsibilities are never threatened or used to coerce family.
- Address victim and family concerns
  - o Abuse is stopped and contact with alleged offender ceased.
  - o Backlash/retaliation by alleged offender, peers, staff, or family members.
  - Help victim and family identify retraumatizing locations and experiences including identifying filter person for personal social media accounts.
  - Work with family on outgoing communication which may invite traumatizing response and to prevent giving too much information, which victim may regret, may hurt investigation, or could invite exploitation.
  - Reassurance of expressed or unexpressed fears including: Am I damaged? Will anyone be able to tell? Who is going to know?
  - Address only expressed fears about isolation, pregnancy, STDs, and uncertainty of reputation.
  - Monitor social media and work with staff to ensure confidentiality is maintained and community is supportive.
  - Address concerns about stigma and reputation (their own, the school, the family, the victim's future).
  - o Provide guidance for supportive parenting (trauma-informed care shared).

\*If contact with accused is required, safety planning involving clear boundaries, channels of communication and supervision are necessary with priority given to minimizing victim impact.

#### In cases where family is not acting in best interest of child

- o Family should be informed unless fear of harm to victim. In cases of family abuse, establish contact with non-offending parent.
- o Ensure there is no possibility of prioritizing the child's best interests by establishing trust or identifying another liaison.
- o Try to speak to parents separately if this is useful to identify issues of concern.
- o If cultural resistance exists (ex., honor), enlist mediator and explain in detail and at length.
- Seek options to engage family to act in best interests of child, if necessary (engaging trusted friends, law enforcement, child advocacy groups, governmental options, embassies, employers, etc.).
- o Ensure all barriers and efforts are clearly documented.

#### In cases of adult victims (hereafter called survivors) of non-recent abuse

- o Address any concerns that the survivor may have with an internal inquiry process regardless of limitations on filing criminal or civil cases or the likelihood of legal action.
- Determine needs of survivor/s, including wish for in-person testimony and/or apology on behalf of institution. Understand that testimony may be an important part of recovery.
- o Facilitate access to counseling for ongoing recovery.

## Liaison for accused (including children/youth accused of abuse and family)

- Advocate may be appointed from outside the school, in some cases.
- May have dual role as counselor, staff liaison or HR representative, but should not be the same person as the victim or family liaison.
- May liaise with accused legal representation or work on provisions for cost of legal representation.
- Should be absent from discussions involving evidence, testimony of the victim or bystanders.
   Avoid discussions of information that cannot be shared with the accused.
- Attentive to issues of due process.
- Keeps the accused/alleged perpetrator informed of developments that the school is able to share.
- Facilitate access to specialized counseling and care referrals and additional supports, such as embassy consular services, or faith leaders.
- Address concerns of accused and family (including, but not limited to)
  - Help identify filter person for personal social media accounts.
  - o Mitigate isolation they may feel.
  - o Provide a way for accused to tell their story.
  - Work with family on outgoing information which may invite traumatizing response and to prevent giving too much information which may harm case or victim, may hurt investigation, or could invite exploitation.
  - o Monitor social media and work with staff to ensure confidentiality is maintained.

- Address concerns about confidentiality, transparency, stigma and reputation (their own, the school, the family).
- o Contact mental health providers immediately if there is any reason to suspect depression or suicide ideation.
- Advocate for speedy resolution and exoneration and reconciliation, if applicable.
- Communicate about timeline, process and HR actions.
- Advocate for appropriate, consistent and proportionate response.
- In cases where accused remains in school or is cleared of suspicion, address issues of separation from victim and reconciliation, if applicable.

#### **Legal Counsel**

- This person may or may not be part of the response team and may be internal or external to the school.
- This person would not conduct the independent internal review as they represent the school's interests.
- This person's role is to advise the school on the handling of the allegation, including all legal aspects of it.
- This person should have experience with employment law, child protection and managing allegations of child abuse, ideally within educational institutions. Where a local law firm with the relevant expertise cannot be located within the jurisdiction where the school is based, identify (i) a law firm with expertise advising schools; and (ii) a law firm based outside your jurisdiction with expertise in child protection and managing allegations of abuse by adults in international settings, ideally within educational institutions.
- Evaluate with team the options for immediate response according to best interests of the child and the requirements of local law.
- Assesses and advises on legal exposure by evaluating liability in light of contracts, policies, code
  of conduct, recruitment practices, mandatory reporting requirements, and insurance coverage or
  limitations.
- Advise on possible claims by other victims (for example, personal injury claims), and by the accused (for example, defamation, wrongful termination, etc.).
- Evaluates need for reconciliation and reparations ensuring accountability to individuals by organization.

# **Healthcare professional**

- May be outside person or school nurse/physician.
- May be the victim and family advocate.
- Take urgent actions as needed to safeguard child/children such as calling emergency services or child services, including those offered by child advocacy groups or local INGOs where necessary and appropriate.
- Determine legal requirements for sexual assault exams and advise most appropriate facility to perform these on pediatric patients.

- Establish need for, and timing of medical examination based on history of sexual contact, presence of pain, bleeding, reports of an injury, or symptoms of infection (fever, discharge, pelvic or anogenital pain, etc.) and wishes of child. Consider available medical resources and likelihood of trauma-informed care. Offer, or work with other healthcare professionals to offer appropriate care including forensic examination, pediatric sexual assault evidence kit (when indicated), testing for pregnancy and sexually transmitted infections, emergency contraception, treatment of infection, etc.
- Use trauma-informed approach and advocate for such an approach by other healthcare providers.
- Be attentive to need for victim agency, control and consent. Involve patient in decisions about care; encourage questions, ensure information about processes and options are provided to child in a way they understand.
- Carry out risk and needs assessment which identifies child and family needs and puts in place measures to meet these needs.
- Gauge the clinical expertise of staff performing clinical exam and advocate for victim and family during processes.<sup>3</sup>
- Monitor mental health of victim and family and advocate for mental health assessment and trauma counseling if concerns arise, including emergency crisis psychiatric intervention as well as nonurgent clinical services.

## Mental health professional

- May be someone outside organization or could be dual role for counselor, victim liaison or staff liaison.
- Remind team to act with compassion as staff and community may be feeling powerless, guilty and angry.⁴
- Provide support and trauma-informed, culturally sensitive care for victim and family.
  - See parents as partners, involving them in planning and delivery of services.
  - Advocate for whole family approach which takes account of wishes of children and adults and includes both parents and all relationships in family.
  - o Models a strengths or resilience and outcomes-based approach.
  - o Provides variety of flexible access points to services based on assessed needs.
- Provides parents with FAQ responses
  - o Provides guidance for supportive parenting (trauma-informed care, if possible).
  - o Addresses concerns about long term impacts of abuse.
- Provides community with FAQ responses
  - Shares appropriate responses for traumatized and non-traumatized students.
  - o Provides guidance on treatment, triggers, resilience factors, and self-care needs for adults and students.
  - o Addresses issues of secondary trauma, if applicable.

<sup>&</sup>lt;sup>3</sup> https://www.icmec.org/wp-content/uploads/2017/11/Clinical-Guidelines-for-Response-WHO.pdf

<sup>&</sup>lt;sup>4</sup> https://www.icmec.org/education-portal/support/