

REPORTING CHILD ABUSE, NEGLECT OR ENDANGERMENT

Background

Division personnel have an ethical and legal responsibility to act quickly when they have reasonable and probable grounds to believe that the survival, security or development of a child is endangered.

Procedure

1. Any staff member having reasonable and probable grounds to believe that a student has been subjected to abuse or neglect or who is concerned about abuse or neglect of a student shall report the situation to Alberta Children and Youth Services (ACYS) Authority directly, as required by the Child, Youth and Family Enhancement Act of Alberta. The staff member shall then notify the Principal of the school that a report has been made, request assistance, and provide information, as necessary, to ensure the Principal is able to take appropriate administrative actions and/or precautions. In the absence of the Principal, the Assistant Principal or Principal Designate shall be notified.
2. It is possible that allegations of child abuse may be made against teachers or other school personnel. In all such cases the Principal and the Superintendent shall be informed, whether the report originates in the school or elsewhere.
3. Where the suspected abuse involves the Principal, the staff member shall immediately report the situation to the Superintendent or Deputy Superintendent.
4. Reports shall be made to the intake worker of the appropriate Division office of the Alberta Children and Youth Services Authority.
 - 4.1 During working hours, contact may be made at the following Division offices:
 - Region 7, Bonnyville and Area: (780) 826-3324
 - Region 7, Lac La Biche and Area: (780) 623-5429
 - Region 7, Cold Lake and Area: (780) 639-6136
 - Region 10, Métis Settlements Child and Family Services Authority: (780) 645-6227
 - Tribal Chiefs Child and Family Services West Society: (780)645-6634
 - 4.2 After hours and emergency contact: 1-800-638-0715
5. The Principal will complete a report to the Superintendent as indicated.
6. Investigation
 - 6.1 The Division recognizes its legal obligation and moral responsibility to work collaboratively with those involved in investigating alleged cases of child abuse or neglect. Alberta Children and Youth Services (ACYS) staff propose to use the principles of cooperation, collaboration and coordination in their working relationships with the community. The Division acknowledges that the safety and welfare of its students is of paramount concern and will fulfill its obligations by using those same principles.

- 6.2 ACYS investigators carry both an employee identification card with photograph and a letter of authority to investigate under the Child, Youth and Family Enhancement Act of Alberta. Peace Officers (Royal Canadian Mounted Police or Municipal Police) who investigate an alleged incident under the Criminal Code of Canada or the Child, Youth and Family Enhancement Act of Alberta carry identification cards. Special Constables are provided with appropriate authority.
- 6.3 The Child, Youth and Family Enhancement Act of Alberta mandates investigation of suspected child abuse or neglect and provides authority for ACYS investigators and Peace Officers to enter schools. Access to students for investigation purposes is required when the student is an alleged victim of abuse or neglect. Investigators are expected to consider the convenience of the school and student when negotiating a time for access.
- 6.4 The responsibility for notifying parents about an investigation is that of the investigator. While it is important for parents to learn promptly that an investigation is underway, a greater concern is that the child be protected from further abuse. Thus, in cases where intra-familial abuse may be suspected, parent notification by the investigator normally follows an initial contact with the child (i.e. before there is an opportunity for the child to be spirited away, punished for "telling", or pressured into changing a story).
- 6.5 The Principal shall clarify with the investigator when contact with the parents will be made, particularly when an investigation commences near the end of a school day, as the child may have been apprehended or his/her return home delayed because the investigation is still incomplete. If the investigator has not yet contacted the parents and they call the Principal indicating that the child has not yet returned home, the Principal will provide the investigator's name and telephone number.
- 6.6 In the event that a serious disruption of the proceedings of the school is likely, or a threat is made against school personnel or the child, the Principal is directed to call the police and advise the Superintendent of the situation as soon as possible.
- 6.7 In all cases of child sexual abuse, or physical abuse causing bodily harm, ACYS staff are required to notify the police who will investigate to determine whether charges should be laid.
- 6.8 Joint interviews involving both ACYS staff and police may occur during an investigation, but are not a requirement. Decisions about joint interviews are worked out collaboratively between ACYS and Police.
- 6.9 The Principal discharges responsibility for the safety and welfare of students by cooperating and assisting with ACYS and Peace Officer investigations.
- 6.9.1 The investigation will be initiated by a request to the Principal for assistance in the investigation. Principals are required to allow the investigating ACYS caseworkers and, if necessary, the police to interview the child in the school when this is requested.
- 6.9.2 The school is a safe, neutral environment in which to conduct interviews which are often sensitive in nature and it is for this reason that ACYS caseworkers may choose the school as the site for interviewing a child. It is expected that the Principal will advise the investigating caseworker of any information that the school may have which might make this inadvisable. It is

