EXECUTIVE POLICY TRANSMITTAL 2024-03
LCFS Abuse, Maltreatment, Neglect, & Exploitation Prevention Policy

Lutheran Child and Family Services (LCFS) is committed to providing safe and respectful environments that support the health and well-being of all people receiving our services. LCFS has zero tolerance for any form of abuse, maltreatment, neglect, exploitation, grooming behaviors, violations of boundaries and sexual harassment. LCFS will not tolerate the mistreatment or abuse of power with participants in its programs or service environments. Any mistreatment or abuse by an employee, volunteer, intern or subcontractor will result in disciplinary action, up to and including termination of employment, volunteer service or contract with LCFS.

LCFS institutes guidelines and resources for staff to enforce zero tolerance for those actions which may jeopardize the health, safety or welfare of any person receiving services. In addition, LCFS fully cooperates with law enforcement, child protective services, the Office of Inspector General (OIG) and other governing entities for safe, just and professional service delivery throughout the investigation and resolution of matters. This policy outlines definitions, prevention strategies, code of conduct, screening and training requirements, and procedures for reporting and investigating any suspected incidents to protect individuals served, employees and volunteers.

The purpose of this policy is to prevent the occurrence of abuse, maltreatment, or neglect at LCFS. The following policy and procedures are hereby adopted to foster the protection of children, youth, staff employees, and volunteers.

Definitions of Types of Abuse, Neglect, and Exploitation (to be used in conjunction and addition to 325 Illinois Complied Statutes (ILCS) and the Abused and Neglected Child Reporting Act (ANCRA)

a. Neglect includes failure, refusal, or inability on the part of a caregiver, for reasons other than poverty, to provide necessary care, food, water, clothing, medical or dental care or shelter to seriously endanger the physical health of the consumer. Any breach of staff's duty, which includes action, inaction, or lack of attention on the part of the staff that results in or is likely to result in physical injury or serious or impairment to the person's physical, mental, or emotional condition of the vulnerable person.
b. Exploitation occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive an individual, generally for one or more of the following reasons: (a) in exchange for something an individual needs or wants and/or (b) for the financial advantage or increased status of an individual. This can include but is not limited to money, gifts, accommodation, affection, status, food, drugs, or alcohol with an expectation to engage in return favors or acts.
c. Abuse is any form of harm or threat of harm to a person's health or welfare, whether physical, emotional, or sexual in nature. This includes, but is not limited to:
    1. Physical Abuse-physical injury inflicted on a consumer by other than accidental means. Physical injury includes, but is not limited to, lacerations, fractured bones, burns, internal injuries, severe or frequent bruising, or great bodily harm. Conduct qualifying as physical abuse may include, but is not limited to, hitting, spanking, shaking, slapping, unnecessary restraints, pushing, or other forceful physical contact.
    2. Verbal Abuse-includes language that is degrading or threatening, and includes verbal interactions such as name calling, insults, cursing, derogatory remarks, belittling, and shaming.
    3. Sexual Abuse includes a wide spectrum of interactions with consumers under the age of 18 including rape, certain physical assault, sexual battery, physical sexual contact, sexually explicit or offensive verbal communication, verbal sexual harassment, voyeurism, sexually

oriented conversations, sexual intercourse or sexual touching of a consumer, sexual exploitation, exposing of genitalia, viewing of sexual activity, or permitting, allowing or encouraging a consumer to engage in prostitution.

4. Emotional Abuse includes conduct that reasonably causes harm to a consumer's psychological or intellectual functioning, which is exhibited by emotional damage such as severe anxiety, depression, withdrawal, or aggression. Emotional damage may be demonstrated by substantial and observable changes in behavior, emotional response, or learning, which are incompatible with the consumer's age or stage of development. Emotional Abuse includes the following conduct: shaming, humiliation, and cruelty."

Signs and Symptoms of Abuse, Neglect, or Exploitation

a. Physical abuse signs and symptoms
   - Unexplained injuries, such as bruises, broken bones (fractures) or burns
   - Injuries that do not match the given explanation
   - Injuries that are not compatible with the person's developmental ability

b. Sexual abuse signs and symptoms
   - Sexual behavior or knowledge that is inappropriate for the child's age
   - Pregnancy or a sexually transmitted infection
   - Genital or anal pain, bleeding, or injury
   - Statements by the person that he or she was sexually abused
   - Inappropriate sexual behavior with other persons

c. Emotional abuse signs and symptoms
   - Delayed or inappropriate emotional development
   - Loss of self-confidence or self-esteem
   - Social withdrawal or a loss of interest or enthusiasm
   - Depression
   - Avoidance of certain situations, such as refusing to go to school or ride the bus
   - Appears to desperately seek affection
   - A decrease in school performance or loss of interest in school
   - Loss of previously acquired developmental skills

d. Neglect signs and symptoms
   - Poor growth
   - Excessive weight with medical complications that are not being adequately addressed
   - Poor personal cleanliness
   - Lack of clothing or supplies to meet physical needs
   - Hoarding or stealing food
   - Poor record of school attendance
   - Lack of appropriate attention for medical, dental, or psychological problems or lack of necessary

