

## **Child Welfare Policy**

INTRODUCTION ..... 1  
    PURPOSE:..... 1  
    PREAMBLE:..... 1  
LEGISLATION RELATED TO CHILD ABUSE ..... 1  
WHAT IS CHILD ABUSE? ..... 2  
    DEFINITIONS OF CHILD ABUSE ..... 2  
    RESPONDING TO A CHILD’S REPORT OF ABUSE ..... 3  
    SAFETY STRATEGIES..... 4  
GENERAL REPORTING PROCEDURES ..... 6  
APPENDIX 1 - Child and Family Services Act..... 8  
    FROM RELEVANT SECTIONS OF THE CHILD AND FAMILY SERVICES ACT, 8  
APPENDIX 2a - General Indicators of Abuse ..... 15  
APPENDIX 2b - Indicators of Abuse by Age ..... 19  
APPENDIX 3 - Interaction With Parents following Abuse Allegation ..... 22  
APPENDIX 4 - Code of Conduct..... 23  
APPENDIX 5 - Documentation Diary ..... 24  
    Sample diary: ..... 24  
APPENDIX 6 - Record of Consultation ..... 25  
APPENDIX 7 - Principal’s Summary ..... 26  
BIBLIOGRAPHY AND RESOURCES ..... 26

## **INTRODUCTION**

### ***PURPOSE:***

The purpose of this policy is to educate school personnel and membership concerning child welfare issues. This policy will attempt to define child abuse and establish a procedure for dealing with allegations of abuse. It will provide screening procedures for paid personnel and volunteers and establish an Abuse Response Committee for reporting abuse. Appendices will offer background information and practical advice with respect to abuse issues.

### ***PREAMBLE:***

Child abuse is found in all communities. It is contrary to God's norms because it destroys people and relationships. Child abuse also violates our provincial law and is a criminal offence. As a community of believers we accept the direction of God's Word to nurture children in love and discipline, raising them in the fear and admonition of the Lord to become fully devoted followers of Christ (Christians). However, when a child lives in an abusive situation he or she lives in fear, anger, guilt and shame — a far cry from the harmony God intends his children to experience and cherish.

The Christian School is responsible for becoming a safe community that confronts sin, especially the sin of abuse. We acknowledge that, as a result of sin, abuse in many forms impacts the lives of 1 in 3 girls and 1 in 7 boys in our country. Since JKCS wants to be obedient to the laws of God and the laws of our province, we have developed a child welfare policy. This policy of JKCS reflects the willingness of our community to acknowledge that forms of abuse can and do exist even within our community and that we have a biblical responsibility and a legal obligation to prevent abuse and protect our children. The school seeks to bring healing to its victims and perpetrators and it consciously works for the prevention of abuse of all kinds. By becoming proactive, we hope we can free students from abusive situations and break the cycle of power and silence.

## **LEGISLATION RELATED TO CHILD ABUSE**

The Child and Family Services Act (CFSA) (*See Appendix 1*) is very specific about what must be reported to a Children's Aid Society and about who must do the reporting (section 72: 3&4). Every person who performs professional or official duties with respect to a child who has reasonable grounds to suspect physical, sexual or emotional child abuse is required by law to report all necessary information related to their suspicions as quickly as possible to the Children's Aid Society (CAS).

The professional duty to report includes the following persons:

- health care professionals, including physicians, nurses, dentists, pharmacists and psychologists;
- teachers and school principals;
- social workers and family counsellors;
- priests, rabbis and other members of the clergy;
- operators or employees of day nurseries;
- youth and recreation workers;
- peace officers and coroners;
- service providers and employees of service providers, and;
- any other person who performs professional or official duties with respect to a child.

The professional making a report only needs to have *reasonable grounds* to suspect abuse and is not expected to investigate the abuse or to prove that child abuse exists. That is the responsibility of the CAS.

Failure to report an offence under the CFSA is liable on conviction to a fine of up to \$1,000.00 or to imprisonment for a term of not more than one year, or both.

## **WHAT IS CHILD ABUSE?**

A child is defined by Ontario law as someone under the age of sixteen.

The underlying fact in all forms of abuse is the abuse of power or authority.

### ***DEFINITIONS OF CHILD ABUSE***

In Ontario, the Child and Family Services Act (1999) is the legislation that, among other goals, seeks to protect children from abuse and neglect.

To broaden the understanding of what child abuse is, this policy includes the following definitions for physical abuse, neglect, sexual abuse and emotional abuse.

1. **Physical abuse.** Any intentional, inappropriate means of inflicting pain or injury to another person. It is sometimes a single event, but can also be a chronic pattern of behaviour.
2. **Physical neglect.** Chronic lack of attention to the physical needs of someone in his or her care. It interferes with or prevents a child's normal development.
3. **Sexual abuse** Any sexual touching or other sexual acts related to a person without their consent is defined as "abuse" or an "offence" in provincial legislation and in the Criminal Code of Canada.

