

# Management of Child Safeguarding Allegations

## Guidance

**Staff** may also pose a serious risk to children.

It is essential that **managers have a consistent approach** to how to **set up and manage the response to any child safeguarding allegation**.

This guidance provides an **overview of how to manage incidents and concerns** where it involves a member of staff, consultant, associate or a volunteer from one or more **agencies or partners**.

## **Disclaimer**

This is not an investigations tool, it is for use by managers within international relief and development organisations to support them in managing investigations.

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# Introduction

**The Keeping Children Safe - Child Safeguarding Standards (KCS, 2014)<sup>1</sup> set out the core standards that all organisations that come into contact with children should have in place to help keep them safe from harm.**

**Standard 1** Policy

**Standard 3** Procedures

**Standard 2** People

**Standard 4** Accountability

Standard 3 sets out the requirement for all organisations to have clear procedures on how to report and respond effectively to incidents and concerns that a child or children may be at risk. This document builds on that standard to provide more detailed guidance to organisations on how to manage one aspect of risk; managing and responding to child safeguarding allegations that involve members of staff, volunteers or associates.

## Terminology

Every organisation will have different ways of describing its staff. For the purpose of this document, where the term staff is referred to it implies any person, paid or unpaid, associate or consultant, who is representing that organisation at the time.

Where the term manager is used this could be the global safeguarding protection officer, country director, or another position that has been designated to hold an accountable role for child safeguarding. These managers are not usually directly involved in conducting investigations, but may be responsible for the commissioning and management of them. A senior manager is usually a global manager at head office at director level.

Where the term safeguarding focal point is used this usually means the regional designated person in a region or country that holds the regional

child safeguarding role. This is different from a local manager who may be responsible for line managing projects, staff or a local office. Where the term investigator is used this means an individual who has been appointed to conduct the investigation. He or she could be external or internal to the organisation but will be independent of the region where the investigation is taking place.

## Why is this guidance needed?

While it is difficult to contemplate, there are a small number of individual staff, volunteers and associates who do pose a serious risk to children, whether deliberately or through a lack of understanding of what constitutes abusive behaviour.

Staff, volunteers and associates may also harm children they are in contact with, or have access to, outside the work environment. The obligations of staff and their behaviour towards children should extend to their conduct outside the work environment.

It is essential that managers have a consistent approach to how to set up and manage the response to any child safeguarding allegation that involves a member of staff, volunteer or associate. This becomes more complicated when the organisation has no direct line management for the associate, hence the need for clarity about what process to follow.

### **Although many organisations do have child safeguarding policies, they often:**

- Lack detail on how to manage different levels of safeguarding allegations including historical allegations.
- Have few trained staff with the relevant experience to conduct a thorough investigation and provide an objective view.

<sup>1</sup> <https://www.keepingchildrensafe.global/accountability/>

- Fail to balance internal processes with different country context, legal systems and external reporting requirements on child safeguarding.
- Fail to have a clear process in place when the allegation involves an associate.
- Have little guidance or agreed tools on how to conduct a robust child safe investigation.
- Lack management oversight and quality assurance.
- Do not address what should happen as a result of an investigation and how any action needed will be monitored.
- Do not have a process that enables feedback to the workforce in a way that ensures there is on-going organisational learning and improvement.
- Lack child-focused tools to support investigations.

## How to use the guidance

**This guidance provides an overview of how to manage incidents and concerns where it involves a member of staff, consultant, associate or a volunteer from one or more agencies or partner agencies.**

### The guidance will:

- Help a manager create a plan for managing child safeguarding allegations, both current and historical in order to provide a consistent and robust approach.
- Provide advice about specific issues that might arise within more complex safeguarding concerns.
- Provide managers with key information about how to give oversight, direction and leadership when managing a child safeguarding allegation.

**It is specifically targeted at more senior managers who hold designated responsibility for overseeing such investigations. It should**

**complement internal child safeguarding policies and procedures and builds on the initial work done by the NSPCC and Humanitarian Accountability Partnership International (HAP)/CHS Alliance around Building Safer Organisations and developing model investigation protocols.**

A range of tools can be used to accompany this guidance and can be found in the appendices. The guidance relates to child safeguarding and is not to be used for other types of investigations, but managers may draw parallels with responsibilities in managing other concerns.

If child abuse is suspected within a family or involving a non-agency person, the organisation should follow their own procedures and the country's legislation and process for reporting these concerns to authorities.

This guidance does not address these concerns. Please refer to Keeping Children Safe: **Developing Child Safeguarding Policy and Procedures** (2014)<sup>2</sup>.

## What is a child safeguarding allegation?

A child safeguarding allegation may be defined as a complaint involving one or more perpetrators and one or more children. In many instances it is hard to determine what is child abuse or an abusive practice with children and what is more a culture of poor practice that has developed over time. This may reflect the individual style of management, the staff group, many of who may have been there a long time and/or local practices that are deemed acceptable.

<sup>2</sup> <https://www.keepingchildrensafe.global/wp-content/uploads/2020/02/KCS-Developing-Child-Safeguarding-200218.pdf>

Institutional abuse often involves charismatic leadership and a lack of outside challenge, supervision and inspection.

This is discussed further in the section on **Complex abuse** (page 31).

Some allegations in the beginning may seem minor and may not be deemed to reach a level of seriousness or threshold to warrant an investigation. However, years of experience demonstrate that often even minor child safeguarding allegations are just the start of disclosure of complex and major abuse. Some allegations may involve people in positions of authority, refer to many incidents, have happened over a long period and/or be historical.

## Record keeping and information sharing principles

In all investigations of a child safeguarding allegation, it is essential that staff involved maintain a high level of confidentiality in relation to the information in their possession, without jeopardising the investigation or the welfare of the children involved.

Subsequent information generated throughout the investigation should only be shared on a 'need to know' basis. This usually means only the manager who commissioned the investigation, members of the investigation team and the child safeguarding focal person at the respective level of the organisation should have full access to all information. All other potentially involved co-workers should receive only anonymised reports

The protection of any children identified as being at risk of harm remains paramount, but the sharing of information and confidentiality issues should be treated with due consideration for the subject of the allegation (SOA). Agencies should take appropriate practicable steps to minimise the

potential disruption and damage to the subject of the allegations' private and professional life caused by a protracted investigation, and in many cases, taking place many years after the alleged offence was committed. Where allegations are subsequently found to be unfounded, or it can be proven that false or malicious allegations have been made, the needs of the SOA should be treated with sensitivity.

### All organisations should ensure:

- The safeguarding and preservation of their children's records and policy and procedures to ensure that no records are changed or amended after an allegation has been made.
- Controlled access on a need to know basis by the police, government officials, social workers or international crime agencies (where involved) to children's and staff files, ensuring that this does not put anyone, including children, at further risk. If there is a dispute this may require a court order.
- Clarity about what information is to be shared and by whom.

Agreement on the above is essential, as there have been examples where people in powerful positions in organisations have destroyed records or not co-operated with investigations, either to protect individuals or the organisation's reputation.

Each child abuse allegation requires thorough planning, effective intra- and multi-agency co-operation and attention to the welfare and safety needs of the child/children who have allegedly been harmed. The various agencies involved should be committed to working together to ensure that relevant information is shared and that appropriate action is taken to minimise the risk posed by alleged offenders to children.

# Receiving a child safeguarding allegation and managing the decision to investigate

## Complaints/allegations can come from a variety of sources including:

- Past or present staff, volunteers, contractors, associates, consultants.
- Children and young people.
- Via social media.
- Other partners, NGOs, agencies.
- Supporters, donors, government officials.
- Anonymously via letters, emails or telephone
- Inspections, audit activity.

Whatever way a child safeguarding allegation or complaint comes to light, there must be a consistent response to how it is managed and clarity about what happens next.

Although the internal process may be similar whatever the nature of the allegation (e.g. fraud or theft), a child safeguarding allegation should include some additional processes because the risks to vulnerable children, witnesses and organisational reputation may be greater. The process must be child focused and take into account the additional risks.

*See Key stages flowchart (page 9).*

If you have your own organisational reporting procedure this should be followed initially and reports made to the designated person/safeguarding lead. (Remember the following only relates to allegations against members of staff and not wider community safeguarding concerns.)

## **All allegations need to be reviewed and addressed, but not all will require a formal investigation process.**

After ensuring that any immediate needs of victims are addressed and risks have been managed, the organisation will need to determine:

- Does this concern constitute a potential breach of organisational child safeguarding?
- Policy, procedure and or code of conduct?
- Is there an identified victim/s and subject of allegation?
- Has a criminal offence been committed?
- Is further information required to determine any of the above?

## The key steps of an investigation

These guidelines are based around the following key steps for undertaking an investigation. The steps need to be climbed up and down at different stages of the process and may need to be revisited as the investigation progresses.

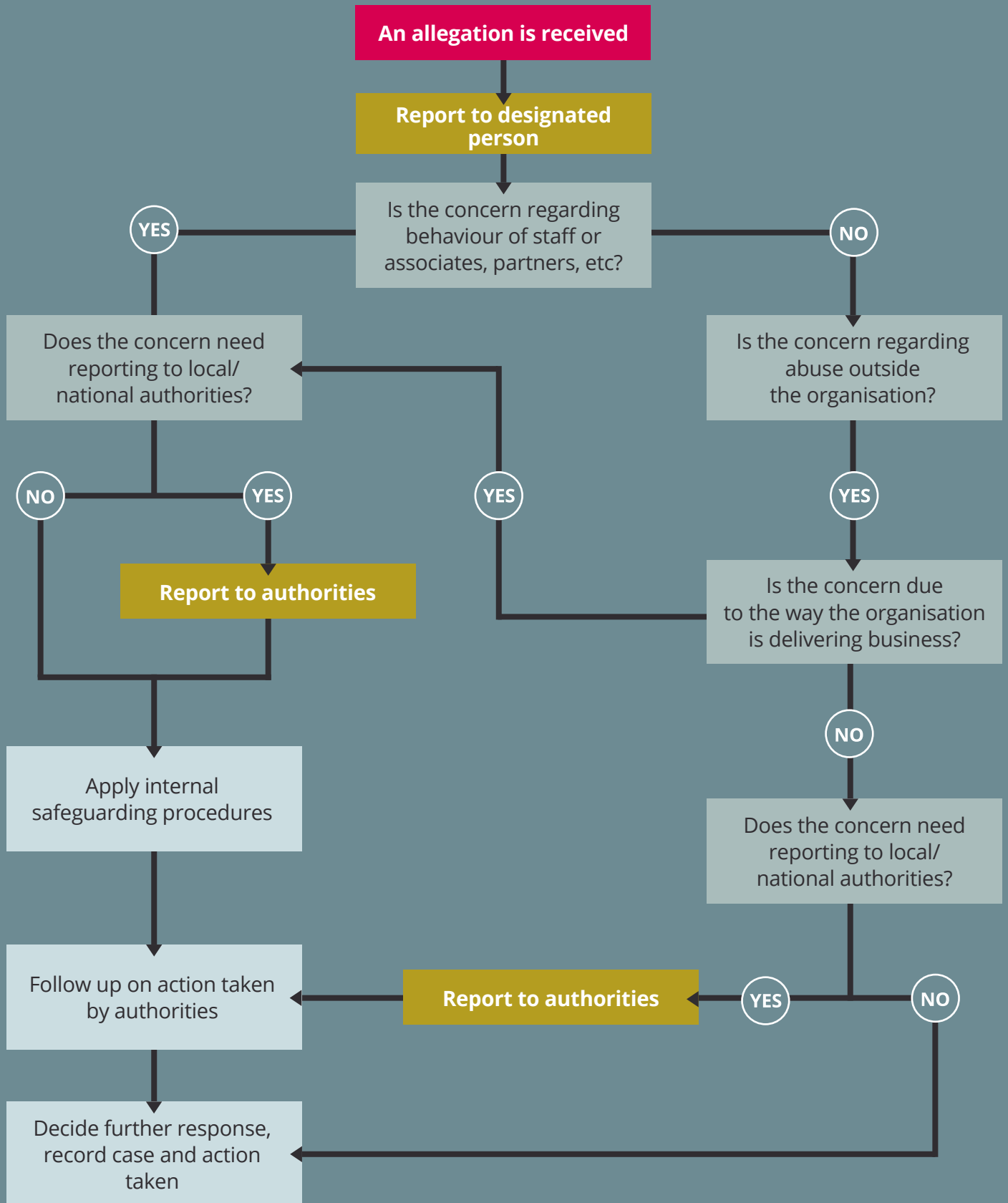
*See Image 1 (page 10).*

The first part of the process is to conduct an initial assessment. Before the final decision is made to instigate an investigation there will, in most cases, need to be an information gathering process. This should clearly map out who else needs to be consulted and where any further information is held. This needs to be done extremely carefully, following the same principles as an investigation. Information gathering (sometimes called fact finding, or an initial assessment) should be done in a way that does not jeopardise a potential investigation (for example by making the potential SOA, witnesses or other stakeholders aware that a complaint has been made), or present a protection risk to anyone concerned.

