

**Child Protection
Policy 5460
September 30, 2016
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PROTOCOL BETWEEN SCHOOL DISTRICT #81 (FORT NELSON) AND
THE MINISTRY FOR CHILDREN AND FAMILY DEVELOPMENT
ON REPORTING CHILDREN IN NEED OF PROTECTION

A. INTRODUCTION

The Board of Education recognizes the importance of child protection. This is the local child protection protocol between the School District #81 (Fort Nelson) and the Ministry for Children and Families MCFD, Fort Nelson District Office. This protocol is not intended to replace the MCFD BC Handbook for Action of Child Abuse and Neglect (For Service Providers), but rather emphasize the need for an integrated approach protection children at our community level. This protocol summarizes the major steps each agency would take in the reporting, assessing and investigating child protection reports of school children.

B. WHEN A SCHOOL DISTRICT #81 EMPLOYEE BELIEVES A CHILD IS IN IMMEDIATE DANGER

The employee reports directly to the RCMP and then proceeds with the steps described in Section C, below (as per the *Freedom of Information and Protection of Privacy Act* (Section 22) and the *Youth Criminal Justice Act*).

C. WHEN A SCHOOL DISTRICT #81 EMPLOYEE SUSPECTS A CHILD NEEDS PROTECTION

When a teacher or other School District #81 employee has a reasonable suspicion that a child may need protection the employee will carry out the following procedures of the *Child, Family and Community Service Act (CFCSA)* (Section 14) and of the *Criminal Code of Canada* (Section 215).

STEP 1: Record accurately all information pertinent to making a report, including, (see page 42-43 BC Handbook):

- i. the name and location of the child;
- ii. any immediate concerns about the child's safety
- iii. any information as to why you believe the child is at risk
- iv. any statements or disclosures made by the child
- v. the age and vulnerability of the child
- vi. information on the family, parents and alleged offenders

NOTE: Information given by the child should be recorded verbatim

STEP 2: The School District #81 employee is to then immediately inform the child's school principal of the child protection concern. If there are reasons for which a School District #81 employee deems it inappropriate to report the incident to the child's school

principal, the employee is to instead immediately inform the Superintendent of Schools and to then continue through the reporting procedure.

NOTE: All personnel are reminded that they are not to investigate the nature of the concern at this or any other time (see page 37-39 BC Handbook).

STEP 3: The School District #81 employee is to then call the local MCFD office and ask to speak with an intake worker, saying "I am calling to report a possible child protection concern." The information recorded under STEP 1 will be very useful to give to the MCFD social worker. An employee shall not inform parents about the concern without the approval from the investigating social worker, for this may jeopardize the investigation, especially when a parent may be the abuser. Reports are to be made on the same day the employee has grounds to suspect a child protection concern. If the local office is closed the employee is to call the MCFD Helpline for Children at 1-800-663-9122 (see page 16 BC Handbook).

NOTE: Responsibility for making a report to the MCFD rests with the person who has grounds to believe a child is in need of protection. This responsibility is not discharged by an employee reporting to any other person other than a delegate of the Director of Child, Family and Community Services other than a social worker in the local MCFD office (see page 17 BC Handbook).

D. WHEN A MINISTRY FOR CHILDREN AND FAMILIES SOCIAL WORKER RECEIVES A REPORT OF POSSIBLE CHILD NEEDING PROTECTION

Upon receiving a report of possible child protection concern, the Ministry must assess the family situation and investigate as appropriate. Where possible, the reporter will be notified whether the report has been accepted for investigation. Upon the conclusion of the assessment and/or investigation, the reporter will usually be notified of the results of the investigation (see page 55 BC Handbook).

It is important to note that it is the responsibility of the Ministry for Children and Families to report a case of suspected physical or sexual abuse to the RCMP. For a full outline of the considerations and steps in a child protection investigation please refer to pages 28 - 35 in the BC Handbook.

