



AP 425 – Reporting of Child Abuse

Created (or Revised): September 1, 2017

Reference(s) (if applicable):

- *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)*

BACKGROUND

All citizens have a duty to report child abuse in accordance with provincial legislation. Accordingly, all employees of Prairie Spirit School Division 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.

Prairie Spirit School Division 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 the Saskatchewan Child Abuse Protocol and this Administrative Procedure.

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

All local school guidelines (e.g., Principal's Handbook) must be consistent with the Protocol and this Administrative Procedure.

PROCEDURES

1. Duty to Report Abuse or Neglect by a Parent/Caregiver

- 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 by a parent/caregiver:
 - Physical abuse;
 - Sexual abuse and exploitation;

- Physical neglect;
- Emotional maltreatment;
- Exposure to domestic violence or severe domestic disharmony; or
- 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. Youth Age 16 and 17:

- While it is not legally required, abuse or neglect by a parent of a young person aged 16 or 17 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 abuse shall immediately report this information to a child protection worker and/or police officer.
- 2.2. Child sexual abuse 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. Duty to Report Child at Risk Due to Other Practices Prohibited Under Canadian Law

The Criminal Code of Canada prohibits the marriage of children under 16 whether it occurs in Canada (section 293.2) or if a child is removed from Canada for that purpose (section 273.3 (d)). The Criminal Code also treats female genital mutilation as a criminal act (section 268 (4)). A child at risk from the above practices is at risk of physical and/or sexual and emotional abuse and these situations should be reported.

4. Reporting

4.1. Reasonable grounds to believe:

- Is subjective;
- Can be based on personal observation or discussion;
- Does not require proof;
- Can be based on assumptions or credible second-hand information;
- Can take into account the training and experience of the person reporting; and
- Can still be reasonable even if it turns out eventually to be untrue.

4.2. The employee making the report shall take the following steps:

- 4.2.1. The employee shall make the report 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.

- 4.2.2. The employee may enlist the support of the principal in making the report.
- 4.2.3. 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.
- 4.2.4. The employee shall also create a written report of the information received and steps taken. *(The school division may have a template for this purpose.)*
- 4.3. Once the principal is informed, the principal must support the employee in reporting. This can include allowing for a peer support or counsellor to accompany the employee in reporting.
- 4.4. 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. Doing so in these situations may compromise the investigation. Decisions regarding contact with parents/caregivers shall be made in consultation with Social Services and/or police officers.

5. Support to the Child

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

5.1. **DO** the following:

- 5.1.1. Validate the child's right to seek help.
- 5.1.2. State the right to safety.
- 5.1.3. Provide for physical comforts.

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

- 5.2.1. Investigate for "proof".
- 5.2.2. Question for details.
- 5.2.3. Offer judgments.
- 5.2.4. Tell the child "what will happen".
- 5.2.5. Remove, alter or contaminate physical evidence.

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. 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:

- This Administrative Procedure

- Saskatchewan Child Abuse Protocol
<http://www.saskatchewan.ca/residents/justice-crime-and-the-law/child-protection/child-abuse-and-neglect>
- Counsel for Children Guidelines for School Divisions
<http://www.saskatchewan.ca/residents/justice-crime-and-the-law/courts-and-sentencing/counsel-for-children>

Note: Awareness for all staff may be accomplished by notices in division offices and school staff rooms, discussions at team meetings, presentations to employees, distribution of government pamphlets and publications, and more.

Appendix A

Steps for Reporting Suspected Child Abuse

Reasonable suspicion that a child may be abused or neglected

Reassure the child that he/she is safe and this is not his/her fault; record what child has reported and your observations



Report suspected case of child abuse IMMEDIATELY

Call local Ministry of Social Services or First Nations Child and Family Services Agency child protection intake and/or local Police



Notify the school principal that a report has been made

Complete *Report of Suspected Child Abuse* (on same day report was made), obtain Principal signature and send to Director Designate at Division Office

APPENDIX B

Report of Suspected Child Abuse

This document is intended to both:

1. Support calls to the appropriate authority by clarifying information required in the report; and
2. Serve as formal documentation for the report.

