

<b>Policy Code:</b>	IHEB
<b>Policy Title:</b>	Child Abuse and Neglect
<b>Cross Reference:</b>	IFGA
<b>Legal Reference:</b>	Child, Youth and Family Enhancement Act (2004), Responding To Child Abuse Handbook (2005)Alta. Gov't
<b>Adoption Date:</b>	June 25, 1997
<b>Amendment or Re-affirmation Date:</b>	June 12, 2008, April 15, 2014

---

## **POLICY**

THE BOARD OF TRUSTEES OF HORIZON SCHOOL DIVISION BELIEVE THAT ALL SCHOOL PERSONNEL OPERATE UNDER A "DUTY OF CARE" TO STUDENTS AND MUST FULFILL THAT DUTY AS IT RELATES TO THE STUDENTS' SAFETY AND WELL-BEING. IT IS THE POLICY OF THE HORIZON SCHOOL DIVISION THAT ALL SCHOOL PERSONNEL COOPERATE WITH CHILD INTERVENTION PERSONNEL IN CARRYING OUT THEIR DUTIES IN SITUATIONS OF CHILD ABUSE AND NEGLECT. WHILE SCHOOL BOARD PERSONNEL SHOULD CO-OPERATE WITH THESE AGENCIES, THEY MUST FIRST AND FOREMOST ACT IN THE BEST EDUCATIONAL INTERESTS OF STUDENTS.

## **GUIDELINES**

### **1. Background**

The Division recognizes its legal obligation and moral responsibility to work collaboratively with those involved in investigating suspected cases of child abuse or neglect. Principles of cooperation, collaboration and coordination are paramount in their working relationships between school personnel and Child Intervention Services' Caseworkers. The Division acknowledges that the safety, supervision and well-being of its students are of paramount concern.

### **2. Confidentiality**

Any matters pertaining to child abuse and neglect shall be handled in the greatest manner of confidentiality.

### **3. Recording of Information**

- (a) Written records of suspected child abuse and/or neglect must be kept separate and secure and disclosed only to police or caseworkers from Child Intervention Services. Once the case has been investigated and concluded by the appropriate authorities, the written records shall be destroyed or provided to the Caseworker.
- (b) Disclosures should be recorded in the child's own words. The record should consist of observed facts (i.e. behavior, actions, comments, physical marks, persons involved). School personnel should act on the information that the child discloses without interviewing or probing for more information.

### **4. Identification of Investigators**

Investigators shall be required to identify themselves. The Principal should ask the Caseworker or police officer to present identification cards, to explain the nature of the investigation being conducted, and to state their reasons for conducting the interview in the school. Caseworkers carry both an employee identification card with photograph and a letter of authority to investigate under the *Child, Youth and Family Enhancement Act*. Peace Officers (Royal Canadian Mounted Police or Municipal Police) who investigate a suspected incident under the *Criminal Code of Canada* or the *Child Youth and Family Enhancement Act* carry identification cards. Special constables are provided with appropriate authority. In all cases the school principal or designate must fill out the form IHEB (Attachment A) when authorities request information, access to investigate or interview, or access to apprehend. Such requests should not be placed in the student record and should be destroyed after 1 year.

## **Policy IHEB - Child Abuse and Neglect, Cont'd.**

### **5. Access to Students**

School personnel are requested to facilitate access to a student at school by Caseworkers and/or police for the purpose of investigating allegations of abuse or neglect. Caseworkers and/or the police may request access to a student at school in order to conduct the preliminary interview and investigation. The Caseworker must consider the needs of the student and needs of the school regarding access issues. If the worker needs access to a student during school hours, the reasons should be discussed with the Principal to make appropriate arrangements during school hours. Unless the caseworker has an apprehension order for the child in hand, the caseworker has no automatic right to enter the premises, remove a child from a classroom and commence an interview with the child (Section 19, Child, Youth and Family Enhancement Act). While there is no automatic right for a caseworker to utilize school space and education time to interview a student, co-operation is encouraged.

### **6. Notification of Parents**

The responsibility for notifying parents about an investigation is that of the investigator. 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 his/her story.

The Principal should 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 to the parents.

### **7. Police Notification**

In all cases of child sexual abuse or physical abuse, which may or may not cause bodily harm, Child Intervention Services is required to notify the police, who will investigate to determine whether charges should be laid.

### **8. Interviewing on School Property**

The investigating team may request permission from the Principal to interview the child on school premises. School personnel are expected to cooperate with the request. If appropriate, the investigating team should give advance notice to the school Principal of their need to visit the school and/or conduct an interview on school premises. The Caseworker must communicate what authority they have (i.e. an apprehension order for the child) in order to enter the premises, remove a child

from a classroom and commence an interview with the child. There is no automatic right for a Caseworker to utilize school space and education time to interview a student.

### **9. Joint Interviews; Child Intervention and Police**

Joint interviews involving both Caseworkers and police may occur during an investigation, but are not requirements. Decisions about joint interviews are worked out collaboratively between the Caseworker and police. Caseworkers have the authority to transport a child for the purposes of an investigation without Parental Approval or notification, and communicate that they are taking the child from the school to an interview setting such as the Police Station or Child Intervention Services office.

