

Section:	School Administration	
Title:	Reporting Child Abuse and/or Neglect	3.4.1

Purpose:

To outline the requirements for each employee of the school district in their “Duty to Report” child abuse and/or neglect.

General Guidelines:

As employees of the school district our role includes being aware of, and alert to, signs and symptoms of possible child abuse or neglect including responding appropriately when concerns are present about a child or youth’s safety or well-being.

Phone Centralized 1-800-663-9122 at any time of day or night from anywhere across the province, 24 hours a day, 365 days a year.

Indigenous Child Safety Services

Xyólheméylh (Fraser Valley Aboriginal Children and Family Services Society) is accessible:

Monday to Friday 8:30 am to 4:30 pm 1-866-851-4619

Weekends and After Hours 1-800-663-9122 (same as centralized screening)

Procedure:

1. Legal Obligation:

Any employee who has reason to believe that a child or youth has been or is likely to be abused or neglected, including emotional harm, physical harm, or sexually abused or exploited, and if the parent is unwilling or unable to protect the child or youth, must report the suspected abuse or neglect to a child welfare worker immediately.

Failing to promptly report suspected abuse or neglect to the Ministry of Children and Family Development is a serious offence under the Child, Family and Community Service Act (CFCSA) and carries a maximum penalty of a \$10,000 fine, six months in jail, or both. No action for damages may be brought against you for reporting information under CFCSA unless you knowingly report false information, or the report was not made in good faith.

The duty to report overrides any duty to protect the privacy of clients, patients, students, or staff.

Teachers who report other teachers suspected of child abuse, do not contravene the BCTF Code of Ethics in making a report of suspected child abuse.

2. When a Report Must be Made:

A report to the Ministry of Children and Family Development must be made when you have reason to believe that a child or youth:

- Has been, or is likely to be, physically harmed, sexually abused, or sexually exploited by a parent or another person, and the parent is unwilling or unable to protect the child or youth.
- Has been, or is likely to be, physically harmed because of neglect by the child’s or youth’s parent.
- Is emotionally harmed by the parent’s conduct.
- Is or has been absent from home in circumstances that endanger the child’s or youth’s safety or well-

being.

- Has been abandoned and adequate provisions have not been made for the child's or youth's care.
- Is living in a situation where there is domestic violence by or towards a person whom the child or youth resides.
- Is likely to have seriously impaired development by a treatable condition and the child's or youth's parent refuses to provide consent to treatment.
- Has a parent that is unable or unwilling to care for the child or youth and has not made adequate provisions for the child's or youth's care, or
- Has a parent that is no longer alive and adequate provisions have not been made for the child's or youth's care.
- Parent is not providing medical care and attention for their children, including when there has been an offer made by the school to help and they have declined it.

All situations where you think a child or youth has been, or is likely to be abused or neglected, must be reported, even if you know that a child welfare worker is involved.

Children and youth may also be harmed outside the home, including youth under the age of 19 apparently unhoused, where the parent is not present and cannot reasonably be expected to protect the child or youth. In these cases, school staff may have a primary role in helping to ensure the child's or youth's safety and well-being, including calling 911 if they are in immediate danger, or within the duty to report for a child welfare worker to respond.

3. How to Make a Report:

If you think a **child** or **youth** under 19 years of age is being abused or neglected, you the legal duty to report your concern to a child welfare worker. Phone **1-800-663-9122** at any time of the day or night.

Telephone Device for the Deaf (TDD), call toll-free 1-866-660-0505, province-wide, 24-hours a day.

Your call will be answered by the Provincial Centralized Screening team (PCS), and their primary role is to receive and assess child protection reports and initial requests for ministry service.

If a child or youth is in immediate danger, or if a criminal offence has occurred, is occurring, or is likely to occur, call 9-1-1 or Mission RCMP.

Make a report to a child welfare worker after you have called the police. If a child or youth is not in immediate danger, but you have reason to believe that he or she has been, or is likely to be, abused or neglected, call a child welfare worker.

Phone Centralized 1-800-663-9122 at any time of day or night from anywhere across the province, 24 hours a day, 365 days a year.

4. Making Your Report:

Report your concern as quickly as possible even if:

- You do not have all the information, or
- You suspect abuse (not necessarily disclosed).
- You think someone else may also be reporting, or
- A child welfare worker is already involved with the child, youth, or family.
- You have also reported this to the child welfare worker involved with the child, youth, or family.

