

## KIS Child Abuse Reporting Guidelines

### Appointed School Official:

Principal – Louisa Neufeld

### Alternative Appointed School Official:

Office Admin- Alicia Stevenson

Chairperson of the board of Directors – Tiffany Kieboom

### Training for Action on Child Abuse and Neglect

Within our roles at KIS, we have a role to play in helping to keep children and youth safe! All KIS staff will complete the Child Abuse Reporting training and complete the online portion yearly.

### Purpose

Kimberley Independent School is committed to providing a safe and secure workplace for all staff and students. There are specific procedures in place to safeguard staff and students from potential harm, especially in situations involving child abuse. All staff must follow the procedures outlined to protect students in a child abuse situation. The procedures include steps and guidelines for preventing, identifying, and responding to child abuse situations. These involve reporting, intervention strategies, and collaboration with relevant authorities.

### Introduction

If you have reason to believe that a child or youth needs protection under section 13 of the Child, Family and Community Service Act you must promptly report the matter to a child welfare worker. Child welfare workers take the least disruptive action possible to help ensure children's and youth's safety and well-being.

Phone 1 800 663-9122 at any time of the day or night. If the child or youth is in immediate danger, call 9-1-1 or your local police. Police can respond immediately and contact a child welfare worker once the child is safe.

If a child would like to talk to someone the helpline is 310 1234 (no area code needed) 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

### **Purpose**

This document is designed to support an integrated, collaborative response to child abuse and neglect by:

- » Providing information about identifying and reporting suspected child abuse and neglect;
- » Providing an overview of relevant law and government policies.
- » Clarifying the roles and shared responsibilities of service providers, including their accountability for responding to suspected child abuse and neglect; and
- » Ensuring that responses to suspected child abuse and neglect in British Columbia are effective, consistent and sensitive to the needs of children and youth.

This document is organized into the following sections:

Working Together - explains the roles and responsibilities. This includes employees, contractors and volunteers serving children and families.

Recognizing Child Abuse and Neglect - defines child abuse and neglect, tells you how to recognize the possible indicators and provides advice on handling disclosures.

Responding to Child Abuse and Neglect - sets out the steps to follow in responding to suspected child abuse and neglect. It includes guidance on:

- » Talking to the child or youth; and
- » Reporting your concern.

It also explains what happens after you make a report, including the processes followed by child welfare workers and police.

### **Working Together**

#### **Roles and Responsibilities**

The primary responsibility for children's and youth's safety and well-being rests with their parents. Where a parent is unwilling or unable to care for a child or youth or protect the child or youth from harm, child welfare workers are authorized to intervene.

Communities also play an integral role in responding to suspected child abuse and neglect.

### **POLICE Roles and Responsibilities**

Police officers and child welfare workers have complementary roles in responding to reports of suspected child abuse or neglect. Police have authority under the Criminal Code of Canada and the Child, Family and Community Service Act to respond:

- » When a child or youth is in immediate danger; and
- » When a criminal offence against a child or youth is suspected.

When an officer has reasonable grounds to believe that a child's or youth's safety or well-being is in immediate danger, the officer has authority to take charge of the child or youth and notify a child welfare worker as quickly as possible.

Where a criminal offence against a child or youth is suspected, police may investigate, working in collaboration with child welfare workers.

Many abused and neglected children and youth are also victims of offences under the Criminal Code, such as:

- » Physical or sexual assault / exploitation;
- » Sexual exploitation;
- » Failure to provide the necessities of life; or
- » Criminal negligence causing bodily harm.

### **Service Providers (Someone who works with children as a employee, contractor or volunteer) Roles and Responsibilities**

As someone who works with children or youth, you have opportunities to speak with them, observe their behaviour and possibly notice changes over time.

As a service provider, your role is to be aware of, and alert to, signs of child abuse or neglect. If you have reason to suspect that a child or youth has been, or is likely to be, at risk for abuse or neglect, you have a duty to report your concern to a child welfare worker. If the child or youth is in immediate danger, call police first.