### **10. Presence of School Personnel during Investigative Interview.**

The Principal fulfills his/her responsibility for the safety and protection of the students by cooperating and assisting with Child Intervention and police investigations.

## **Policy IHEB - *Child Abuse and Neglect, Cont'd.***

It is recommended that interviews be conducted in private unless the Child Intervention Services' Caseworkers or child specifically requests that a Principal or designate be present or the child otherwise demonstrates that she/he requires the supportive but non-participating presence of a familiar school employee. The investigator(s) and school personnel will together determine the appropriateness of having a school representative present during the interview. The School personnel may participate in the interview by providing comments or answering questions when specifically requested by the investigating team.

No child is required or pressured to make a statement or provide information that he/she is not prepared to reveal.

Recognizing the principles outlined above, there may be other instances where school personnel and investigators may agree and determine that a school representative should be present during the interview.

Where an employee of the jurisdiction participates in an interview, including merely being present, they are then a candidate to be and eligible to be subpoenaed for court.

Detecting and investigating cases of child abuse becomes more complex when the child has special needs. A child with developmental disabilities, for example, might not recognize abuse or might be incapable of articulating what abuse has occurred. In such cases, the teacher's recognition of sudden changes in behavior, emotional responses or signs of physical abuse might result in the initial report to Child Intervention. The teacher's report should explain the special needs of the child, and the teacher should be available to assist the child and the Caseworkers as needed.

### **11. Suspected Abuse by Other Students**

Where allegations involve suspected abuse by other students, the investigating team should contact the appropriate supervisory officer and proceed with the investigation in co-operation with school board officials and, if appropriate, the child and parents/guardians. There is no legal requirement of school personnel to notify police of a potential or suspected crime. If there is abuse, the parent/guardian should be the person reporting the matter to police. If the school's investigation establishes the allegation as fact, the school will take immediate action to ensure the safety of the victim, consistent with Sections 24 and 25 of the *School Act*, and Horizon School Division Policy IFCI Threat Assessment Protocol.

### **12. Interviewing of School Personnel**

Where the allegation involves a school employee as the suspected offender, the investigating team should contact the appropriate supervisory officer and proceed with the investigation in co-operation with school board officials and, if appropriate, the child and parents/guardians. School officials should not interview or advise the suspected offender until after consulting with the investigators. There is no legal requirement of school personnel to notify police of a potential or suspected crime. If there was abuse, the parent/guardian should be the person reporting the matter to the police.

Child Intervention 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 should be advised that the Child, Youth and Family Enhancement Act, 2004 provides explicit protection against legal action "unless reporting is done maliciously or without reasonable and probable grounds for the belief". Since informants 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. Ideally a copy of the notes should also be forwarded to the caseworker.

## **Policy IHEB - *Child Abuse and Neglect, Cont'd.***

### **13. Medical Examination**

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.

### **14. Intervention and Treatment Approaches**

When child abuse or neglect is confirmed, the primary role of Child Intervention Services is 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 (e.g., 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.

### **15. Child Intervention Role in School Inservices**

The Ministry of Human Services encourages its workers to participate in scheduled inservice sessions for schools located within each District Office's catchment area.

### **16. Information Feedback to Schools**

- (a) Once the initial response to a report is completed, Caseworkers should ensure the school Principal and the school personnel who made the report are informed and given all information they need to provide education services to the child.
- (b) Caseworkers will be in a position to keep the Principal apprised of significant developments regarding students who have status with the Department of Children's Services; this information may be shared with staff on a "need to know" basis.

### **17. Use of District Personnel**

The resolution of the complex issues in any case of child abuse and/or neglect does not end with reporting the matter to Child Intervention. Effective case management plans include provision for case-monitoring and follow-up in which schools and District personnel may be involved.

## **REGULATIONS**

### **1. Obligation to Report**

Section 4 of the Child Youth and Family Enhancement Act (2004) outlines the legal obligation to report. The Act also prescribes penalties and sanctions for those who fail to report.

### **2. Reporting Procedures**

- 2.1 (a) Any staff member who has reasonable and probable grounds to believe that a child is in need of intervention shall forthwith report the matter to a Child Intervention Services Caseworker.
- (b) The staff member may choose to have the Principal present during the report. However, teachers do not need specific permission from a Principal before making a report directly to Child Intervention Services. Further, no Principal can direct a teacher not to report if the teacher believes abuse exists.

**Policy IHEB - *Child Abuse and Neglect, Cont'd.***

- (d) It is not the duty of school personnel to assess the severity of the abuse.
  - (e) It is possible that allegations of child abuse may be made against teachers, other students, or other school personnel. In all such cases, the Principal and the superintendent of schools must be informed, and the School Board will be required to act immediately consistent with the allegations, facts, and circumstances.
- 2.2 After the initial report is made, the staff member ensures that the form, (IHEB – Attachment B), is completed and submitted to the appropriate investigating Caseworker.
- 2.3 In the event that threats are made against school personnel or the child as a result of reporting suspected child abuse, the Principal is advised to call the police.