In consultation with the School Principal or the Mission Public School District Child and Youth in Care Advocate, a report may also be made as a follow-up action to the Representative for Children and Youth. Responsibilities of the Representative include advocacy and supporting children and youth, protecting their rights, and making the child protection system more responsive, particularly for those who are most vulnerable. Phone 1-800-476-3933 (confidential and for all of BC). Website: www.rcybc.ca.

5. What to Report:

When making a report to a child welfare worker, the child welfare worker will want to know:

- The child's or youth's name and location.
- Whether there are any immediate concerns about the child's or youth's safety.
- Why you believe the child or youth is at risk.
- Any statements or disclosures made by the child or youth.
- The child's or youth's age, birthdate, and vulnerability.
- Information about the family, parents, and alleged offender.
- Information about siblings or other children or youth who may be at risk.
- Whether you know of any previous incidents involving or concerns about the child or youth.
- Information about other persons or agencies closely involved with the child, youth, and/or family.
- Information about other persons who may be witnesses or may have information about the child or youth.
- Information about the nature of the child's or youth's disabilities, their mode of communication, and the name of a key support person, and
- Any other relevant information concerning the child, youth and/or family, such as language or culture.

You do not need all this information to make a report. Just tell the child welfare worker what you do know. Time is of the essence in responding, so if you have concerns, do not delay.

6. After You Report:

Inform the School Principal or Direct Supervisor of your report.

- Document the information on the Child Abuse/Neglect Report Form and secure the original copy of the report for yourself (including supporting notes and documents) in a secure and confidential place. Do not share this confidential information with anyone other than the CPSW, the police, or as required by law.
- Provide a copy of the Child Abuse/Neglect Report Form to your school Principal or Direct Supervisor in a sealed envelope labelled "Confidential".
- The principal will inform the Director of Instruction, Student Services (SS) and/or Superintendent of Schools.
- If the suspected abuser is a school administrator, immediately report to the Superintendent or the Director of Instruction, Human Resources (HR).
- The Superintendent or Director of Instruction, SS or HR, will inform the District Principal of Indigenous Education for students with Indigenous ancestry.
- Do not inform parent(s), suspected abuser, or any other parties.

7. Confidentiality:

All information regarding a report of child abuse made by an employee to the district or to the Ministry of Children and Family Development is confidential.

- Confidentiality is required by law, and as such, conversations regarding the report must be strictly limited as outlined in this procedure.
- Completed Child Abuse/Neglect Report forms are stored at the District Education Office with the Director of Instruction, SS, and the Superintendent.

- Copies of the form or notes related to the report must not be stored at the school or placed in the child's G4 file, pursuant to the CFCS Act and this Administrative Procedure.
- All information related to report must be retained in a manner that ensures confidentiality and security of such information.

8. Supporting the Child During a Disclosure:

- Remain calm and supportive while acknowledging their situation.
- Validate their feelings and emotions.
- Document facts and refrain from asking leading or prompting questions.
- Assure the student that you need to report the information to get help and to ensure they are safe.
- Discuss with the Principal or District Principal any supports the child may need after the disclosure.

9. Reporting Suspected Cases of Child Abuse or Neglect by an MPSD Employee, Volunteer, or Contracted Service Provider:

School officials have the primary responsibility for dealing with these allegations. Reports to Xyólheméylh or MCFD are not usually required unless there is reason to believe that children may require protection outside of the school setting, or the parents are unable or unwilling to take any action required to protect the child.

- Document the information on the Child Abuse/Neglect Report form.
- Immediately report the concern to the school principal, who will report to the Superintendent.
- If the suspected abuser is a school administrator, immediately report to the Superintendent or the Director of Instruction, HR.

The Superintendent, in consultation with HR, will begin the investigation process.

• **School District Employees:**

Where there are allegations of child abuse by a school district employee, the Superintendent is responsible for investigating the allegations and/or reporting the matter to the police in accordance with the Interagency Child Abuse/Neglect Reporting and Investigation Protocol. The Board of Education (BOE) and Superintendent have the authority under the School Act (s.15) to suspend an employee whose presence threatens the welfare of students. The BOE also has the authority under the School Act to suspend an employee who is charged with a criminal offence.

• **Volunteers:**

Where there are allegations of child abuse by a volunteer, school officials have the authority to prohibit the volunteer's attendance at school in accordance with Administrative Procedure #3.6.1 - Volunteers, the School Act (s.177.2) if applicable, and the Interagency Child Abuse/Neglect Reporting and Investigation Protocol.