*Continues at page 10 >*



# Key stages flowchart



**Image 1** The key steps of an investigation



**To start managers will need to establish that the organisation's procedures have been followed and that the following are considered:**

- Source of the complaint.
- Nature and context of allegations.
- Time span and when they are alleged to have taken place.
- How many victims?
- How many perpetrators?
- Who else might be involved or have relevant information?
- Immediate risk assessment.
- Does it involve a partner organisation, associate or NGO?

As part of this process, those involved should collect and review available information about the allegation, analyse the internal and external legal framework, review available documents and undertake a risk analysis.

## Threshold criteria

The criteria outlined here will help managers make a decision about how best to proceed and whether investigation thresholds have been met. They should be viewed alongside any other existing information. Not all allegations will reach the threshold for investigation, and sometimes the threshold may differ, but each allegation needs to be considered, taking into account the individual circumstances, context and environment.

**All of these criteria have equal importance and priority.**

### 1. Impact on the child?

Is there immediate risk of further harm? Follow organisational procedures to protect any children. The impact on the child is likely to be unknown at this stage and managers can use their experience to speculate as to the impact of the harm. However, this is an opinion and not fact at this stage.

### 2. Is child abuse or exploitation suspected?

- Physical.
- Neglect.
- Sexual abuse/child sexual exploitation.
- Emotional/psychological.
- Institutional abuse.
- Breach of the United Nations Convention on the Rights of the Child (UNCRC).
- Other exploitation.
- Forced marriage, child trafficking, female genital mutilation (FGM).
- Radicalisation.
- Online abuse/cyber bullying.

### 3. Was a criminal offence committed?

Does the local law legislate that any aspect of the allegation is a criminal offence? If you do not know seek legal advice immediately. Once the decision is made that a legal threshold has been reached, the case should be referred to the responsible

authorities, unless to do so would put children or other witnesses at greater risk.

#### **4. Has there been a breach of agency/ professional code of conduct?**

Does any aspect of the staff/volunteer/associate/consultant's behaviour or conduct break the protocols within which they are expected to behave?

#### **5. Has there been a violation of UNCRC child rights?**

Refer to the UNCRC, including the African Charter on Rights and Welfare of the Child (ACRWC).

#### **6. Does the allegation bring the organisation's reputation into disrepute?**

If the answer is 'don't know' or 'yes' then an investigation is necessary to ensure agency transparency, maintaining integrity and minimising reputational damage.

#### **7. Could there be an impact on donor contributions or fundraising?**

If the answer is 'don't know' or 'yes', then this adds weight to an investigation being undertaken to maintain agency credibility and reduce risk to charitable funding. However, the purpose of any investigation should always be primarily in the children's best interest and not that of the organisation.

#### **8. Have there been a number of similar complaints?**

#### **9. Have there been previous investigations or allegations received of a similar nature in this locality?**

#### **10. Have there been investigations or allegations involving the same individual/s?**

#### **11. How many individuals does the allegation involve? Is it likely to be complex and involve**

#### **multiple perpetrators?**

#### **12. How many children does the allegation involve? Is it likely to be complex and involve multiple victims?**

#### **13. Does the allegation imply that the abuse is happening wider in the institution or programme, which might suggest that usual safeguarding systems are not working?**

#### **14. What is the reliability of the source of the allegation? Does the source of information have authority within the agency or country? E.g. a trustee or government minister?**

#### **15. Is there hard evidence? E.g. photographs, images?**

### **A strategy discussion**

This is a process by which the decision of next steps can be taken. It can be virtual or in person.

Each organisation will have different named individuals, but the following is a list of the people who might attend:

- The decision-making manager who chairs the discussion.
- Named safeguarding lead/child protection officer and or focal point.
- The person who received the allegation.
- Any key worker or individual who knows the child/children who is alleged to have been harmed.
- The decision-maker's line manager.
- A human resources officer.
- If the allegation involves a partner organisation or other agency, then representatives may also be invited to attend.

The threshold criteria should be debated and the group should try to reach an agreed view about

each of the questions. Notes of the discussion and reasons for any decisions should be recorded and filed. The best interests and safety of children should inform all decisions made.

If a decision is made not to report to authorities a crime that breaches national law because of the risk to children or others, then this decision should only be made at the highest level and be robust and evidence based. Legal advice may need to be sought and all actions and decisions clearly recorded.

No further action – if none of the presenting information presents sufficient evidence or reason to proceed with further inquiries, the decision to take no further action can be made. However, a short file note should be written in order to document that the initial assessment based on objective criteria has been conducted. All original referees should be told of the outcome of the final decision.

## Threshold of concerns and options for next steps

For each allegation you will need to consider the threshold criteria and think through what course of action is available. It is helpful to think through if the allegations were found to be true, what the consequences might be.

### The next steps could involve conducting:

#### a) Internal audit investigation

This decision would apply where the allegations or concerns were not considered to be child abuse. However if they were found to be true, the incident/s would breach internal procedures, codes of conduct, standards and expectations.

#### b) External child safeguarding investigation

If the allegations were found to be true and the

safeguarding threshold has been met then an external referral to an outside agency should be made. This applies where there is confidence that the national laws and conduct of local law enforcement agency are respectful of Human Rights and national laws.

#### c) Internal child safeguarding investigation

This should happen where the thresholds of child safeguarding have been met but where there is no external legal or governance structure in the country where the offence allegedly took place and that is unsafe to undertake such an investigation. It should only happen in exceptional circumstances, (war or other conflict, an emergency humanitarian situation) where it is deemed unsafe for the alleged perpetrator or the victim/ witnesses if external law enforcement were informed, or the allegation itself does not breach local law.

#### d) External or internal independent audit

This may be where the concerns are about a range of behaviours or generally how children are treated but are not specific enough for an investigation to be made into the conduct of a specific individual or people.

#### e) No further action

**Note:** Such allegations should always be kept for an agreed period of time so that if further, more specific, allegations are made it may be used as evidence in future investigations. Or if repeat allegations are made the agency should consider reiterating community and staff awareness of safeguarding measures, policies and codes of conduct.

## Some key questions to help with decisions

**The threshold for which course of action has to be considered for every individual situation.**

Here are some points to consider if thinking about whether an investigation should be escalated internally or should be referred to an independent agency:

- Have there been previous allegations of a similar nature?
- Has the alleged perpetrator got a criminal record?
- How were these allegations dealt with? Was the service/programme/agency responsive and what interventions did they deliver? Can clear records be seen?
- If the previous incidents have been of a similar nature, when is it ok to just review these rather than open a new investigation?
- If the allegations are repetitive is the concern still valid and have any interventions not what interventions did they deliver? Can clear records be seen?
- If the previous incidents have been of a similar nature, when is it ok to just review these rather than open a new investigation?
- If the allegations are repetitive is the concern still valid and have any interventions not been effective? Is it negligence or poor local management and requires more senior attention and action?
- Has the allegation or previous allegations been minimised or hidden, or has the organisation not taken or accepted any responsibility to follow it up?
- What are the timeframes of the allegations? Are they years apart or months? Does this reflect that they are related or not?
- What is the position and status of the staff member/volunteer who the allegation is about?

**All child abuse allegations are serious and the following should be considered when thinking about what action to take:**

- What is the impact on the child/children if the allegation is substantiated?
- What is the cultural context within which the abuse has taken place? This should never
- be used as an excuse for not undertaking an investigation.
- Have human rights or children's rights been violated if the allegation is substantiated?
- Is the abuse about poor practice or misconduct?
- Is there a malicious intent behind the abuse or to meet the needs of the perpetrator?

# Managing the investigation of a child safeguarding allegation

Following a decision to investigate, the manager should next consider how to best establish an investigating team and consider the following issues.

## Conflict of interest

The manager needs to consider if anyone currently involved, aware of the complaint, or who they have to notify, has a conflict of interest. A conflict of interest means a situation where someone who is or will be aware of the investigation is either included in the allegations as perpetrating the abuse or has a personal, professional or intimate relationship with the person/people who the allegation is against or with a victim of the abuse.

If there is a conflict of interest the individual may not be able to remain objective and neutral in any decision making. It is always worthwhile asking individuals, as they may not immediately recognise any conflict of interest until it is discussed. If any conflict of interest is declared you will need to consider how to manage this. If it cannot be resolved then it must be escalated to senior management for resolution.

If someone is aware of the allegations and has a conflict of interest, you must immediately advise them of the need for confidentiality and ensure they do not contact any of the people involved. This means they must not verbally, via email or on social media talk about the allegations. You must get their agreement of this in writing. An email is sufficient for this purpose.

Be considerate of what the conflict of interest is – the relationship may be personal or professional and even intimate. The individual may therefore need some support in managing their emotions and how they will manage the relationship during the course of the investigation.

The manager or senior manager may have a conflict of interest if they have previously investigated concerns about the individual or situation, or it is apparent they have not managed previous concerns satisfactorily.

**There are occasions when undue pressure may be put on managers from external sources such as business leaders, political leaders or ruling families. In this case, it is essential that external support from child safeguarding organisations is sought to ensure children don't continue to be left at risk.**

## External referral for investigation

If the allegation is passed onto external authorities for an investigation, there is still an internal management role to deliver.

### This will include:

- Ensuring immediate safety of alleged victim/s, perpetrators, family and associates.
- Liaising and collaborating with the investigating authority. This means being available for telephone/videocalls and meetings; providing information; ensuring you are informed of the investigation plan and kept informed of progress and any outcomes.
- Providing access to your organisation's documents, records and staff.
- Making cover arrangements for staff involved in the investigation.
- Providing logistical and administrative support for any investigation team.
- Managing internal communications and staff morale.
- Developing an external communications plan in agreement with the investigating authority.
- Making decisions about suspension of staff, and involvement of Human Resources in the process.
- Consideration of disciplinary proceedings against any staff alleged to have caused concern or harm.

## Managing and sharing information

Research and experience have repeatedly shown that keeping children safe from harm requires individuals and agencies to share information. Often all the different pieces of information need to come together before the seriousness of any concern becomes clear. Complex abuse investigations should be undertaken as a joint operation involving any criminal agencies of the countries where the abuse took place and the perpetrator's country of origin or home, your organisation, any other employing agencies and any other specialist agencies.

Investigation teams should have visible support from the most senior strategic managers in any agencies involved, and where necessary access to child safeguarding specialists. It is for each agency to determine their representative. These individuals must be empowered with full decision-making authority (e.g. in the allocation of resources).