Depending on the kinds of services you offer, you may also have an important role to play in responding to child abuse or neglect. This is usually determined on a case-by-case basis.

### **Legislation, Principles and Protocols**

#### **LEGISLATION Child, Family and Community Service Act**

The Child, Family and Community Service Act is the legislative authority for child welfare in British Columbia. Its fundamental guiding principle is that the safety and well-being of children (including youth ages 16 to 19 years) are the paramount considerations.

#### **Criminal Code of Canada**

The other legislation that plays an essential role in ensuring the safety and well-being of children and youth is the Criminal Code of Canada (Criminal Code). The Criminal Code

provides the justice system with the legal authority to enforce criminal law as it applies to the abuse and neglect of children and youth. It establishes criminal offences, procedures for investigation, and prosecution and sanctions for offenders.

### **PRINCIPLES**

The Child, Family and Community Service Act is guided by the following principles, which — in a collaborative setting — inform all parties serving children, youth and families:

- » 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

### **PROTOCOLS**

Protocols provide clear guidance on what to report and how different agencies and organizations work together to respond to suspected child abuse and neglect. Following protocols at all levels helps to ensure an effective, collaborative response to child abuse and neglect in British Columbia.

#### **Protocol on Reporting Child Abuse and/or Neglect Involving Parents or Parental Failure to Protect a Child**

The following protocol will be used when dealing with a suspected case of child abuse:

- a) The school principal is designated as the "Appointed School Official (ASO)." All staff and volunteer personnel will be informed if a person other than the principal has been named as the Appointed School Official.
- b) Any school personnel who suspect or have information that a child is being abused or at risk of being abused, must promptly contact the Ministry of Children and Family Development (MCFD) or the Aboriginal Child and Family Services Agency (See Appendix A for contact information) AND the Appointed School Official. If the Appointed School

Official is the alleged abuser, then school personnel, after reporting to the previously mentioned agencies, will report to the Superintendent, head, or chairperson of the Board of Directors governing the school.

It is the legal duty of all persons who have concerns that a child is being or is likely to be abused or neglected to report to the appropriate authorities, who will assess the report and, if appropriate, investigate. (CFCSA Section 13)

c) Anyone who has 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 guardian, or otherwise in need of protection as set out in Section 13 of the Child, Family and Community Services Act is legally responsible under Section 14 of the Act to report promptly to a child welfare worker. “Reason to believe” simply means that, based on what was seen or information received, a person believes a child has been or is likely to be at risk. The reporter need not be certain. It is the child welfare worker’s job to determine whether abuse or neglect has occurred or is likely to occur.

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

d) The police must be contacted immediately if the child is in any immediate danger.

e) 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.

f) School personnel will cooperate fully with any resulting investigation, including assisting with the interviews of children and staff as necessary.

g) The school will protect personal information regarding the investigation, including the reporter’s identity, against improper or unauthorized disclosure or use. School personnel should not share information with outside agencies about child abuse investigations, particularly if the police are involved.

h) The Appointed School Official will ensure that the school environment is safe during any investigation.

i) School personnel will support students who are victims of child abuse or neglect.

### **Procedures Where 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”*, p32, “If the abuse occurs in a setting such as a school, youth custody or childcare 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.

- a. 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.
  - i. Staff Member
  - ii. Volunteer
  - iii. Contract workers and other persons
- b. 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.
- c. 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.
- d. In addition to the authority provided in the Independent School Act (ISA, school policy dealing with professional misconduct of employees will be used.
- e. 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

- f. 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

- g. 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).

In most cases, your duty to report suspected child abuse or neglect overrides your duty to protect the privacy of clients, patients, students, staff or colleagues. The only exceptions are:

- » Solicitor-client privilege; and
- » Confidentiality provisions of the federal Youth Criminal Justice Act.

