

8 REPORTING ABUSE AND NEGLECT

Adopted from FISA BC Child Abuse and Neglect Policy Template

Purpose:

To protect students from abuse and neglect

Scope:

All employees and volunteers

Policy:

Khalsa School is committed to the prevention of child abuse and the enhancement of the well-being and safety of the students entrusted to its care. This commitment is made first and foremost as an ethical and legal responsibility but is also recognized as a response to government and societal expectations for the well-being and safety of students.

Child abuse is a serious problem. Its impacts can last a lifetime and even extend to future generations. Understanding child abuse and neglect and knowing how to respond are critical. All of us – families, communities and service providers – share responsibility for the safety and well-being of British Columbia's children. Khalsa School personnel are responsible both for reporting suspected child abuse and neglect to a child welfare worker and also for cooperating with resulting investigations. Identifying and supporting students who have experienced child abuse and neglect is important in meeting these responsibilities.

Procedure:

Protocol on Reporting Child Abuse or Neglect

Khalsa School uses the "BC Handbook for Action on Child Abuse and Neglect 2017" to provide guidelines for establishing our school policy on responding to child abuse and neglect.

Principles - BC Handbook for Action on Child Abuse and Neglect 2017 (page 14)

- The safety and well-being of children are the paramount considerations.
- Children are entitled to be protected from abuse, neglect, harm or threat of harm.
- A family is the preferred environment for the care and upbringing of children and the responsibility for the protection of children rests primarily with the parents.
- If, with available support services, a family can provide a safe and nurturing environment for a child, support services should be provided.
- The child's views should be taken into account when decisions relating to a child are made.
- Kinship ties and a child's attachment to the extended family should be preserved if possible.
- The cultural identity of Aboriginal children should be preserved; and
- Decisions relating to children should be made and implemented in a timely manner

What is Child Abuse and Neglect?

The following definitions are adapted from BC Handbook for Action on Child Abuse and Neglect 2017 (pages 23-25):

Physical abuse is a deliberate physical assault or action by a person that results in, or is likely to result in, physical harm to a child or youth. It includes the use of unreasonable force to discipline a child or youth or prevent a child or youth from harming him/herself or others. The injuries sustained by the child or youth may vary in severity and range from minor bruising, burns, welts or bite marks to major fractures of the bones or skull to, in the most extreme situations, death.

The likelihood of physical harm to a child or youth increases when the child or youth is living in a situation where there is domestic violence by or towards a person with whom the child or youth resides. Domestic violence is a pattern of intentionally coercive and violent behaviour toward an individual with whom there is or has been an intimate relationship. It includes physical abuse such as hitting, slapping, pushing, choking, assault with a weapon, locking out of the house or the threat of physical abuse.

Emotional Harm: This is the most difficult type of harm to recognize. Under the *Child, Family and Community Service Act*, a child or youth is defined as emotionally harmed if they demonstrate severe:

- Anxiety;
- Depression;
- Withdrawal; or
- Self-destructive or aggressive behaviour.

Reason to believe that a child or youth needs protection from being emotionally harmed may arise due to emotional abuse from a parent. This may range from the parent ignoring to habitually humiliating the child or youth to withholding life-sustaining nurturing. Emotional abuse may occur separately from, or along with, other forms of abuse and neglect. Emotional abuse can include a pattern of:

- Scapegoating;
- Rejection;
- Verbal attacks on the child;
- Threats;
- Insults; or
- Humiliation.

Emotional harm may also be caused by the child or youth living in a situation where there is domestic violence by or towards a person with whom the child or youth resides. Domestic violence may involve physical abuse, threats, verbal insults or psychological abuse such as stalking.

Sexual abuse is when a child or youth is used (or likely to be used) for the sexual gratification of another person. It includes:

- Touching or invitation to touch for sexual purposes;
- Intercourse (vaginal, oral or anal);
- Menacing or threatening sexual acts, obscene gestures, obscene communications or stalking;
- Sexual references to the child's or youth's body/behaviour by words/gestures;
- Requests that the child or youth expose their body for sexual purposes;
- Deliberate exposure of the child or youth to sexual activity or material; and
- Sexual aspects of organized or ritual abuse.

Sexual exploitation is a form of sexual abuse that occurs when a child or youth engages in a sexual activity, usually through manipulation or coercion, in exchange for money, drugs, food, shelter or other considerations. Sexual activity includes:

- Performing sexual acts;
- Sexually explicit activity for entertainment;
- Involvement with escort or massage parlour services; and
- Appearing in pornographic images.

Children and youth living on the street are particularly vulnerable to exploitation. Children and youth in the sex trade are not prostitutes or criminals. They are victims of abuse.

