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| Superior-Greenstone District School Board | | | | |
| Section | SCHOOLS AND STUDENTS | | |  |
| Policy Name | SUSPECTED CHILD ABUSE | | | 510 |
| Board Approved: October 18, 2022  June 22, 2021  Nov 22, 2016  June 15, 2009  March 12, 1999 | | Reviewed: September 20, 2022  September 7, 2021  September 6, 2016  March 30, 2009  April 2004 | Review by: December 2027 | |

## RATIONALE

## When a school employee has reasonable grounds to believe that a child is or may be in need of protection as defined by the Child, Youth and Family Services Act; that employee shall immediately report the concern as outlined in the Board’s Suspected Child Abuse Policy. The Youth Criminal Justice Act [in s.35] also outlines the authority to refer a young person to a child and welfare agency to determine whether the youth is in need of child welfare services. Section 8.5 of 520 Management Guidelines – Police and School Board Response Protocol provides the section from the Child, Youth and Family Services Act (CYFSA) that establishes the circumstances under which a school employee must report.

## POLICY

The Superior-Greenstone District School Board is committed to the prevention of and protection against child abuse or neglect. The purpose of this policy is to ensure compliance with the mandatory reporting requirements under the Child, Youth and Family Services Act (CYFSA) 2017(as amended) to report suspected cases of child abuse involving students under the age of 18 years to the Children’s Aid Society, Dilico Anishinabek Family Care or Tikinagan Child and Family Services as appropriate.

## GUIDELINES

## The duty to report of persons “who perform professional or official duties with respect to children”, including teachers and principals, should be emphasized. The following guidelines are from section 125 of the CYFSA.

## Despite the provisions of any other Act, if a person, including a person who performs professional or official duties with respect to children, has reasonable grounds to suspect one of the following, the person shall forthwith report the suspicion and the information on which it is based to a society:

## The child has suffered physical harm, inflicted by the person having charge of the child or caused by or resulting from that person’s,

## failure to adequately care for, provide for, supervise or protect the child, or

## pattern of neglect in caring for, providing for, supervising or protecting the child.

## There is a risk that the child is likely to suffer physical harm inflicted by the person having charge of the child or caused by or resulting from that person’s,

## failure to adequately care for, provide for, supervise or protect the child, or

## pattern of neglect in caring for, providing for, supervising or protecting the child.

## The child has been sexually molested or sexually exploited, including by child pornography, by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child.

## There is a risk that the child is likely to be sexually molested or sexually exploited as described in paragraph 3.

## The child requires medical treatment to cure, prevent or alleviate physical harm or suffering and the child’s parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, the treatment.

## The child has suffered emotional harm, demonstrated by serious,

## anxiety,

## depression,

## withdrawal

## self-destructive or aggressive behaviour, or

## delayed development,

## and there are reasonable grounds to believe that the emotional harm suffered by the child results from the actions, failure to act or pattern of neglect on the part of the child’s parent or the person having charge of the child.

## The child has suffered emotional harm of the kind described in subparagraph i, ii, iii, iv or v of paragraph 6 and the child’s parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to remedy or alleviate the harm.

## There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph a, b, c, d, or e, of paragraph 6 resulting from the actions, failure to act or pattern of neglect on the part of the child’s parent or the person having charge of the child.

## PROCEDURES

**1.0 Duty to Report**

Every employee and any person, including those performing professional or official duties with respect to children, who has reasonable grounds to suspect that a child is in, or may be, in need of protection must report this information without delay to the appropriate child protection agency.

# Person Must Report Directly

A person who has a duty to report a matter shall make the report directly to the appropriate child protection agency and shall not rely on any other person to report on his or her behalf.

A person who has additional reasonable grounds to suspect that child abuse or neglect may have occurred, or is likely to occur, shall make a further report even if he/she has made previous reports with respect to the same child.

# Individual Making Report

The individual making the report shall inform the Principal immediately.

The duty of a person, including those performing professional or official duties with respect to children, to make a report overrides the provisions of any other provincial statute that would otherwise prohibit the professional or official from disclosing confidential or privileged information.

In all cases of suspected child abuse or neglect, persons making a report shall respect the privacy of all individuals involved and the confidentiality of all discussions and reports.

No action for making a report shall be instituted against a person who acts in accordance with the duty to report unless the person acts maliciously or without reasonable grounds for the suspicion.

A person performing professional or official duties with respect to children, who does not report the suspicion that a child is in need, or may be in need of protection based on information obtained in the course of his/her professional/official duties, and is convicted of the offence, is liable to a fine.

# Responsibility to Report to Supervisory Officers

* + 1. The Principal shall inform the Superintendent of Education immediately.
    2. The Superintendent of Education shall inform the Director immediately.

# Responsibility of the Board

The Board shall ensure that opportunities exist to educate all students about their right to live without fear of physical, sexual and emotional abuse and neglect and will support disclosure of such abuse.

The Board will educate its employees, volunteers and parents about the issues of abuse and neglect and their duty to maintain safe and abuse-free learning environments.

Where abuse has been reported, the Superior-Greenstone District School Board will cooperate fully with the investigating agency.

# Reference Documents

Child, Youth and Family Services Act, (Section 125) 2017 Student Protection Act, 2002

Education Act, Regulation 298

520 Management Guidelines – Police and School Board Response Protocol