



REPORTING OF SUSPECTED CHILD ABUSE AND NEGLECT

The Board of Education recognizes its responsibility to ensure the safety and well-being of all School District 69 students. The Board requires that all School District 69 staff be aware of, and alert to, signs and symptoms of possible child abuse or neglect and to respond appropriately if there are concerns about a child's safety or well-being.

In reporting incidents of suspected child abuse or neglect, staff will be guided by the Administrative Procedures associated with Board Policy 7140, as well as the provisions of the *Child, Family and Community Services Act* and the procedures described in the *British Columbia Handbook for Action on Child Abuse and Neglect - For Service Providers*.

References:

- *Board Administrative Procedure: Reporting of Suspected Child Abuse and Neglect*
- **The B.C. Handbook for Action on Child Abuse and Neglect –For Service Providers** (January 2016) (www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/public-safety/protectingchildren/childabusepreventionhandbook_serviceprovider.pdf)
- **Responding to Child Welfare Concerns – Your Role in Knowing When and What to Report** (www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/public-safety/protectingchildren/childabusepreventionhandbook_generalpublicbooklet.pdf)
- **Child, Family and Community Services Act**
- **District 69 Tri-Lateral Protocol**

DISTRICT 69 TRILATERAL PROTOCOL

Purpose

This protocol is intended to be a companion document to the provincial "Template for Developing Trilateral Protocols for Responding to Child Abuse and Neglect" between the Ministry of Children and Family Development (MCFD), Ministry of Education and the Ministry of Attorney General Representation from the RCMP (April 1999). The definition of various terms included in this protocol are contained in the above document as well as the Child, Family and Community Services Act (CFCSA – provided below), The B.C. Handbook for Action on Child Abuse and Neglect and Dealing with Children's Problems of Sexual Behaviour in Elementary Schools (BC Ministry of Education, 1999). These documents are also more detailed sources of information on this topic.

► The purpose of the protocol is to clarify the roles of the Parties where the abuse or neglect of a student occurs or is alleged to have occurred in the following situations:

- In the home environment
- By school personnel
- By other children in the school; or
- By other adults outside the child's home

The protocol covers the three primary stages of three-way investigations when MCFD, the Superintendent of schools and the RCMP jointly respond to the maltreatment of students:

1. Reporting suspected child abuse and neglect
2. Investigating suspected child abuse and neglect
3. Information sharing

**** Note:** With the effective date of this agreement the previous "Protocols for Reporting and Investigating Child Abuse in the Parksville-Qualicum District (1987)" will become obsolete. The MCFD-RCMP Protocol for Investigation of Child Abuse in the Parksville-Qualicum District (October 1998) remains in effect and covers joint investigations which **do not necessarily involve students**.

Collaborative Decision Making

The goal of this protocol is to enhance *collaborative work practices* of the Parties. A cornerstone of collaboration involves **information sharing and joint planning**. The parties agree that the first step whenever information is received that a student may be maltreated is for representatives of the three Parties to conduct an initial meeting. The representatives will be the Superintendent, the Child Protection Team Leader and the Staff Sergeant (or their designates). The purpose of the initial meeting is to share relevant information about the allegations and make a plan for responding which clarifies the roles of the three parties as well as follow up and closure meetings.

Debrief

All parties recognize the importance of debriefing after any incident where the Protocol has been invoked. Every time the Protocol is invoked members involved will meet to discuss the use of the Protocol and examine how effective the partnerships were and how improvements can be made. Information gathered from debriefing sessions should be kept by each agency to be discussed during the Protocol review process.

Continuation of Investigations

The RCMP acknowledges the need for prompt investigations where school personnel and students are involved. The RCMP commits to investigations being continuous in matters of this nature and is prepared to ensure that matters will not wait for a specific RCMP member to be available. This means that files will be passed on to new members at shift change to ensure that matters are investigated as quickly as possible. The RCMP recognizes that it is imperative for the School District that matters involving the school be investigated as quickly as possible to ensure the safety of students and staff.