4. **Sexual misconduct** Sexual exploitation of a person with whom there is a relationship founded on faith or trust, by anyone in a position of authority or power over the subject of the exploitation.
5. **Emotional abuse.** An attempt to control a child's life through words, threats, and fear, or to destroy a child's self-worth through harassment, threats, and deprivation. Emotional abuse weakens a child's mental and physical ability to resist, cuts off his or her contacts with others, and causes a gradual loss of self-esteem, all of which reinforce a sense of helplessness and dependence on the abuser.

### ***RESPONDING TO A CHILD'S REPORT OF ABUSE***

- Take the child seriously when he/she tells the story.
- Avoid judgmental statements such as, "I think you just had a bad dream."
- Do not try to convince the child that the story isn't true or that it did not happen the way the child reports it.
- Do not appear frightened or disgusted by the child's story, since this may cause the child to stop talking or to believe you are upset with the child.
- Do not make promises to the child that you will not tell anyone what has been shared with you.
- Remind the child that whatever happened was not his/her fault.
- Remind the child that it was a good decision to tell someone what happened to him/her.
- Tell the child that you want to find help so the incident can be prevented from happening again.
- Do not offer the child a reward for telling the story or promise a gift if the child tells another adult.
- Reassure the child that he/she does not deserve to be hurt by anyone.
- Do not frighten the child by talking of police involvement or medical examinations to verify the complaint; instead, share with the child that other people need to know about what happened, and they will talk to the child later.
- Do not ask the child to show you any bruises that are beneath the child's underwear or clothing; only observe those bruises that are accessible. (In some communities, removing the child's clothing even to confirm a report of abuse, is a violation of the law.)
- Do not investigate the child's story; rather, listen to the story and take notes immediately afterwards while it is still fresh in your memory.
- Do not tell the child he/she has been abused.
- Offer to support the child and remind the child that you care about him/her.
- Follow through in consecutive weeks and months by speaking to the child and offering support.

## **SAFETY STRATEGIES**

### **1) Screening:**

- a) Members of John Knox Christian School Society will sign the JKCS Code of Conduct as part of the admissions procedure. (See Appendix 4)
- b) All teachers new to John Knox Christian School will include a criminal record search as part of their application.
- c) Bus drivers and caretakers will include a criminal record search as part of their application for employment.

### **2) An Abuse Response Committee (ARC) will be set up.**

- a) It will consist of the principal, and education committee member and a third person with related credentials.
- b) Its mandate is:
  - i to provide training sessions for the staff which will normally be conducted annually in August.
  - ii to invite the following to attend these sessions: Ed Committee members, the Board chairman and volunteers.
  - iii to act as a support to the principal. This support may include:
    - filing report with authorities;
    - informing the liability carrier if the alleged abuser is a volunteer/staff;
    - recommending professional counselling for the parties involved;
    - preparing for disclosure to the school body if deemed necessary;
    - reviewing child welfare policies.
- c) The chair of the Board, or in his/her absence, the vice-chair, shall be a member of the committee for all meetings or sessions involving filing a report with authorities.

### **3) The health curriculum** should include this topic, age appropriately. Trained professionals may be invited to make presentations.

### **4) One- to-One Contacts**

- a) Teachers should avoid one-to-one contact with students outside of the school context.
- b) On an overnight outing, groups of male and female students will be supervised by not less than two adults of the same sex, respectively.
- c) Meetings between a volunteer/staff and a minor will occur in public view.
- d) Displays of affection between staff/volunteers and the participants is often part of conveying support and encouragement of one another and should be limited to such actions as a brief hug, an arm around the shoulder, an

open-handed pat on the back, a hand clasp, or a light touch on the arm. A leader's or participant's right to refuse any of these will be respected.

**For further reference note the school policies listed here;**

Code of Conduct

Educational Trips

Student/Employee Dignity

Volunteer Guidelines

## GENERAL REPORTING PROCEDURES

When a volunteer/staff person observes what may be a sign or symptom of abuse, it is appropriate to ask how the sign or symptom appeared. However the volunteer/staff person should not interview the child in great detail about the symptoms or suggest to the child that he or she has been abused.

- 1) If abuse is suspected, the teacher should keep an anecdotal record, which might assist in an investigation. (See *Appendix 5*)
- 2) No-name consultation service, Halton 905-333-4441 is available to ascertain whether further investigation should proceed.
- 3) When a child reports an incident of abuse the teacher/principal must write a report immediately stating:
  - a) the child's report, the specific signs or symptoms of abuse,
  - b) the date of the child's report or when the signs or symptoms were noted,
  - c) what if any comment or response the child had, either to the signs or symptoms or to his/her reporting of abuse.
- 4) The teacher/staff member who has done the above should seek consultation as soon as possible with the principal, or, if the principal is the abuser, then with a member of the ARC.
- 5) If those who review the written report believe a reasonable suspicion of child abuse exists, then a report must be filled out and presented to the CAS within 24 hours. The person who had the original contact files this report. (See *Appendix 6*) If the report is of a sexual nature, CAS will contact the family. If it reports physical abuse or neglect, the principal will notify the family that a report has been filed.
- 6) Proper procedures must be followed in order to maintain confidentiality for all parties.
- 7) A final written report will be given to the ARC and Board Chairperson, and filed in a locked file in the school office.
- 8) If the alleged abuser is a staff member, refer to the following "Guidelines for Handling Abuse Allegations Against a Staff Member".
- 9) Any written suspicion or documentation of abuse by a staff member, or volunteer should be compiled and placed in a locked file in the school office by the principal. Accessibility to this file is strictly limited to those school officials who are designated to interact with the police officials and child protection officials. Permission may be granted by executive committee of the board for access by a school-appointed attorney or insurance carrier representing the school. All others who gain access to this material will be considered to have breached confidentiality.

