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### **LHCS Statement of Purpose**

We believe it is our responsibility as Christians to raise children in the light of God's Word. The education of children must be Christ-centered, equipping them to become responsive disciples of Christ who seek the will of the Lord in all aspects of life.

### **LHCS Mission Statement**

Kitchener-Waterloo Christian School Society advances dynamic, excellent Christ-centered education through unconstrained facilities, exceptional programs, and extensive resources that cultivate responsive disciples of Christ.

### **LHCS Vision Statement**

As a diverse community, Kitchener Waterloo Christian School Society intentionally engages God's world, locally and globally, through distinctive educational programming, strategic partnerships and sustainable growth.

Effective Date: <b>1990</b>	Review Date: <b>Annually</b>
Revision Date(s): <b>2004</b>	Committee: <b>Board of Directors</b>

## **Policy 101 - Abuse Reporting Policy**

### **The Definition In Ontario Law**

The Child Welfare Act (1978) addresses both neglect and abuse of children.

The issue of abuse is contained in three sections:

S.19(1)(b)(ix,x,xi) A "child in need of protection" is described, among other conditions, as: "a child where the person in whose charge the child is neglects or refuses to provide or obtain proper medical, surgical or other recognized remedial care or treatment necessary for the child's health or well-being, or refuses to permit such care or treatment to be supplied to the child when it is recommended by a legally qualified medical practitioner..."; "a child whose emotional or mental development is endangered because of emotional rejection or deprivation of affection by the person in whose care the child is;" and, "a child whose life, health or morals may be endangered by the conduct of the person in whose charge the child is."

S.47(l)(a)(b)(c) sets out Ontario's specific definition of child abuse, as a condition of: "physical harm; malnutrition or mental ill health of a degree that if not immediately remedied could seriously impair growth and development or result in permanent injury or death; or sexual molestation."

In addition, subsection (2) states:

“No person having the care, custody control or charge of a child shall abandon or desert the child or permit the child to suffer abuse.”

### **The Duty To Report - The Law In Ontario**

#### Professional Obligation

An additional particular emphasis has been placed upon certain persons in the professional capacity.

The law says:

5.49(2) “Notwithstanding the provisions of any other Act, every person who has reasonable grounds to suspect in the course of the person’s professional or official duties that a child has suffered or is suffering from abuse that may have been caused or permitted by a person who has or has had charge of the child shall forthwith report the suspected abuse to a society.”

For professionals, therefore, the responsibility to report comes into play on the basis of “reasonable grounds to suspect”. This is a more comprehensive, less specific context, but one that is just as binding as the Citizen Obligation above.

Teachers, as professionals, carry a responsibility concerning reporting, then, which is clearly stated in The Child Welfare Act. Because of their training, teachers are expected by the general public to be able to “see” individual and family problems and difficulties, and to appreciate the seriousness of what they are seeing. Their competence should ensure that they recognize children at risk, know how to facilitate Children’s Aid Society intervention, and how to support that agency in its work with parents and children, or to undertake such work directly themselves.

Teachers, like all professionals who have regular contact with children and families, have a special responsibility therefore, both in the law and professionally to report any suspicions of child abuse. Knowing how to “see” the signs is essential to responsible action.

The report must be made even if it involves confidential or privileged information. Protecting children takes precedence over maintaining confidential information or a confidential relationship.

S.49(3) of The Child Welfare Act affirms this:

“This section (on reporting) applies notwithstanding that the information reported is confidential or privileged...”

The only exception to this rule is the lawyer-client relationship:

S.49(4) “Nothing in this section shall abrogate any privilege that may exist between a solicitor and the solicitor’s client.”

Some teachers may resist reporting because of concern for their relationship with a family. This concern may arise out of their commitment to confidentiality, and/or they may fear a rupture in the student/teacher relationship. While these concerns are understandable, and ordinarily laudable, child abuse is not an ordinary situation, and these concerns cannot stand in the way of the obligation to report. The safety of a child must override all other concerns. Teachers must be sure that they are clear about these ethical and legal priorities, so that they can act appropriately on behalf of a child in ways that are explainable, and in the long run helpful.

