

Administrative Procedure 326

INVESTIGATION OF ALLEGED CHILD ABUSE BY SCHOOL EMPLOYEE

Background

An allegation of physical or sexual abuse by District personnel is not only a matter which requires reporting to the Ministry of Children and Family Development and to the police, but is also an issue of standards of practice to be dealt with by the Board through the Superintendent. Allegations will be followed by one (1) or more of the following proceedings:

- Investigation by the Ministry of Children and Family Development;
- Investigation by the local police which may result in criminal proceedings against the staff member involved;
- Investigation by the Superintendent or designate and possible action by the Board;
- Civil proceedings.

Procedures

1. Any District employee who receives a report of alleged sexual and/or physical abuse by another District employee, or who has reason to believe that a student is being or has been physically or sexually abused by a District employee shall immediately report the circumstances to his/her Principal, who will report the allegation to the Community Manager of Ministry of Children and Family Development, or in the manager's absence, the intake social worker, and to the Superintendent or designate.
 - 1.1 If the allegation involves the Principal, the District employee is to report directly to the Superintendent or designate.
2. The Superintendent may seek guidance from the District's legal counsel.
3. When a report is made to Ministry of Children and Family Development, it is the responsibility of Ministry of Children and Family Development to consult with police and the Superintendent and to agree on a joint strategy to interview the student, the parents, or any other sources necessary to determine whether there are grounds for further investigation.
4. If the preliminary investigation indicates that the report is unfounded, no further action is required.
5. If the need for further investigation is indicated, the social worker will report to the Superintendent.
6. No further discussions regarding the alleged offence are to take place with the alleged offender without consulting the social worker and the police.

7. Whether or not criminal charges also result, the social worker will advise the Superintendent of the results of the investigation and will include sufficient relevant information to enable the District to take appropriate remedial and/or disciplinary action.
8. When an employee resigns over an allegation of child abuse, whether or not that allegation has led to a conviction, a written report of the circumstances giving rise to the allegation and the outcome of the allegation will be placed in a confidential employee's file.
9. The information in a teacher's report will be transmitted to the Teachers' Council and will be provided when any other school districts request information for the purpose of employment.

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