

AP 315 – REPORTING OF CHILD ABUSE/NEGLECT

BACKGROUND

All citizens have a duty to report child abuse in accordance with provincial legislation. Accordingly, all employees of the Saskatoon Public Schools 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

Saskatoon Public Schools 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 this Administrative Procedure.

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

1. Duty to Report Abuse or Neglect

- 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 :
 - 1.2.1. Physical abuse;
 - 1.2.2. Sexual abuse and exploitation;
 - 1.2.3. Physical neglect;
 - 1.2.4. Emotional maltreatment;
 - 1.2.5. Exposure to domestic violence or severe domestic disharmony; or
 - 1.2.6. 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. Abuse also includes the following as defined in the Criminal Code of Canada and should be reported:
 - 1.3.1. marriage of children under 16 (section 293.2) or removed from Canada for that purpose
 - 1.3.2. female genital mutilation (section 268(4))

- 1.4. Youth Age 16 and 17 or vulnerable students over 18:
 - 1.4.1. While it is not legally required, abuse or neglect of a young person aged 16 or 17 or vulnerable students over 18 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 exploitation shall immediately report this information to a child protection worker and/or police officer.
- 2.2. Child sexual exploitation 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. Reporting

- 3.1. Reporting:
 - 3.1.1. is subjective;
 - 3.1.2. can be based on personal observation or discussion;
 - 3.1.3. does not require proof;
 - 3.1.4. can be based on assumptions or credible second-hand information;
 - 3.1.5. can take into account the training and experience of the person reporting; and
 - 3.1.6. can still be reasonable even if it turns out eventually to be untrue.
- 3.2. The employee making the report shall take the following steps:
 - 3.2.1. The employee shall make the report as soon as possible 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.
 - 3.2.2. The employee may enlist the support of the principal and/or school counsellor in making the report.
 - 3.2.3. The duty to report is a personal 'Duty to Report' and cannot be delegated to another individual.
 - 3.2.4. The employee must inform the principal 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.
 - 3.2.5. The employee shall also submit the [Reporting Suspected Child Abuse/Neglect form](#) to the division. (The Reporting Suspected Child Abuse/Neglect form can also be found by going to the 'forms' section of the division portal.)
- 3.3. 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.

- 3.4. Any communication or contact with parents or guardians in regards to such alleged abuse and/or neglect is the responsibility of the investigating agency.

4. **Support to the Child**

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

4.1. **DO** the following:

- 4.1.1. Validate the child's right to seek help.
- 4.1.2. State the right to safety.
- 4.1.3. Provide for physical comforts

4.2. **DO NOT** do the following:

- 4.2.1. Investigate for "proof."
- 4.2.2. Question for details.
- 4.2.3. Offer judgments.
- 4.2.4. Tell the child "what will happen."
- 4.2.5. Remove, alter or contaminate physical evidence.

5. **Interviews Conducted by Police/Child Protection Services at School**

- 5.1. Any request from an officer of social services to interview a child shall be referred to the principal (or designate).
- 5.2. The principal (or designate) will work with the child protection worker and/or police to make the necessary arrangements for a confidential interview to occur. In circumstances where the allegations involve parents/guardians and where having the interview at the school is in the best interest of the child.
- 5.3. The child protection worker and police will determine who will be at the interview and will consider the child's support needs and comfort level.

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. All information, reports, and discussions relative to the child abuse or neglect will be treated as confidential by every person employed by the Division.
- 6.3. Records are to be stored, accessed, and disposed in accordance with board policy.

7. **Awareness and Supporting Documents**

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

- 7.1. This Administrative Procedure
- 7.2. Saskatchewan Child Abuse Protocol

7.3. Counsel for Children Guidelines for School Divisions

Reference: The Child and Family Services Act
The Emergency Protection of Victims of Child Sexual Abuse and Sexual Exploitation Act
Criminal Code of Canada
Saskatchewan Child Abuse Protocol (2014)

Date Last Revised: September 10, 2018