## **GUIDELINES FOR HANDLING ABUSE ALLEGATIONS AGAINST A STAFF MEMBER**

The guidelines in this section refer to the process to follow when:

- a) the alleged victim is presently a child, or;
- b) the alleged victim is now an adult but is within the province's statutes for reporting abuse as a child. A child is defined as a person sixteen years or younger.

Allegations of emotional, physical, or sexual abuse against a staff member by a child should be investigated by the Children's Aid Society or local police authorities. The appropriate authorities are those who have jurisdiction in the location where the alleged abuse took place, regardless of where that abuser lives at the time the allegations are brought forward.

If presented with information that warrants a reasonable suspicion that abuse occurred, the person contacted should normally notify the authorities.

### **Liaison:**

The person who initially contacts the local authorities shall be the one to request information on the progress of the investigation. If the permission of the child's parent or guardian is necessary for obtaining such information, then permission in written form shall be secured.

### **Before formal charges are filed by the police, the following steps should be followed:**

- When the person(s) contacted learn(s) from local police or child protection authorities that the allegations merit serious investigation or that there is the possibility that formal charges may be filed, he or she should notify the executive committee of the Board of the alleged abuser.
- Within twenty-four hours of the executive committee's being notified, the Board should be convened and presented with a written document from the executive committee specifying the nature of the allegations and the information known at this point. (Note: At this point the Board needs to balance the dual concerns of moving too slowly, thereby offering too little protection for the child(ren) and moving too swiftly, thereby acting precipitously against the accused.) In light of the information presented, the executive should recommend one of the following options:
  - a) Take no further action until more information is available.
  - b) Limit contact between the accused and the accuser and/or limit contact between the accused and any children in his/her care.
  - c) Suspend the accused from office, position or duty, pending the outcome of the investigation. Suspension is carried out with full pay, without prejudice.

**Note: Following this policy's procedures, to maintain confidentiality is absolutely essential.**

Within one week of the board meeting, the Board should consider the executive's recommendations and implement appropriate action. (Suspension of a staff member is carried out for the safety of the staff member who may be subject to rumour, gossip, or prejudice if he/she remains in a position of leadership). A Board member may be appointed to disclose to the school only the facts known at the time.

**After formal charges have been filed, the following steps should be taken:**

- When the person(s) contacted hear(s) from the local police or the child protection authorities that criminal charges have been filed against the accused, he/she should notify the executive committee of the Board of the alleged abuser.
- The executive committee should meet and prepare a written document specifying the nature of the allegations and the information known at this point. Within twenty-four hours of notification of the executive committee, the Board should be convened and presented with the written document. In light of the information, the Board should recommend one of the following options for the school:
  - Limit the accused from contact with children, or limit the conditions under which this contact is to take place, pending further information.
  - Suspend the accused from office, position or duty. Suspension is carried out with full pay and without prejudice.
- Within one week of the board meeting, the Board should consider the recommendations of the executive and implement appropriate action. (Suspension of staff members is carried out for safety of the staff member, who may be subject to rumour, gossip, or prejudice if he or she remains in a position of leadership.)
- In the event the criminal charges are dropped, or if prosecution does not result in conviction, the Board should decide whether or not the staff member is restored to his or her previous position or duty. An alleged abuser is not reinstated to a previous position of leadership until the Board, in consultation with the police/child protection authorities, legal counsel, and child abuse experts deems it safe and proper to do so.
- In the event of prosecution resulting in conviction, the abuser should not be restored to his or her previous position or duty within the school.

## **APPENDIX 1 - Child and Family Services Act**

***FROM RELEVANT SECTIONS OF THE CHILD AND FAMILY SERVICES ACT,  
(including Bill A Amendment April 28, 1999)***

**RELEVANT SECTIONS Under the child and family Services Act:**

### **Interpretation**

(a) "CHILD" does not include a child as defined in subsection 3(1) who is actually or apparently sixteen years of age or older, unless the child is the subject of an order under this Part; ("enfant")

C.F.S.A. s37 (1)(a)

**Child in Need of Protection** -a child is in need of protection where,

(a) the child has suffered physical harm inflicted by the person having charge of the child or caused by or resulting from that person's

(i) failure to adequately care for, provide for, supervise or protect the child or,

(ii) pattern of neglect in caring for, providing for, supervising or protecting the child.

