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Procedures when Allegations of Child Abuse are Made Against Independent School Staff, Volunteers, Contract Service Providers or Others in the School Setting

According to the MCFD handbook, *“The BC Handbook for Action on Child Abuse and Neglect – For Service Providers”*, p 32, “If the abuse occurs in a setting such as a school, youth custody or child care centre, the head of the organization is responsible for responding.” It is the legal responsibility of school officials and employees to provide a safe learning environment for students. If the school officials and employees believe that a child is being abused or at risk, there is a legal duty to report the concern to the local child welfare worker and the police if the child is in imminent danger.

Independent School officials have the primary responsibility for dealing with allegations of child abuse involving independent school employees, volunteers, contract service providers, or others on independent school property or supervising an independent school activity outside of the school.

Staff Member

Where there are allegations of child abuse by a school staff member, the principal or ASO is responsible to investigate the allegations and report the matter to a Child Welfare Worker if there is reason to believe that the child is in need of protection, or the police if there is reason to believe the child is in imminent danger or that a criminal offense has been committed. The principal has the authority under the Independent School Act (ISA), Section 7 (2) (b) to suspend a school staff member whose presence threatens the safety and welfare of students.

Volunteer

Where there are allegations of child abuse by a volunteer, the principal or ASO is responsible to investigate the allegations and report the matter to a Child Welfare Worker if there is reason to believe that the child is in need of protection, or the police if there is reason to believe the child is in imminent danger or that a criminal offense has been committed. The School Authority has the authority to issue a “No Trespass Order” prohibiting attendance at school by a volunteer whose presence threatens the safety and welfare of students.

Contract Workers and Other Persons

Where there are allegations of child abuse by a contract worker or other person at school or at an independent school activity outside of the school, the principal or ASO is responsible to investigate the allegations and report the matter to a Child Welfare Worker if there is reason to

believe that the child is in need of protection, or the police if there is reason to believe the child is in imminent danger or that a criminal offense has been committed. The School Authority has the authority to issue a “No Trespass Order” prohibiting from attending at the school a contract worker or other person whose presence threatens the safety and welfare of students.

School personnel, who are uncertain about their duty to report, are encouraged to consult with a child welfare worker who can discuss the options and appropriate course of action (See Appendix A for contact information).

School personnel who have reason to believe that another employee, volunteer, contract service provider or other person on school property or supervising an independent school activity outside of the school has abused a student, must report the incident or information to the school principal or Appointed School Official. It is the responsibility of the principal or ASO to investigate the allegations and, in collaboration with the school personnel, determine what action is required.

Parents of children alleged to have been abused in the school setting must be informed by the principal or Appointed School Official of the allegations and the outcome of the school investigation, unless there are special circumstances, e.g., relating to a child protection or police investigation, or endangerment of the child.

In addition to the authority provided in the Independent School Act (ISA, Khalsa Schools) has the following policy(s) dealing with professional misconduct of employees: (Cite the policy(s) by the independent school or association)

Where there are allegations of child abuse by a staff member, volunteer, contract service provider or other persons, the School Authority has the authority to issue a “No Trespass Order” prohibiting the volunteer’s attendance at school. The order, provided orally or in writing, to the volunteer, contracted service provider or other person, and copied to the police, must specify the date of issue, the reason for the order and the termination date of the order (Such orders may be re-issued on an annual basis if required). This authority is provided under the Trespass Act, s. 4 (1), (b)(c).

Reporting to the Police

Not every incident that might constitute an offense if proven will warrant police involvement. School officials are expected to exercise judgment. Where there is reason to believe that the alleged child abuse by employees, volunteers, contract service providers or other persons may constitute a criminal offence warranting police involvement, the school official should consult with the police regarding the matter.

Reporting to a Child Welfare Worker

Although the primary responsibility for dealing with abuse allegations involving independent school staff, volunteers or contract workers, rests with an independent school official, there

may still be a need to report to a Child Welfare Worker. Where there is reason to believe that abuse or neglect has taken place outside the scope of the independent school investigation and the parent is unwilling or unable to protect the child, or there is reason to believe that the parent is unwilling or unable to protect the child with respect to the abuse that is the subject of the independent school investigation, a school official must report this to a Child Welfare Worker in accordance with the Child, Family and Community Service Act (CFCSA).