Employee and Volunteer Selection Screening and Hiring Procedures

To ensure the safety all individuals involved at LCFS, the agency implements rigorous screening for all employees and volunteers, including but not limited to the following:

a. **Standardized Employment Applications:** all candidates must complete and sign authorization to perform necessary criminal background checks, references and other applicable quality checks as required by governing bodies for safety and professional credentialling.

b. **Background Checks**: All prospective employees and volunteers must undergo a thorough background check, including criminal history and Child Abuse and Neglect Tracking System

(CANTS) checks, prior to hire and thereafter in accordance in compliance with the IL Administrative Code Title 89, Part 407, Health Care Worker Background Check Act [225 ILCS 46] and 89 Ill. Adm. Code 385), and other federal and state regulatory requirements.

c. **Professional Reference Checks**: All applicants must provide professional references to verify previous employment and eligibility prior to hire.

All information collected about any candidate is reviewed comprehensively to determine if the candidate is appropriate for the respective position. If hired, all information collected during the hiring process is included in the staff's personnel file except as required otherwise by governing rules.

Initial & Ongoing Professional Development

LCFS recognizes the importance of providing training and professional development activities that relate to our employee and volunteer roles and responsibilities. Examples of training and professional opportunities offered by the organization include but are not limited to eLearning, workshops, courses, classes, and professional conferences.

a. **New Hire Training**: All new employees and volunteers receive mandatory training on recognizing and preventing abuse, maltreatment, neglect, and exploitation. This training includes understanding the risk management policy, the signs of abuse, grooming behaviors, reporting procedures, and best practices for maintaining safe and professional relationships. This training occurs within the first 90 days of an employee's tenure and is recorded in the employee's personnel record.

b. **Mandated Reporter Training**: All staff must complete the Illinois Mandated Reporter Training, as required by the Illinois Abused and Neglected Child Reporting Act (325 ILCS 5/4), which covers their legal obligations to report suspected abuse or neglect. This training is required to be completed within 7 days of an employee's tenure and annually thereafter.

c. **Sexual Harassment Prevention Training**: All staff participate in mandatory sexual harassment prevention training, in compliance with the Illinois Human Rights Act (775 ILCS 5), Illinois Workplace Transparency Act (Public Act 101-0221), covering definitions, reporting procedures, and prevention strategies. This training is required to be completed within 7 days of an employee's tenure and annually thereafter.

The organization keeps documentation of training records for all employees. Failure to complete required training may result in disciplinary actions up to and including termination or removal from the organization.

Professional Boundaries and Interactions between Staff and Youth

LCFS staff are provided with the Child Welfare Code of Ethics and are expected to be familiar with the code of ethics governing their license. The following standards are meant to further guide staff during their interactions with people receiving services. These guidelines do not and cannot outline every situation encountered while on the job, thus requiring staff to act with a certain degree of personal discretion. Because a certain action is not prohibited in this section does not mean it is acceptable behavior.
LCFS reserves the right to take disciplinary action against staff whose actions are found to be inappropriate regardless of whether they appear in this section.

Appropriate and Inappropriate Physical Contact

Our organization's physical contact policy promotes a positive, nurturing environment while protecting consumers, employees, and volunteers. Our organization encourages appropriate physical contact with consumers and prohibits inappropriate displays of physical contact. Any inappropriate physical contact by employees or volunteers towards consumers will result in disciplinary action, up to and including termination.

The organization's policies for appropriate and inappropriate physical interactions include but are not limited to:

Appropriate Physical Interactions	*Inappropriate Physical Interactions*
Contact initiated by the consumer such as: • Side hugs • Shoulder-to-shoulder or "temple" hugs • Pats on the shoulder or back • Handshakes • High-fives and fist bumps • Pats on the head when culturally appropriate • Touching hands, shoulders, and arms • Arms around shoulders • Holding hands (with young children in escorting situations) • Asking for permission before touching or guiding in how to do an activity (such as fastening safety equipment or showing how to swing a golf club)	• Full-frontal hugs • Kisses • Showing affection in isolated areas or while one-on-one • Wrestling • Giving gifts or money • Allowing a consumer to cling to an employee's or volunteer's leg • Allowing consumers, older than kindergarten, to sit on an employee or volunteer's lap • Any type of massage given by or to a consumer outside of accepted and documented medical treatment • Any form of affection that is unwanted by the consumer or the employee or volunteer • Touching bottom, chest, or genital areas that is outside authorized and documented personal care assistance

Appropriate and Inappropriate Verbal Interactions

Employees and volunteers are prohibited from speaking to consumers in a way that is or could be construed by any observer as harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. Employees and volunteers must not initiate sexually oriented conversations with consumers. Employees and volunteers are not permitted to discuss their own sexual activities with consumers. Our organization's policies for appropriate and inappropriate verbal interactions include, but are not limited to:

Appropriate Verbal Interactions	*Inappropriate Verbal Interactions*
• Positive reinforcement • Appropriate jokes • Encouragement • Praise • Strength-based conversations • Self-disclosure as a supervised therapeutic tool by licensed clinicians, medical professionals, and pastoral counseling	• Name-calling • Discussing sexual encounters or showing sexual materials • Involving consumers in the personal problems or issues of employees and volunteers • Flirting • Secrets • Cursing • Off-color or sexual jokes • Shaming, belittling • Oversharing personal history • Derogatory or discriminatory remarks • Harsh language that may frighten, threaten, or humiliate consumers • Derogatory remarks about the consumer or their family • Compliments relating to physique or body development

Procedures for Reporting & Investigating Incidents

External Reporting

All employees and volunteers are mandated reporters as defined by the Illinois Abused and Neglected Child Reporting Act (325 ILCS 5/). Any suspected abuse, maltreatment, neglect, or exploitation must be reported immediately to a supervisor and the DCFS Hotline (1-800-25-ABUSE).

Internal Reporting

Aligned with the LCFS Risk Management Policy, employees have a responsibility to identify, communicate, take action and perform analysis and evaluation of incidents at a departmental level immediately, but no more than within 24 hours of the incident. An incident involving abuse, neglect, maltreatment or exploitation to service recipients, employees or volunteers require additional root cause analysis and actions. All incidents follow a 5-step process for resolution:

- Identification
- Communication
- Action for Resolution
- Analysis of the Incident
- Evaluation for Continuous Quality Improvement

Incidents that involve the threat of or actual harm undergo an internal quality review. The procedures for internal quality reviews are as follows:

a. Internal quality reviews will be completed within a timeframe suitable for the nature of the incident, commitments to service recipient, the type of program, and with respect to any contractual agreements.

b. Statements from all involved individuals will be required unless they are already in the record so as to not be duplicative. Written reports are required from the immediate LCFS parties involved.

c. In order to ensure an independent review, the director with responsibility over the involved area of functioning will review the actions taken according to practice standards, including timely implementation and documentation of all actions taken, whether or not the situation was handled in a satisfactory manner, and document their reflections of what was learned from the situation including strengths, barriers, and other issues that were revealed as a result of the situation. The Director of the department is responsible for drafting a written report of their findings and submits the report to the Corporate Officer responsible for the department.

d. In order to address ongoing monitoring of actions and determine their effectiveness, the approving Corporate Officer will evaluate the actions written in the Quality Review within 90 days of its approval. Corporate Officers will also review these incidents twice a year as part of their regular CQI assessment.

Investigation Procedures & Process

a. Any observation of red flag behaviors (e.g., overly familiar interactions, favoring specific children, excessive personal gifts) should be reported to a supervisor immediately for further review.

b. Upon receiving a report of policy violation, inappropriate behavior, or abuse, the appropriate State and local authorities will be notified. The employee in question will be temporarily placed on administrative leave pending the outcome of an investigation.

c. If the governing authorities for investigations do not proceed with an investigation or if they consent to the organization conducting a simultaneous internal review, the designated employees are instructed to follow the Quality Review Risk Management procedures, involving HR and LCFS legal counsel (where relevant), minimally requiring a definition of the problem, gathering information and data surrounding the incident, analysis and identification of risk mitigations to

prevent future incidents. The investigation will be impartial and fair, respecting the rights of all involved and in collaboration with appropriate authorities.

Acknowledgment and Compliance

All employees and volunteers must read, understand, and comply with this policy. An acknowledgment signature page must be signed to confirm their understanding and commitment to the LCFS Abuse, Maltreatment, Neglect, & Exploitation Prevention Policy.

LCFS has personnel policies and procedures aligned with the federal, state, local laws, contracts, licenses and certifications of which the agency maintains. LCFS is a licensed Child Welfare Agency and Child Care Institution by the Department of Children of Family Services, a Certified Comprehensive Mental Health Center (CMHC), and LCFS is also an accredited organization by the Council of Accreditation. Therefore, LCFS abides by the most comprehensive requirements of the affiliated entities to ensure adherence and quality standards to the governing policies and procedures applicable to such affiliations. In addition to this policy, there are several other policies related to ensuring a safe, respectful and just service experience at Lutheran Child and Family Services.

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ACKNOWLEDGEMENT FORM

I acknowledge that I received and read the Lutheran Child and Family Services Abuse, Maltreatment, Neglect, & Exploitation Prevention Policy. I understand that it is my responsibility to abide by all rules contained in the policy. I acknowledge that I will be alerted when changes and updates are made to this Policy and will be responsible for reading and complying with these updates.

I agree to comply with all the guidelines outlined in this policy and understand that any violation may result in disciplinary action, including termination of employment or volunteer service.

Employee Printed Name: _____

Employee Signature:_____ Date: _____

This will be acknowledged electronically through the LCFS Prescribed HRIS system.