1999, c s 9(1)

(b) there is a risk that the child is likely to suffer physical harm inflicted by the person having charge of the child or resulting from that person's

1999, c s. 9(2)

(i) failure to care for, provide for, supervise or protect the child, or

(ii) pattern of neglect in caring for, providing for, supervising or protecting the child.

(c) the child has been sexually molested or sexually exploited by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child;

(d) there is a substantial risk that the child will be sexually molested or sexually exploited as described in clause (c):

1999, c.2. s 9(3)

(e) the child requires medical treatment to cure, prevent or alleviate physical harm or suffering and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, the treatment:

(f) the child has suffered emotional harm, demonstrated by severe,

(i) anxiety

(ii) depression

(iii) withdrawal

(iv) self-destructive or aggressive behaviour, or

(v) delayed development and there are reasonable grounds to believe that the emotional harm suffered by the child results from the action, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child.

1999, c s 9(4)

(f.1). The child has suffered emotional harm of the kind described in subclause (f)(i), (ii), (iii), (iv), or (v) and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable, or unable to consent to, service or treatment to remedy or alleviate the harm;

1999, c. 2, s. 9(4)

(g) there is a risk that the child will suffer emotional harm of the kind described in clause (f)(i), (ii), (iii), (iv), or (v), resulting from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child.

(g.1) there is a risk that the child is likely to suffer emotional harm of the kind described in subclause (f)(i), (ii), (iii), (iv), or (v) and that the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to services to remedy or treatment to prevent harm.

(h) the child suffers from a mental, emotional, or developmental condition, that, if not remedied, could seriously impair the child's development and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, treatment or remedy or alleviate the condition;

(i) the child has been abandoned, the child's parent has died or is unavailable to exercise his or her custodial rights over the child and has not made adequate provision for the child's care and

custody, or the child is in residential placement and the parent refuses or is unable or unwilling to resume the child's care and custody;

(j) the child is less than 12 years old and has killed or seriously injured another person or caused serious damage to another person's property, services or treatment are necessary to prevent a recurrence and the child's parent or the person having charge of the child does not provide or refuses or is unavailable to consent to, those services or treatment;

(k) the child is less than 12 years old and has on more than one occasion injured another person or caused loss or damage to another person's property, with the encouragement of the person having charge of the child or because of that person's failure or inability to supervise the child adequately;  
or

(l) the child's parent is unable to care for the child and the child is brought before the court with the parent's consent and, where the child is 12 years of age or older, with the child's consent, to be dealt with under this Part,

C.F.S.A. s37(2)(a)

## **WHAT IS CHILD ABUSE?**

### **Under the Child and Family Services Act:**

**(1) Definition** -- In this section and in the sections 73, 74 and 75 'to suffer abuse' when used in reference to a child, means to be in need of protection with the meaning of clause 37(2) (a)(c)(e)(f) or (h);

C.F.S.A. s72(1)

**(1) Duty to report a child in need of protection** - Despite the provisions 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 one of the following, the person shall forthwith report, the suspicion and the information on which it is based to a society:

1. The child has suffered physical harm, inflicted by the person having charge of the child or caused by or resulting from that person's

i failure to adequately care for, provide for, supervise or protect the child, or

ii pattern of neglect in caring for, providing for, supervising or protecting the child.

2. There is a risk that the child is likely to suffer harm inflicted by the person having charge of the child or caused by or resulting from that person's

i failure to adequately care for, provide for, supervise or protect the child, or

ii pattern of neglect in caring for, providing for, supervising, or protecting the child.

3. The child has been sexually molested or sexually exploited, by the person having charge of the child or by another person where the person in charge of the child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child:

4. There is a risk that the child is likely to be sexually molested or exploited as described in clause; (c)

5. The child requires medical treatment to cure, or alleviate physical harm or suffering, and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or is unable to consent to, the treatment;

6. The child has suffered emotional harm, or demonstrated by serious,

i anxiety,

ii depression,

iii withdrawal,

iv self-destructive or aggressive behaviour, or

v delayed development, and there are reasonable grounds to believe that the emotional harm suffered by the child results from the action, failure to act, or pattern of neglect on the part of the child's parent or the person having charge of the child.

7. The child has suffered emotional harm of the kind described in subparagraph i, ii, iii, iv or v of paragraph 6 and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable to consent to, services or treatment to remedy or alleviate the harm.

8. There is risk that the child is likely to suffer emotional harm of the kind described in the subparagraph i, ii, iii, iv or v resulting from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child;

9. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph i, ii, iii, iv, or v and that the child's parent or the person having charge of the child does not provide, or refuses to provide or is unavailable or unable to consent to services or treatment to prevent harm.

10. The child suffers from a mental, emotional, or developmental condition that, if not remedied, could seriously impair the child's development, and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to treatment to remedy or alleviate the condition.