# Managing the investigation process

## Appointing the investigation team

If the organisation decides to conduct an internal investigation, senior management will need to appoint an investigation team. It is usually made up of managers and investigators and, in some cases, observers, interpreters and outside experts. Managers are the decision makers who commission investigations but are not directly involved in conducting it. Investigators conduct the investigation, review all collected information and write an investigation report. In choosing the individuals to undertake these tasks, a senior manager will need to consider the size of the team, their qualifications, Terms of Reference (TORs) and the budget for the investigation.

## Managers

Every investigation team has at least one investigation manager directly supervising the case. This may or may not be the designated child protection/safeguarding officer. They will report to other more senior managers on a 'need to know' basis. It is not necessary for every manager in the hierarchy to know about the investigation.

## Responsibilities of investigation managers

The investigation manager's responsibilities are to oversee the investigation, take strategic decisions and create the conditions for investigators to do their work.

### This includes:

- Making the key decisions about the direction of the investigation, such as whether to investigate or whether to suspend or redeploy the SOA during the investigation.
- Ensuring that safety and confidentiality plans are implemented and that the investigation is conducted according to key principles and procedures.
- Liaising with external institutional stakeholders, such as national authorities and other agencies.
- Appointing personnel to the investigation

team and managing the relationship between the investigation team and the rest of the organisation.

- Receiving the final investigation report on behalf of the organisation and, if the complaint is substantiated, determining if disciplinary measures are appropriate.
- Ensuring that investigators are trained, supervised and referred for emotional/psychological support when necessary.
- Ensuring that risk assessments are undertaken and regularly reviewed, and that they take account of risks to all, including alleged perpetrators, child or other witnesses and investigators or consultants.

## Qualifications of investigation managers

Managers should be chosen on the basis of their integrity, understanding of child safeguarding, knowledge of human resource practice and ability to negotiate conflicting interpersonal and institutional interests.

## Investigators

Ideally two investigators accompanied by an external consultant will work on every investigation. If only one investigator is available, the investigation manager should also appoint an independent observer to sit in on interviews and provide the investigator with feedback and support. It is also helpful to have a gender balance to accommodate requests and sensitivity when interviewing witnesses.

## Responsibilities of investigators

Investigators are responsible for the day-to-day conduct of the investigation, as defined by TORs.

### Their responsibilities include:

- Developing the investigation plan.
- Identifying who they want to interview.
- Assessing and making recommendations on safety and confidentiality.



- Securing and gathering different forms of evidence.
- Making recommendations on the work status of the subjects of the allegation for the duration of the investigation preparing and submitting the report.
- Drawing conclusions about whether the initial allegations have been substantiated, based on evidence, and if not why not.
- Making recommendations on any key things (environmental, culture, management and other issues) that may have contributed to the issues and that should be addressed as part of an action plan.

Each member of the investigating team should sign a confidentiality agreement. The manager may also need to issue a letter of authority, which gives the staff member the role and power to undertake the investigation. Appendix 2 has a sample letter of authority and contract for investigators.

### Qualifications of investigators

At a minimum, investigators must be experienced, professional, responsible and independent. If they are internal to the organisation they must be independent to the region and case so there is no conflict of interest and be able to exercise sound judgment and exhibit skill. They need to be personally accountable for the decisions they take throughout the investigation, have experience in interviewing (including with children) and (at least) trained in conducting similar types of investigations. They should have no material, personal or professional interest in the outcome of the complaint and no personal or professional connection with any witnesses, especially the complainant and SOA.

### Interpreters

Ideally, investigators will speak the language of most of the potential witnesses. If this is not

possible, they should choose an interpreter who is competent, discrete, independent and appropriate. In addition, the interpreter must understand the nuances of witnesses' language, including local slang and veiled allusions to sex or other abuse. Moreover, interpreters must sign a confidentiality agreement and should be relied on to maintain that agreement. Interpreters must be instructed to interpret directly what witnesses say without comment or inference.

### Other experts

Sometimes managers should consider taking expert advice or assistance. Commonly these will be computer specialists, lawyers with in-country legal expertise, specialists in interviewing children or people with disabilities or psychologists. Confidentiality agreements should always be signed.

## Commissioning external expert consultants/investigators

When commissioning independent investigators, managers should always ensure the work is supported by a comprehensive contract.

### The key things to include are:

- Timeframes - How long the investigation will take, what is a realistic end date. It is always good to establish this at the start and have a project plan to aid the process.
- Number of days.
- Key milestones.
- Contingency plans if investigators are ill or other delay such as court/ criminal proceedings.
- Any limitations.
- Process for quality assurance and sign off.
- What to do if there is disagreement between the organisation and the investigators.
- Clarity about ownership of report.
- Expectations about final report style, format

and structure, and how it will be submitted.

- If an executive summary is required.
- How family contact will be managed.
- Media involvement and expectations about any contact with the press.
- How confidentiality will be maintained? Do they have secure email, insurance, etc.?
- Risk assessment and support needed to ensure safety of all involved.
- Any additional support required to help with logistics.
- Process for planning, reviewing, ending and debriefing.

## Roles and responsibilities of the investigator

**The following are key roles and responsibilities to be performed by the investigator/consultant during the investigation:**

- Comply with the TOR and deadlines.
- Comply with the commissioning organisation code of conduct, safeguarding policies.
- Inform the named senior manager immediately if there are new cases of suspected abuse or violations of internal guidelines that indicate children may no longer be safe in the project environment.
- Guarantee availability throughout the duration of the assignment.
- Adhere to the core principles of investigation, including confidentiality, interact with all relevant persons and visit the child's environment personally.
- Use appropriate methods during investigation, in particular during interactions with the affected child, the accused person and other relevant persons from their environment.
- Seek agreement and approval of all necessary changes/adjustments occurring during the assignment from the commissioning organisation.

All investigators should sign a declaration of interest that commits them to the boundaries of the investigation and specifies that they will not face prejudicial treatment because of their role.

## Information on the allegation or serious incident

Investigators/consultants must be provided with all relevant information about the suspected allegation or complaint. All information given below should reflect the actual allegation with as much detail as possible to enable the independent investigator to understand the case.

**The following applies to both internal investigations or to those concerning partner organisations:**

- Information on suspected case reported.
- Information received on the case and which steps have been taken so far (e.g. has an initial assessment taken place, are any staff suspended, who knows what?)
- Whether there are any criminal processes running in parallel which may impact on the internal processes.
- Information about the project, school, institution or programme and its relationship with your organisation.
- How long the agency been associated with the investigating organisation, if it is not an internal project and the type of work it does, culture, size and who are the beneficiaries.
- How is it funded?
- Comment on whether the organisation has any safeguarding standards, child protection policies and a robust child protection system in place?
- If it is a partner organisation are they willing to participate in the investigation? Have any other known cases of abuse occurred before?
- What is the dependency level of the project with the investigating organisations?

### Information about project type and beneficiaries:

- Is it an institution-based organisation? E.g. hostel, school, children's home?
- Where do children live? Who are their care-takers?
- When did the project start? When will it end, how is it funded?
- Numbers of staff, volunteers etc.

### Planning the internal investigation

The management role of an investigation is to determine that correct practice and procedure are being followed and applied at all times. You should convene a planning meeting so that all aspects of the investigation can be covered. The investigators should attend this meeting and present an outline of the process they will follow.

### Core principles

When conducting the investigation, the following core principles should be upheld. All investigations should be child focused to ensure that children's best interests and safety are of paramount importance. It is your role to oversee that the principles of best practice are applied. The key principle is that the safety and wellbeing of children must be the most important factor in any investigation. It is essential that the risk to them, or their families, be considered alongside other risks to witnesses, suspected perpetrators or other staff or consultants, including the investigators.

**These principles need to be considered at every stage of the investigation.**

There may be specific questions the manager will need to ask about any activity in the investigation to assure that the principles are being applied.

#### Confidentiality

1

Information should only be disclosed to a limited number of specified people on a need-to-know basis. Arrangements should be made for secure transfer and storing of information. There should be a plan to respond to any accidental disclosure of information.

#### Safety paramount

2

The safety and welfare needs of the victim/survivor and/or complainant are paramount. The safety of the investigators/investigation team should also be considered.

#### Competent, responsible, independent investigators

3

People conducting investigations and preparing reports should be responsible, independent, qualified and have received training.

#### Impartiality

4

Investigations must be conducted in a fair and equitable way. Investigators must be free of any influence that could impair their judgement.

#### Objectivity

5

Evidence to support and refute the allegation must be gathered and reported in an unbiased and independent manner.

#### Timeliness

6

Investigations must be conducted and reported in a timely way.

#### Accuracy and documentation

7

Investigation reports and their conclusions must be accurate and supported by adequate documentation.

# Terms of reference (TOR) and scope of investigation

The main objective of the investigation is to reduce risk of harm to any children currently and in the future.

## To do this the investigation must assess:

- Whether the allegation is substantiated or not.
- Whether internal guidelines/codes, policies or procedures are violated.
- What the legal basis is of the investigation, and if any criminal legislation may have been breached.
- Whether there is any additional learning for the organisation or other risks.

Each investigation will need to establish its own specific TOR, which may focus on specific questions, related to the case. Any investigation should also address the environment and context in which the allegation has taken place, such as working conditions, management culture, team culture, staffing, previous history, relationship with local community, legal context. Where an internal investigation is to be conducted, it is essential that the process is as rigorous, fair and impartial as possible.

Each investigation should establish clear aims and objectives for the investigation process to clarify the purpose and scope of the investigation.

## The investigation should aim to:

- Establish the facts of the particular case in order to be able to prove or disprove the allegation.
- Find out if the Child Safeguarding Policy/Code of Conduct has been breached.
- Determine the protection needs of the child/ children. It will be helpful to comment on treatment, health and psychological condition of children in the project/programme/ home/ school.

## In addition, the investigation may also:

- Identify aspects of programme delivery or performance that increase risks of abuse or exploitation by staff and if there are other causes for concern about the way children are cared for.
- Inform subsequent action such as recommendations for appropriate disciplinary action and/or improvements to organisational practice and procedures.
- Identify if a criminal offence may have been committed. It is important to remember that this is an internal administrative procedure and should not be seen as a substitute for a criminal investigation when this is warranted.
- Provide recommendations on any further steps that are necessary to take.
- Highlight issues relating to poor practice/ performance/staff competency and behaviour towards children.

## Methodology

The methodology must be agreed with the senior manager who commissions the investigation and take due account of the country context, vulnerability and age of the victim/s. The methodology must aid maximum participation, especially if the victim or witnesses have specific learning or language needs. If additional support or interpreters are required these must be independent of the project and community in order to ensure safety and independence. The investigator must be confident in the use of tools to aid communication with children and adults.

In carrying out an investigation a range of methods should be considered to gather data and evidence.

## These might involve:

- One-to-one interviews.
- Focus groups with staff.

- Focus groups with children.
- Family and community visits.
- Site visits to residential homes, camps, projects
- Detailed examination of any agency files and case records.
- Using letters, questionnaires.
- Observation of staff at work, in the classroom.
- Setting up anonymous helplines.

### Parallel processes

An investigation must take account any other parallel processes, whether they be disciplinary, or criminal. It is vital that interviews with key witnesses or alleged perpetrators do not conflict with criminal processes and risk affecting any criminal outcome for successful prosecution. Senior managers and legal advisors must be consulted and where necessary await the outcome of criminal investigations before commencing any internal investigation.

### Lines of inquiry – establish what questions need to be asked and of whom.

Investigators must have systems to confidentially manage, gather and store hard copy and electronic records. In managing investigations you will need to ensure the investigator has sufficient systems in place to gather documentary evidence.

If your organisation or the investigation does not have sophisticated electronic systems or capacity due to the context of the investigation, you should be clear about what record keeping you do and how, what the investigator team will do and endeavour to ensure these guidelines are applied. It is also worth checking what record keeping systems and standards any other agencies you are working with use so you can understand what might happen with any sensitive data you share with them. Throughout the investigation, investigators will need to consult documents – in hard copy and electronic form – to identify documentary evidence.

