

PROTOCOL FOR REPORTING CHILD ABUSE AND NEGLECT

Representatives from the District, officials from the Ministry of Children and Family Development (MCFD), Delegated Aboriginal Child and Family Services Agency, and members of the RCMP revised protocols which would facilitate reporting child abuse and neglect. The following has been prepared to reflect information and direction stated in *the BC Handbook For Action on Child Abuse and Neglect* and to facilitate an interdisciplinary response to reports of abuse and neglect. The Delegated Aboriginal Child and Family Services Agency Protocol between the District and C6 Lalum útul Smun éem Child and Family Services (“LS”) Cowichan Tribes facilitates reporting child abuse and neglect for an aboriginal child or youth living on Cowichan Tribes reserve.

Part 1: Instances to be Reported

1. When a child discloses abuse and the alleged abuser is not an employee of the District, it is suggested that the informed person (teacher, nurse, secretary etc.) accept the information, and follow directions in the section *entitled If A Child Tells You They Have Been Abused or Neglected* (p.7) in *Responding to Child Welfare Concerns: Your Role in Knowing When and What to Report* companion guide.
2. When an employee suspects child abuse or abusive behaviours between students:
 - 2.1 The law requires all school personnel to report any suspicion of abuse. Proof of evidence is not required; the usual test is the professional judgment of the reporter based on impressions gained from the child or from third-party observations. Whoever believes the child is being abused must initiate the report, even in the face of disagreement or opposition. There is immunity from liability for reports which prove unfounded unless it can be shown that the reporter knowingly acted on false information.
 - 2.2 The *BC Handbook For Action on Child Abuse and Neglect* (pages 27-29) delineates indicators of possible abuse or neglect and is to be consulted to establish reasonable grounds.
3. When the alleged abuser is an employee of the District:
 - 3.1 It will be the responsibility of each agency to consult with the other two in order to agree on a joint strategy to interview the child, the employee (alleged abuser), the parents, or any other sources necessary to determine whether there are grounds for further investigation.
 - 3.2 If the need for further investigation is warranted, this will be undertaken according to the plan mutually agreed upon between the Area Manager of Ministry of Children and Family Development (MCFD) or Delegated Aboriginal Child and Family Services Agency or delegate, police officer and the Superintendent.
 - 3.3 The Superintendent will report to the Board (in camera) with sufficient information and recommendation to enable the Board to take appropriate remedial and/or disciplinary action, whether or not criminal charges also result.

- 3.4 The Superintendent is to ensure the Ministry of Children and Family Development (MCFD) or Delegated Aboriginal Child and Family Services Agency and the RCMP are notified in writing of his recommendations and the action taken by the Board.
4. Procedure To Be Followed When An Employee Has Been Falsely Accused
 - 4.1 Where the Superintendent is made aware by any source that an employee has been falsely accused under Section 15 of the School Act, then the District stands ready to assist that person wherever and whenever possible.
 - 4.2 Appropriate assistance or support will be made available to the victim of false accusations.

Part 2: The Abuse Report

1. The informed person reports to the Ministry of Children and Family Development (MCFD) or Delegated Aboriginal Child and Family Services Agency duty child welfare worker immediately or after office hours to the Ministry for Children and Families Emergency Services by telephoning the Helpline for Children at 310-1234 or after hours in any community in BC at **1-800-663-9122**. If the child is in immediate danger, call 9-1-1 or the local RCMP. The report is to follow the directions in the section entitled If You Believe a Child May Be At Risk of Child Abuse or Neglect (pages 8-9) in *Responding to Child Welfare Concerns: Your Role in Knowing When and What to Report* companion guide must have contain as much of the following information as possible:
 - 1.1 The reporter's full name, date of birth, address, telephone contact numbers (home, work, cell) and school;
 - 1.2 The child's full name, date of birth, grade, parent's full names (and name of school attending if known); home address(es) and telephone contact number(s); office telephone number(s) of parents;
 - 1.3 The full name, date of birth, address and telephone contact numbers (home, work, cell) of the alleged offender, if different from the parent, and any other information which might help locate or identify the offender;
 - 1.4 A verbatim detailed, accurate account of the suspected abuse or neglect, including when and where it took place;
 - 1.5 Any immediate concerns about the child's safety;
 - 1.6 The hours of operation of the school;
 - 1.7 The child's bus schedule; and
 - 1.8 Any special concerns about the child.
2. The informed person:
 - 2.1 Reports to the Principal immediately after reporting to Ministry of Children and Family Development (MCFD) or Delegated Aboriginal Child and Family Services Agency;
 - 2.2 Writes down as much information as possible disclosed by the child which will help if and when this information might be needed at a later time (interviewing the reporter);
 - 2.3 Reports to no one else as per the tenets of the Freedom of Information and Protection of Privacy Act (1992).
3. The Principal informs the Superintendent.

4. The Ministry of Children and Family Development (MCFD) or Delegated Aboriginal Child and Family Services Agency child welfare worker will:
 - 4.1 Contact the RCMP when necessary.
 - 4.2 Arrange the interview with the child.
 - 4.3 Contact the parents.
 - 4.4 Confirm in writing (copy of form letter (Form 325-1)) the receipt of the report.
 - 4.5 Endeavour to contact the Principal at a later date in order to:
 - 4.5.1 Communicate certain aspects of the case;
 - 4.5.2 Discuss possible strategies with the classroom teacher in order to facilitate the child's coping in the classroom.

5. The confidentiality of the reporter will not be disclosed without prior consent.

Reference: Sections 7, 9, 15, 16, 17, 20, 22, 65, 79, 85, 177 School Act
Section 13, 14 Child, Family and Community Service Act
Freedom of Information and Protection of Privacy Act
Section 32.2 Health Profession Act
Section 27.1 Teacher Profession Act
Criminal Code of Canada
B.C. Handbook for Action on Child Abuse and Neglect –For Service Providers, 2007
Responding to Child Welfare Concerns, 2007
Responding to Child Welfare Concerns – Your Role in Knowing When and What to Report
Interagency Protocol for Reporting and Investigation of Child Abuse and Neglect
Delegated Aboriginal Child and Family Services Agency Protocol
Criminal Code of Canada
BCTF Code of Ethics

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