Child, Family and Community Services Act

The investigation of child protection concerns is conducted by the Ministry of Children and Family Development and/or the police. When there is uncertainty whether a report should be made, the Ministry of Children and Family Development should be called for advice. School personnel are advised to make a record of the time, contact and nature of child protection calls made to the Ministry.

* Section 13 and 14 of the Child, Family and Community Services Act are the legal guidelines to be followed regarding the protection of children *

Protection of Children (SECTION 13)

1. Protection of the child is required in the following circumstances if:

- a) the child has been, or is likely to be, physically harmed by the child's parent;
- b) the child has been, or is likely to be, sexually abused or exploited by the child's parent;

- c) the child has been, or is likely to be, physically harmed, sexually abused or sexually exploited by another person and if the child's parent is unwilling or unable to protect the child;
- d) the child has been, or is likely to be, physically harmed because of neglect by the child's parent;
- e) the child is emotionally harmed by the parent's conduct;
- f) the child is deprived of necessary health care;
- g) the child's development is likely to be seriously impaired by a treatable condition and the child's parent refuses to provide consent to treatment;
- h) the child's parent is unable or unwilling to care for the child and has not made adequate provision for the child's care;
- i) the child is or has been absent from home in circumstances that endanger the child's safety or well being;
- j) the child's parent is dead and adequate provision has not been made for the child's care;
- k) the child has been abandoned and adequate provision has not been made for the child's care.

For the purpose of subsection [1] (b) and (c) and section 14 [1] (a) but without limiting the meaning of "sexually abused" or "sexually exploited", a child has been or is likely to be sexually abused or sexually exploited if the child has been, or is likely to be,

- a) encouraged or helped to engage in prostitution, or
- b) coerced or inveigled into engaging in prostitution.

2. A child is considered to be emotionally harmed if the child demonstrates severe: anxiety, withdrawal, or self destructive or aggressive behaviour.

Duty to Report Need for Protection (SECTION 14)

1. A person who has reason to believe that a child:
- a) has been, or is likely to be, physically harmed, sexually abused or sexually exploited by a parent or other person, or
 - b) needs protection under section 13 [1] (d) to (k) **MUST** promptly report the matter to a director of the Ministry of Children and Family development or a person designated by a director.

A person who does not comply with this statutory obligation or knowingly reports false information commits an offence and is liable for a fine of up to \$10,000 or to imprisonment for up to 6 months or to both. Employees shall also be advised that no action will lie against them for making a report unless it is made maliciously or without reasonable grounds for the belief.

Reporting Issues

1. Statements made to school employees should be recorded in the child's own words. School employees, while offering support should refrain from interviewing the child after receiving the child's first disclosure. Investigations and interviews will be conducted by the Ministry of Children and Family Development and/or the police.
2. Staff has not discharged their responsibility to report until they have reported to a director (e.g. a social worker within the Ministry of Children and Family Development). Consultation with the school administrator is recommended; however, this does not satisfy the requirements to report to MCFD. The details of all reports must be treated confidentially.

Where to Report in District 69

- Ministry of Children and Family Development (250) 954-4737
- After Hours (250) 310-1234


Trilateral Protocol Agreement

Ministry of Children and Family Development / Royal Canadian Mounted Police /
School District 69

Responding to Child Abuse and Neglect
Parksville / Qualicum

Between:

Ministry of Children and Family Development as represented by the
Community Services Manager

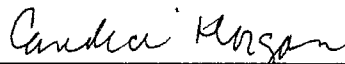


Noelle Philp

Community Services Manager Cowichan / Oceanside

And

Board of Education
Superintendent of Schools



Candice Morgan for the

Board of Education Parksville / Qualicum (School District 69)

And

Royal Canadian Mounted Police
Staff Sergeant



Brian Hunter for the

RCMP Oceanside Detachment