### Setting clear timeframes

Investigations need to be conducted in a timely way that is proportionate to the risk assessment. There are many considerations to be taken into account but it is the welfare of victims and conducting an effective investigation that is paramount. Be aware of drift where actions are planned in the future or the investigator's availability is not confirmed.

You can use the *Management Checklist and Log* in **Appendix 3** and **4** to track your decisions and actions following receipt of an allegation.

### Limitations to an investigation

The TOR should highlight any circumstances that might hinder the investigation process.

Child safeguarding allegations can be very complex to investigate and it is difficult to get clear evidence that provides an absolute answer to what has taken place.

The investigation may lead to the agency reaching a position based on the balance of probabilities. This may be because there are no witnesses to corroborate the victim's allegation or any physical evidence. There may be contra indicators about a SOA character, which do not support an allegation that they are guilty of child abuse. The allegation may also not be detailed due to the victim's recollection being affected by trauma or time.

### There may also be constraints on the investigation which will have an impact on what it can achieve:

- Legal constraints – locally, nationally, internationally of criminal, employment, human rights.
- Procedural constraints – within the organisation policies and procedures, contracts with individuals.

- Practical limitations – organisational capacity in appointing an investigating team, environmental factors in emergency situations, safety concerns for investigators and others.
- An investigation is not a prosecution and the outcome can only report on the evidence and the professional analysis of this evidence.
- External pressure to shut down investigations.

## Obtaining and securing evidence and keeping it secure

Evidence may come in a variety of forms, physical, medical and through different communications tools e.g. laptops, mobiles, cameras and from social media sites. Written evidence is all information that is relevant to the complaint and that is recorded in some way in physical form. It includes staff records, rosters, photographs, diagrams, handwritten notes and information stored electronically. It is important to use it to help establish facts, dates, times and corroborate witness accounts. It may also provide background details and information that helps when preparing to interview witnesses.

Confidentiality is essential so a manager will need to specify how evidence can be stored safely, where and by whom

### Who has relevant documentary evidence and who can access it?

The organisation and its related entities will hold most relevant documents on their premises. If investigators cannot find relevant materials there, they should check whether documents have been moved, destroyed or archived. Otherwise, if they have good reason to believe documents are in the possession of a staff member, the investigators may ask for access to those materials. A letter of authority from a senior manager may help investigators access materials.

### When should documentary evidence be collected?

If the initial assessment has not done so already, managers and investigators should begin collecting documentary evidence as soon as possible in the investigation, as it may inform decision making about whom to interview and what questions to ask.

### Where should documentary evidence be collected?

Whenever possible, documents should be reviewed onsite. If this is not possible, the manager should designate a trusted staff member to find, copy and send the documents to the investigator.

Alternatively, if original materials are removed from the premises, the Head Office Manager should be told of this and given a signed inventory and receipt for the materials. The receipt is a record that materials have been handed over to the investigation team, as well as the investigators' record of the documents reviewed. It should include a description of the materials, the name of the person who supplied or accessed them, the name of the office where they were kept, the date and time they were removed and the place they were removed from. A copy of the inventory receipt should be kept in the investigation file and another given to the relevant person at the office where they were found.

### Special considerations for collecting electronic 'documents'

Computerised information (such as codes, saved files, digital photographs) may also be documents relevant to the investigation. When handling electronic documents investigators should:

- Ensure that whoever obtains the electronic evidence has sufficient computer skills to completely and safely extract the data.

- Make a list of the computer's components, including the make, model and serial number of the monitor, computer, disk drives, cables and speakers to avoid the destruction of evidence.
- Store seized equipment in a safe and secure location.
- Only ever log onto or browse computer directories and files with the relevant staff member present, although usually network drives and e-mail servers can be reviewed without the staff member.
- Record the 'chain of custody' including the names of those present when information is accessed, the time of log-on and filenames and pathways.

### How to review and manage documentary evidence

In order to ensure that documents are not lost, and that you have evidence of where you have established information, it is important to keep a record of your sources.

#### For every document, it should be possible to establish:

- Who provided it (name and contact details).
- Where it was located (address and details of how it was kept).
- When it was retrieved (date and time).
- What it is called (title, identifying number and date created).

This information should be recorded on the receipt given to the owner or custodian of the document. A copy of the receipt should be kept on the investigation file. All documents must be returned as soon as the investigation has closed.

### Best practice tips for reviewing documents

Be systematic – before the review, investigators should devise a process for analysing documents and then apply that process to each document.

They should include:

A system for making notes, as this helps with concentration and saves time when preparing for interviews and writing the report.

- Be analytical – the purpose of reviewing the documents is to determine whether they prove or disprove the allegation. It is helpful to write down the elements of the allegations and keep it in a prominent place while conducting the review.
- Be suspicious – when reviewing the documents, investigators should be alert to internal inconsistencies and to references to other relevant evidence. It is particularly important to check dates, addresses, carbon copies and attachments. Investigators should look for postdating and consistency with other dates in the investigation. If the document refers to attachments, investigators should make sure they are enclosed or can be located.
- Be impartial – investigators should review documents with an open mind as to their significance so as to avoid missing important information.

# Risk assessment and management

The manager needs to manage the risk assessment. Risks will present, increase and reduce at different times during an investigation. Risk assessment and management is an on-going process through the investigation and is not just a one-off action. The manager should review and update the risk register every week and consult with the investigative team to provide updates. Even if there is no change, the manager should record that it has been reviewed.

## Dynamic Risk Mapping

Risk Mapping (example below) is a tool for risk identification and prioritisation, assessing risks in terms of impact (severity) and likelihood. It is extremely difficult to quantify risk at any one time but this tool can assist in thinking through what to focus on, at any given time. The formula uses multiplication of the likelihood of the risk actually happening against what the impact will be if it does happen. The higher the number the greater the risk.

Risk Mapping table

Impact	Unlikely to happen 1	Possibly could happen 2	Likely to happen 3
Critical 3	<b>Medium Risk</b> (3x1=3)	<b>High Risk</b> (3x2=6)	<b>High Risk</b> (3x3=9)
Major 2	<b>Low Risk</b> (2x1=2)	<b>Medium Risk</b> (2x2=4)	<b>High Risk</b> (2x3=6)
Manageable 1	<b>Low Risk</b> (1x1=1)	<b>Low Risk</b> (1x2=2)	<b>Medium Risk</b> (1x3=3)

The table uses multiplication of row by column.

## The Headline Risk Register is intended to:

- Identify key risks, considering their significance, their likelihood and their root cause.
- Record the existing controls.
- Consider the controls gap, highlighting what controls were/are to be implemented.
- State who is responsible for ensuring the gap is being addressed.
- Set a timetable for actions.
- state who will be responsible for reviewing the particular risk and when.

### Example 1

#### Alleged perpetrator finds another job with access to children = 1

Impact	Unlikely to happen 1	Possibly could happen 2	Likely to happen 3
Critical 3			
Major 2			
Manageable 1	1		

**Reason for rating:** It is a manageable risk as the investigating agency can inform the new employer of the concerns. It is unlikely to happen as the employee is currently suspended and understands the seriousness of the investigation. Any employers will ask for a reference and can be advised of current suspension.



Example 2

**Victim's family has threatened to kill the perpetrator = 3**

Impact	Unlikely to happen 1	Possibly could happen 2	Likely to happen 3
Critical 3	3		
Major 2			
Manageable 1			

**Reason for rating:** The threat and impact is critical if it actually happens. However, it is unlikely to happen as the perpetrator now lives in another country and the family do not know where he/she lives.

**Risk register**

All the risks identified can be recorded on one register. This needs to be reviewed regularly – which might be daily or weekly depending on the pace of the inquiries and changing circumstances. If new risks emerge they can be added and if a risk is no longer an issue it can be removed.

— See **Risk register example** (page 26).

Risk register example

Impact	Rating	How and when risk identified	Controls	Gaps	Timescales	Who is...?
Example 1 <b>Alleged perpetrator finds another job with access to children</b>	2	Planning meeting	Line manager to keep in regular planned contact with suspended member of staff to monitor.	Perpetrator may lie about any contact with children.	Ongoing	MANAGING
Example 2 <b>Victims family have threatened to kill the perpetrator</b>	4	Emailed received from Mr. Wallier on 16/03/2015.	Maintain confidentiality of perpetrator's location and address.	Ex-colleagues may disclose whereabouts. Issue reminder about personnel confidentiality to all staff.	Immediately	MANAGING
						REVIEWING
						MANAGING
						REVIEWING
						MANAGING
						REVIEWING
						MANAGING
						REVIEWING
						MANAGING
						REVIEWING

# Specific needs of children and adults

All children are considered vulnerable within safeguarding allegations due to their age and understanding. Investigators need to ensure they identify and manage any specific needs children might present. Some adults may be vulnerable or have specific needs that need to be considered within the investigation.

**This may include:**

- Mental health
- Physical impairment
- Sensory impairment
- Learning disability
- First language or communication system needs
- Religious considerations.

The specific needs may not be immediately obvious or known. Investigators need to record that they have made enquiries about specific needs and recorded that they have asked.

This should also include the needs of the alleged perpetrator. If needs are identified, investigators need to make sure any interviews with children and adults are sensitive to the specific issues, for example, using language and words that the child will be able to understand or using sign language, or ensuring an adult with learning disabilities understands the purpose of the interview and investigation.

## Protection plans

Witness protection has to be of paramount consideration when undertaking child-safeguarding investigations. Experience has shown that in some circumstances children, the SOA, and other witnesses, as well as the investigators themselves, may be at significant risk, and in the most extreme circumstances killed, if there are not robust protection plans and risk assessments in place to ensure their safety and security.

There should be an investigation protection plan drawn up to include all witnesses, SOAs and other staff or investigators who may be at risk. The table below could be adapted. Any risk should be regularly reviewed and risk levels adjusted.

Protection plan risk table

<b>Person at potential risk</b>	
<b>Description of risk factor</b>	
<b>Risk significance HML</b>	
<b>Mitigation strategy</b>	
<b>Actions/ response or resource needed</b>	
<b>Review date</b>	

# Historical child abuse allegations

Adults and children often make allegations of child abuse many years after the abuse has occurred, particularly when they know the abuser. There are many reasons for an allegation not being made at the time, including fear of reprisals, the degree of grooming and control by the abuser, shame or fear that the allegation may not be believed or not understanding that what was happening to them was abuse.

There have been many developments in understanding how children are abused and what good child protection practice should look like. Increasingly we are hearing about high profile cases in the media of religious leaders, celebrities, teachers and humanitarian workers who used their positions of power to abuse children many years ago.

Some adults are now coming forward to disclose abuse they suffered as a child, as they feel they are more likely to be believed now. Some individuals will want justice and, depending on the context and their culture, 'justice' can have different meanings. It might mean they want to see a criminal prosecution, or that the alleged perpetrator is no longer abusing children or committing recommitting acts. It is therefore important to consider motivations behind historical allegations and be sensitive to someone's expectations as to any outcomes that can be achieved.

The fact that an alleged abuse happened in the past means that the opportunities and possibilities of securing viable evidence have reduced. For example, tracking down witnesses may be impossible or they may have died. The difficulty in investigating evidence does not mean the allegations should not be taken seriously and followed up with rigour. There have also been developments in forensic science which means that evidence that couldn't have been used 20 years ago, e.g. DNA, could now be used as evidence.

## Specific issues for managing a historical child abuse allegation

When an adult discloses childhood abuse, the person receiving the information should record the discussion in detail.

### **If possible the following information is helpful to learn as soon as possible:**

- The whereabouts of the alleged abuser.
- Whether the alleged abuser has current contact with children, in what capacity and where.
- The dates of when the abuse took place.
- The type of abuse.
- If the person making the allegation wants crime agencies to be informed.