**Form IHEB – Attachment A**



HORIZON SCHOOL DIVISION

Empowering all our  
people to excel

HORIZON SCHOOL DIVISION NO. 67  
**REQUEST FOR ACCESS/DISCLOSURE OF INFORMATION**  
Freedom of Information and Protection or Privacy Act

**PUBLIC BODY REQUESTING ACCESS/INFORMATION**

Pertaining to \_\_\_\_\_,  
(Name of Student)  
*Freedom of Information and Protection of Privacy Act*, the \_\_\_\_\_  
(Name of Public Body)

hereby requests:

Disclosure of student information.

The information requested may be generally described as:  
\_\_\_\_\_

Access to the student to interview at the school.

Permission to take the student away from the school to interview.

Location of interview: \_\_\_\_\_

Apprehension of the student from the school as per:

Apprehension Order  **OR** Serious and Imminent Danger

Estimated parent contact time \_\_\_\_\_

This information is required by this public body pursuant to:

\_\_\_\_\_  
(Reference to a Federal or Provincial Statute by Section or Description of Purpose)

\_\_\_\_\_  
Name and Title of Requesting Official #1  
Number

\_\_\_\_\_  
Office Phone Number

\_\_\_\_\_  
Cellular Phone

\_\_\_\_\_  
Signature of Requesting Official #1

\_\_\_\_\_  
Date

Photo Identification

\_\_\_\_\_  
Name of Supervisor

\_\_\_\_\_  
Name and Title of Requesting Official #2  
Number

\_\_\_\_\_  
Office Phone Number

\_\_\_\_\_  
Cellular Phone

\_\_\_\_\_  
Signature of Requesting Official #2

\_\_\_\_\_  
Date

Photo Identification

\_\_\_\_\_  
Name of Supervisor

*\*A copy of this page of the document can be given to the requesting official, if requested.*

FOR HORIZON SCHOOL DIVISION USE ONLY

• Is this student identified as Special Needs/ESL?  Yes  No  
If yes, was this information shared with the requesting official?  
 Yes  No If no, why not: \_\_\_\_\_

• Disclosure of student information as requested is:  
 N/A  Approved  Denied Reason if denied: \_\_\_\_\_

• Access to the student to interview at the school as requested is:  
 N/A  Approved  Denied Reason if denied: \_\_\_\_\_  
Indicate the time of access (if applicable): \_\_\_\_\_

School staff present during interview with student:  Yes  No  
If yes, \_\_\_\_\_  
Name of School Staff Member Position of School Staff Member

If yes, reason why staff present: \_\_\_\_\_

• Request to take the student away from the school to interview as requested is:  
 N/A  Approved  Denied Reason if denied: \_\_\_\_\_  
Indicate the time the student is taken (if applicable): \_\_\_\_\_  
Indicate the time the student is returned to school: \_\_\_\_\_

• Request to apprehend the student from the school as requested is:  
 N/A  Approved  
Indicate the time the student is apprehended from the school (if applicable): \_\_\_\_\_  
Apprehension order document shown:  Yes  N/A

Additional comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Name of Principal or Administrative Designate Date

\_\_\_\_\_  
Signature of Principal or Administrative Designate

**\*This document should be shredded after one year.**  
\*This completed document may qualify for exception under Section 19 of the Freedom of Information and Protection of Privacy Act

**Form IHEB – Attachment B**

**CONFIRMATION OF REPORT TO CHILD INTERVENTION SERVICES  
REGARDING SUSPECTED ABUSE/NEGLECT**

As required by Section 3 Child Welfare Act (1985), the following report has been made.

1. Name of Student: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Other names (if applicable) \_\_\_\_\_  
Student's Address: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Name of Parents/Guardians: \_\_\_\_\_ Telephone: \_\_\_\_\_  
\_\_\_\_\_ Telephone: \_\_\_\_\_  
Address: \_\_\_\_\_
2. Specific Concerns and Observations:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Suspected:      Physical Neglect      \_\_\_\_\_      Physical Abuse      \_\_\_\_\_  
                         Emotional Abuse      \_\_\_\_\_      Sexual Abuse      \_\_\_\_\_
4. Reported to:  
A. Child Abuse Hotline: (1-800-387-5437) \_\_\_\_\_  
OR  
B. Sun Country Child and Family Services (223-7921) \_\_\_\_\_  
*If B is checked, specify:*  
Name of Caseworker/investigator \_\_\_\_\_
5. Name of person making report: \_\_\_\_\_  
Date of report: \_\_\_\_\_  
Staff signature: \_\_\_\_\_ School: \_\_\_\_\_  
Name of Caseworker to who report was forwarded: \_\_\_\_\_  
Date report was forwarded: \_\_\_\_\_

**\*This document should be shredded after one year.**

\*This completed document may qualify for exception under *Section 19* of the *Freedom of Information and Protection of Privacy Act*