



ADMINISTRATIVE PROCEDURE	
<i>Approval Date</i> 2017	<i>Replacing</i> All previous policies
<i>Review Date</i> 2022	<i>Page</i> 1 of 16
<i>Contact Person/Department</i> Superintendent Responsible for Specialized Services	<i>Identification</i> OP-6506

REPORTING AND INVESTIGATION OF SUSPECTED CHILD ABUSE, NEGLECT OR MALTREATMENT

1.0 PURPOSE

Trillium Lakelands District School Board is committed to maintaining safe and caring learning environments for students. From time to time, situations may occur where child abuse, neglect or maltreatment is suspected. Trillium Lakelands District School Board recognizes and accepts its responsibilities under legislation to protect the safety of children in relation to child abuse, neglect or maltreatment concerns.

Furthermore, the Board accepts responsibility, in collaboration with local agencies and police services as appropriate, for the provision of procedures for reporting suspected child abuse, neglect or maltreatment, as well as for the investigation of suspected child abuse, neglect or maltreatment where concerns relate to school or board situations.

2.0 REFERENCES/RELATED DOCUMENTS

- 2.1 [The Criminal Code of Canada](#)
- 2.2 [The Occupational Health and Safety Act](#)
- 2.3 [The Municipal Freedom of Information and Protection of Privacy Act \(MFIPPA\)](#)
- 2.4 [The Education Act, R.S.O., 1990, c.E2](#)
- 2.5 [Child and Family Services Act, R.S.O., 1990, c. C11](#)
- 2.6 [PPM 128: The Provincial Code of Conduct and School Boards Code of Conduct](#)
- 2.7 [PPM 145: Progressive Discipline and Promoting Positive Student Behaviour \(revised, Oct. 2009\)](#)
- 2.8 [TLDSB Privacy and Information Management Policy and Procedure BD-2120/2121](#)
- 2.9 [TLDSB Freedom of Information and Protection of Privacy Policy and Procedure BD-2030/2031](#)
- 2.10 [TLDSB Code of Conduct Policy and Procedure OP-6020/6021](#)
- 2.11 [TLDSB Progressive Discipline Policy and Procedure HR-4534/4535](#)
- 2.12 Employee Collective Agreements and Terms and Conditions of Employment

3.0 TERMS AND DEFINITIONS

3.1 CHILD

For the purposes of child protection, under the Child and Family Services Act, a child is a person who is under 16 years of age. Children 16 years of age or older but under age 18 are included only if they are the subject of an Order under Part III of the Act (Child Protection), prior to his/her 16th birthday. Youth who are 16 and 17 years old who are not the subject of an Order under Part III are not the subject of child abuse investigations.

3.2 CHILD ABUSE, NEGLECT OR MALTREATMENT

Any act of omission or commission by a caregiver or person in a position of trust or authority with a child that results in physical, sexual or emotional harm to that child.

3.3 CHILDREN'S AID SOCIETY (CAS)

A Ministry-approved agency charged with the responsibilities outlined in section 15(3) of the Child and Family Services Act including:

- 3.3.1 Investigate allegations or evidence that children who are under the age of 16 or are in the society's care or are under its supervision may be in need of protection;
- 3.3.2 Protect, where necessary, children who are under the age of 16 years or are in the society's care or are under their supervision;
- 3.3.3 Provide guidance, counseling, and other services to families for protecting children or for the prevention of circumstances requiring the protection of children;
- 3.3.4 Provide care for children assigned or committed to its care under this Act;
- 3.3.5 Supervise children assigned to its supervision under this Act.

3.4 DUTY TO REPORT

Despite the provision 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 a child may be at risk of abuse, neglect or maltreatment, the person shall forthwith report the suspicion and information on which it is based to a Children's Aid Society.

3.5 PROTECTION INVESTIGATION

Any investigation of child abuse, neglect or maltreatment allegations conducted by a Children's Aid Society.

3.6 TYPES OF INVESTIGATIONS

The following are the types of investigations that may occur:

3.6.1 External Caregiver

A caregiver or person in a position of trust or authority with a child, outside of a TLDSB employee, who through an act or a series of acts of omission or commission, has harmed a child or placed a child at risk of harm.