The decision making about next steps should follow your organisation's procedures, but in cases of historical abuse, legal advice and consultation with the child safeguarding officer and senior managers must be sought.

## Other issues that may be identified within historical abuse allegations:

- The alleged perpetrator no longer works for your organisation. It is advised to undertake as many enquiries as possible to ascertain the alleged perpetrators whereabouts so that their current employer or local crime agency can undertake a risk assessment and any investigation. The allegation and as much information known by you should be passed on to any current employer or crime agency.
- In some countries there is legislation which makes it mandatory to report child abuse (or any crime). However the main consideration for your actions should sit within the UNCRC and a moral obligation to take action on child abuse, no matter how long ago it occurred.
- The alleged perpetrator is dead. This does not mean no enquiries should be made to follow up the allegation. Other adults may have been complicit in the abuse and should be investigated. Organisations' systems or child care practice could be improved by learning about how abuse took place.
- Nobody believes the allegation could possibly be true. Often because the allegation is about events that took place years ago, human nature is even more likely to not want to believe it. Sometimes people think 'they would have known at the time' or 'the alleged victim should have said something earlier if it was true'. This can make managing historical allegations even harder and requires even greater integrity and applications of procedures.
- The alleged victim doesn't want any more action. It can be a complex process for an individual to understand abusive experiences, know that they are safe and what can be done about alleged historic abuse.

An individual may make a disclosure and then withdraw it. You should give due consideration to the support needs of the alleged victim and direct them to other agencies who can help them. It might take an individual time to have the courage and strength to follow up an allegation. This should not be interpreted as any sign that the allegation is less reliable or important to be followed up. It is a delicate balance about

*Other issues that may be identified within historical abuse allegations*

managing the alleged victim's wishes about further action with the need to ensure children are currently protected from any potential risk the alleged perpetrator presents.

These issues all need consideration and the documenting of decisions made through following the decision-making flowchart.

- The alleged abuse took place within a service, operation or institution that no longer exists. There are many places and contexts abuse may have taken place, for example, a refugee camp, a school or children's home that are no longer operational. The same principle still applies about learning of any systems or practice to prevent further abuse allegations and/or ensuring the alleged perpetrator does not present any current risk to children.

# Complex abuse

Cases of organised abuse are often highly complex because of the number of children involved, the serious nature of the allegations of abuse, the need for therapeutic input and the complex and time consuming nature of any consequent legal proceedings.

Such cases usually require the formation of dedicated teams of professionals from agencies such as the police, local child protection agencies or independent agencies to undertake the investigation.

This may not always be possible due to the country context and situation but managers should always consider this and record the reasons for your decisions.

Where staff, consultants or volunteers are implicated as suspected perpetrators of abuse, it is imperative that their line managers are not represented in either the strategic management group or the investigation team. An early mapping exercise to determine the scale of the investigation should help to identify such individuals.

It is recognised that those who commit sexual offences against children often operate across geographical and operational boundaries and this guidance takes into account the involvement of more than one country/organisation.

Where an allegation involves a post holder who has a specified role within these procedures, the referrals must be reported to an alternative (more senior) manager.

## Institutional abuse

Institutional abuse is the term that is used to describe maltreatment of children from a system of power. The consideration for managers of serious allegations is to ensure inquiries, investigations and conclusions look not only at

people as perpetrators of abuse but also systems and practice that may have contributed to the abuse.

**The definition of institutional abuse includes neglect, emotional, physical and sexual abuse, and effects of programmes working below acceptable service standards, or relying on harsh or unfair ways to modify behaviour**

Institutional abuse occurs when the routines, systems and regimes of an institution result in poor or inadequate standards of care and poor practice. It can take the form of an organisation failing to respond to or address examples of poor practice brought to their attention.

Institutional abuse can be divided into three categories:

- **Overt abuse** - is overt physical, sexual or emotional abuse by a worker responsible for the care of a child, similar to familial abuse.
- **Programme abuse** - unique to an institutional situation, in which a programme operates below acceptable conditions or the improper use of power to modify the behaviour of a child.
- **System abuse** - involves an entire system that is stretched beyond capacity, and causes maltreatment through inadequate resources.

These issues range from personal abuses to situational maltreatment, and differ greatly in their causes. Most institutional abuses are the result of difficult and stressful working environments, where those with the least training often have the most contact with the recipients, and have the hardest schedules, least payment and most undesirable working conditions.

The high-stress working environments of workers combined with other institutional practice of poor hiring and screening of workers can create abusive situations through lack of experience or knowledge on the worker's part.

Lack of proper training for workers can conflict or hurt institutional goals for recipients through improper implementation of programmes. In overstressed situations, power over children can bring feelings of control and significance, leading to stress being a predictor of abuse in institutional and familial settings. Isolation or breakdown of community, for example, in a natural disaster, can have similar effects.

Another institutional contributor is a lack of organisational goals or policy. For example, in childcare situations lack of curricular recreation for children can lead to more acting out behaviour, causing more stress for workers and more inclination toward mistreatment. With some institutional abuse it is proposed that the cause rises from system failure, causing frustration and lack of control, not intentional maltreatment

There is a lack of state legislation defining or prosecuting institutional abuse, leading to difficulty in investigating or dealing with abusive situations.

Always consider what organisational and systems learning can be taken from investigations into serious child abuse allegations.

## Complex or organised abuse

In the most serious cases, perpetrators concerned may be working together to abuse a child/ children, or communicating via social media/networks.

One or more adults may be involved and they may be using an institutional framework or position of authority to recruit children for abuse.

It reflects, to a greater or lesser extent, an element of organisation on the part of the adult/s involved and may involve:

- The development of an organisational culture of fear that makes challenges by other staff,

the community or children difficult.

- The giving of food, other rewards (phones, internet access) or essential items in return for sex.
- Child sexual abuse networks where adults plan and develop social contacts with children for the purpose of gaining access to them in order to abuse them.
- The production of child abuse images or abuse of children through sexual abuse and/or sexual exploitation.
- Abuse in residential homes, boarding schools or other institutions.
- Seeking jobs, paid or unpaid with children in less well-regulated organisations, sport and leisure activities and small NGOs/charities in order to gain access to abuse.
- Child labour, early marriage.
- An internal system of rewards, rituals and punishments that children and adults participate in and becomes part of the accepted culture of the organisation.



# Human resource processes

As an employer you have a duty of care to any worker where an allegation of child abuse involves them.

You should involve and consult your organisation's human resource manager to consider the following:

- Does the allegation constitute reason for disciplinary processes to begin? This does not assume guilt but you should not wait until the end of an investigation to consider disciplinary policies. A disciplinary procedure can run parallel to an investigation and any action be reversed or implemented dependent on what the investigation finds.
- Does the allegation mean the individual should be given different duties or suspended from their job pending further enquiries?
- How can you ensure that the investigation process is timely and that staff and associates and victims are not left without resolution to allegations for too long a time period?

**Always remember the organisation's responsibility of duty of care to all staff members, whatever their involvement or role in any investigation. The work can be risky and it is imperative that risks to investigators, both internal and external to the organisation, are considered.**

The *Risk management matrix* in **Section 6** should be used to identify risk to investigators as well.

For administrators who may have to attend meetings or type records that have distressing content, appropriate debrief support should be provided.

# Quality assurance and management oversight

Template letters for the formal notification of the investigation and the process for staff, children, other witnesses and alleged offender can all be found in **Appendix 9**, and in the **Frequently Asked Questions (FAQ)** sheet. There is also a tool for managers to log actions and keep a record of the process of the investigation.

— See *Appendices 3 and 4 (page 43 and 49)*.

## Applying the standards and criteria locally

Keeping Children Safe Standard 3 outlines how expectations might be more difficult or challenging to apply in some countries and local contexts than in others.

### Examples of some of the difficulties that have arisen in applying the standards locally are:

- Reporting abuse to local or national authorities, which may not be straightforward if the reports are not handled properly.  
There are, however, always organisations working nationally and locally that can provide advice on reporting cases, and local mapping will identify these.
- Applying standards of practice which are not supported by national law, e.g. age of consent for sexual activity or low marriage age. Organisations need to remember that the standards of practice are designed to prevent harm to children under 18 years, and staff behaviour is expected to adhere to these standards.

### Reporting procedures

All staff and associates should be alert to signs that may suggest a child or young person is in need of help. Deciding whether to report it can be a very difficult responsibility. The procedure to enable staff to whistleblow or speak out needs to be made widely available to ensure that everyone

is clear what steps to take regarding the safety of children and other witnesses. The first stage is to decide whether the concerns are internal to the organisation or relate to an external situation.

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### When a child safeguarding concern is brought to your attention – ACT:

**Act on your concerns.** If in doubt, speak out!

**Child-centred.** The safeguarding of children is the most important consideration.

**Time counts.** Ensure timely, effective, confidential and appropriate responses to child safeguarding issues.

*From: Child Protection Policy: Reporting and Responding to Child Protection Issues in Plan (Plan International, 2013).*

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### All local reporting procedures need to be developed and agreed with the community and local staff.

If communities or staff are not comfortable or confident in the reporting mechanisms, they won't use them. Consider also other barriers for staff, children or communities reporting abuse and how these might be overcome with appropriate procedures.

The guiding principle is that the safety of the child is always the most important consideration. Any allegation or concern regarding the abuse of a child should be treated seriously, and for this reason it is important for anyone raising a concern to strictly follow reporting procedures. Particular care should be taken in regard to confidentiality and the sharing of information with appropriate people.

The reporting procedures also need to encompass reports being made by children and communities. They will need agreed mechanisms for reporting complaints, which will need to link with an organisation's internal procedure. Examples of mechanisms that children and communities have used to report concerns and incidents are:

- **Designated child safety officers who are trusted by children and communities**  
They could be identified as the people to go to if wanting to report. They could also conduct monitoring visits in communities where they specifically ask about abuse.
- **Complaint boxes**  
These need to be placed where children and communities are comfortable to use them and where they can post their complaint confidentially. If you are encouraging anonymous complaints, remember that these will be hard to follow up without details and may put children at further risk.
- **Helplines**  
Partnering with organisations offering helplines means you can offer this service to the children and communities where you are working and where these helplines have been assessed as safe and effective. The helpline will need to agree in its partnership that complaints which relate to the organisation need to be reported to the organisation, as well as the local authorities.
- **Community child protection mechanisms**  
These need to function well and therefore work best if supported by the local authorities or organisations specialising in child protection. These mechanisms can be encouraged to receive reports of incidences which involve the organisation, and to report to the organisation as well as the formal authorities.

## Ways of providing evidence

- Risk registers which have recorded risk assessments and mitigating strategies.
- Information from local mappings.
- Reporting flowcharts for offices and partners.

## The manager(s) role in decision making

The manager role is not to re-investigate but to act as the quality assurance around what action is being taken, why and how the outcome or conclusion has been reached. It is an active role at every stage, from receiving an allegation through to completion of an investigation report.

### Here are some key areas to be aware of:

- Investigators are human beings and can make mistakes. Always ask the questions that arise – even if they are repetitive.
- Always seek advice from external experts if you are not sure about something. Keeping Children Safe can provide support and advice for organisations undertaking child abuse investigations or help signpost you to someone who can.
- It is the manager's role to review and decide if an investigation plan needs to change.

Do not continue with a particular action just because it was agreed this should be done. Investigations can change as new information is discovered and this can include stopping the investigation or escalating it internally and or externally.

## The quality assurance role

Managers need to consider their own level of experience and competency in taking on this role and therefore how much quality assurance is required. Some experienced managers with

the understanding and trust of experienced investigators may only need weekly summaries and updates of progress. Other managers may want daily updates to satisfy themselves that the investigation is making progress.

Managers need to have a clear understanding of the investigation plan and agree with the investigation team how quality assurance will be completed.