Neglect is failure to provide for a child's or youth's basic needs. It involves an act of omission by the parent or guardian, resulting in (or likely to result in) harm to the child or youth. Neglect may include failure to provide food, shelter, basic health care, supervision or protection from risks, to the extent that the child's or youth's physical health, development or safety is, or is likely to be, harmed.

Legal Duty to Report

Section 14 of the Child, Family and Community Service Act (CFCSA) requires individuals to report promptly to a child welfare worker if they have reason to believe¹ a child has been or is likely to be:

- physically harmed, sexually abused or exploited, or neglected by a parent, or
- otherwise in need of protection as set out in Section 13 of the CFCSA.

Any person with reason to believe that a child needs protection has a duty to report directly to a child welfare worker. Informing another person (e.g., a colleague or the principal) does not discharge your legal duty to report directly to a child welfare worker. You do not need to be certain that abuse and/or neglect has, is, or will occur; a child welfare worker will determine this and can discuss options and courses of action with you.

Please note:

- The legal duty to report overrides any duty of confidentiality, except a solicitor-client relationship or where provisions of the Youth Criminal Justice Act apply.

- A “child welfare worker” is a person delegated under the CFCSA to provide child welfare services, including responses to suspected child abuse and neglect
- In British Columbia, under the CFCSA, a child is anyone under the age of 19

Training

At the beginning of each school year, the school Principal at each campus will review with all school personnel the following 3 documents:

- 1) “BC Handbook for Action on Child Abuse and Neglect 2017” (BC Ministry of Children and Family Development)
https://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/public-safety/protecting-children/childabusepreventionhandbook_serviceprovider.pdf
- 2) “Responding to Child Welfare Concerns” (BC Ministry of Children and Family Development)
https://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/public-safety/protecting-children/childabusepreventionhandbook_generalpublicbooklet.pdf
- 3) “Supporting our Students: A Guide for Independent School Personnel Responding to Child Abuse” (Office of the Inspector of Independent Schools BC)
http://www2.gov.bc.ca/assets/gov/education/administration/kindergarten-to-grade-12/independent-schools/sos_guide_independent_schools.pdf

School personnel hired during the school year will be informed of the above information within one week of employment.

Reporting

Suspected Child Abuse or Neglect

1. School personnel will report suspected child abuse, neglect or violence immediately. Everyone who has a reason to believe that a child has been or is likely to be physically harmed, sexually abused or exploited, or neglected by a parent, or otherwise in need of protection as set out in Section 13 of the Child, Family and Community Service Act is legally responsible under section 14 of that Act to report promptly to a social worker. School personnel, who are uncertain about their duty to report, will consult with a social worker who can discuss the options and course of action.
2. School personnel will inform the “Appointed School Official” (ASO) of the situation as soon as possible. The Principal at each campus is designated as the ASO. If the ASO is the alleged abuser, then school personnel, after reporting to the previously mentioned

agencies, will report to the Director of Education who will immediately inform the chairperson of the Board of Trustees.

3. The police must be contacted immediately if the child is in immediate danger.
4. School personnel will not contact the parents or guardians who may be involved in allegedly abusing the child; this is the responsibility of the child welfare worker.
5. School personnel will cooperate fully with any resulting investigation.
6. Schools will protect personal information regarding child abuse, neglect or violence against improper or unauthorized disclosure and use.
7. School personnel will support students who have experienced child abuse, neglect or violence.

Suspected Child Abuse or Neglect by a Service Provider (School Personnel and Volunteers)

Under the “Child, Family and Community Service Act,” anyone who has reason to believe a child has been or is likely to be abused or neglected by an employee, contractor, service provider or volunteer in an agency or organization, should contact the agency or organization to ensure that the appropriate person is informed, and able to respond according to their mandate. You may also contact a child welfare worker to discuss the situation. The police should be called if a criminal offence is suspected.

At Khalsa School, the principal at each campus serves as the Appointed School Official and should be informed of any concerns against school personnel or volunteers. The ASO will 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 to suspend a school staff member whose presence threatens the safety and welfare of students. The principal also has the authority to issue a “No Trespass Order” prohibiting attendance at school by a volunteer or contract worker whose presence threatens the safety and welfare of students.

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

Additional Resources

- Appendix
- Helpline for Children: Phone # 310-1234 from anywhere in BC (no area code needed)

- Child Protection Services: <https://www2.gov.bc.ca/gov/content/safety/public-safety/protecting-children>
- Safe, Caring & Orderly Schools resources:
<https://www2.gov.bc.ca/gov/content/education-training/administration/kindergarten-to-grade-12/safe-caring-and-orderly-schools>