

CHILD ABUSE

Background

Children, as a matter of right, are to be safe and secure. All Division personnel have a responsibility to ensure the welfare of children. For this purpose, Division personnel must abide by the obligations of the Child, Youth and Family Enhancement Act (the “**Act**”) to report any suspected cases of child abuse to Children’s Services and/or the police.

The Assistant Superintendent, Learning Services is responsible for the administration of this administrative procedure.

Procedures

1. Legal Duty to Report Abuse or Suspected Abuse

- 1.1 Anyone who has reasonable and probable grounds to believe that a child is in need of intervention, has a legal duty under the Act to promptly report the matter to Children’s Services or the police.
- 1.1 It is not up to an individual to determine if the disclosure or indicators of abuse are sufficient evidence for an investigation. That decision is made by the caseworker in consultation with his/her supervisor.
- 1.2 The obligation to report is not discharged until the individual who has observed the indicators of abuse has reported directly to a delegated worker with Children’s Services and the individual has confirmed Children’s Services has received the report.
- 1.3 The Act prescribes penalties for those who fail to report such situations. The Act also protects a person making a report from legal action, unless the reporting is “done maliciously or without reasonable and probable grounds for the beliefs”.

2. Deciding to Report – Responding to a Disclosure

- 2.1 A disclosure made by a child to an individual must be documented by that individual in the child’s own words. The record is to include observed facts such as the child’s behaviour, actions, comments, persons present at the time of the incident and physical marks. No further interviewing is to occur, and the child’s parent(s)/guardian(s) are not to be contacted. The exception to this is when Children’s Services notes that the information provided does not fall within legislation/regulation. In this event, and if appropriate, the Family School Liaison Counsellor (FSLC), with support of the Counselling Coordinator, will share the information disclosed with the family. However, upon receiving the information the school division must exercise due diligence to keep the child(ren) safe or Children’s Services must be notified.

- 2.2 The individual is encouraged to collaborate with the Principal and Family School Liaison Counsellor (FSLC) prior to making a report, however, this will not limit a report being made in a timely manner.
- 2.3 A principal, or other designated person, shall not prevent an individual from making a report to Children's Services or the police.

3. Making A Report

- 3.1 Reports are to be made to a caseworker at Children's Services:

Southern Alberta Child Intervention Services - 403-297-2995
Child Abuse Hotline – 1-800-638-0715

4. Confidentiality/Record Keeping

- 4.1 All personnel are expected to respect the child and family's right to privacy throughout the reporting and investigation procedures.
- 4.2 Notes, reports or written observations regarding alleged abuse or neglect are to be kept separate from the student's school record and any other record accessible to other staff.
- 4.3 Any record made regarding alleged or reported abuse is to be kept secure and disclosed only to police, RCMP or Children's Services during the investigation process.

5. Child, Youth and Family Enhancement interviewing on School Property

- 5.1 Children's Services may, during the course of an investigation, request permission from the principal to interview the child on school premises. School personnel are expected to cooperate with the request.
- 5.2 When contacted by Children's Services, the principal or designate should seek clarification as to the urgency or need of the matter, and, if it is not urgent or a need is not shown, then arrangements should be made to conduct the interview outside of school premises.
- 5.3 The assessor/caseworker may ask, in the presence of a school staff member, if the child wishes a staff member to be present during the interview, as an observer only, not as an interviewer. Unless agreed to by the child and the Children's Services worker, school personnel are not to participate in the interview.
- 5.4 Prior to leaving the school, the assessor/caseworker is to notify the principal or designate of the plan for the child. The caseworker will notify the parents/guardians of the interview, school staff are not to fulfil this role.

6. Follow-up Communication between Child and Family Services and Division Personnel

- 6.1 Children's Services is to ensure the principal or designate will be given any necessary information needed to provide education services to children involved in their services. The principal or designate will follow up with Children's Services to determine whether any supportive education services are required by the child.