With new investigators, managers may want to be sent copies of running records, interview notes or intermittently review documents to ensure correct process is being followed.

Managers need to consider the size of the investigation, the capacity they have and how they can assure themselves and the organisations, that the investigation is adhering to guidelines and best practice.

This role can be time intensive and must be factored into the manager's calendar to ensure dedicated time is given to this role.

Administrators and support staff also need to be clear how they should support managers. For example, in monitoring emails and knowing what to bring to the manager's attention and when.

### **Template for report structure, limitations, process for sign off and case closure**

It is important to agree on a structure for the final report with the investigators, so that everyone is clear what format it should be written in. Some organisations will have developed these themselves, but if not then the following structure is recommended. It has been devised using drafts shared from a variety of sources, including SOS Children's Villages International, CHS Alliance and Kindernothilfe.

.....

### **The investigation report should:**

- be written in a clear and concise way, in plain language
  - outline the reason for the investigation and principles upon which it was conducted
  - give a summary outline of the complaint, who it was made by and who it concerns (confidentiality may be an issue so a number or letter code may be needed to preserve individuals' anonymity)
  - specify the terms of reference and scope of the investigation
  - give details of who has conducted the investigation and their professional status and independence
  - outline methodologies and processes used, who was interviewed and what other documents and data have been viewed
  - present evidence to support or refute the allegation (where such exists)
  - evaluate evidence against specific breaches of codes of conduct, policy, procedures or good practice
  - separate fact from opinion
  - provide sufficient evidence to back conclusions and recommendations
  - be produced according to agreed timeframes.
- .....

A template for the final report is found in **Appendix 6**.

### **Ombudsman and appeal process**

Each organisation should have an appeal process which should be made known to any staff member, or person who has undergone an internal investigation or raised a complaint of a child safety allegation and is unhappy with the outcome.

# Learning and improvement action plan

Every investigation, whether the allegation is proven or not, should have an action plan that relates to wider findings and any organisational learning that might help improve safeguarding practice.

**Appendix 7** has an example of a template that can be used or adapted.

## Appendix 1

### Scoping tool for Terms of Reference

(adapted from SOS Children's Villages International)

### Alleged child safeguarding investigation Terms of Reference

<b>Case title</b>	Investigation on alleged ..... ..... in .....
<b>From</b>	Mr / Ms ..... Position .....
<b>To</b>	Mr / Ms ..... Position .....

#### 1

### Child Safeguarding (CS) concern or incident and background

Brief description of the alleged CS incident or concern, the programme location, the environment and other relevant information that may support the investigation.

## 2

**Objectives and purpose of the investigation**

The investigation to be conducted remains within the scope of the reported incident above and others that may come to light during the investigation in the .....

The objectives of this investigation are the following:

- To interview relevant parties with regard to the allegation.
- To state the facts and findings related to the allegation.
- To prove or disprove the allegations.
- To make recommendations on how to protect the victims and potential victims if the allegation is found to be true.
- To make recommendations on sanctions for alleged perpetrators if they are found guilty in line with the Child Protection Policy, the Code of Conduct, and relevant national child rights legislation.
- To consider and make recommendations regarding any further CS allegations or concerns that may arise during the investigation and their actual or possible harm to children.

## 3

**Investigating team**

Specify the names and titles of the investigating team members (starting with the leading investigator) as well as their roles and responsibilities.

— See page 40.

## 4

**Scope of the investigation**

The investigation strives to find answers to the following questions:

- Who is/are the victims?
- Who are the witnesses, if any?
- Who is/are the alleged perpetrators?
- What exactly happened?
- When and where did it happen?
- Who was present?
- How did it happen?
- Who did, said and/or reported what? And to whom?
- Why did it happen?
- Could it have been avoided?
- Is there any documentary evidence?
- Who else may have relevant information?
- What sanctions or actions were taken or are to be taken towards the perpetrators?

## 5

**Conducting the investigation - methodology**

The methodology for the investigation is defined by the investigation team. However, any investigation needs to cover the following:

Review any existing documentation about the case.

Visit the venue where the allegations took place and study the environment.

Discuss and interview relevant stakeholders, including reporters, victims, witnesses, alleged perpetrators and authorities.

## Appendix 1

### *Investigating team*

.....  
**1.** Mr/Ms ..... Leading CS investigator, position/member association.

As leading investigator, Mr/Ms ..... is responsible for:

- Defining the methodology for the investigation, in cooperation with the other team members.
- Developing an action plan for the investigation to be conducted in .....
- Conducting interviews with the different parties (with the support and in the presence of another team member), ie children and youth, alleged perpetrators, reporter, witnesses and all other persons that are considered important for the investigation.
- Coordinating the writing of the interim and final investigation report.

**2.** Mr/Ms ..... CS investigator, position/member association.

As team member of the investigation team, Mr/Ms ..... is responsible for:

- Supporting in all interviews led by the investigation team for the case mentioned above.
- Supporting the drafting of the interim and final report and its recommendations.

**3.** Mr/Ms ..... investigator/child safeguarding consultant (External child protection authority representative or CS consultant).

As child safeguarding consultant to the investigation team, Mr/Ms ..... is responsible for:

- Providing the team members with support to prepare and conduct the investigation and in formulating the recommendations
  - Supporting the drafting of the interim and final investigation report.
- .....



6

**Investigation findings and report**

The investigation team provides the national office/international office region .....\* with a report no later than one week after the end of the investigation.

This report follows the template provided in this document. The report includes all investigation findings, as well as recommendations for actions to protect victims, witnesses, alleged perpetrators and the organisation. The findings of the investigation and the report itself are shared with the line manager who commissioned the investigation for his or her feedback.

7

**Submission of the final investigation report**

The investigation report is submitted in hard copies and duly signed by every member of the investigation team. The investigation team presents the final report in a (virtual) meeting to the line manager who commissioned the investigation.

8

Implementation of actions ..... / international office region .....\* is responsible for implementing an action plan which is based on the recommendations and findings of the investigation report.

The action plan includes measures and actions addressing the findings of the CS investigation, timelines and responsibilities of co-workers.

The implementation of the action plan is regularly monitored by the respective CS focal person who informs the commissioning line manager.

*\* Delete what is irrelevant.*

9

Resources

Once the Terms of Reference are shared with the investigation team, each member needs to determine the resources he or she requires and should request them from the commissioner of the investigation before it starts.

.....  
*Date and signature of the person authorising the investigation.*

## Appendix 2

**Letter of Authority**  
(adapted from SOS  
Children's Villages  
International)

<b>To</b>	[Insert name and associates in... ]
<b>Att.:</b>	
<b>From</b>	Mr/Ms ..... Mr/Ms .....
<b>Date</b>	/ /
<b>Subject</b>	Child safeguarding investigation: .....

### Letter of authority

The ..... [insert text] commissioned an investigation into child safeguarding (CS) allegations relating to .....  
..... Mr/Ms .....,  
position/member association, and his/her team have been appointed as investigators with regard to the above mentioned CS incident.

To be able to carry out a thorough and professional investigation, the investigation team requires full access to all necessary information and individuals. The team has our full permission to demand sight of all HR/ personnel files, all financial files and data, children's files and any other materials they consider relevant to their enquiries. We consider nothing and no-one off limits to this investigation.

Please be advised that anyone who fails to cooperate with the requests or demands of the investigation team, appears to be interfering with or obstructing the investigation, attempts to - before or after the investigation - intimidate or harass anyone who participates, reports or testifies in the investigation will be reported to us, and such actions may result in disciplinary action.

We reassure you that your cooperation with the investigation team will not result in any negative impact for you. On the contrary, it is your duty to cooperate with the investigation team and provide whatever information you have that could assist the team with their enquiries.

Yours truly,

..... [Signature]

## Appendix 3

### Management of investigation checklist

(Adapted from Humanitarian Accountability Partnership International)

### Management of investigation checklist

No.	Aspect of the investigation	Who?	What?	When?	Date	Other comments
01	Receipt and acknowledgement of the complaint.	Depends on the complaint mechanism (if any) of the organisation in question. Recipient of serious complaints should be a senior manager within the organisation.	<ul style="list-style-type: none"> <li>Complaint should be received in a respectful and open way.</li> <li>Complaint should be formally acknowledged (in writing, if appropriate).</li> <li>Open channel of communication with the complainant should be established.</li> </ul>	This is the beginning, and what initiates all that comes after. Acknowledgement of serious complaints should be made within 24 hours, if at all possible.		Quality of the work. Did this lead to other actions?
02	Decision on whether to launch an investigation or not.	Senior Manager, such as Director at national level, possibly in conjunction with headquarters (where applicable).	<ul style="list-style-type: none"> <li>Assessment of information received in complaint</li> <li>Sufficient information? Degree of seriousness of alleged misconduct?</li> <li>Does it appear to be a breach of the organisation's policies? Have there been previous allegations? Age of survivor?</li> <li>Naming of Investigation Manager.</li> <li>Are other organisations involved?</li> <li>Possibility of undertaking a joint investigation?</li> </ul>	Within 48 hours of receiving a serious complaint. staff.		
03	Investigation Manager selected.	By Director and/or senior management team.	<ul style="list-style-type: none"> <li>Will directly supervise the case.</li> <li>Reports upwards on a need-to-know basis. Selected on basis of their integrity, understanding of sexual exploitation and abuse issues, knowledge of HR practice, and ability to negotiate conflicting interpersonal and institutional interests.</li> </ul>	Once decision to investigate has been made.		

## Appendix 3

### Management of investigation checklist

No.	Aspect of the investigation	Who?	What?	When?	Date	Other comments
<b>04</b>	Risk assessment and legal advice.	Investigation Manager (with Security Adviser and Legal Adviser).	<ul style="list-style-type: none"> <li>• Safety risks to witnesses, subject of allegation, organisation's staff, investigation team. Assess and consider measures to mitigate.</li> <li>• Reputational risk.</li> <li>• Legal implications. Breach of local criminal law? Local labour law context?</li> <li>• Consideration of local context, culture and associated implications for the investigation.</li> <li>• Consent of witness to report, if crime?</li> </ul>	As soon as possible.		
<b>05</b>	Victim and witness support.	Investigation Manager refers to appropriate (previously mapped) local facility/service.	<ul style="list-style-type: none"> <li>• Medical.</li> <li>• Psycho-social.</li> <li>• Safety - Removal to a safe location, if necessary.</li> </ul>	As soon as possible.		
<b>06</b>	Safety and support of subject of complaint.	Investigation Manager (with Security Adviser, where applicable).	<ul style="list-style-type: none"> <li>• Assess potential threats to SOC's safety and ways to mitigate risks, removing SOC to neutral location, if appropriate.</li> </ul>	As soon as possible.		
<b>07</b>	Control of information flow.	Investigation Manager.	<ul style="list-style-type: none"> <li>• Sharing of appropriate information on a 'need to know' basis only.</li> <li>• Maintaining confidentiality is essential.</li> <li>• Securing of documentary and other evidence (such as computers).</li> </ul>	Continuous oversight and regular reassessments needed.		

### Appendix 3

#### Management of investigation checklist

No.	Aspect of the investigation	Who?	What?	When?	Date	Other comments
08	Media issues.	Investigation Manager (with media/public relations or communications team, where applicable).	<ul style="list-style-type: none"> <li>No details given unless necessary. If information on the case has leaked to the media, the organisation should agree one message and all media enquiries should be channelled through an agreed focal point.</li> <li>Suspension of subject of complaint?</li> </ul>	At the beginning of the investigation. Response drawn up in advance, in order to be prepared in case of a leak.		
09	Provision of resources for the investigation.	Investigation Manager.	<ul style="list-style-type: none"> <li>Personnel - Translators needed? Financial and/or IT experts?</li> <li>Logistics support and equipment.</li> <li>Funding.</li> <li>Safe, confidential space for investigation team planning and interviews.</li> <li>Security advice. Authorisation to access evidence (documents, computers, etc).</li> </ul>	Before and during investigation.		
10	Selection and briefing of investigation team.	Investigation Manager.	<ul style="list-style-type: none"> <li>Find suitable, skilled, experienced investigators. At least two investigators on the team, gender balanced if possible. If investigating a senior person, consider the age/experience of the investigators. Ideally at least one investigator has in-depth knowledge of the area and culture.</li> <li>Share terms of reference with investigation team, and agree timescale.</li> <li>Contracts, if investigators are external.</li> </ul>	At the beginning of the investigation.		

