

Administrative Procedures Manual	Administrative Procedure 325
	Child Abuse
	APPROVED: September 2013
Page 1 of 3	AMENDED/REVIEWED: September 2019
LEGAL REFERENCE:	Section 11, 52, 53, 196, 197, 222 Education Act Child, Youth and Family Enhancement Act Freedom of Information and Protection of Privacy Act Practice Review of Teachers Regulation 4/99 Student Record Regulation 166/2018 Responding to Child Abuse – A Handbook (October 2005)

Background

Children have a right to be safe and adequately cared for at home, at school and in the community. School staff have a responsibility to safeguard children from abuse and neglect and will seek to work in cooperation with Children’s Services, the police and/or medical services in order to fulfill that responsibility.

Definitions

Child in need of intervention services is a term found in the Child, Youth and Family Enhancement Act. A child is in need of intervention services if there are reasonable and probable grounds to believe that the survival, security or development of the child is endangered because of any of the following:

- The child has been abandoned or lost.
- The parent of the child is dead and the child has no other parent.
- The child is neglected by the parent.
- The child has been or there is substantial risk that the child will be physically injured or sexually abused by the parent of the child.
- The parent of the child is unable or unwilling to protect the child from physical injury or sexual abuse.
- The child has been emotionally injured by the parent.
- The parent of the child is unable or unwilling to protect the child from emotional injury.
- The parent of the child has subjected the child to or is unable or unwilling to protect the child from cruel and unusual treatment or punishment.

Emotional abuse is the impairment of a child’s mental or emotional functioning or development and there are reasonable and probable grounds to believe that the emotional injury is the result of:

- Rejection.
- Deprivation of affection and/or cognitive stimulation.
- Exposure of domestic violence or severe domestic disharmony.
- Inappropriate criticism, threats, humiliation, accusations or expectations.

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- The mental or emotional condition of the parent of the child or of anyone living in the same residence as the child.
- Chronic alcohol or drug abuse by anyone living in the child's home.

Neglect is if the parent is unable or unwilling to:

- Provide the child with the necessities of life;
- Obtain for the child, or permit the child to receive essential medical, surgical or other remedial treatment that is necessary for the health or well-being of the child; or
- Provide the child with adequate care or supervision.

Physical abuse is an intentional, substantial and observable injury to a child as a result of the non-accidental application of force or an agent to the child's body.

Sexual abuse is inappropriate exposure or subjection to sexual contact, activity or behavior, including prostitution-related activities. Exposing children to child pornography or luring children through the Internet are forms of sexual abuse.

Procedures

1. Each Principal/supervisor has the responsibility to ensure that all staff are aware of the obligations to report under the Child, Youth and Family Enhancement Act.
2. Division employees are legally required to report suspected cases of abuse and neglect directly to the appropriate authorities in accordance with the Child, Youth and Family Enhancement Act.
 - 2.1 The Child Abuse Hotline may be contacted anytime at 1-800-387-KIDS (5437).
3. The safety and welfare of the students are of paramount concern in addressing cases of suspected child abuse. Reports of suspected abuse shall remain confidential on the basis of those who need to know in order to protect the safety and welfare of the child.
4. The Child, Youth and Family Enhancement Act prescribes penalties for those who fail to report such situations and provides protection against a person making a report unless the reporting "is done maliciously or without reasonable and probable grounds for the belief".

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5. Case workers and police may have access to students in certain circumstances when the students are alleged victims of abuse or neglect. In such special circumstances, assessors are expected to consider the convenience of school and student when seeking times for access.
 - 5.1 Case workers may advise that, in the interests of confidentiality and full and undistorted disclosure, it is appropriate for assessors and students to meet alone.
 - 5.2 If a student requests that a staff member be present, the Principal shall comply with the request.
6. The Principal may ask case workers and police to present identification; provide an explanation of the nature of the investigation being proposed, and to state reasons for conducting the investigation at school.
7. Responsibility for notifying parents about an investigation shall be the responsibility of the out-of-school assessors.
 - 7.1 The Principal shall clarify with the assessor when contact will be made with the parent.
 - 7.2 The Principal shall provide the name of the assessor to the parent in those cases where students are in the care of the investigator.
8. If threats are made against school personnel or the student, the Principal shall contact the police.
9. The delivery of child personal safety programs is approved and supported in Division schools. Staff are to ensure that parents are aware of the programs and their contents.