To: _____
(name of appropriate authority to which referral was made) _____
(person contacted)

Date of Report: _____ Time of Report: _____

From: _____ Position: _____
(person making report)

Relationship to the child: _____

School: _____ Phone: _____

Child in Need of Protection:

Child's Full Name: _____ Age: _____ Gender: _____

Date of Birth: _____ Address: _____

Name of Suspected Abuser: _____

Address: _____

Phone: _____

Parent/Guardian Names: _____

Address: _____ Phone: _____

Time of pick up/arrival home: _____

Names/Ages of Siblings (if known): _____

Address of Siblings (if different from parents/guardians): _____

Phone: _____

Are there any immediate concerns about the child's safety?

Indicate which of the reasons the child is considered to be in need of protection:

- Abuse and neglect** – refers to circumstances that may be harmful to a child's physical, emotional or psychological health.
- Physical abuse** – refers to all actions resulting in non-accidental physical injury or harm. This may include non-accidental injury, cruel or excessive corporal punishment (which may or may not cause physical injury), threats of physical harm, dangerous behaviour towards a child or in immediate proximity to the child (e.g., throwing objects, use of weapons).
- Sexual abuse and exploitation** – occurs when a child has been or is likely to be exposed to harmful interaction for a sexual purpose by a parent, caretaker, any person in a position of trust and/or any other person. It can include both physical and/or non-physical contact. Examples include engaging a child in sexual acts, obscene acts, taking pictures of a sexual nature (sexual exploitation), pornography, voyeurism, exhibitionism and threatening sexual assault, as well as the utilization of "grooming" techniques. (Grooming is defined as deliberate actions taken with the aim of befriending and establishing an emotional connection with a child, in order to lower the child's inhibitions in preparation for sexual abuse or exploitation of the child.)
- Physical Neglect** – refers to acts of omission on the part of the parent/caregiver. This includes failure to provide for the child's basic needs and appropriate level of care with respect to food, clothing, shelter, health/medical, hygiene, safety and supervision as determined by the minimum levels of care standards.
- Emotional maltreatment** – refers to both emotional abuse and emotional neglect of the child. Emotional abuse includes excessive and overt rejection, criticism and excessive demands of performance for a child's age and ability. Emotional neglect refers to the failure of the parent/caregiver to provide adequate psychological nurturance necessary for a child's growth and development.
- Exposure to domestic violence or severe domestic disharmony** – refers to a child living in a situation where there is interpersonal violence, including children witnessing, hearing or being aware of violence perpetrated by one adult figure against another adult figure, or against another child.
- Failure to provide essential medical treatment** – refers to a parent or caregiver failing to provide essential medical treatment to remedy a mental, emotional or developmental condition of a child.

Indicate the date and time of the disclosure as well as any direct quotes from the disclosure.

Describe how the child looks and other indicators of abuse or neglect that you have observed.

Response from the appropriate authority (*note date and time appropriate authority responded*):

Signature of Person Reporting

Date

Relationship to Child

Signature of School Principal

Date

Notes:

- Signature of Principal indicates only awareness that the report has been made. It does not indicate that the Principal acts as a co-reporter and does not indicate approval has to be sought for making a report if needed.
- If uncertain if a report needs to be made, consult with Child Protection Services.
- Original of this report to be forwarded to Director Designate for confidential storage at Division Office.

APPENDIX C

This form is to be used as a record of observations over time for incidents that, when noted individually, may not require reporting, but in culmination amount to abuse or neglect (e.g., not having a lunch). Schools are encouraged to work with and support families where possible and applicable.

Record of Signs or Symptoms for Child That May Need Protection

Name of Child: _____

Date/Time	Other indicators of abuse or neglect that you have observed	Signature of Observer