## Appendix 3

### Management of investigation checklist

No.	Aspect of the investigation	Who?	What?	When?	Date	Other comments
11	Integrity of the investigation.	Investigation team and Investigation Manager have joint responsibility for this.	<ul style="list-style-type: none"> <li>Well-defined policies, including on confidentiality.</li> <li>Clear written terms of reference and investigation procedures.</li> <li>Independent investigators, appropriately qualified and experienced investigators.</li> <li>Thorough, well-planned and systematic investigation.</li> <li>Manager has oversight.</li> </ul>	Investigation should be completed within a defined timeframe. If the timeframe cannot be met, the investigation team should provide the Manager with proper notification and justification for the need to extend.		
12	Planning of investigation.	Investigation team with input from Investigation manager.	<ul style="list-style-type: none"> <li>Logistics.</li> <li>Documentary evidence needed. Who to interview, where and in which order?</li> <li>Visits to relevant sites.</li> <li>Consideration of local cultural context.</li> <li>Liaise with other organisations and local authorities as necessary.</li> </ul>	Before starting the investigation, and keeping under review as the investigation proceeds.		
13	Liaison with investigation team during investigation.	Investigation Manager.	<ul style="list-style-type: none"> <li>Available to discuss issues and concerns that arise during the investigation, including the possibility of additional alleged breaches surfacing.</li> <li>Mindful of safety and welfare of the investigation team. Monitor the investigation team's respect for principles and organisational procedures.</li> <li>Liaise with Head Office and managers at the site of the investigation.</li> <li>Manage the relationship between the investigation team and the rest of the organisation. Assist the team in accessing background material and/or documentary evidence.</li> </ul>	Systematically during investigation.		

### Appendix 3

#### Management of investigation checklist

No.	Aspect of the investigation	Who?	What?	When?	Date	Other comments
14	Gathering of evidence.	Investigation team.	<ul style="list-style-type: none"> <li>Collecting and securing documentary evidence, computer equipment (where appropriate), records of site visits and records of interview testimony.</li> </ul>	Systematically during investigation.		
15	Writing investigation report	Investigation team.	<ul style="list-style-type: none"> <li>Separate reports for each SOC.</li> <li>Evidence to prove or disprove each element of each alleged breach presented systematically and clearly.</li> <li>Investigation team finding for each alleged breach is listed.</li> <li>Findings can be: complaint upheld; complaint not upheld (evidence to disprove); complaint not upheld (insufficient evidence).</li> <li>Recommendations for changes of policies and/or procedures listed in separate management</li> </ul>			
16	Review of final.	Investigation Manager, with support from management team, as appropriate.	<ul style="list-style-type: none"> <li>Review.</li> <li>Decision to accept findings or seek additional information.</li> <li>Planning for steps to be taken to follow up on investigation.</li> </ul>	As soon as report is submitted.		

## Appendix 3

### Management of investigation checklist

No.	Aspect of the investigation	Who?	What?	When?	Date	Other comments
17	Actions following the investigation.	Investigation Manager, with support from management team, as appropriate – in particular, Human Resources department and Legal Adviser.	<ul style="list-style-type: none"> <li>● Disciplinary action, hearing, dismissal, if breach of contract.</li> <li>● Possible referral to authorities?</li> <li>● Ongoing support to survivor(s)?</li> <li>● Appropriate feedback to complainant, victim, SOC, witnesses, community, staff team, as necessary.</li> <li>● Mitigation of damage to SOC's reputation, if cleared.</li> <li>● Provide training, monitoring, to address identified poor practice of SOC, if appropriate.</li> <li>● Mitigation of damage to relationship with the community.</li> <li>● Managing morale of the staff team.</li> <li>● Follow up on Management Observation Report.</li> <li>● Review risk matrix and strengthen measures to prevent sexual exploitation and abuse in future, as necessary.</li> </ul>	Within one week of submission of investigation report. Ideally, this stage should be reached within 28 days of receipt of the original complaint.		



## Appendix 4

### Template of a management log of actions

#### Template of a management log of actions

This log should be completed within 24 hours of the Senior Manager receiving the safeguarding allegation. It must be sent electronically and password protected to:

[Insert names here]

The report log will enable the Senior Manager to:

- Track investigations to ensure they are timely.
- Learn from outcomes.
- Collate information for statistical returns and annual reporting.

The Senior Manager responsible for managing the safeguarding allegation must update this log at the start of the process, every four weeks thereafter and at the conclusion of the investigation process. On each occasion it should be submitted to those listed above.

#### Informant and person subject of the safeguarding allegation

Name of subject of allegation	
Employee or volunteer	
Job title / Project service / Country	
Department/service and location	
Region/nation and national services	
Informant's details	
Manager receiving allegation	

## Appendix 4

*Template of a  
management log  
of actions*

Key contacts	Name and contact details
First line manager	
Second line manager	
Safeguarding lead	
HR consultant	
Director or regional/national Head of Service	
Any other relevant person [specify]	

## Appendix 4

Template of a management log of actions

<b>Details of allegation</b>	
Alleged victim details if known <i>(Name, DOB and age, gender, ethnicity, country of birth, specific needs etc).</i>	
Detailed description of safeguarding allegation	
Action and key decisions taken to date <i>(E.g.: Details of any investigations, suspensions, etc.)</i> A separate running record and details of interviews and discussions should be maintained and available when necessary.	
Notifications to external bodies <i>(Referral to police or notification to professional regulatory body)</i>	
<b>Form completed by</b>	Signed: Date: / /
<b>Named Senior Officer</b>	Signed: Date: / /
<b>Form reviewed by</b>	Signed: Date: / /
<b>Any required actions and by who</b>	
<b>Date of next review log</b> /     /	
<b>Outcome of management of allegations process</b>	

## Appendix 5

### Sample risk assessment form

(reproduced from SOS Children's Villages International)

### Sample risk assessment form

— **Strictly confidential**

Child protection risk assessment			Date of risk assessment			
Risk no.	Who is at risk?	What factors place them at risk?	Case no. [Facility ID/Year/No.]	What additional agreed controls are to be put in place?	By who?	By when?
	The alleged child/victim. <sup>4</sup>	She/he is due to be in school tomorrow and so in contact with the teacher (alleged perpetrator).	What is the risk? She/he may further abuse her/him or intimidate her/him.	Issue strict instruction to teacher not to visit HG School and to have no contact whatsoever with child or their family.	Village director.	Immediately.
1			What controls are in place? Arrange with mother/parent to keep child at home. Suspend teacher.			
2						
3						
4						
<b>Prepared by</b>			<b>Print name</b>	<b>Signature</b>	<b>Date / /</b>	
<b>Management sign off</b>			<b>Print name</b>	<b>Signature</b>	<b>Date / /</b>	

## Appendix 5

### *Sample risk assessment form*

---

<sup>3</sup> The risks rating **does not** imply a classification of the form of abuse, ie to determine or decide if the incident is a 'severe' or 'mild' form of child abuse. As stated in our Child Policy and Procedures we take all forms of child abuse equally serious. The rating relates to each individual risk you identify. For example, if the alleged perpetrator is a teacher still in contact with pupils and the risk is that other children may be abused, then you would rate that risk as 'High'. The mitigating action would be to suspend the teacher and deny them any contact with the children.

<sup>4</sup> In this example, other persons at risk would be other students, the alleged perpetrator (who at this stage must be presumed innocent until proven otherwise and might be at risk of retaliation), witnesses, person who reported alleged abuse, also think of reputational risk from media exposure. The risks for these persons would be assessed in the subsequent rows.

## Appendix 6

### Final report template

### Investigation report template

— **Strictly confidential**

Not to be distributed or reproduced without the permission of:

.....

### Investigation report

Please address all the headings in the template below. Each review is different and there may be additional headings added as per the scope of the review.

<b>Investigation in respect of</b>	
<b>Name of individual/s and/ or institution being investigated</b>	
<b>Date of birth of child</b> (if appropriate)	
<b>Date of serious incident</b> [Delete as appropriate]	
<b>Name of investigator/s</b>	Insert name and designation of report author here and who was on the investigation team.
<b>Agency</b>	Name of commissioning agency/organisation.
<b>Date of submission</b>	[Date the report was submitted]
<b>Version submitted</b> (if applicable)	

*Please ensure that the countersigning person has seen the report at each submission stage.*

## Appendix 6

### *Final report template*

## Table of Contents

1. Introduction and background to the allegation incident	[Page]
2. Executive summary (if necessary)	[Page]
3. Terms of reference /scope including time-frame to be covered	[Page]
4. Contextual information and details leading to the investigation	[Page]
5. Information about the investigation team/consultants	[Page]
6. Methodology/process and any limitations	[Page]
7. Chronology of key events	[Page]
8. Summary of facts	[Page]
9. Analysis/ appraisal of practice and events	[Page]
10. Conclusions	[Page]
11. Summary of the learning points from the investigation	[Page]
12. Recommendations and findings/ next steps	[Page]
(a) Appendix: Learning and improvement action plan	[Page]
(b) Appendix: Records/documents reviewed/examined including policies and data collection tools/procedures	[Page]
(c) Appendix: Persons seen/interviewed may need to be anonymised to protect individuals	[Page]
(d) Appendix: Chronology of events	[Page]

## Appendix 6

### *Final report template*

1

#### **Introduction**

Any investigation into a child safeguarding allegation should be conducted in a way that is conducive to organisational learning in order that professionals and organisations protecting children can reflect on the quality of their services and learn from their own practice and that of others. When things go wrong there needs to be a rigorous, objective analysis of what happened and why, so that important lessons can be learnt and services improved to reduce the risk of future harm to children.

#### **All investigations should be conducted in a way which:**

- Recognises the complex circumstances and varied contexts in which agencies work together to safeguard children.
- Seeks to understand precisely who did what and the underlying reasons that led individuals and organisations to act as they did.
- Seeks to understand practice from the viewpoint of the individuals and organisations involved at the time rather than using hindsight.
- Is transparent about the way data is collected and analysed.
- Makes use of relevant research and case evidence to inform the findings.

2

#### **Executive summary**

If the report is long and detailed then an executive summary is helpful, but it is not always necessary.

3

#### **Terms of reference /scope including time-frame to be covered**



## 4

### Summary of the facts and nature of the allegation, include contextual information and details leading to the investigation

In considering this aspect of the case, you need to decide whether the context in which the investigation was conducted impacted on decisions made and if so, why. Only include reference to the examples below if they were relevant at the time.

#### The type of information that would be useful is as follows:

- Volume of work, staff turnover, sickness and leave cover.
- Administrative support.
- Organisational change and culture.
- The social and community context.
- Local issues, environmental factors.
- Management and supervision.
- Safeguarding awareness and understanding.
- Local practice.
- Risk management and support policies.
- Services and support available to family.
- Budgetary constraints and allocation of resources.
- Access to training and development.

This is not an exhaustive list and there may be other contextual factors that you would wish to include.

Other details leading to the initial allegation or complaint should be clearly explained. If helpful, a chronology of significant events or timeline should be used in this section to summarise information clearly.

## 5

### About the investigation team/consultants and author of report

#### The statement of independence should contain the following information:

- Qualifications.
- Experience.
- Role in the agency.
- Independence of the case.