If you report suspected child abuse or neglect, your name will be kept confidential, unless it is required for purposes of a court hearing. This is a requirement under the Child, Family and Community Service Act. Information about what is reported is shared with a child's or youth's family only to the extent needed to respond to concerns about the child's or youth's safety and well-being.

You may also need to share information with other professionals, family members or a child's or youth's Aboriginal community as part of a collaborative response to child abuse or neglect.

Generally, as noted above, information may be shared on an as-needed basis to help ensure a child's or youth's safety and wellbeing.

## RECOGNIZING CHILD ABUSE AND NEGLECT

### PHYSICAL ABUSE

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

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** 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**

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.

#### **What to Watch For**

Anyone who provides services to children and/or youth should watch for signs of possible child abuse or neglect. There are two main types of signs — disclosures and indicators. You should be prepared to recognize and respond to both.

It is important to note that many indicators — especially those of a behavioural nature — may be signs of other problems. However, a series or cluster of indicators observed over a period of time may be a child's or youth's reaction to abuse or neglect, and may appear as dramatic changes from the child's or youth's normal behaviour. By themselves, indicators do not prove child abuse or neglect. But they do tell us we need to know more about the child's or youth's circumstances. That is why they should be reported to a child welfare worker.

## DISCLOSURES OF CHILD ABUSE AND NEGLECT

### Direct Disclosures

Sometimes children or youth will tell you directly that they are being abused or neglected. They might begin with one example and see how you react. Research shows that children often tell about their experiences many times before action is taken to respond.

### Indirect Disclosures

In other cases, children or youth do not tell directly, but communicate what they have experienced indirectly — through their behaviours, emotions, art, writing, appearance, inquiries or discussions about fears, concerns or relationships. Children and youth also divulge information through indirect statements, statements with conditions (e.g., “promise not to tell”) or third-party statements (e.g., “my friend’s parent is hurting her”).

***Never tell a child that you will not tell. Let them know that if the information puts them in harms way, you will need to tell someone who can keep them safe.***

You should report to a child welfare worker any time you have reason to believe a child or youth is, or may be, at risk for abuse or neglect — and the parent is unwilling or unable to protect the child or youth. Reason to believe simply means that, based on what you have seen or information you have received, you believe a child or youth may be at risk.

POSSIBLE INDICATORS OF PHYSICAL ABUSE
<p>Physical Indicators:</p> <ul style="list-style-type: none"> <li>» Any injury to an infant who is not yet mobile, especially head/facial injuries;</li> <li>» Injuries to a toddler or older child for which there is no explanation, the explanation does not fit with the injuries, or the story keeps changing;</li> <li>» Injuries at different stages of healing;</li> <li>» Injuries that have a pattern or look like they may have been caused by an object (e.g., hand, stick, buckle, stove element); or</li> <li>» Bruising in unusual places such as ears, trunk, neck or buttocks.</li> </ul> <p>Behavioural Indicators:</p> <ul style="list-style-type: none"> <li>» Afraid or reluctant to go home, or runs away;</li> <li>» Shows unusual aggression, rages or tantrums;</li> <li>» Flinches when touched;</li> <li>» Has changes in school performance and attendance;</li> <li>» Withdraws from family, friends and activities previously enjoyed;</li> </ul>

- » Poor self-esteem (e.g., describes self as bad, feels punishment is deserved, is very withdrawn); or
- » Suicidal thoughts or self-destructive behaviour (e.g., self-mutilation, suicide attempt, extreme risk-taking behaviour).

#### POSSIBLE INDICATORS OF SEXUAL ABUSE

##### Physical Indicators:

- » Unexplained or persistent pain, bleeding or unusual discharge in the genital or anal area;
- » Pregnancy; or
- » Sexually transmitted diseases.