• **Contracted Service Providers:**

Where there are allegations of child abuse by contracted service providers, school officials have the authority to prohibit the service providers' attendance at school, in accordance with the School District's contractual rights, property rights, and its authority under the School Act.

• **Other Persons:**

Where there are allegations of child abuse by other persons, school officials have the authority under the School Act (s.177) to prohibit the person's attendance on school premises and to seek assistance of the police, in accordance with the Interagency Child Abuse/Neglect Reporting and Investigation Protocol.

- Parents of children alleged to have been abused in the school setting must be informed by school district officials of the allegation and the outcome of the school district investigations, unless there are special circumstances, e.g., relating to a child protection or police investigation, or endangerment of the child.

- If a parent is reporting, they must inform the Mission Royal Canadian Mounted Police (RCMP) Detachment.
- Do not inform parents(s), suspected abuser, or any other parties.

10. Reporting Suspected Cases of Child Abuse or Neglect by Another School-Aged Child:

School officials have the responsibility and authority under the School Act to investigate allegations that a student has abused another student within the school environment. School officials may take disciplinary or other remedial action, in accordance with BOE Policy.

- School employees and officials also have responsibility to take appropriate action to safeguard a student who is a victim of abusive conduct by other students at school and to notify the parents of the students involved.
- Child sexual behaviour occurs on a continuum and much of children's behaviours are considered developmentally appropriate and normal. Some sexualized behaviours in children can be a red flag that a child is in distress and needs help. Further information can be found at [Protect Children](#) and in MPSD Guidelines for sexualized behaviour.
- School officials may notify and/or consult the RCMP or Xyólheméylh or MCFD where appropriate, in accordance with the Interagency Child Abuse/Neglect Reporting and Investigation Protocol. School authorities have discretion in the circumstances of many minor offences whether to deal with a matter through the school discipline process or whether to call in police.
- A report to a Child Protection Social Worker is only required when there is reason to believe that the child's parent is unable or unwilling to take action required to protect the child, or where there is reason to believe that other abuse (including abuse of the alleged abuser), has taken place outside the scope of the school district investigation and the parent is unwilling or unable to protect the child (or the parent is implicated in the abuse).

11. Definitions:

The following definitions are adapted from the BC Handbook for Action on Child Abuse and Neglect:

Abuse includes sexual abuse, sexual exploitation, physical abuse, emotional abuse, and neglect. For more detailed explanations:

Physical Abuse: a deliberate, non-accidental physical assault or injury by an adult or significantly older or more powerful child that results in, or is likely to result in, physical harm to a child.

Sexual Abuse: the use of a child for sexual gratification by a person in a position of trust and/or authority, or by a significantly older or more powerful child. It includes sexual touching, menacing, or threatening sexual acts, obscene gestures, or deliberate exposure of the child to sexual activity or material.

Emotional Abuse: a pattern of destructive behaviour or verbal attacks by an adult on a child. Typical behaviours may include rejecting, terrorizing, ignoring, isolating, humiliating, insulting, scapegoating, exploiting, or corrupting a child.

Neglect: failure to provide for a child's basic needs, i.e., food, clothing, adequate shelter, supervision, and medical care. Neglect is the form of abuse most frequently reported to the Ministry of Children and Family Development.

Sexual Exploitation: permitting, encouraging, or requiring a child to engage in conduct of a sexual nature for stimulation, gratification, or self-interest of another person; prostitution; or production of material of a pornographic nature.

Child Welfare Worker is a person delegated under the CFCSA to provide child welfare services, including responses to suspected child abuse and neglect.

Child: in British Columbia, under the CFCSA, a child is anyone under the age of 19.

Date Adopted: February 2001 (formerly Administrative Procedure #110)

Dates Amended: January 2005 and July 2023

Superintendent Signature: Original signed by Superintendent A.Wilson Date: September 1, 2023

Legal References: *Child, Family and Community Service Act*

School Act

Teaching Professions Act

Resources: *BC Handbook for Action on Child and Abuse and Neglect for Service Providers, 2007, Ministry of Children and Family Development*

Responding to Child Welfare Concerns, 2007, Ministry of Children and Family Development

<https://www.fvacfss.ca/child-safety/>

<https://www2.gov.bc.ca/gov/content/safety/public-safety/protecting-children/reporting-child-abuse>