It should provide information about the author (name, job title, etc) and must provide a clear statement that illustrates their level of independence from the line management of, and supervision of staff, involved in the case. It should clearly describe the sources of information used to prepare the report (eg analysis of case records, interviews with staff, etc).

## 6

### Methodology/process and any limitations

A summary paragraph should explain how the review was carried out and any particular processes used to identify:

- How the investigators carried out the review
- Details of documents seen, included as an appendix
- A list of interviews with staff and dates, include as an appendix but anonymise
- Details of information not available/not considered (with reasons).

## 7

### Chronology of key events.

If not addressed in section four provide brief chronology of events here.

8

## Summary of facts

Begin your report with a summary of relevant family/agency/other historic information. Construct a relevant summary in narrative form on child, family and any significant others which could have a bearing on the investigation and time-frame under review. Briefly summarise decisions reached, the services offered and/or provided to the child/children and family, and other action taken.

This is not intended to be a repeat of the chronology, but will provide a summary of the information to add a context to the analysis contained within the next section of your report.

9

## Analysis/appraisal of practice and events

Consider the events that occurred, the decisions made and the actions taken or not taken, in order to confirm whether the allegation can be substantiated. Where judgements were made, or actions taken, which indicate that practice or management could be improved, try to get an understanding not only of what happened but why something either did or did not happen

### **In addition to the specific terms of reference provided ensure you consider the following:**

- Were practitioners aware of and sensitive to the needs of the children in their work, and knowledgeable both about potential indicators of abuse or neglect and about what to do if they had concerns about a child's welfare?
- Did the organisation have in place policies and procedures for safeguarding and promoting the welfare of children and acting on concerns about their welfare?

- What were the key relevant points/opportunities?
- Were there any issues in communication, information sharing or service delivery?
- Was practice sensitive to the racial, cultural, linguistic and religious identity and any issues of disability of the child and family, and were they explored and recorded?
- Were senior managers or other organisations and professionals involved at points in the case where they should have been?
- What improvements could have been made by increasing staff capacity in one or more organisation? Was there an adequate number of staff in post? Did any resourcing issues, such as vacant posts or staff on sick leave, have an impact on the case?
- Was there sufficient management accountability for decision making?
- The analysis should highlight the wider systems findings or other environmental and cultural factors that have impacted on the case.

10

## Conclusions

This section should draw together the key points of the investigation and what evidence there is to substantiate or not the original allegation/s.

Each allegation should be taken in turn and evidence stated impartially which either substantiate or refute the allegation.

It may be helpful to summarise each allegation as below:

<b>Nature of allegation and any breach</b>	
<b>Evidence to uphold</b>	
<b>Evidence to refute</b>	

**Any allegation should result in one of three outcomes:**

- 1** Allegation/breach established.
- 2** Allegation/breach not established due to insufficient evidence.
- 3** A malicious allegation.

It is vital that there is a process in place to:

- Agree the report and its recommendations.
- Formally inform the subjects of the allegation and any staff/witnesses/children/other partner organisations of the outcome of the investigation.
- Record the decision-making process clearly for organisational records and audit.
- Develop and monitor any action plan.
- Close the complaint and complete any HR processes, including informing any professional bodies, regulatory authorities.

**11**

**Summary of the learning points from the investigation**

The report should end with a succinct conclusion and highlight the recommendations for practice improvement alongside any systems findings for the organisation to consider as part of the ongoing learning and improvement. It should also consider next steps and what the process is for feedback to original complaints and those who have been part of the investigation. Support and debrief for all involved is essential.

There may also be other conclusions or lessons from this investigation for the way in which the organisation works to safeguard and promote the welfare of children:

- Is there good practice to highlight, as well as ways in which practice can be improved?
- Are there implications for ways of working, such as recruiting, training, management and supervision, working in partnership with other organisations or lack of resources?
- Are there implications for current policy and practice?

*Signatures required on completed report.*

<b>Author of investigation report and position</b>	[Signature] ..... [Date]
<b>Senior officer and position within agency</b>	[Signature] ..... [Date]

## Appendix 7

### Post investigation learning and improvement plan

### Post investigation learning and improvement plan

[Agency Name]

Learning and improvement plan

For .....

Recommendation Finding	Action Activity	Responsible officer [Name and Job title]	Date due to be completed	Recommendations for monitoring and reviewing impact on practice	Evidence of completion or outcome	Date of sign off



## Appendix 9

### Template letter to inform subject of allegation

#### Frequently Asked Questions (FAQ):

Managing child safeguarding allegations procedures

### Template letter to inform subject of allegation

*Draft letter to inform subject of a child safeguarding allegation of the process to be adapted by individual organisations.*

.....  
**Personal** – Addressee only.

[Date]

Dear [Name]

#### **Re: Procedure - Managing child safeguarding allegations**

Following your meeting with [Senior Manager i.e. the investigating lead] you are aware that concerns have been raised that you may have behaved in a way, either directly or indirectly, towards a child/children or young person that requires further investigation. Enclosed is an information pack designed to guide you through the investigation process.

The enclosed information pack contains:

- The Safeguarding and Child Protection policy and Code of Conduct.
- Procedures: Managing child safeguarding allegations.
- A questions and answers document to address queries about key stages in the process and the possible implications.

Within this process, I am the named senior officer and it is my responsibility to oversee the investigation and to decide how to proceed.

I have delegated the day to day management of this case to [insert role and name] who will act as the Senior Manager on my behalf. S/he will be responsible for the process within the (insert org name) and will liaise with others as necessary.

S/he will keep you updated and should be your first point of contact for any questions about the process. You should not direct any queries to your line manager but to [Senior manager] contactable on (telephone number/s), email [Senior manager] will have explained the allegation made against you and explained the process to be followed as far as possible as the nature of the allegation may affect the exact steps.

There may be a strategy meeting to decide what action is required and who will take this action. For example, this could be the police or the local government authority social work department. This may already have happened but [Senior manager] will explain to you the agreed process for the investigation.

As a child focused agency our duty of care is to children and young people, but we also have a responsibility to ensure you are provided with the necessary support as an employee. I know that it can be personally difficult to be the subject of an allegation and I would encourage you to make use of the sources of support outlined in the enclosed pack.

I can assure you that any investigative process will be entered into with an open mind and investigated in a timely and thorough way. You will have the opportunity to respond to the safeguarding allegation as part of the investigation and you will be informed of how and when this will happen.

If you have any initial questions, please do not hesitate to contact [Senior manager].

Yours sincerely,  
[Insert role and name here]

.....

**Frequently Asked Questions (FAQ):**  
Managing child safeguarding allegations procedures

**Why do we have a safeguarding and child protection policy and code of conduct?**

The [organisation] has safeguarding responsibilities to all children, not just those with whom we directly work. The policy, procedures and codes that accompany it are important because they provide a clear outline of the ‘must do’s’ for all staff, volunteers and other workers across the [organisation] to make sure they are clear about their role, responsibility and expectations to ensure that children are protected from harm.

**Why do we have a procedure for managing safeguarding allegations?**

[organisation].....has a duty to ensure that when any safeguarding allegation arises we comply with national law, statutory guidance and local reporting policies and procedures in relation to the management of those concerns or allegations. Those who support or use our services need to know that they are safe and that any concerns will be thoroughly investigated. This procedure ensures that all allegations are investigated in a fair and independent way.

**Why am I being investigated in this way?**

The [organisation] takes all allegations against staff and volunteers seriously. We have a procedure which we apply consistently to everyone who is the subject of an allegation.

**What type of investigation is this?**

There will be a thorough investigation of the concerns raised and that may involve any children with whom you have had contact. The investigation could involve your own children and family if there is cause for concern that they may be at risk. The investigation process may involve four separate elements:

- A police investigation, if it appears that a criminal offence has been committed.
- Enquiries and assessment by local government social work services (or equivalent in other nations).
- An internal disciplinary investigation.
- Referral for 'consideration to bar' a person from working with children/adults at risk (i.e. referral to the Disclosure and Barring Service or national equivalent) and/or referral to a professional registration body for professional misconduct.

In cases where external investigations are taking place at the same time as internal investigations, [organisation] will usually await the outcome of external processes before continuing with the internal procedure.

The Senior Manager, who is responsible for this process, will have explained to you the nature of this investigation and what will be involved.

### **Who are the key people involved?**

There are key internal and external contacts throughout the investigation.

#### **Internal contacts:**

##### **Named Senior Officer**

This role is undertaken by [Name], the Named Senior Officer will oversee the management of all allegations and hold accountability for them. She/he will normally delegate the investigative task and responsibilities to the Senior Manager unless there are exceptional circumstances.

##### **Senior Manager**

- This role is undertaken by the relevant [organisation]. This may not be the same geographical location where you work, volunteer or live; or
- If the allegation does not involve a specifically

named child then it is undertaken by the Senior Manager in the location where the employee/volunteer is based;

- The Senior Manager is responsible for the process within [organisation] and will liaise with the external bodies as necessary. The Senior Manager will keep you updated and should be your point of contact for any questions about the process. You should not direct queries to your line manager.

### **Who else will be involved?**

The involvement of external organisations depends on the type of investigation and the potential outcomes. In some cases, other agencies, the police or local authority social services (or equivalent) may be involved. In cases involving health concerns, medical professionals may be contacted.

### **Who will know about this matter?**

The confidentiality of this investigation will be maintained throughout the process. This is to ensure the investigation is not prejudiced and to safeguard the child involved.

Your line manager will also be informed that this process is underway.

Your line manager is likely to become involved if an internal disciplinary investigation is necessary, or if you are a volunteer, an internal volunteer disciplinary process is necessary. This would usually take place following the completion of external investigations.

### **What will happen at the end of the investigation?**

At the conclusion of any external investigations, the Senior Manager, Named Senior Officer and the Local Authority Designated Officer (or equivalent) will formally review the outcome and determine what further action, if any, is required.



**Potential outcomes include:**

- reintegration into the workplace
- performance management or capability processes invoked
- disciplinary process invoked
- referral to the Disclosure and Barring Service (DBS) (or equivalent in the other nations) for consideration to be barred from working with children
- referral to a professional registration/regulatory body (if applicable) for a Fitness to Practice Hearing.

**Where can I get support from?**

By its nature, this can be a difficult process in which to be involved, not just for you and your life at work, but for your family as well. It is essential that [organisation] thoroughly investigate safeguarding allegations. However, we recognise that this investigation may have a significant impact on you.

In these circumstances, people respond differently and have different needs for support. There are a range of alternative sources for support that you may find helpful at this time.

**Who else am I allowed to speak to about this?**

We understand that you may wish to discuss the investigation with your partner and/or family. Please note that you must not speak to anyone who may become involved in the investigation. This might include the person who has raised the concern, the individual who the concern is about, or any potential witnesses. In order to maintain confidentiality, information should only be shared when there is a specific need or purpose for doing so.

The Senior Manager responsible for this process will advise you on this, and if you have further queries, you should seek advice from him/her.

**What about my role at [organisation]?**

Each investigation is independent and individual. It may be that we will arrange for you not to be at work or volunteering until the investigation is completed. If it is decided that this is the appropriate step, we will discuss this with you and the arrangements to be put in place. For staff, this may mean you are suspended from work on full pay.

Depending on the outcome of the investigation, we may consider your suitability to continue to work or volunteer with the [organisation].

**How will the information about the process be recorded?**

The Senior Manager is responsible for creating and maintaining the record during the course of managing the allegations. At the end of the investigation all of the records will be retained securely in a restricted section of your personnel file.

**What do I do with queries or concerns?**

You should contact the named Senior Manager with any further queries or concerns.

## **Authors and contributors**

This guide has been developed by Jenny Myers and Helen Edwards for Keeping Children Safe in consultation with key international NGOs (Islamic Relief Worldwide, Kindernothilfe, Plan International, SOS Children's Villages International and War Child Holland).

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# Keeping Children Safe

Setting tough international  
child safeguarding standards

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