11. The child has been abandoned, the child's parent has died or is unavailable to exercise his or her custodial right over the child and has not made adequate provision for the child's care or custody, or the child is in a residential placement and the parent refuses or is unable or unwilling to resume the child's care and custody.

12. The child is less than 12 years old and has killed or seriously injured another person or has caused serious damage to another person's property, services or treatment are necessary to prevent recurrence and the child's parent or the person having charge of the child does not provide, or refuses or is unable to consent to, those services or treatment.

13. The child is less than 12 years old and has on more than one occasion injured another person or caused damage to another person's property, with the encouragement of the person having charge of the child or because of that person's failure to supervise the child adequately.

1999, c. 2, s. 22(1) C.F.S.A. s37 (2)(a)(c)(e)(f)(h)

**(2) Ongoing duty to report** - A person who has additional reasonable grounds to suspect one of the matters set out in subsection (1) shall make a further report under subsection (1) even if he or she has made previous reports with respect to the same child.

1999, c. 2, s. 22(1).

#### **Item: Professional or Official Duties, Suspicion of Abuse**

**(3) Person must report directly** - A person who has a duty to report a matter under subsection (1) or (2) shall make the report directly to the society and shall not rely on any other person to report on his or her behalf.

1999, c. 2, s. 22(1)

**(4) Offence** - A person referred to in subsection (5) is guilty of an offence if,

(a) he or she contravenes subsection (1) or (2) by not reporting a suspicion, and

(b) the information on which it was based was obtained in the course of his or her professional duties.

1999, c. 2, s. 22(2)

**(5) Definition** Subsection (4) applies to every person who performs professional or official duties with respect to children including,

(a) a health care professional, including a physician, nurse, dentist, pharmacist and psychologist;

(b) a teacher, school principal, social worker, family counsellor, priest, rabbi, member of the clergy, operator or employee of a day nursery and recreation worker;

(c) a peace officer and a coroner;

(d) a solicitor; and

(e) a service provider and an employee of a service provider.

199, c. 2, s. 22(3)

**(6) Duty of a society** - A society that obtains information that a child in its care and custody is or may be suffering or may have suffered abuse shall forthwith report the information to a Director. See clause (5) (b)

**(6.1)** - A director or employee of a corporation who authorizes, permits or concurs in a contravention of an offence under subsection (4) by an employee of the corporation is guilty of an offence.

**(6.2)** - A person convicted of an offence under subsection (4) or (6.1) is liable to a fine of not more than \$1000.

1999, c. 2, s. 22(3)

## **PROTECTION FOR REPORTING PERSON(S)**

### **Under the Child and Family Services Act:**

**(7) Section overrides privilege** - This section applies although the information reported must be confidential or privileged and no action for making the report shall be instituted against a person who acts in accordance with this section unless the person acts maliciously or without reasonable grounds for suspicion.

1999, c. 2, s. 22(4)

C.F.S.A. s72(7)

## **PENALTIES FOR FAILURE TO COMPLY**

### **Under the Child and Family Services Act:**

**84. Offence** - No person shall,

(a) knowingly give false information in an application under this part; or

(b) obstruct, interfere with or attempt to obstruct or interfere with a child protection worker or a peace officer who is acting under section 40, 41, 42, or 43

C.F.S.A. s84(b)

(Section 40 deals with application to determine a child in need of protection)

**85. (1) Offences** - A person who contravenes,

(a) an order for access made under subsection 58(1);

(b) Repealed

(c) subsection 74(5) (disclosure of information obtained by court order);

(d) Repealed

(e) Repealed

(f) subsection 79(3) or (5) (leaving a child unattended, etc.

(g) a restraining order made under subsection 80(1);

(h) section 82 (unauthorised placement);

(l) any provision of section 83 (interference with child, etc.) ;or

(j) clause 84(a) or (b), and a director, officer or employee of a corporation who authorises, permits or concurs in such a contravention by the corporation is guilty of an offence and on conviction is liable to a fine of not more than \$1,000 or to imprisonment for a term of not more than one year or to both.

1999, c. 2, s, 30(1) ( C.F.S.A. s85

## **DUTY OF SOCIETY**

### **Under the Child and Family Services Act;**

#### **Duty of Society**

**(3) Item** - A person who contravenes subsection 45(8) (publication of identifying information) or an order, prohibiting publication made under clause 45(7)(c) or subsection 45(9), and a director, officer or employee of a corporation who authorizes, permits or concurs such a contravention by the corporation, is guilty of an offence and on conviction is liable to a fine of not more than \$10,000 or to imprisonment for a term of not more than three years, or to both..that received a report under section 68 that a child, including a child in the society's care, is or may be suffering or may have suffered abuse shall forthwith verify the reported information, or ensure that the information is verified by another society, in the manner determined by the Director, and if the information is verified, the society that verified it shall forthwith report it to the Director in the prescribed form.

C.F.S.A. s75 (3)

#### **Child Abuse Register**

(5) THE DIRECTOR shall maintain register in the manner prescribed by the regulations for the purpose of recording information reported to the Director under subsection (3), but the register shall not contain information that has the effect of identifying a person who reports to a society under subsection 68(2) or (3) and is not the subject of that report.

