

Administrative Procedure 325

CHILD ABUSE

Background

The District requires all staff to concern themselves with the physical, social and emotional welfare of each student. Abuse or neglect of children and youth must not be left unchecked by persons charged with the care of students.

Consistent with the objectives of the District, education is to assist students to deal with social issues including the implementation of appropriate child abuse prevention programs.

Definition

Child Abuse: A child under nineteen (19) years of age who is:

- Abused or neglected so that his/her safety or well-being is endangered abandoned
- Deprived of necessary care through the death, absence or disability of a parent
- Deprived of necessary medical attention
- Absent from his/her home in circumstances that endanger his/her safety or well-being.

Procedures

1. Early in each school year, the Principal shall review the B.C. Handbook for Action on Child Abuse and Neglect and this administrative 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 when they have to believe that a child has been or is likely to be abused or neglected.
2. A teacher who has reason to believe that a student is in need of protection must report his/her suspicions to the local Ministry of Children and Family Development office, and notify the Principal of his/her actions. Form 325-1 MCFD Report Form for Suspected Child Abuse is to be completed.
3. Statements are to be recorded in the student's own words.
 - 3.1 Principals and teachers are to refrain from interviewing the student after receiving the student's first disclosure.
 - 3.2 Interviews will be conducted by the Ministry of Children and Family Development staff, and in some cases they will jointly interview with the police.
4. Principals are required to allow the investigating social workers and the police to interview the student in the school. It is expected that the Principal shall advise the investigating social worker and/or police officer of pertinent information.

5. Although a teacher or Principal may be requested to be present during an interview to provide support to the student, a staff member is not required to be present when the student is interviewed.
6. Staff members shall refrain from contacting parents unless specifically asked to do so by the investigating social worker or police officer.
7. Following the investigation, representatives of Ministry of Children and Family Development and the police will attempt to provide feedback to those staff members directly involved regarding the outcome. However, confidentiality respecting details of the case is required by legislation.
8. Child Abuse Prevention Programs
 - 8.1 Appropriate child abuse prevention programs shall be implemented on a planned basis to:
 - 8.1.1 Complement safety programs at primary grades;
 - 8.1.2 Complement health programs at intermediate grades;
 - 8.1.3 Integrate into family life programs at secondary grades.
 - 8.2 Adaptation of prevention programs will be provided for students with special needs.
 - 8.3 Appropriate in-service will be provided to staff involved in implementing prevention programs.
 - 8.4 Parents shall have the option of requesting that their child not participate in the prevention programs.

Reference: Sections 7, 9, 17, 20, 22, 65, 79, 85 School Act
Child, Family and Community Service Act
Freedom of Information and Protection of Privacy Act
Criminal Code of Canada
The B.C. Handbook for Action on Child Abuse and Neglect –For Service Providers
Responding to Child Welfare Concerns – Your Role in Knowing When and What to Report

Administrative Procedure 325 – Appendix

STEPS TO FOLLOW IN REPORTING CHILD ABUSE

If Abuse or Neglect is Suspected

1. Whether to report a suspected case of child abuse or neglect is always a difficult problem. The Child, Family and Community Services Act states, however, that:
 - 1.1 A person who has reason to believe that a child is in need of protection shall report;
 - 1.2 There can be no claim of confidentiality except in the case of a solicitor-client relationship;
 - 1.3 Legal action can only appropriately be taken against a person making a report that is made maliciously or without reasonable grounds;
 - 1.4 The Ministry of Children and Family Development and the Police have continually stressed that school personnel must report all reasonable suspicions and there can be no investigation conducted by the school. This does not, however, rule out any reasonable and confidential discussions conducted between staff members. If you are uncertain about reporting, please consult with your Principal, other school personnel, or the intake worker at the Ministry of Children and Family Development.

