



GuideOne Center for Risk Management

Preventing Sexual Misconduct

Hopefully, your organization will never have to face the financial and emotional devastation of sexual misconduct. But instead of relying upon hope and trust, there are a number of proactive measures and programs that every organization can implement to help prevent sexual misconduct from occurring and minimize the risks associated with an incident.

Obviously, the effects of sexual misconduct can devastate the victim and the victim's family. But the damage does not stop there. Just one incident of sexual misconduct can destroy the trust, credibility, and reputation of an organization for years. Adding further pain to an incident of sexual misconduct are the legal costs of a lawsuit, which can ruin an organization financially.

Please continue reading below to find more information related to sexual misconduct and to learn more about effective sexual misconduct prevention procedures.

Sexual Misconduct Statistics

While statistical information regarding child sexual abuse varies substantially, here are a number of dramatic findings from government and other authorities:

- Approximately 770,000 incidents of child abuse are reported per year, with 10 percent of those being sexual abuse.
- It is believed that less than 10 percent of sexual abuse cases are ever reported to authorities, so the actual incidence of sexual abuse each year is much greater than reported.
- The most common abusers of children are acquaintances of their victims.
- Sexual abuse occurs among all groups of society, in rural and metro areas, and regardless of race, education, or socioeconomic status.
- Child advocates commonly claim that one in four girls and one in seven boys are sexually molested before their 18th birthday.

GuideOne Insurance claims statistics are also startling:

- There are 10 to 15 new claims of sexual misconduct per month.
- Approximately 150 sexual misconduct claims are pending at any one time.

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This material is for informational purposes only. It is not intended to give specific legal or risk management advice, nor are any suggested checklists or actions plans intended to include or address all possible risk management exposures or solutions. You are encouraged to retain your own expert consultants and legal advisors in order to develop a risk management plan specific to your own activities. For more information, contact the GuideOne Center for Risk Management at 1-877- 448-4331, ext. 5118, for Church and Schools.



The following loss statistics are further alarming:

- The Catholic Church of America has paid more than \$2.6 billion dollars in child abuse claims (*The Washington Post*).
- In a 2011 Oregon lawsuit, more than 500 victims were awarded \$166 million dollars for abuse inflicted by priests (*The New York Times*).

Sexual Misconduct Prevention Procedures

Every organization that works with the public should have an official policy in place to help prevent sexual misconduct before it occurs. The following preventive measures are general guidelines only.

1. Screen employees and volunteers.
2. Establish organizational policies and procedures.
3. Educate staff, children, and parents.
4. Develop the best program for your organization.

1. Carefully Screen Employees and Volunteers

The first step in preventing sexual misconduct is to thoroughly screen the backgrounds of employees and volunteers. Legitimate workers will not be offended, and the process often scares off unwanted individuals. To screen staff members, organizations can take the following actions:

- ❑ Complete a criminal record background check.
GuideOne's relationship with Employment Screening Resources (ESR) can help facilitate this important step. All employees and volunteers should sign an authorization form allowing criminal background checks to be completed.
- ❑ Require individuals to complete a screening application.
The screening application asks about previous employment, experience with children, references, criminal record information, and other pertinent details.
- ❑ Diligently verify all information provided.
Reference checks should include contacting, at a minimum, two institutional type references in which the applicant has worked or volunteered with minors in the past (for example, scouts and other churches).
- ❑ Resolve any irregularities before a candidate begins work.



2. Establish Organizational Policies and Procedures

As a second line of defense, organizations should establish written policies and procedures for its employees and volunteers. Once policies and procedures are established, they must be communicated effectively to the staff, and the rules have to be consistently enforced. Here are several examples:

- ❑ Include a procedure in which you ask if the employee or volunteer has ever been accused of, participated in, or been convicted of sexual misconduct.
- ❑ Have documented procedures in place on how to respond to a sexual misconduct allegation.
- ❑ Require six months of service before a volunteer has direct involvement with or supervises children.
- ❑ Include the proper ratio of adults to children. Require a minimum of two, non-related adults to be present with children at all times.
- ❑ Hold all activities for children in central, highly visible locations.
- ❑ Do not allow activities to take place in private rooms, offices or isolated parts of a building. Keep all remote areas, such as closets and unoccupied rooms, locked.
- ❑ Have a responsible supervisor randomly monitor all children's activities. Supervisors should make frequent, unannounced visits.
- ❑ Establish an action plan for suspicious behavior and to report complaints.
- ❑ Establish counseling guidelines for ministers and staff members.
- ❑ Have windows installed on doors where activities and meetings take place, or leave doors open if there are no windows present.

3. Educate Staff, Children, and Parents

An educational program offers your organization a third important line of defense against sexual misconduct. Education can be targeted toward employees, volunteers, parents and children to help everyone identify and avoid potentially dangerous situations. Effective education can include courses such as the following:

- **Training courses for all staff members** — All employees and volunteers should complete an initial training course on how to properly work with children and adolescents. This course should be repeated periodically.
 - ❑ Document records of attendance.
 - ❑ Have a written disciplinary policy.
 - ❑ Research and train on your state procedures about reporting sexual abuse claims.
- **Safety courses for children and parents** — Children can be taught to understand the difference between good touching and bad touching. And parents can learn about the organization's policies to prevent sexual misconduct.



4. Develop the Best Prevention Program for Your Organization

Through effective employee and volunteering screening, internal policies and procedures, and education, your staff can develop or further enhance its sexual misconduct risk management program to address the organization's specific needs. As a result, the entire organization and everyone it serves will be even safer from the nightmare of sexual misconduct.

For additional details about sexual misconduct prevention

- ❑ Consult with an attorney.
- ❑ Become familiar with state laws.
- ❑ Talk with a GuideOne Risk Management Specialist.
- ❑ Contact one of the many public agencies dedicated to stopping sexual abuse.
- ❑ If needed, add additional liability insurance coverage to your organizations' current policy. This can help protect an organization from legal liability, including defense costs, arising from sexual misconduct by staff members or volunteers.