##### Behavioural Indicators:

- » Engages in age-inappropriate sexual play or exhibits age-inappropriate sexual knowledge (e.g., through drawing or play);
- » Forces or coerces another child to engage in sexual play;
- » Inserts objects into vagina or rectum;
- » Directs sexually intrusive behaviour to adults;
- » Has unexplained gifts, new clothes or money;
- » Has changes in school performance and attendance; » Is secretive about “new” friends, activities, phone calls or Internet use;
- » Has unexplained developmental setbacks (e.g., was toilet trained but reverts back);
- » Is involved in sexually exploitive activities, such as performing sex acts for money;
- » Is involved in behaviours such as misuse of drugs or alcohol, stealing, fire-setting; or
- » Flinches when touched

#### POSSIBLE INDICATORS OF EMOTIONAL HARM

##### Physical Indicators:

- » Bed wetting and/or frequent diarrhea; or
- » Frequent psychosomatic complaints, headaches, nausea, abdominal pains

##### Behavioural Indicators:

- » Mental or emotional development lags;
- » Isolated and has no friends or complains of social isolation;
- » Behaviours inappropriate for age
- » Fear of failure, overly high standards, reluctant to play;
- » Fears consequences of actions, often leading to lying;
- » Extreme withdrawal or aggressiveness, mood swings;
- » Overly compliant, too well-mannered;
- » Excessive neatness and cleanliness;
- » Extreme attention-seeking behaviours;

- » Poor peer relationships;
- » Severe depression, may be suicidal;
- » Runaway attempts;
- » Violence is a subject for art or writing;
- » Forbidden contact with other children;
- » Shows little anxiety towards strangers; or
- » Unusual severe anxiety or worries.

#### POSSIBLE INDICATORS OF NEGLECT

##### Physical Indicators:

- » Injuries where medical care has been unusually delayed or avoided;
- » Injuries resulting from a lack of supervision;
- » Medical or dental needs that are consistently unattended to;
- » “Failure to thrive” in a child where no medical reason has been found (see table below for further information on failure to thrive);
- » Clothing consistently inadequate for weather conditions;
- » Persistent hunger;
- » Poor or inadequate nutrition; or
- » Poor personal hygiene.

##### Behavioural Indicators:

- » Forages for, hoards or steals food;
- » Developmental delay or setbacks related to a lack of stimulation;
- » Poor school attendance;
- » Inappropriately takes on a caregiver role for a parent or siblings;
- » Tired or unable to concentrate at school;
- » Appears sad or has flat affect;
- » Reluctant to go home; speaks of being or appears to be left alone at home a lot, unsupervised;
- » Is involved in behaviours such as misuse of drugs or alcohol, stealing, fire-setting; or
- » Does not respond to affection or stimulation.

#### POSSIBLE INDICATORS OF FAILURE TO THRIVE

A child who has stopped growing and/or has experienced significant weight loss may be suffering from “failure to thrive” syndrome. Medical assessment is necessary to determine whether the syndrome is organic or non-organic in origin.

##### Physical Indicators:

- » Appears pale, emaciated, has “sunken cheeks”;
- » Body fat ratio is extremely low (e.g. wrinkled buttocks);

- » Skin may feel like parchment paper as a result of dehydration; or
- » Significant developmental milestones have not been attained within their age range (e.g., cannot hold head up at six months of age, cannot walk at 18 months).

**Behavioural Indicators:**

- » Appears lethargic and undemanding (e.g., cries very little);
- » Uninterested in environment or surroundings; or
- » Displays little or no movement (e.g., lies in crib motionless).

### **When Should I Call a Child Welfare Worker?**

We all share responsibility for the safety and well-being of children and youth in B.C. Child welfare workers have the lead responsibility for responding to suspected child abuse or neglect in cases where the parent is unwilling or unable to protect the child or youth from harm.

It is important that you report all situations where you think a child or youth has been or is likely to be abused or neglected — even if you know that a child welfare worker is involved. Child welfare workers need to be aware of all situations where a child or youth’s safety and well-being might be endangered in order to provide the most appropriate response.