C.F.S.A. s75 (5)

### **Interpretation**

(1) IN THIS SECTION AND IN SECTION 72,

(b) “register” means the register maintained under subsection (5)

(c) “registered person” means a person identified in the register, but does not include,

(i) a person who reports to a society under subsection 68920 or 930 and is not the subject of the report, or

(ii) the child who is the subject of a report.

C.F.S.A. s751) (b)(c)

## **RIGHTS OF THE SOCIETY**

### **Under the Child and Family Services Act:**

#### **Application 22**

(1) A SOCIETY may apply to the court to determine whether a child is in need of protection.

#### **Authority to enter, etc.**

(5) A CHILD protection worker authorized to bring a child to a place of safety by warrant issued under subsection (2) or an order made under clause (3)(d) may at any time enter the premises specified in the warrant or order, by force if necessary, and may search for and remove the child.

C.F.S.A. s40 (6)

#### **Apprehension without warrant**

(6) A CHILD protection worker who believes on reasonable and probable grounds that,

(a) a child,

(i) is in need of protection, or

(ii) is actually or apparently under the age of sixteen years and has been left or been removed from a society’s lawful care and custody without its consent; and

(b) there would be a substantial risk to the child’s health or safety during the time necessary to bring the matter on for a hearing under subsection 43(1) or obtain a warrant under subsection (2) may without a warrant bring the child to a place of safety.

C.F.S.A. s40( 7)

#### **Peace Officer Has Powers fo Child Protection Worker**

(17) A PEACE OFFICER, has the powers of a child protection worker for the purpose of this section.

## **APPENDIX 2a - General Indicators of Abuse**

### **PHYSICAL ABUSE**

Physical abuse is any non-accidental injury to a child, such as throwing, kicking, burning or cutting a child, striking them with a closed fist, shaking a small child, interfering with their breathing, threatening them with a deadly weapon, or doing any act which is likely to cause them harm greater than transient pain or minor, temporary marks. Such actions may cause bruises, welts, cuts, fractures, burns, internal injuries and even death. Improper diet and withholding food, potentially resulting in severe malnutrition are also examples of physical abuse. In some cases, injury can be caused by over- discipline.

#### **Physical Indicators of abuse**

Unexplained bruises and welts, especially those:

- on face, back, buttocks and thighs
- in stages of simultaneous healing
- in the shape of an instrument such as belt or hairbrush
- appearing after child's absence, weekend or vacation.

Unexplained burns:

- cigarette burns(hands, feet, back, buttocks)
- immersion burns(sock-like or glove-like in shape)
- burns patterned like an electric burner, iron etc.
- rope burns(arms, legs, torso)

Unexplained fractures:

- to skull or facial structure
- in stages of simultaneous healing
- multiple or spiral fractures

Inappropriate dress

- long-sleeved in hot weather

#### **Behavioural indicators of abuse**

- reports by child of having been injured by parents
- extreme wariness of parents
- extreme wariness of adults in general
- resistance to being touched
- fear of going home
- extreme watchfulness ('frozen watchfulness')
- apprehensiveness when other children cry

- unexplained, prolonged absences
- unlikely or inconsistent explanation for bruises, etc.
- denial that bruises exist
- reluctance to undress in change room
- extreme behaviour
- aggressiveness/withdrawal
- fearfulness/fearlessness/attention-seeking/avoidance

## **SEXUAL ABUSE**

Sexual abuse of a child is any interaction between a child and an older person where the child is being used for sexual gratification. The abuse may be in the form of inappropriate bodily touching over clothing, exposure to pornography, fondling, inviting the child to engage in masturbation, oral sex, or intercourse. Sexual abuse almost always involves engaging the child in sexual activity through the issue of bribes, threats, force or coercion. It is estimated that up to 80% of sexual abuse cases involve someone the child knows and trusts - a family member, neighbour, or friend. It is important to note that when a child discloses, the abuse may have been going on for some time. Even if the victim is over 16 years of age, and even if the abuse has stopped, it is important to report the abuse so that the CAS and police can investigate and ensure that other siblings are not at risk.

### **Physical Indicators of Sexual Abuse**

- difficulty in walking or sitting
- torn, stained, or bloody underwear; pain or itching in the vaginal area
- bruises or bleeding in genital, vaginal or anal areas
- venereal diseases especially in pre-teens
- pregnancy

## **Behavioural Indicators of Sexual Abuse**

- fear of male parent or guardian; fear of all males
- wariness of physical contact, especially when initiated by an adult
- fear of the night, dark
- sophisticated or bizarre behaviour or knowledge
- seductive behaviour for approval
- unwillingness to change for physical education, or to participate in active sports or games
- poor peer relationships or inability to make friends
- non-participation in school activities
- inability to concentrate at school
- sudden drop in school performance
- arriving at school early or leaving early, with few (if any) absences
- sleep disturbances
- withdrawal
- running away from home
- clinical depression
- suicide

## **EMOTIONAL ABUSE**

Emotional abuse occurs when the parent continually treats the child in such a negative way that the child's self-concept is seriously impaired. It can include chronic ridicule, scapegoating, punishing a child for normal behaviour such as smiling or running, intimidating a child by threatening to hurt them, ignoring or isolating them so that the capacity of the child to reach his or her potential is seriously undermined. Long-term damage to the child can be devastating to the child's development and self-esteem.