3.6.2 Volunteer

A person in a position of trust or authority with a child, who is in a volunteer capacity within TLDSB, who through an act or a series of acts of omission or commission, has harmed a child or placed a child at risk of harm.

3.6.3 Third Party Service Provider (e.g. bus driver, agency counsellors)

A person in a position of trust or authority with a child, outside of a TLDSB employee who is providing service within TLDSB, who through an act or a series of acts of omission or commission, has harmed a child or placed a child at risk of harm.

3.6.4 TLDSB Employee

A person who is employed by the Board and is in a caregiving position or a position of trust or authority with a child and who through an act or series of acts of omission or commission, has harmed a child or placed a child at risk of harm.

3.6.5 Student to Student

Through an act of violent, aggressive, destructive, assaultive or otherwise risky behaviour, a TLDSB student has harmed another TLDSB student while on school property, during school hours or under the supervision of TLDSB staff or designates during a school/board sanctioned event.

3.6.6 Student's Own Behaviour

Any TLDSB student who demonstrates self-injurious, sexualized, violent or any other behaviours posing a safety or health risk to self or others which although reported to the child's caregiver/guardian, has failed to result in the initiation of any remedial action by that caregiver/guardian.

3.6.7 Past Abuse

Any complaint of child abuse from a TLDSB student 16 years of age or older concerning abuse alleged to have occurred in the past when they were under the age of 16.

3.6.8 Contracted Service Provider (e.g. Contracted Trades Person, Courier Service etc.)

A person who is providing a service within TLDSB who is not in a position of trust or authority with a child. If a child is harmed and the suspected offender is a contracted service provider, as that person is not in a position of trust or authority with the child, it is not considered a child protection issue. A call to the police is required.

4.0 REPORTING AND INVESTIGATION OF SUSPECTED CHILD ABUSE, NEGLECT OR MALTREATMENT PROCEDURE

4.1 LIABILITY

4.1.1 Board employees are protected from liability when reporting suspicions of child abuse, neglect or maltreatment when the suspicions are reasonable.

4.1.2 The employee's duty to report shall override the provisions of any other provincial statute, specifically those provisions that would otherwise prohibit disclosure of confidential information by the professional or official.

4.2 PROTECTION OF PRIVACY

4.2.1 The general intent of access to information and protection of privacy legislation is to regulate the collection, use and disclosure of personal information. Wherever possible and reasonable, consent to disclose personal information should be obtained, however the legislation also allows for the release of personal information if there is imminent threat to the health and safety of another person or persons (Part II, 32(h), MFIPPA).

4.3 CHILD PROTECTION PROTOCOL

- 4.3.1 The Child Protection Protocol is for the investigation of child abuse, neglect or maltreatment between the Board and the Children's Aid Societies within the District. This Protocol shall be established and reviewed as necessary. The Protocol will ensure that all parties' roles and responsibilities for investigating and reporting are addressed.

4.4 CONFIDENTIALITY OF REPORTER

- 4.4.1 TLDSB employees shall make every effort to ensure the confidentiality of the name of the reporting individual. The law does not require parents to be informed as to who filed the report nor is the name of the reporter included in the Child Abuse Register; however, the reporter's name cannot be kept confidential where his/her testimony is required in Court and/or records belonging to the Society are subpoenaed.
- 4.4.2 The principal (or designate) will make a confidential note pertaining to the Children's Aid Society report within the electronic student information system.

4.5 CHILDREN'S AID SOCIETY WORKERS IN THE SCHOOL

- 4.5.1 A separate sign-in and identification process for Children's Aid Society representatives shall be instituted in schools and all documentation associated with the reporting and investigative follow-up regarding protection allegations shall be filed in a secure location and available for access by the principal (or designate) only.

4.6 REPORTING: GENERAL GUIDELINES

- 4.6.1 Any employee or volunteer working in a school must inform the principal (or designate) if she/he has reasonable grounds to suspect that a child attending the school may be at risk of abuse, neglect or maltreatment as defined in 3.2.
- 4.6.2 The employee or volunteer must immediately report his/her suspicion directly to the Children's Aid Society.
- 4.6.3 It is the responsibility of and expectation that the principal (or designate) provide support and release time to the staff member or volunteer as required to facilitate the call to the Children's Aid Society.
- 4.6.4 Every effort will also be made to support the reporting individual where negative repercussions are experienced and/or are likely to be experienced by that individual as a result of his/her report to the Children's Aid Society.