E. WHEN A MINISTRY FOR CHILDREN AND FAMILIES SOCIAL WORKER REQUESTS TO INTERVIEW A CHILD (REN) AT THEIR SCHOOL

When the MCFD worker is required to interview a child(ren), the worker is to make a reasonable effort to inform the school principal as to the intent. School District #81 employees will be available to the MCFD worker and the RCMP to assist in any way as requested. If a social worker comes to the school to interview a child(ren) involved, the school administrator is to cooperate by offering a quiet space in the school for the interview. Children should remain in their class until the social worker attends the school and requests the child be brought for the interview. The social worker often needs to gather further information at the school prior to interviewing the child(ren). It can be very stressful for a child if they are already removed from class and have to wait for an extended period of time for the interview. The social worker may request someone be present in order to support the child(ren). If a conflict arises

between the school personnel and a social worker and remains unresolved, it then may be referred to the Superintendent of Schools and the District Supervisor of the MCFD.

F. WHEN A SCHOOL DISTRICT EMPLOYEE IS SUSPECTED OF ABUSING A CHILD OR CHILDREN

The reporting procedure in Section C of this protocol, Steps 1, 2 and 3 will be followed. In addition, the Principal is to immediately notify, by phone, the Superintendent of Schools.

If a social worker receives a report they will notify the District Supervisor who will in turn notify the Superintendent of Schools and the RCMP.

The Roles of the three key agencies:

- The Superintendent of Schools or designate will investigate these cases on behalf of the School Board, and recommend appropriate action to the Board as part of her/his legal responsibilities.
- The District Supervisor of the MCFD or designate will assess the report to decide how to respond to it, and commences an investigation if there is reason to believe that a child may need protection.
- The RCMP conduct an investigation to determine if a criminal offense may have been committed.

Coordinating the Response

- a) Notification: Whichever of the three key agencies receives the report shall notify immediately the other two. For example, a police officer who receives such a report shall notify immediately the Superintendent of Schools and a social worker in the MCFD.
- b) Initial Planning: The Superintendent of Schools or designate, the District Supervisor of the MCFD or designate, and the RCMP shall meet immediately to determine in detail their respective roles and responsibilities in the case; to decide upon any immediate steps which should be taken to assure the safety and well being of the children involved; and to arrange for the notification of the parents of the children involved.
- c) Child Safety: The three agencies will ensure that the child/or children are safe from harm during the investigation.
- d) Notification of affected parents: the Superintendent of Schools is responsible for ensuring that the parents of children who may have been affected have been notified.
- e) Contact with the alleged offender: When the RCMP are conducting a criminal investigation, it is preferable that the police make the initial contact with the alleged offender. Other investigators should facilitate this by not contacting the offender unless to do so is required to fulfill a legal responsibility.
- f) Notification of criminal proceedings: The RCMP should keep the Superintendent of Schools and the District Supervisor of the MCFD informed of the status of the RCMP investigation and of decisions regarding the laying of and proceeding with charges. Where the RCMP have officially advised the Superintendent of Schools that charges will be laid, the Superintendent should ensure that affected

parents are notified.

- g) Notifying others of the actions of the School District: The Superintendent of Schools should ensure that the MCFD and the RCMP are notified of the recommendation and the actions taken by the School Board. Where a Board dismisses or disciplines a teacher or an administrative officer, the School Act requires that the Board report it without delay to the Ministry of Education and the Council of the College of Teachers giving the reasons.

G. AWARENESS AND TRAINING

School District #81 (Fort Nelson) will make every effort to ensure that all employees are informed of the reporting procedures outlined above, as well as possible indicators of child protection concerns (see pp 27-29, BC Handbook). The School District #81 and MCFD will put on workshops dealing with the protection of children to enhance the awareness of school employees on these topics.

H. REVIEW OF PROTOCOL

The protocol should be reviewed by the Superintendent of Schools and District Supervisor of MCFD, and the RCMP on an annual basis.

Diana Samchuck
Superintendent of Schools
School District #81 (Fort Nelson)

Kim Maher
Ministry for Children
and Families (Fort Nelson)

Sergeant McCracken
RCMP, Fort Nelson

Date

Date

Date

Glossary (from: The BC Handbook for *Action on Child Abuse and Neglect*)

A number of the terms used in this Handbook have specific meanings in the context of the British Columbia child welfare system. These are defined below to help ensure clarity and support a collaborative response to suspected child abuse and neglect.