## **Is There A Penalty For Failing To Report?**

Yes. Any professional, including a teacher, who contravenes subsection 2 of section 49 of The Child Welfare Act (that's the section specifically requiring professionals and officials to report) is guilty of an offence. Upon summary conviction by the court, such a professional is liable to a fine of not more than \$1,000.00.

## **Role In Keeping Records**

Documentation work records should be regarded as an important part of a teacher's practice. With respect to child abuse, they take on a heightened importance; they provide the teacher with the data and details necessary to validate a report to a Children's Aid Society, or to assist in a subsequent investigation. In addition, good records provide the basis of accurate and credible recall when giving evidence in court.

## **Reporting Suspected Child Abuse Who To Call and What To Say**

As was noted earlier, if in the course of teaching duties you have reason to suspect that a child has suffered or is suffering abuse, then you have a moral and legal duty to report that concern to your local Children's Aid Society. (Some C.A.S.' are called Family and Children's Services.)

For those unfamiliar with the working of the Children's Aid Societies in Ontario, the process of reporting is set out below.

- Phone the Children's Aid Society.
- Children's Aid Societies are required to have someone on call 24 hours a day to deal with child abuse reports. Ask to speak with the worker who accepts incoming calls of suspected child abuse. Phone calls are the quickest method of reporting. If you believe a child's welfare is in jeopardy, call at once. A confirmatory letter to the C.A.S. should follow. In some communities the phone may be answered by an answering service. A worker will contact you.
- You should be prepared to give the Children's Aid Society worker the following information if available to you:
  - the child's name, age, sex, address and phone number;
  - the family names and address, especially if there are different last names;
  - the nature of the suspected abuse, with documented information you have and behaviour indicators you have observed;
  - whether the child's parents are aware of your report, and their reactions if you were able to interview them prior to this call;
  - present whereabouts of the child in question;
  - information about other children in the family (who may also require protection) including their names, ages, and addresses;
  - your name, professional address and phone number, and your professional duties which led to your concern. (You may request that this information be withheld from the family during initial stages of the C.A.S. investigation.);
  - your opinion as to the urgency of the situation in terms of the child's physical safety;
  - when and where you can be reached for further discussion if needed;
  - the names, addresses and telephone numbers of other possible witnesses or persons having relevant information, such as a doctor or public health nurse or neighbours.

In court, records may be consulted, to refresh the teacher's memory, so long as it is affirmed that:

- the notes were made at the time of an interview or conversation, or as soon after the interview or conversation as practicable;

- the notes have been kept in a place of safety (the file, or the teacher's possession);
- the notes have not been altered or changed since they were made;
- the notes have been reviewed by the teacher prior to the court appearance.

The notes referred to may contain diagrams, charts or photographs, which may be shown during the giving of evidence.

### **Procedures on Addressing Suspected Child Abuse at LHCS**

The following is a procedure in addressing suspected child abuse situation at our school:

- Where there may be some indication of concern regarding relationships that a child is having with adults but there is no substantive information indicating abuse, such concern shall be recorded by the teacher indicating name, date, statements made by the child and the concern. Such concerns should be discussed with the Principal.
- Where there is suspicion of abuse, the name, date, statements made by the child and the nature of the suspected abuse are recorded. The teacher informs the principal of the suspicion and calls the local Family and Children's Services office to report the suspected abuse. Record should be made of the report noting the time, date, alleged victim, and contact person at the Family and Children's Services office. No assessment should be done by school personnel as they lack such expertise.
- The following constitutes 'suspected abuse' that should be reported:
  - physical harm or neglect
  - sexual molestation or exploitation
  - withholding of medical treatment to alleviate harm or suffering
  - emotional harm demonstrated by severe anxiety, depression, withdrawal or self destructive behaviour where the child is not being provided with treatment
  - unwillingness on the part of parents to have the child assisted with a mental, emotional or developmental condition
- A Family and Children's Services worker should visit and assess the child within the day. If that does not occur, a call should be made to the supervisor at the agency indicating the concern. Again, notation should be made re: time and place.
- The school should cooperate with the Family and Children's Services worker.
- After assessment is made by Family and Children's Services, contact is to be made by the principal to the family outlining the responsibilities that the school has in addressing such matters and indicating the school's concern for the child and the family.
- Where the principal senses the family's need for support, the principal may call the family's pastor. With such action, the confidentiality of the situation must be assured. Only the family's need for support should be shared with the pastor.