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- 4.6.5 The reporting individual must complete a report (Appendix 5.1) for internal use when making a child protection referral. The completed form will serve as documentation that the report has been made. The report form must remain confidential and be filed in a secure location designated for this purpose in the school office. Access to this file will be through the principal (or designate) only.
 - 4.6.6 If allegations are being made regarding school staff or other board employees please refer to section 4.7
 - 4.6.7 Once initial contact with the Children's Aid Society has been completed, the principal (or designate), in consultation with the protection worker, will determine the need to alter any standard school procedures concerning how or when the child will return home and to establish a future communication process if necessary. (Appendix 5.2 may be used as a resource in this regard).
 - 4.6.8 An individual may phone the Children's Aid Society to consult about a situation but should be prepared with the relevant information and documentation (Appendix 5.1 & 5.2) if the protection worker determines the information must be reported.
 - 4.6.9 The duty to report is an ongoing obligation. If a person has made a previous report about a child and has additional, reasonable grounds to suspect that the child may be in need of protection, the person must make a further report to a Children's Aid Society.

4.7 REPORTING PROCESSES

- 4.7.1 All staff have the legal duty to report to CAS and/or the police when they witness, receive a disclosure of, or suspect child abuse, neglect or maltreatment.
- 4.7.2 Internal TLDSB reporting processes and responsibilities may differ depending on the role of the alleged offender.
- 4.7.3 Where there is an alleged offender, and reports have been made to the CAS and/or police (where applicable), the following steps will be considered in consultation with the appropriate supervisor (see Appendix 5.3):
 - a) internal investigation processes to support Safe Schools legislation;
 - b) parent/guardian communications (in consultation with communications department);
 - c) supervision/safety considerations/requirements;
 - d) notifying parent or guardian;
 - e) messaging staff and school community.

- 4.7.4 Where the alleged offender is a TLDSB employee, the reporting individual should make an initial internal report to the appropriate supervisor.
- a) If the alleged offender is a TLDSB staff member working in a school, contact the school principal.
 - b) If the alleged offender is a Principal, contact the School Superintendent.
 - c) If the alleged offender is a Superintendent, contact the Director of Education.
 - d) If the alleged offender is the Director of Education, contact the Chair of the Board.
 - e) If the alleged offender is a TLDSB staff member working in a central office, contact the appropriate manager/supervisor.
- 4.7.5 Appendix 5.3 outlines the different TLDSB reporting processes for the following role groups:
- a) internal (TLDSB) staff;
 - b) external individuals working in a school;
 - c) external caregiver, student or other.

4.8 TRAINING

- 4.8.1 Annual internal and cross-sectoral training is necessary for the continued successful implementation of this procedure and corresponding protocol as well as for the ongoing development of inter-agency relationships between TLDSB, Children's Aid Society and police services.
- 4.8.2 Based on their roles and responsibilities within the Board, all TLDSB employees will receive annual training on the procedures and protocol associated with reporting and investigating suspected child abuse, neglect or maltreatment.

5.0 APPENDICES

- 5.1 Reporting Suspected Child Abuse, Neglect or Maltreatment
- 5.2 Reporting of Suspected Child Abuse, Neglect or Maltreatment Checklist
- 5.3 TLDSB Reporting Processes



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APPENDIX 5.1**

REPORTING SUSPECTED CHILD ABUSE, NEGLECT OR MALTREATMENT

Date: _____ Time of Call: _____

Person Making the Report: _____ Signature: _____

Principal/Designate: _____ Signature: _____

Name of Student: _____ D.O.B.: _____ Grade: _____

School: _____

If a child of concern attends another school, has the Principal of that school been notified? Yes/ No

Name	Complete Address	Home Phone	Business Phone
Parent			
Parent			
Guardian:			

Custody Status: _____ **Family Doctor:** _____

Names of Siblings	Age	Grade	School

Other children who may be at risk:	Age	Grade	School

.../2

The personal information provided on this form is collected by the Trillium Lakelands District School Board under the authority of the Education Act, Freedom of Information and Protection of Privacy Act / Municipal Freedom of Information and Protection of Privacy Act and TLDSB Policy BD-2030/2031. The information will be used in circumstances where safety of a child is of concern] or as otherwise permitted /required by law. The information will be used in accordance with the Education Act, the regulations, and guidelines issued by the Minister of Education governing the establishment, maintenance, use retention, transfer, and disposal of pupil records. For questions about this collection, speak to the school Principal.

