

## CHILD PROTECTION

### Background

The Child, Family and Community Service Act requires anyone who has reason to believe that a child has been or is likely to be at risk to make a report to a child welfare worker or directly to the police if a child is in immediate danger.

The district recognizes the need to protect the personal and physical well-being of students. The role of staff is to be aware of, and alert to, signs and symptoms of possible child abuse or neglect – and to respond appropriately if there are concerns about a child’s safety or well-being.

The purpose of this operational procedure is to support a comprehensive, coordinated and collaborative approach for responding to child abuse or neglect.

### Definitions:

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| <u>Duty to Report</u>        | Under B.C. law you have a duty to report your concerns if you have reason to believe a child has been, or is likely to be, abused or neglected. The legal duty to report overrides any duty of confidentiality, except a solicitor-client relationship or where provisions of the Youth Criminal Justice Act apply.   |
| <u>Reason to Believe</u>     | Means that, based on what you have seen or information you have, you believe a child could be at risk. Proof is not required.   |
| <u>Child Abuse</u>           | A deliberate physical assault or action by a person that results in, or is likely to result in, physical harm to a child under nineteen (19) years of age. Also includes emotional abuse or harm, sexual abuse, and sexual exploitation.  |
| <u>Neglect</u>               | Is failure to provide for a child’s basic needs. It involves by an act of omission by the parent or guardian, resulting in (or likely to result in) harm to the child. Neglect may include failure to provide food, shelter, basic health care, supervision or protection from risks, to the extent that the child’s physical health, development or safety is, or is likely to be, harmed. |
| <u>Child Welfare Worker</u>  | A person delegated under the Child, Family and Community Service Act to provide child welfare services, including responses to suspected child abuse and neglect. The Ministry of Children and Family Development and full Delegated Aboriginal Child and Family Service Agencies employ Child Welfare Workers authorized to respond to suspected child abuse and neglect.                  |
| <u>In Need of Protection</u> | Includes circumstances of physical harm, sexual abuse and exploitation or emotional harm towards a child by a child’s parent or guardian, or by another person if the parent is unwilling or unable to protect the child. It also includes circumstances of parental neglect and abandonment.   |

## Procedures

### 1. Training and Educational Programs

- 1.1 Early in each school year ie. September staff meeting, the principal shall review the BC Handbook for Action on Child Abuse and Neglect and Responding to Child Welfare Concerns and this operational procedure with the teaching staff to ensure that all teachers are aware of its contents and their legal responsibility to report to the Ministry of Children and Family Development if they believe that a child has been, or is likely to be, abused or neglected.
- 1.2 The district requires that school officials, employees, volunteers, and contract service providers that have regular contact with students receive training on how to recognize the signs of child abuse or neglect, how to respond to reports of child abuse or neglect, and standards of conduct for employees, volunteers, and service providers governing their interactions with students.
- 1.3 The superintendent or designate will ensure that new employees be made aware of this operational procedure, appropriate opportunities for training be provided annually, and that child abuse prevention programs are provided to students in accordance with the Ministry of Education's prescribed learning outcomes.

### 2. Reporting

- 2.1 A school district employee who has reason to believe that a student is in need of protection must report their suspicions to the local Ministry of Children and Family Development office, and notify the principal of their actions. The principal will then notify the superintendent.
- 2.2 If a child is believed to be in imminent danger, the school district employee should immediately notify the police, and notify the principal of their actions. The principal will then notify the superintendent.
- 2.3 If the suspected abuser is a district employee, volunteer, or contract service provider, inform the principal of the suspected abuse and the principal will inform the superintendent. The superintendent or designate will contact the appropriate authorities and inform the child's parents/guardians.
- 2.4 School district employees are to refrain from interviewing the student after receiving a student's first disclosure. Interviews will be conducted by the Ministry of Children and Family Development staff, and in some cases they will jointly interview with the police. (See operational procedure 366 Interview of Students by Outside Agencies)
- 2.5 No communication is to be made with the suspected abuser. This is the responsibility of the Ministry of Children and Family Development child welfare worker and/or police.
- 2.6 Other than speaking with the appropriate officials and authorities, this matter is to be treated with the utmost confidentiality to respect the privacy of the child and other parties involved and so as to not jeopardize the investigation.

### 3. Investigations

- 3.1 Investigations regarding allegations of child abuse shall be under the responsibilities of the assistant superintendent or designate. The assistant superintendent or designate shall coordinate and communicate with the superintendent and secretary-treasurer regarding the investigation or actions under this operational procedure.
- 3.2 The district acknowledges that individuals under investigation regarding allegations of child abuse or neglect may have contractual or other legal rights during the investigative process. School district investigations will be conducted in a manner that is respectful of these rights.
- 3.3 The Board of Education and superintendent of schools have the authority, under the School Act, to suspend an employee whose presence threatens the welfare of students and/or who has been charged with a criminal offence.
- 3.4 Where there are allegations of child abuse by a volunteer, contracted service provider, or other person school officials have the authority to prohibit their attendance at school in accordance with the School Act.
- 3.5 Where there is reason to suspect an incident of child abuse by a member of the Teacher Regulation Branch or other professional body, the school district has an obligation to report the suspected professional misconduct and any subsequent suspension, dismissal and discipline.
- 3.6 The secretary-treasurer is responsible for ensuring that a report is made to the School Protection Program if circumstances indicate that a civil claim is likely to be made against the school district or its staff or volunteers as a result of the incident.

Reference: School Act, sections 7, 9, 15, 16, 17, 20, 22, 65, 79, 85, 177  
Child, Family and Community Services Act, sections 13 and 14  
Health Professions Act, section 32.2  
Teachers Act, section 38  
Criminal Code of Canada  
Freedom of Information and Protection of Privacy Act  
B.C. Handbook for Action on Child Abuse and Neglect and Responding to Child Welfare Concerns