



# Child Abuse Reporting

*Any member of Family Tree staff (paid or unpaid) who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect shall immediately report or cause a report be made of such fact to the county department of social services or local law enforcement agency, Section 19-3-304. Any person who makes a report of child abuse or neglect in good faith is immune from liability unless a court determines that their behavior in making the report was willful, wanton, and malicious, Section 19-3-309. Any person who knowingly makes a false report of abuse or neglect and any mandated reporter who fails to report commits a class 3 misdemeanor, Section 19-3-304(4)(a).*

## Child Abuse Defined

For purposes of reporting, child abuse or neglect is defined in the Children Code as the following:

Evidence of burns, skin bruising, bleeding, malnutrition, failure to thrive, fracture of any bone, subdural hematoma, soft tissue swelling, any other injury, or death, and where such condition or death is not justifiably explained; or where the history given concerning such condition or death is at variance with the degree or type of condition or death; or may not be the product of an accidental occurrence; or

Where there is evidence of sexual assault or sexual molestation which may include sexual intercourse, oral or anal intercourse, fondling or exhibitionism, or any other sexual contact; or

Where there is evidence that a child has been neglected and such neglect seriously threatens the child's health or welfare including any case where the child's parents, legal guardians, or custodians fail to take actions or provide adequate food, clothing, shelter or supervision that a prudent parent would take.

Use or abuse of drugs or alcohol during pregnancy is not included in the definition of child abuse in the State of Colorado for reporting purposes, although use may result in child abuse charges or a dependency and neglect proceeding when the child is born. Family Tree staff are expected to report any suspected use of drugs or alcohol during pregnancy.

Child abuse may result from an adult to a child, e.g. parent to child, adult relative to child, adult shelter resident to child, or staff member to child. Child abuse may also result from a child to a child, e.g. child relative to child, child shelter resident to child, or child outside of shelter/agency setting to a child.

Youth (over age of ten years) to youth physical assault is reported as an assault to the local police department. Youth to youth sexual contact is reported as child abuse to human services, unless the alleged perpetrator is over ten years of age and then is reported to the police.

## **How to Report Child Abuse**

### **Call Human Services**

Any Family Tree staff member, paid or unpaid, encountering evidence or suspicion of child abuse shall contact the department of social services in the location where the child currently resides. Supervisory or managerial staff will be available for consultation as needed. Reporting to one's supervisor does not satisfy the duty to report to the department of social services.

1. All reports other than non-emergency as described below shall be made immediately to the Child Protection Intake Hotline.
2. Non-emergency reports are defined as reports when a child is not in danger, e.g. information of alleged child abuse or neglect is received by staff during non traditional work hours, which include weekdays, between 5:00 p.m. and 9:00 a.m. or weekend days, between Friday, 5:00 p.m. and Monday, 9:00 a.m., and
  - the child is in shelter and child has no current plans to return to the home of the perpetrator; the alleged perpetrator is out of the county; or the alleged perpetrator is not someone living or working in the shelter; and
  - the child has no mark or injury and is not complaining of any injury, soreness, etc.; and
  - the incident is not a recent incident.

Staff will report non-emergency situations by completing and sending the written Child Abuse/Neglect Report Form upon hearing the information. A copy of the completed form will be left in a secure place for the supervisor of the program who will assure that an oral report to the department of social services is made during traditional business hours the next business day.

## **Staff Investigations**

Human Services' employees and law enforcement officials are trained to investigate reports to determine if any intervention is appropriate. Reporters will utilize the expertise of Human Services' employees and law enforcement officials by appropriately making reports and will not initiate their own informal investigations prior to deciding to report.

**COMPLETE WRITTEN DOCUMENTATION AND INFORM SUPERVISOR:** The report to the authorities should include the information included on the "Child Abuse/Neglect Report Form". Completed forms will be retained at the related program site in a specific child abuse report form folder. A note regarding the child abuse/neglect report will be made in the service recipient's record/file.

## **Self Reporting**

Staff may encourage either the adult reporting or the adult under suspicion to make the report. Staff will still report even if this causes two reports to be made.

## **Confidentiality**

Once the initial report has been made, no additional information which is not pertinent to the child abuse report can be disclosed without a Release of Information signed by the service recipient and/or the service recipient's guardian as appropriate.

## **Additional Notification**

If the service recipient is in the care and custody of a department of Human Services, the caseworker will also be notified as soon as possible.

## **Victim is an Adult**

If the victim is an adult and reports being a victim of child abuse when she or he was a minor (under the age of 18) and this incident occurred within the past ten years, the victim will be encouraged to make a report to the Department of Human Services in the county where the abuse occurred. See the "Child Abuse Defined" paragraph regarding incidents, which would reasonably result in abuse or neglect such as minors residing in the home of the alleged perpetrator of an adult victim.

## **Alleged Abuse by Staff**

If a Family Tree employee, paid or unpaid, has reason to suspect another employee of child abuse or neglect, please refer to Family Tree's procedures on "allegations against staff." Contact a Human Resources representative for these procedures.

## **Failure to Report**

Any Family Tree employee, paid or unpaid, who is found to have violated this policy and procedure may be subject to immediate disciplinary action up to and including termination of employment.

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*I have read and understand the above requirements (3-page document) concerning my responsibility regarding child abuse reporting.*

Signature

Date

Director of Volunteer Services Signature

Date