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Details of specific concern may include:

- 1) family history as the school knows it
- 2) family strengths
- 3) family supports/kinship relationships
- 4) is this out of the ordinary?
- 5) is it the first time the school has been concerned?
- 6) context surrounding how the concern came to the school's attention (i.e. writing in a journal, second hand information, class presentation) (use reverse to document if necessary)

Name of Worker Receiving Report: _____

REPORTING OF SUSPECTED CHILD ABUSE, NEGLECT OR MALTREATMENT CHECKLIST

In consultation with the principal, the individual making the report should obtain the following information from the Children's Aid Society's Protection Worker at the time a report is made:

Name of Worker Receiving Report: _____

Immediate Action Plan for the Child:

- Walk home _____
- Go home on the bus _____
- Go home with the person who normally picks up the child _____
- Remain at school until CAS worker arrives _____
- Other _____

Should the principal modify standard practice in any way? _____

What is the anticipated response time by CAS (same day, within 7 days): _____

Will a CAS worker be coming to the school? _____ If yes, when? _____

Will a CAS worker be phoning back? _____ At what time? _____

Will a CAS worker be contacting the parent/guardian? _____ When? _____

Can/should the school contact the parent/guardian? _____

If not and the parent/guardian contacts the school prior to being notified by the CAS, what response should be given to the parent? _____

Follow-up Notes:



TLDSB REPORTING PROCESS- WHEN THE ALLEGED OFFENDER IS INTERNAL (TLDSB) STAFF

***NOTE: Staff must co-operate with any investigations done by the CAS and/or Police Services as outlined in the Child Protection and Police School Board Protocols**

If the alleged offender is...(role)	Who should the Reporting Individual notify initially that a report to the CAS/ Police is necessary?	Who will call CAS and/or Police? (complete forms in Appendix 5.1 & 5.2)	Who will notify parent/guardian of the alleged victim if required?	Who will determine who else requires notification and who will make notifications?	Who will determine and communicate next steps? (will staff remain at work? will internal investigation occur?)
TLDSB Staff Member (does not include Principal, Superintendent, Director)	Reporting individual must notify Principal (or designate) OR Supervisor/Manager Principal/ Supervisor will connect with the Employee Services Superintendent and School Superintendent	Reporting individual with the support of the Principal/ Supervisor	Principal following conversation with CAS and School and Employee Services Superintendent(s)	School Superintendent & Employee Services Superintendent	Director of Education School Superintendent Employee Services Superintendent Manager of Communications
TLDSB Principal	Reporting individual should inform the Employee Services Superintendent and the School Superintendent	Reporting individual with the support of a Superintendent	School Superintendent following conversation with CAS	School Superintendent & Employee Services Superintendent	Director of Education School Superintendent Employee Services Superintendent Manager of Communications
TLDSB Superintendent	Reporting individual should inform the Director of Education	Reporting individual with the support of the Director of Education (or designate)	Director of Education following conversation with CAS	Director of Education	Director of Education Senior Administration Manager of Communications
TLDSB Director	Reporting individual should inform the Chair of the Board	Reporting individual with support of the Chair (or designate)	Chair of the Board following conversation with CAS	Chair of the Board	Chair of the Board Senior Administration Manager of Communications



TLDSB REPORTING PROCESS- WHEN THE ALLEGED OFFENDER IS AN EXTERNAL INDIVIDUAL WORKING IN A SCHOOL

***NOTE: Staff must co-operate with any investigations done by the CAS and/or Police Services as outlined in the Child Protection and Police School Board Protocols**