### **Behavioural indicators of emotional abuse**

- development lags; physical, mental or emotional
- habit disorders; sucking, biting, rocking, etc.
- conduct disorders; antisocial and destructive behaviour
- speech disorders; sleep disorders; inability to play
- extreme passivity/aggressiveness
- extreme infantile behaviour
- extreme adult behaviour, appearing to take over and parent parents
- hysteria; obsession; phobias; hypochondria

## **Neglect**

Neglect is chronic inattention to the child's basic needs, both physical and emotional. It is any maltreatment or negligence that harms the child's health, welfare, or safety, such as inadequate medical care, food, or housing. It is harder to pinpoint and more often ignored than physical abuse. The indicators are less dramatic and the effects on children seem to be less damaging. However, neglected children are very seriously at risk. Their situation may be chronic and long-term.

### **Physical indicators of neglect**

- consistent hunger; malnutrition; underweight; dehydration
- poor hygiene; dirtiness; skin disorders associated with improper hygiene
- inappropriate dress; exposure symptoms, such as sunburn, frostbite
- consistent fatigue; listlessness
- inadequate supervision

### **Behavioural indicators of neglect:**

- begging, stealing food
- theft in general
- verbal evidence that there is no care-giver at home; arriving early/staying late
- falling asleep in class
- delinquency; drugs or alcohol abuse

## **APPENDIX 2b - Indicators of Abuse by Age**

It is important to note that some symptoms may also represent typical developmental changes or the after-effect of trauma other than abuse. Conversely, it is possible for abuse to be taking place without the appearance of noticeable symptoms because of the child's ability to mask or deny what would otherwise be very confusing and painful to acknowledge. A cumulative picture of several signs observed over a lengthy period of time may suggest that a child could be suffering from abuse.

These signs may include:

### **Preadolescent**

1. Pattern of injuries, multiple injuries, injuries about the face and neck, failure to complain about or explain an obvious physical discomfort.
2. Unusual fears: a familiar person, a particular room, a particular object, or fear of new experiences.
3. Poor concentration in the classroom.
4. Exhibiting adult-pleasing behaviours, striving for perfection, acting miserable if failing.
5. Engaging in self-injury; engaging in masturbation.
6. Acting enraged and out-of-control; expressing anger through destruction.
7. Shyness about physical touch.
8. Exhibiting sexual behaviour beyond comprehension or maturity level; behaving in a sexual manner with other children or adults.
9. Exhibiting signs of needing to be in control of others or the situation; bullying others.
10. Hostility and distrust of adults, mood swings and irritability, violent disruptions.
11. Acting out, including hoarding food and toys, lying, stealing and assaulting.
12. Frequent absences from school or other scheduled events, either because of being punished or to hide bruises.
13. Low self-esteem, particular sensitivity to criticism.
14. Hyper-vigilance, excessive and suspicious watching of other people, easily startled.
15. Pre-occupation with fire and setting fires.

### **Adolescent**

1. Eating disorders, using laxatives, unexplained dramatic changes in weight.
2. Change in sleep patterns, including excessive sleeping, sleeping during the day and insomnia.
3. Performance in school plunges.

4. Perfectionist behaviour, excessive self-criticism, attempting to please adults, overreacting to any form of criticism or complaint.
5. Sexually provocative or sexual behaviour, denial of bodily changes, and sexual development; for females, seeking affection from older adult males.
6. Experimentation with drugs or alcohol.
7. Self-abusive behaviour including cutting self, pre-occupation with danger and weapons, suicide attempts.
8. Truancy from school.
9. Cruelty to animals, bullying younger children.
10. Emotional numbness, inability to be emotionally supportive to others.
11. Having few friends and changing them often.
12. Depression and other signs of withdrawal and avoidance.
13. Pregnancy.
14. Refusing to attend to basic hygiene.
15. Rectal and vaginal infections.
16. Hyper-vigilance, excessive and suspicious watching of other people, easily startled.
17. Appearing under-fed, constantly hungry, underweight for size and age.
18. Begging for food, stealing food, hoarding food.
19. Lack of supervision, underage child supervising other child(ren).
20. Chronic absenteeism from school, unattended educational needs.
21. Unattended medical and dental needs.
22. Consistent or frequent lack of hygiene, poor hygiene, or lack of cleanliness resulting in odours.