Children and youth may also be harmed outside the home — where the parent is not present and cannot reasonably be expected to protect the child or youth. In these cases, service providers such as police, school personnel, health care practitioners or child care providers may have a primary role in helping to ensure the child’s or youth’s safety and well-being.

Child welfare workers can assist in cases where they do not have the lead responsibility, as part of a collaborative response. However, when they do not have the lead role, other authorities should be involved. Protocols can be helpful in these situations. If you are not sure what to do, call a child welfare worker to discuss the situation.

See the child abuse prevention handbook for example situations and who would be the primary responsible (Pg. 32 - [https://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/public-safety/protecting-children/childabusepreventionhandbook\\_serviceprovider.pdf](https://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/public-safety/protecting-children/childabusepreventionhandbook_serviceprovider.pdf))

### **RESPONDING TO SUSPECTED CHILD ABUSE AND NEGLECT**

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Review: September 2026

Talking with the Child or Youth As a service provider working with children and/or youth, you often have relationships with them, putting you in a position of trust. For this reason, you may find yourself in a situation where a child or youth discloses to you, or you may see something that makes you suspect a child or youth has been or is likely to be abused or neglected.

If you find yourself in either of these situations, it is important to honour the child and/or youth and remember that your role is to report to a child welfare worker.

There may be some situations where you want to seek further information before deciding whether to make a report. For example, you may wish to clarify a statement the child or youth has made, or to inquire about a child's or youth's provisions such as lunch or clothes.

Do not interview the child or youth. It is the child welfare worker's job to determine whether child abuse or neglect has taken, or is taking place and to decide on the appropriate action to take.

#### WHEN A CHILD OR YOUTH DISCLOSES ABUSE OR NEGLECT

**If the child or youth is in immediate danger, call police first.**

Children and/or youth who may have been abused or neglected are particularly vulnerable. It is critical that, in responding to their needs, we take every caution to avoid upsetting or traumatizing them any further.

When talking to the child or youth, be sensitive to his or her needs and follow the general guidelines below. Your primary role is to support the child or youth, gather basic information and report it to a child welfare worker as quickly as possible. Write notes immediately afterwards to avoid forgetting important information.

#### WHAT DOES "REASON TO BELIEVE" MEAN?

In British Columbia, anyone with reason to believe a child or youth has been or is likely to be abused or neglected — and the child's or youth's parent is unwilling or unable to protect them — has a legal duty to report that concern to a child welfare worker.

"Reason to believe" simply means that, based on what you have seen or information you have received, you believe a child or youth has been or is likely to be at risk.

You do not need to be certain. It is the child welfare worker's job to determine whether abuse or neglect has occurred or is likely to occur

Keep in mind that:

- » You do not need proof — it is the child welfare worker's job to determine whether abuse or neglect has taken place; your role is to report your concern, including any disclosures or indicators you have witnessed.
- » It does not matter if you think someone else is reporting the situation — you still must make a report. » It does not matter if a child welfare worker is already involved with the child or youth — you still must make a report.
- » 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

### **Failure to report and making false reports**

Failing to promptly report suspected abuse or neglect to a child welfare worker is a serious offence under the Child, Family and Community Service Act. So is knowingly making a false report. Both offences carry a maximum penalty of a \$10,000 fine, six months in jail, or both.

No action for damages may be brought against you for reporting information under the CFCSA unless:

- » You knowingly report false information; or
- » The report was not made in good faith.