assumed that the communication between all professional staff will be conducted in a professional manner.

- 6.9.3 An effective initial interview with the victim of alleged abuse or neglect shall be facilitated as this is essential to an accurate and comprehensive assessment of the situation. The interests of the student require that the ACYS caseworker or Peace Officer interview shall occur under circumstances that will encourage the student to speak freely and openly to the responsible investigators about sensitive and often threatening personal concerns, while also recognizing and preserving the family's reputation and right to privacy.
 - 6.9.4 Principals shall not contact parents when they are informed that an investigation is taking place, unless specifically asked to do so by the investigating ACYS caseworker. The responsibility for contact with the parents of the child who is allegedly abused or neglected rests with the investigating caseworker.
 - 6.9.5 ACYS and police officials advise that, in the interests of confidentiality and full and undistorted disclosure, it is appropriate for students and investigators to be alone. We have been advised that usually, following the interview, investigators will summarize for the Principal what their assessment was and how they generally plan to proceed.
 - 6.9.6 Principals and/or teachers shall not insist on being present when the child is interviewed. This situation is not parallel to that in which police officers interview children in the course of investigating an alleged offence by the child. In that case, the Principal or teacher is acting "in loco parentis" to ensure the protection of the child's rights. An ACYS caseworker investigating child abuse is carrying out the power to apprehend children if necessary.
 - 6.9.7 While no child is required or pressured to make a statement or provide information he is not prepared to reveal, occasionally a student may request or require the reassuring but non-participating presence of a familiar teacher or staff member.
 - 6.9.8 Recognizing the principles outlined above there may be other instances where school personnel and investigators may agree that a school representative is to be present during the interview.
7. ACYS or police authorities investigating a complaint of child abuse or neglect from whatever source may wish to interview teachers or other school personnel having regular contact with the student or having other specific information pertinent to the investigation. The Principal will assist the investigators by identifying and facilitating these contacts.

Potential informants shall be advised that the Child, Youth and Family Enhancement Act of Alberta provides explicit protection against legal actions "unless reporting is done maliciously or without reasonable and probable grounds for the belief." Since they may be required, subsequently, to give evidence under oath in court and to produce relevant documents, it is recommended that information provided to the investigator be summarized in writing by the informant immediately after the interview and retained for possible future reference.

8. When suspected child abuse or neglect is reported, the investigator will determine whether a medical examination is required. If it is required, the investigator will coordinate

arrangements for the child to be seen by a medical doctor; this may be a practitioner in private practice or one associated with a hospital.

9. When child abuse or neglect is confirmed, the primary role of ACYS is the protection of the child. The department has a range of options for crisis intervention and for long term management, and its overall role is to access and coordinate appropriate treatment. Crisis intervention options include apprehension and temporary placement of the child with relatives, friends or in a public or private resource (i.e. receiving home, children's centre) or provision of emergency homemaker services. Long term options include psychological, social work and psychiatric assessments to determine needs; supportive counselling from community resources; assignment of a family support worker or family aide; placement of the child in a foster home or treatment facility.
10. If on receiving a report involving sexual assault on a child traveling to or from school or on the school grounds, the Principal believes that other children are endangered by the perpetrator of the assault, the local R.C.M.P. must be notified immediately.

Reference: Section 18, 20, 45, 60, 61, School Act

Child, Youth and Family Enhancement Act of Alberta

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