If the alleged offender is...(role)	Who should the Reporting Individual notify initially that a report to the CAS/ Police is necessary?	Who will call CAS and/or Police? (complete forms in Appendix 5.1 & 5.2)	Who will notify parent/guardian of the alleged victim if required?	Other notifications for consideration	What other considerations must be made?
Third Party Service Provider (in a position of trust or authority and providing a service within TLDSB)	Reporting individual should inform Principal or Supervisor/Manager who is to notify the School Superintendent and the Employee Services Superintendent Principal or Supervisor/Manager to notify Third Party Service Provider's Supervisor	Reporting individual with Principal/ Supervisor support if required	Principal following conversation with CAS and School Superintendent	Messaging to affected staff and families/school community (per direction of School Superintendent and the Manager of Communications)	Notify the Transportation department if the alleged offender is a bus driver
Contracted Service Provider	Reporting individual should inform Principal or Supervisor who will also notify School and Business Superintendents	Reporting individual should contact the police (not a child protection issue if not an individual in a position of trust/ authority)	Principal following conversation with CAS and School Superintendent	Messaging to affected staff and families/school community (per direction of School Superintendent and the Manager of Communications)	



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APPENDIX 5.3**

Volunteer	Reporting individual should inform Principal or Supervisor/Manager who will notify the School Superintendent Principal or Supervisor/Manager to notify volunteer of action taken and suspension of volunteer responsibilities	Reporting individual with Principal/Supervisor support if required	Principal following conversation with CAS and School Superintendent	Messaging to staff and school community (per direction of School Superintendent and the Manager of Communications)	
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TLDSB REPORTING PROCESS- WHEN ALLEGED OFFENDER IS AN EXTERNAL CAREGIVER, STUDENT OR OTHER

NOTE: Staff must co-operate with any investigations done by the CAS and/or Police Services as outlined in the Child Protection and Police School Board Protocols

If the alleged offender is...(role)	Who to notify initially that a report to the CAS/ Police is necessary?	Who will call CAS and/or Police? (complete forms in Appendix 5.1 & 5.2)	Who will notify parent/guardian of the alleged victim if required?	Other notifications for consideration	What other considerations must be made?
External Caregiver	Reporting individual should inform Principal/ Supervisor Principal/Supervisor may seek support of School Superintendent if required	Reporting individual with Principal/ Supervisor support if required	Per CAS/ Police direction	Are there other youth (siblings or youth living at same home) at risk at other schools where another Principal should be notified?	Student(s) may require support through investigation process (SSAC or outside agency support)
Another Student	Reporting individual should inform Principal/ Supervisor Principal/Supervisor may seek support of the School Superintendent if required	May or may not require reporting to CAS/Police; determined upon consultation with the School Superintendent	Principal or Supervisor following conversation with CAS	Superintendent Responsible for Safe Schools may require consultation regarding legislation/ processes in relation to Safe Schools, Suspension/Expulsion etc. Staff/School Community may require notification; determined upon consultation with the School Superintendent	Students who may be witnesses, but are not in need of protection, require permission from their parents prior to being interviewed by the police or CAS. Administrators are to be supportive in facilitating contact between the parents/guardians and the investigator. Student(s) may require support through investigation process (Staff, SSAC or agency)

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APPENDIX 5.3**

<p>Student's Own Behaviour</p>	<p>Reporting individual should inform Principal/ Supervisor</p> <p>Principal/Supervisor may seek support of the School Superintendent if required</p>	<p>Reporting individual with Principal/ Supervisor support if required</p>	<p>Principal or Supervisor following conversation with CAS</p>	<p>Consider supervision and safety requirements for student and others</p> <p>Consider supports available in system (SSAC) and Community (agencies/ organizations)</p>	<p>These situations are generally reported IF a student is demonstrating self-injurious, sexualized, violent or any other behaviours posing a safety or health risk to self or others which, although reported to the child's caregiver/guardian, has failed to result in the initiation of any remedial action by the caregiver/guardian.</p>
<p>Past Abuse</p>	<p>Where a TLDSB student 16 years of age or older reports past abuse alleged to have occurred under the age of 16, the student should be encouraged to report the abuse to the police and take advantage of community victim services and supports.</p> <p>The staff receiving the report should ask the student if he or she is aware of any children under the age of 16 who may be at risk from the alleged offender. If the student or staff identifies that there are others at potential risk, staff should follow the applicable reporting processes as outlined above.</p>				