

CHILD PROTECTION/CHILD ABUSE

Background

All citizens have a duty to report child abuse in accordance with provincial legislation. Accordingly, all employees of the Good Spirit School Division have a duty to report suspected child abuse to an appropriate authority (child protection worker, Ministry of Social Services, First Nations Child and Family Services Agency, police officer). The Saskatchewan Child Abuse Protocol will assist with meeting these legislative requirements.

Procedures

The Good Spirit School Division directs that all employees who have reasonable grounds to believe that there is a child in need of protection from abuse report the matter immediately to an appropriate authority in accordance with *The Child and Family Services Act* and/or *The Emergency Protection of Victims of Child Sexual Abuse and Sexual Exploitation Act*. All employees shall follow the Saskatchewan Child Abuse Protocol and this Administrative Procedure.

The Saskatchewan Child Abuse Protocol defines what constitutes child abuse based on section 11 of *The Child and Family Services Act* and the *Criminal Code of Canada*. All forms of child abuse are criminal offences. The Protocol also describes the roles and responsibilities of service providers and the process by which they must respond. Employees shall collaborate with child protection agencies, police, and any other service providers with authorized involvement.

All school guidelines must be consistent with the Protocol and this Administrative Procedure.

1. Duty to Report Abuse or Neglect by a Parent/Caregiver

1.1 Any employee of the school division who has reasonable grounds to believe that a child under the age of 16 is in need of protection shall immediately report this information to a child protection worker, Ministry of Social Services, First Nations Child and Family Services Agency and/or a police officer. (See section 12 of *The Child and Family Services Act*.)

1.2 The circumstances in which a child may be in need of protection include but are not limited to the following examples of abuse or neglect by a parent/caregiver:

- Physical abuse;
- Sexual abuse and exploitation;

- Physical neglect;
- Emotional maltreatment;
- Exposure to domestic violence or severe domestic disharmony; or
- The child has committed an act that if the child were 12 years of age or more would constitute a criminal offence and family services are necessary to prevent a recurrence.

1.3 While it is not legally required, abuse or neglect by a parent of a young person aged 16 or 17 may be reported to child protection services and/or police in order to obtain assistance for the young person.

2. Duty to Report Sexual Exploitation

2.1 Any employee of the school division who has reasonable grounds to believe that a child under the age of 18 has been or is likely to be subjected to sexual abuse shall immediately report this information to a child protection worker and/or police officer.

2.2 Child sexual abuse occurs when a child under the age of 18 has been, or is likely to be, exposed to harmful interaction for a sexual purpose, including involvement in prostitution and/or Criminal Code offenses. (see section 4 of *The Emergency Protection for Victims of Child Sexual Abuse and Exploitation Act*).

3. Duty to Report Child at Risk Due to Other Practices Prohibited Under Canadian Law

The Criminal Code of Canada prohibits the marriage of children under 16 whether it occurs in Canada (section 293.2) or if a child is removed from Canada for that purpose (section 273.3 (d)). The Criminal Code also treats female genital mutilation as a criminal act (section 268 (4)). A child at risk from the above practices is at risk of physical and/or sexual and emotional abuse and these situations should be reported.

4. Reporting

4.1 Reasonable grounds to believe:

- is subjective;
- can be based on personal observation or discussion;
- does not require proof;
- can be based on assumptions or credible second-hand information;
- can take into account the training and experience of the person reporting;
- can still be reasonable even if it turns out eventually to be untrue.

4.2 The employee making the report shall take the following steps:

- 4.2.1 The employee shall make the report by telephone or in-person to a child protection worker, Ministry of Social Services, First Nations Child and Family Services Agency, and/or a police officer.
- 4.2.2 The employee may enlist the support of the principal and school counsellor in making the report.
- 4.2.3 The employee must inform the principal and school counsellor a report has been made unless the principal is the subject of the report. In such case, the notification that a report has been made shall be provided to the superintendent.
- 4.2.4 The employee shall create a written report of the information received and steps taken, and forward this documentation to the principal and school counsellor to store in CLEVR under School Counsellor Tracking.

4.3 Once the principal is informed, the principal or school counsellor must support the employee in reporting.

4.4 The principal and/or staff member shall gather and prepare, in written form, the following information before reporting:

- name of child
- name of the parent
- child's birth date
- facts of the disclosure or observation
- child's address
- other pertinent school/family information
- Information about the disclosure or evidence of the need for protection is not to be filed in the student cumulative folder.
- The information must be kept confidential and not shared with others.
- The report is to be made to the Ministry of Social Services: provincial (1-844-787-3760) or federal office (306-782-8838) if reported between 8:00 am and 5:00 pm
- After hours reports can be made by calling the provincial line which transfers the caller to Mobile Crisis Services
- The reporter is to record the name of the individual the report is made to. If a worker will be coming to the school, record the name of that worker also.
- Request a follow-up call to the school within 24 hours of the initial investigation.
- OR call the local RCMP detachment.

4.5 The principal or school counsellor will notify the Director or designate when a report to a child protection worker or police officer has been made.

4.6 Employees shall **not** contact the parents/caregivers in situations where the parent/caregiver or the partner of the parent/caregiver is the subject of the report. Doing so in these situations may compromise the investigation. Decisions regarding contact with parents/caregivers shall be made in consultation with Social Services and/or police officers.

4.7 School personnel are to cooperate with police and other professionals involved in the investigation of child abuse, and share information as required throughout the investigation, assessment, and treatment of the child and his or her family.

4.8 The principal shall permit Social Services personnel or police to conduct a confidential interview on school premises without parental notification. When an interview occurs at the school, the principal will request that Social Services personnel complete a report of the interview. The principal will advise the Director or designate of the report and interview.

5 Support to the Child

Employees shall provide support to the child, particularly in a situation of disclosure.

5.1 **DO** the following:

- Validate the child's right to seek help.
- State the right to safety.
- Provide for physical comforts
- Monitor the progress of the child and provide appropriate academic, social, and emotional support.

5.2 **DO NOT** do the following:

- Interview the student or investigate for "proof."
- Question for details.
- Offer judgment.
- Tell the child "what will happen."
- Remove, alter or contaminate physical evidence.

6 Confidentiality

6.1 Employees shall maintain confidentiality of all information. The fact that there is an investigation in progress is in itself confidential.

6.2 Records are to be stored, accessed, and disposed in accordance with board policy.

7. Awareness

Every principal shall ensure that all employees are aware of and have access to the following documents:

- This Administrative Procedure
- Saskatchewan Child Abuse Protocol
<http://www.saskatchewan.ca/residents/justice-crime-and-the-law/child-protection/child-abuse-and-neglect>
- Counsel for Children Guidelines for School Divisions
<http://www.saskatchewan.ca/residents/justice-crime-and-the-law/courts-and-sentencing/counsel-for-children>

Note: Awareness for all staff may be accomplished by notices in division offices and school staff rooms, discussions at staff meetings, presentations to employees, distribution of government pamphlets and publications, and more.

Legal Reference: Section 85, 87, 109, 175, 231 Education Act
Section 11, 12, 81 Child and Family Services Act
Provincial Child Abuse Protocol 2014
Section 293.2, 273.3 (d), 268 (4) The Criminal Code of Canada

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