#### **Parental Behaviours and Home Life**

1. Not attending meetings about the child, not showing an interest in the child, critical of the child, uncomplimentary.
2. Constantly putting the child down, using harsh words to describe the child, using threats and unflattering language.
3. Describing the child as an under-achiever, complaining that he/she lets people down, unmotivated, achieves less than brothers and sisters.
4. Speaking of child in a way that sounds romantic, too grown-up, too sugary, too perfect.
5. Hostile, close-minded, overprotective, isolating, doesn't allow others into the house, won't participate in activities with other parents, makes excuses about failing to do tasks, talks about things not being good at home.

6. Reports of past/other suspicious behaviour, reports that an older brother or sister may have been mistreated.
7. Chemical dependency by one or both of the parents.
8. Sudden and dramatic changes in the family.

## **APPENDIX 3 - Interaction With Parents following Abuse Allegation**

- Remain calm and non-judgemental.
- Anyone who makes a report to the police or child protection authorities is usually granted anonymity; do not identify the reporter.
- Do not share any statements made by the child with a parent or a relative who is implicated by the child as an abuser. It is advisable not to share the child's statements with anyone other than the authorities until the identity of the abuser can be determined and authorities have determined whether or not the child can be protected from contact with that person.
- Do not attempt to convince a parent that the alleged abuse happened or did not happen; do not attempt to discredit the child or cast suspicion on the alleged abuser.
- Do not investigate with a parent what may be happening in the home; do not share information with a parent that has not been shared with the authorities.
- Do not make promises to a parent about the outcome of the investigation.
- Report additional information to authorities through the reporting procedure outlined in the school's policy.
- Allow parent(s) to express their disbelief, anger and grief; parent(s) may be in shock or denial at the mention of abuse allegations.
- Do not minimize the type of abuse, its impact on the child, or its harm to the child.

Assure the parent(s) of the confidential nature of the report and the need to maintain confidentiality unless disclosure is necessary to protect the well being of other children.

## **APPENDIX 4 - Code of Conduct**

### **JOHN KNOX CHRISTIAN SCHOOL**

#### **CODE OF CONDUCT FOR VOLUNTEERS, STAFF AND LEADERS**

Believing that God is calling me to serve at JKCS:

In assisting/teaching/supervising/leading I will seek the physical, social, educational, emotional and spiritual welfare of each individual.

I will try to understand and respect each person's background.

If I believe that the abusive actions or attitudes of another person may hurt a child, I will report to the principal so that it may be dealt with properly.

If I wish to talk to a child alone, it will be within the sight and sound of other people.

I will answer questions openly and honestly.

I will become informed of and follow JKCS policies.

I will pray for individuals as God directs and let them know I care about them.

**Signature of Volunteer/Staff/leader:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## APPENDIX 5 - Documentation Diary

If abuse is suspected, the teacher should keep an anecdotal record, which might assist in the investigation and may be used as evidence in court. Such a record is particularly important in situations involving suspected emotional maltreatment or neglect.

The documentation diary should:

- be brief and to the point;
- be written immediately;
- include date and times;
- contain what was seen and heard by the recording person;
- include significant quotes from the child;
- be kept by the teacher/person who is keeping the diary (and not in the OSR).

### ***Sample diary:***

<b>Date</b>	<b>Time</b>	<b>Observation</b>
September 11	10:00 a.m.	Kyle arrived late; indicated the family slept in
September 18	12:30a.m.	Kyle's lunch consisted of 3 cookies
September 19	10:00a.m.	Kyle fell asleep in class; second time this week
September 21	2:30p.m.	Kyle wrote in his journal about wanting to leave home. When asked, he replied nobody would care.

# APPENDIX 6 - Record of Consultation

**JOHN KNOX CHRISTIAN SCHOOL**

**RECORD OF CONSULTATION WITH THE CHILDREN'S AID SOCIETY**

*Re: Establishing Reasonable Grounds to report child abuse.*

**Child's Name:** \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_

**Home Address:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Telephone:** \_\_\_\_\_

**Information provided to Children's Aid:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Recommendation of Children's Aid:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Children's Aid Worker:** \_\_\_\_\_

**Signature of person suspecting abuse position** \_\_\_\_\_

**Date** \_\_\_\_\_

**Signature of principal** \_\_\_\_\_

# APPENDIX 7 - Principal's Summary

## JOHN KNOX CHRISTIAN SCHOOL PRINCIPAL'S SUMMARY OF REPORTING SUSPECTED CHILD ABUSE

Child's Name \_\_\_\_\_

Birth date: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone \_\_\_\_\_

Nature and extent of suspected abuse and information on which this report is based:

Reported by: \_\_\_\_\_ Date: \_\_\_\_\_

Position: \_\_\_\_\_ Time: \_\_\_\_\_

Position taken by school:

\_\_\_\_\_  
\_\_\_\_\_

Report to Children's Aid Society:

\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Case worker: \_\_\_\_\_

Response of Children's Aid \_\_\_\_\_

\_\_\_\_\_

Follow-up results of Children's Aid investigation:

\_\_\_\_\_

Date: \_\_\_\_\_ Principal's Signature: \_\_\_\_\_

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