### **Circumstances That Must be Reported**

Section 13 of the Child, Family and Community Service Act sets out the circumstances under which you must report to a child welfare worker. You must report when you have reason to believe that a child or youth may need protection because:

- » A child or youth has been, or is likely to be, physically harmed, sexually abused or sexually exploited by a parent or another person and the parent is unwilling or unable to protect the child or youth;
- » The child or youth has been or is likely to be physically harmed because of neglect by the child's or youth's parent;
- » The child or youth is emotionally harmed by the parent's conduct;
- » The child or youth is deprived of necessary health care;
- » The child's or youth's development is likely to be seriously impaired by a treatable condition and the child's or youth's parent refuses to provide or consent to treatment;

- » The child's or youth's parent is unable or unwilling to care for the child or youth and has not made adequate provisions for the child's or youth's care;
- » The child or youth is or has been absent from home in circumstances that endanger the child's or youth's safety or well-being;
- » The child's or youth's parent is dead and adequate provision has not been made for the child's or youth's care;
- » The child or youth has been abandoned and adequate provision has not been made for the child's or youth's care; or
- » 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.

#### HOW TO CONTACT A CHILD WELFARE WORKER

The fastest, easiest way to report your concern to a child welfare worker is to call 1 800 663-9122 any time of the day or night. The person who answers will make sure your concerns are directed to the right place. If the child or youth is in immediate danger, call 9-1-1 or your local police.

#### WHAT TO REPORT TO THE CHILD WELFARE WORKER

When making a report to a child welfare worker, it is helpful to include your name, your phone number and your relationship to the child or youth. But you can make an anonymous call if you prefer. The child welfare worker will want to know:

- » The child's or youth's name and location;
- » Whether there are any immediate concerns about the child's or youth's safety;
- » Why you believe the child or youth is at risk;
- » Any statements or disclosures made by the child or youth;
- » The child's or youth's age and vulnerability;
- » Information about the family, parents and alleged offender;
- » Information about siblings or other children or youth who may be at risk;
- » Whether you know of any previous incidents involving, or concerns about the child or youth;
- » Information about other persons or agencies closely involved with the child, youth and/or family;
- » Information about other persons who may be witnesses or may have information about the child or youth;
- » Information about the nature of the child's or youth's disabilities, his or her mode of communication, and the name of a key support person; and

- » Any other relevant information concerning the child, youth and/or family, such as language or culture.

You do not need all this information to make a report. Just tell the child welfare worker what you do know. Time is of the essence in responding, so if you have concerns, do not delay

#### WHEN TO CALL POLICE

Police and child welfare workers have complementary roles in responding to abuse and neglect. Call your local police detachment or 9-1-1 and ask for the police when:

- » A child or youth under 19 years of age is in immediate danger; and/or
- » A criminal offence against a child or youth has been or is likely to be committed.

Report your concerns to a child welfare worker after you call the police.

Children and youth who are abused or neglected may be victims of criminal offences such as, but not limited to:

- » Criminal negligence causing bodily harm;
- » Physical and sexual assault;
- » Sexual interference or sexual invitation to touch a child under 14;
- » Sexual exploitation of a child/ youth; or
- » Failure to provide the necessities of life.

#### What Happens After You Make a Report

##### YOUR ROLE

As a service provider, you may be well positioned to offer support or assistance to a child or youth who may have been abused or neglected. For example, the child welfare worker may ask you to assist by:

- » Offering an appropriate place for the child welfare worker to interview the child or youth;
- » Being present during the interview to support the child or youth if requested;
- » Offering your support to the child, youth and/or family if they would like to talk with someone; or
- » In situations involving youth who are on their own, letting the youth know you are a support for them.

## THE CHILD WELFARE WORKER'S ROLE

Receiving the Report When you report to a child welfare worker that a child or youth may have been abused or neglected, the worker will talk to you about what happens next. That includes:

- » The estimated timeframes for the response;
- » Whether and how you will be advised of the outcome of a child welfare worker's assessment of the case;
- » Any ongoing responsibility you may have as a resource for the child, youth and family; and
- » Confirmation that your identity is confidential and will not be disclosed without your consent, unless required in a court proceeding or if a criminal offence may have occurred.

