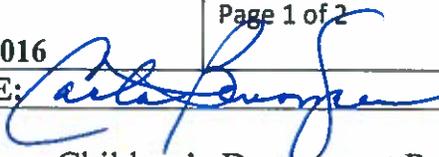


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| AUTHORIZED SIGNATURE: |  |

Delaware Children's Department Policy

I. PURPOSE

To provide a coordinated and efficient approach to the investigation of allegations of abuse and neglect in out-of-home care settings and/or allegations of abuse and neglect by a DSCYF employee, contractor or volunteer against a child/youth under the age of 18 who is active with one or more DSCYF Divisions. The purpose of this policy is also to prevent future occurrences of institutional abuse/neglect by documenting concerns which would aid in the process of correcting existing problems identified during the course of an investigation.

II. POLICY

This policy shall apply to the investigation of all allegations of abuse/neglect in out-of-home care settings as well as allegations of abuse/neglect by a DSCYF employee, contractor, and/or volunteer against a DSCYF client.

III. GENERAL GUIDANCE

- A. The Department Secretary retains ultimate authority and responsibility for all Departmental Investigations.
- B. The Division of Family Services (DFS) Institutional Abuse Investigation Unit (IAIU) retains the day to day supervisory authority over the investigation of institutional abuse and neglect allegations.
- C. Each Division is responsible for:
 - a. Addressing the concerns and/or issues that the IAIU identifies during the investigation and
 - i. Cooperating with the IAIU and facilitating open access to children, staff, agency/entity records including audio and visual recordings.

IV. DEFINITIONS

A. Out-of-home care setting: licensed and DFS foster homes, residential child care facilities, transitional living programs, shelters, day care homes, day care centers, rehabilitative and detention facilities, day treatment programs, all facilities at which a reported incident involves a child/children in the custody of the State of Delaware, and all facilities which are operated by the Department.

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V. PROCEDURES

To achieve the purpose of this policy, the Institutional Abuse Investigation Unit (IAIU) will:

A. Screen reports of alleged abuse and neglect of children/youth in out-of-home care settings and alleged physical/sexual abuse or neglect of a child/youth under 18 by a DSCYF employee, contractor and/or volunteer. All institutional abuse reports are also screened, as appropriate, by the Office of Child Care Licensing, DFS foster care, and the DSCYF Contract Unit.

B. Investigate utilizing DFS Institutional Abuse Investigation Protocol policy and procedures.

C. Immediately take actions to ensure the safety of children assessed to be in an unsafe environment.

D. The IAIU is required by 16 Del. C. 906(e) (3) to notify law enforcement and the Department of Justice (DOJ) of potential criminal violations involving children. Alleged physical/sexual abuse or serious neglect of a client by a DSCYF employee, contractor and/or volunteer requires a multidisciplinary response (including law enforcement and DOJ). Sexual abuse allegations will also include a forensic interview at the Children's Advocacy Center and a medical examination. To minimize the trauma to the child and, most importantly, to maintain the integrity of the criminal and civil investigations, no other interviews by the DSCYF employee's Division management, Human Resources or Union should be undertaken until authorized by IAIU in consultation with DOJ. Additionally, video and audio recordings of events in facilities related to reported allegations should be relinquished to law enforcement and the IAIU and not reviewed or discussed by the employee's Division management, Human Resources or Union until the criminal and civil investigations have concluded.

E. Formulate findings and cite concerns based upon the information obtained during the investigation.

F. The findings and concerns will be distributed to the appropriate Division or external entity.

VI. CONFIDENTIALITY

Institutional Abuse investigations will abide by the Department Confidentiality Policy (Reference: Department Policy 205).

VII. RESPONSIBILITY FOR THIS POLICY

The DFS IAIU is responsible for providing guidance regarding this policy.