*Note: child abuse and neglect are defined in detail in the **Recognizing Child Abuse and Neglect** section of this handbook.*

Aboriginal: includes the Indian, Inuit and Métis peoples

Caregiver: a person who is legally responsible for a child's day-to-day care, for example, a foster parent

Child: in British Columbia, under the Child, Family and Community Service Act (CFCSA), a child is anyone under the age of 19

Child welfare worker: a person delegated under the CFCSA to provide child welfare services, including responses to suspected child abuse and neglect

Delegated Aboriginal Child and Family Services Agency: an organization that provides culturally-appropriate services to Aboriginal children and families, and whose child welfare workers have delegated authority under the child, Family and Community Service Act to provide child welfare services, including responses to suspected child abuse and neglect

Director: a person designated by the Minister of Children and Family Development under the Child, Family and Community Service Act. The director may delegate any or all of his/her powers, duties and responsibilities under the Act

Parent: the mother of a child; the father of a child; a person to whom custody of the child has been granted by a court order or agreement; or a person with whom the child resides and who stands in place of the child's mother or father

Service provider: any of a wide range of employees, contractors and volunteers who provide services for children and families, including:

- Child care providers
- Child and family mental health counselors
- Child welfare workers
- Coroners
- Facilitators and analysts employed by Community Living British Columbia
- Paramedics
- Physicians and other health care practitioners
- Police
- Teachers and other school board employees and personnel
- Transition house staff
- Victim service workers
- Youth justice workers, and
- Youth service workers

RECOGNIZING CHILD ABUSE AND NEGLECT

Defining Child Abuse and Neglect

Understanding what child abuse and neglect are and knowing how to take appropriate action are critical in ensuring the safety and well-being of children. The following plain-language definitions will help you understand and respond to child abuse and neglect. While recognizing that one profession may use a particular term somewhat differently from another profession, the definitions below are intended to support the work of all service providers.

PHYSICAL ABUSE

Physical abuse is a deliberate physical assault or action by a person that results in, or is likely to result in, physical harm to a child. It includes the use of unreasonable force to discipline a child or prevent a child from harming him/herself or others. The injuries sustained by the child may vary in severity and range

from minor bruising, burns, welts or bite marks to major fractures of the bones or skull to, in the most extreme situations, death.

EMOTIONAL ABUSE

This is the most difficult type of abuse to define and recognize. It may range from ignoring to habitually humiliating the child to withholding life-sustaining nurturing. Generally, it involves acts or omission by those in contact with a child that are likely to have serious, negative emotional impacts. Emotional abuse may occur separately from, or along with, other forms of abuse and neglect. It includes the emotional harm caused by witnessing domestic violence. Emotional abuse can include a pattern of:

- Scapegoating
- Rejection
- Verbal attacks on the child
- Threats
- Insults, and
- Humiliation

Emotional harm

When emotional abuse is chronic and persistent, it can result in emotional harm to the child. Under the *Child, Family and Community Service Act*, a child is defined as emotionally harmed if they demonstrate severe:

- Anxiety
- Depression
- Withdrawal, or
- Self-destructive or aggressive behavior

SEXUAL ABUSE

Sexual abuse is when a child is used (or likely to be used) for the sexual gratification of another person. It includes:

- Touching or invitation to touch for sexual purposes
- Intercourse (vaginal, oral or anal)
- Menacing or threatening sexual acts, obscene gestures, obscene communications or stalking
- Sexual references to the child's body/behavior by words/gestures
- Requests that the child expose their body for sexual purposes
- Deliberate exposure of the child to sexual activity or material, and
- Sexual aspects of organized or ritual abuse

SEXUAL EXPLOITATION

Sexual exploitation is a form of sexual abuse that occurs when a child engages in a sexual activity, usually through manipulation or coercion, in exchange for money, drugs, food, shelter or other considerations. Sexual activity includes:

- Performing sexual acts
- Sexually explicit activity for entertainment

- Involvement with escort or massage parlor services, and
- Appearing in pornographic images

Children living on the street are particularly vulnerable to exploitation. Children in the sex trade are not prostitutes or criminals. They are victims of abuse.