**Assessing the Report** - After receiving your report, the child welfare worker will assess the situation. The purpose of the assessment is to gather enough information to determine:

- » The most appropriate response to the report; and
- » Whether the child or youth is at immediate risk of harm

### **If the Child or Youth is at Immediate Risk of Harm**

If the child or youth is at immediate risk of harm, the child welfare worker will take immediate action in collaboration with other service providers, such as police, school personnel, medical professionals, child care providers, etc. Immediate actions the child welfare worker might take include:

- » Staying with the child or youth until the parent(s) can be located;
- » Taking the child or youth to a safe place, such as a hospital, child care facility, temporary foster home or home of an extended family member or someone who can keep the child or youth safe; or
- » Staying with the child, youth and/or family while police remove an offender from the home.

### **Determining the Least Disruptive Response to Keep the Child or Youth Safe**

Reports of suspected child abuse and neglect are assessed on a case-by-case basis and, depending on the circumstances, will warrant different types of responses. Child welfare workers choose the response that is least disruptive to the child or youth, and will keep the child or youth safe.

After the assessment process is complete, if the child or youth is not at immediate risk of harm, the child welfare worker may:

- » Offer the family support services;

- » Refer the child, youth and/or family to a community agency; or
- » Take no further action, if no further action is needed.

If the child welfare worker continues to have reason to believe that the child or youth may be at risk of harm, he or she will initiate one of the following:

» A “family development response” that engages the family in developing a plan to keep the child or youth safe, supported by services that emphasize and build on the family’s strengths; this response is used in low-risk situations where the family agrees to collaborate with the child welfare worker;

- » A “youth service response,” if the child is old enough; this is a plan developed in collaboration with the youth to keep him/her safe while developing his/her capacity to live independently; or
- » An investigation.

#### THE ROLE OF THE POLICE

Police can respond quickly to protect children and youth who are in immediate danger. They also play a key role when a criminal offence may have been committed against a child or youth.

#### **When a Child or Youth is in Immediate Danger**

When a police officer has reasonable grounds to believe that a child’s or youth’s health or safety is in immediate danger, and there are no other means available to protect the child or youth, the officer may take charge of the child or youth under Section 27 of the Child, Family and Community Service Act. The officer must notify a child welfare worker immediately after taking charge of the child or youth.

The child welfare worker will speak with the parent and the child or youth and work with police to ensure the child or youth is safe. This may include:

- » returning the child or youth to the parent at a safe place;
- » taking the child or youth to a safe place identified by the parent (such as the home of a relative or family friend); or
- » taking the child or youth to another place of safety, such as a foster home.

#### Where a Criminal Offence May Have Occurred or is About to Occur

Children and youth who suffer abuse and neglect are also often victims of an offence under the Criminal Code. Whenever a child or youth has been physically or sexually abused, abandoned or neglected, an investigation may reveal that a crime or crimes have been committed.

A criminal investigation involves gathering evidence in order to establish facts, and preparing for criminal proceedings where appropriate. This may include, after ensuring that everyone is safe:

- » preserving the crime scene;
- » arranging to obtain, preserve and test any physical evidence;
- » obtaining a videotaped account from the child or youth of the relevant events;
- » obtaining statements from other witnesses; » determining whether the legal grounds exist to arrest a suspect;
- » obtaining a legally admissible statement from the alleged offender;
- » Obtaining warrants or legal authorizations to access relevant evidence;
- » Obtaining medical and other expert opinions if needed; and
- » Submitting a report to Crown Counsel recommending criminal charges.

#### INVOLVING VICTIM SERVICES PROGRAMS WHEN A CRIMINAL OFFENCE IS SUSPECTED

As soon as a report of child abuse or neglect is made to the police or a child welfare worker — and there is a suspected criminal offence — victim services may have a role to play and will be contacted. If a victim is aware of services, they may choose to contact a program directly; however, referrals can be made by child welfare workers, police and other justice system personnel. B.C.'s Victims of Crime Act entitles victims to information and support. The province funds over 150 community-based and police-based programs and directly operates the Crime Victim Assistance Program and the Victim Safety Unit.