

<b>Procedure Title</b>	<b>Child Maltreatment (Suspected) - Reporting</b>		
<b>Date of Issue</b>	July 6, 1999	<b>Related Policy</b>	BP 6850-D
<b>Revision Dates</b>	April 15, 2003	<b>Related Forms</b>	AF 6850
<b>Review Date</b>		<b>Originator</b>	System Administrative Team
<b>References</b>			
Child and Family Services Act, R.S.O. 1990 as amended			
<b>Procedure:</b>			

**Rationale:**

Educators play an important role in the identification, treatment and prevention of child abuse. The responsibility to report is clearly stated in *The Child and Family Services Act*, section 72.

*Duty to report child in need of protection*

72(1) *Despite the provisions of any other Act, if a person, including a person who performs professional or official duties with respect to children, has reasonable grounds to suspect one of the following, the person shall forthwith report the suspicion and the information on which it is based to a society:...*

*Ongoing duty to report*

72 (2) *A person who has additional reasonable grounds to suspect one of the matters set out in subsection (1) shall make a further report under subsection (1) even if he or she has made previous reports with respect to the same child.*

*Person must report directly*

72 (3) *A person who has a duty to report a matter under subsection (1) or 2) shall make the report directly to the society and shall not rely on any other person to report on his or her behalf.*

72 (4) *A person referred to in subsection (5) is guilty of an offense if,*  
 (a) *he or she contravenes subsection (1) or (2) by not reporting a suspicion; and*  
 (b) *the information on which it was based was obtained in course of his or her professional or official duties.*

72(5) *Subsection (4) applies to every person who performs professional or official duties with respect to children including,*  
 (a) *a health care professional, including a physician, nurse, dentist, pharmacist and psychologist;*  
 (b) *a teacher, school principal, social worker, family counsellor, priest, rabbi, member of the clergy, operator or employee of a day nursery and youth and recreation worker;*  
 (c) *a peace officer and a coroner;*  
 (d) *a solicitor; and*  
 (e) *a service provider and an employee of a service provider.*

The following Bluewater District School Board procedures have been developed to assist administrators to ensure that all suspected cases of child maltreatment are reported and handled appropriately.

**Procedure:**

**A. Procedures for Reporting Suspected Child Maltreatment**

1. The Employee who suspects maltreatment shall:

**Step 1. Report**

*Person must report directly*

*72 (3) A person who has a duty to report a matter under subsection (1) or 2) shall make the report directly to the society and shall not rely on any other person to report on his or her behalf.*

Report all cases of suspected maltreatment to the school principal or designate. Need for consultation with the principal or designate should not delay the call.

**Step 2. Call the Children's Aid Society**

- a) Call the Children's Aid Society if the suspicion of maltreatment concerns someone living in the child's home and ask for an intake worker.
- b) Call the police if the suspicion of maltreatment concerns someone living outside the home.
- c) If the student is over sixteen years of age, advise and assist the student to call the police or obtain the student's written permission to report.

The obligation by law to report cases of suspected abuse covers children only up to the age of sixteen unless the children are wards of the Children's Aid Society, or under court ordered supervision, in which case the age is eighteen years.

**Step 3. Request Assistance**

Request assistance and procedural direction from the Children's Aid Society or the police.

**Step 4. Notify the Parent**

School personnel and the Children's Aid Society will jointly determine who will verbally inform the parent or guardian of the referral to the Children's Aid Society or police. (Note: in some situations, notification of parents may be withheld at the direction of police or the Children's Aid Society).

**B. Responsibilities of the Principal**

The principal or designate:

- a) follows procedural direction as agreed upon at the time of referral to the Children's Aid Society or the police;
- b) confirms with the Children's Aid Society social worker that an attempt has been made to contact the parent or guardian prior to the student being interviewed or removed from the school premises by the worker. (Once again, noting that in some situations, notification may be withheld at the direction of the police or the Children's Aid Society);
- c) notifies the appropriate area superintendent by telephone.

**Note:** The keeping of accurate records is of great importance in helping to clarify the situation and is critical to a child maltreatment investigation. In all cases which are disclosed in school the person receiving the information or suspects that there is a child maltreatment situation, will complete form AF 6850, to be retained at the school. Even though information reported may be confidential, no action shall be taken against the individual who makes a report of child maltreatment unless the person making the report has acted maliciously. The information provided by the person making the report may be shared with a Review Team established by the Children's Aid society for the purpose of reviewing the case.

- reporter's name
- relationship to child
- reporter's contact numbers
- child's name
- child's address
- child's date of birth and age

- child's sex
- other information (i.e. special needs)
- names of siblings
- parent/guardian
- parent/guardian telephone number (work and home)
- details of prior communication with social services or police
- incident(s) that precipitated report
- report of what child said or how reporter came to suspect maltreatment

### **C. Disclosure Within a Student's Writing**

When "disclosure" of information occurs within a student's writing (e.g. a journal, a composition, a class writing assignment) then:

#### **Step 1:**

The written disclosure is handled in the same manner as a verbal disclosure;

#### **Step 2:**

The reporting of the written information may be verbatim or involve the provision of a photocopy to the appropriate authority;

#### **Step 3:**

The actual documentation of the disclosure, in the student's writing, remains in the possession and control of the school, subject to a subpoena that requires the document to be presented in court.

### **Appendix A: Staff Awareness**

1. Administrators must ensure that all staff members are aware of the *Child and Family Services Act* and Bluewater District School Board Policy and Procedures related to the reporting of child maltreatment. Administrators will keep staff members informed of their responsibilities under the Act and will distribute pertinent information to staff and community.
2. A student who has been a victim of maltreatment may disclose the abusive incidents to adults or others that the student trusts. If a student makes a disclosure, it is important to recognize that:
  - the student sees that individual as a significant and trustworthy adult;
  - the student needs to talk about the maltreatment and is in distress;
  - the student has the right to confidentiality and privacy and the disclosure should happen in a private place.

If a disclosure is made:

#### **Do:**

- give the student undivided attention.
- allow the student to use his/her own words for what happened and for identification of body parts.
- get some clarification that maltreatment occurred, to support the reporting of suspicions.
- respect the student's silences and reflections.
- acknowledge and reinforce the student's difficulties (e.g. anxiety, fear, anger).
- reassure the student that everything will be done to help the student and his/her family.
- tell the student the steps to be taken in order to ensure the student's safety.
- ask the student for clarification of anything that is unclear in the student's statement.
- know the Board's or agency's reporting procedures.
- try to maintain a relationship with the student after the disclosure.
- be sure to have someone to talk to after reporting.

#### **Don't:**

- make any promises that cannot be kept.
- correct the student's definitions or descriptions of what happened or of the student's names for body parts.
- display strong emotional reactions to what the child is saying.

- tell the child he/she is to blame, or that the student is in trouble or is not to be believed.
- criticize the child, the child's family or the abuser.
- rush the interview, nor delve too deeply.
- insist the child remove normal indoor attire to view injuries.
- display the child's injuries to others indiscriminately.
- leave the child feeling alone and helpless.

Source: *A Handbook for the Prevention of Family Violence*, ed. Suzanne Mulligan; Seldon Printing, Hamilton, Ontario, January 1991.