If Abuse is Disclosed in the Classroom

1. Do not display any shock in front of the child.
2. Indicate to the child that you have heard what was said, recognized the importance of the message, and wish to talk to the child about it as soon as is reasonably possible.
3. Speak to the child privately, showing sympathy and acceptance without judgment. **DO NOT MAKE ANY PROMISES TO THE CHILD**
4. Keep the interview as short as possible. You are not investigating, only clarifying what was said.
5. After speaking to the child make notes on the child's emotional and physical state as well as what was said.
6. Follow the Reporting Procedures as outlined below.

REPORTING STEPS

STEP I

1. When a teacher believes that a child abuse investigation is warranted, that teacher is to complete Form 325-1 – MCFD Report Form for Suspected Child Abuse:
 - 1.1 The name, age, birth date, sex, grade, address, and telephone number of the child
 - 1.2 The names of the parent(s) or guardian(s);
 - 1.3 The reason for the teacher's concern and any relevant statements made by the child to the teacher;
 - 1.4 Apparent indications of injuries or bruises;
 - 1.5 If known, where and when the alleged abuse occurred;
 - 1.6 If known, the name and address of the alleged offender.

STEP II

2. The teacher contacts the Intake Worker at the Delta office of Ministry of Children and Family Development. When a report is made, the following are to be noted:
 - 2.1 The name of the intake social worker receiving call;
 - 2.2 The time and date the call was made;
 - 2.3 That Ministry of Children and Family Development will notify the police in case of physical or sexual abuse;
 - 2.4 The action proposed by Ministry of Children and Family Development particularly in the areas of police involvement and the time and place of the interview.
Ministry of Children and Family Development will need to know the time students are dismissed for the day.

STEP III

3. A social worker from Ministry of Children and Family Development (and in some cases a police officer in the case of sexual or physical abuse) will usually interview the child at the school within twenty-four (24) hours. A short meeting between school, Ministry of Children and Family Development and police personnel prior to the abuse interview will be necessary in order to exchange any relevant information.

POINTS TO REMEMBER

- No school personnel are to notify the parents or guardians of the child before contact has been made by Ministry of Children and Family Development.
- If the case is considered very critical or unusually sensitive, the Principal is to notify the Assistant Superintendent or Director responsible for Special Programs.
- If Ministry of Children and Family Development social workers and police officers arrive at the school to interview a child concerning abuse, the Principal is to cooperate fully, provided proper identification has been produced by the other agency personnel.
- School personnel are not to insist on being present at the interview, but are to be prepared to attend to support the child if asked by the social worker.
- It is not the role of the school to actively gather evidence of abuse, only to inform Ministry of Children and Family Development and the police of a reasonable suspicion of abuse. School personnel are not to conduct an in-depth interview of the child prior to the official child abuse interview.
- It is very important to remember that a teacher does not relinquish the legal obligation to inform Ministry of Children and Family Development about a possible case of abuse or neglect simply by passing on his or her concerns to an administrator. If the teacher believes that an investigation should take place, but the administrator does not, it is the teacher's responsibility to contact Ministry of Children and Family Development.
- Inter-agency cooperation is vital if the interests of the children are to be safeguarded. Any questions or complaints about the handling of a child abuse case by Ministry of Children and Family Development or the police are to be directed to the Director responsible for Special Programs immediately. Only by correcting misunderstandings or mistakes can cooperation be maintained.
- In the case of an allegation of child abuse where the alleged offender is an employee of District, the Principal shall notify the Community Services manager of Ministry of Children and Family Development and the Superintendent or designate. All such investigations shall involve both the Superintendent or designate, and Ministry of Children and Family Development and, where appropriate, the police.
- School personnel are to provide relevant information to the investigating social worker and police officer. However, the confidentiality of investigations about child abuse or neglect is to be maintained. A written report regarding abuse and neglect is not to be in the child's records. School personnel are to maintain their personal notes as the information may be required by the courts. A copy of the report form is to be sent to the Superintendent's office. Any written records are to be given to Ministry of Children and Family Development.

Reference: Sections 7, 9, 17, 20, 22, 65, 79, 85 School Act
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