

# Child Abuse and Neglect Policy

## Preamble

Flex Academy is committed to the prevention of child abuse and the enhancement of the well-being and safety of the students entrusted to its care. This commitment is made first and foremost as an ethical and legal responsibility but is also recognized as a response to government and societal expectations for the well-being and safety of students.

## Purpose

The purpose of this policy is to provide specific guidance to the employees and contractors of Flex Academy in fulfilling the commitment to assist in child abuse prevention and in providing reporting protocols if child abuse is suspected or known to have occurred.

## Guiding Principles

The following guiding principles are provided to inform all parties serving children and families.

- The safety and well-being of children are the paramount considerations.
- Children are entitled to protection from abuse, neglect, harm or threat of harm.
- A family is the preferred environment for the care and upbringing of children and the responsibility for the protection of children rests primarily with the parents.

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

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

- Any school personnel who suspect or have information that a child is being abused, or at risk of being abused, must promptly contact the Ministry of Children and Family Development (MCFD) or the Delegated Aboriginal Child and Family Services Agency **and** the Appointed School Official (ASO) or Alternate Appointed School Official (AASO).

To make a report, call the **MCFD** at **1-800-663-9122** or the Delegated Aboriginal Child and Family Services Agency at **1-800-663-7867** any time of the day or night. The person who answers will make sure concerns are directed to the right place.

To contact the **Academic Head of School**, refer to the numbers in the [Student at Risk Team](#) page.

- If a child is in immediate danger, school personnel should call police (911 or local police) to intervene.
- If ASO or AASO is the alleged abuser, then after reporting to the previously mentioned agencies, please report to the Director of Inclusive Education, who will notify the Acting Executive Director of Kelowna Christian Center Society (KCCS), who will notify the board of KCCS.
- It is the legal duty of all persons who have concerns that a child is being or is likely to be abused or neglected to report to the appropriate authorities, who will assess the report and, if appropriate, investigate.

- “Anyone who has reason to believe that a child has been or is likely to be physically harmed, sexually abused or exploited, or neglected by a parent or guardian, or otherwise in need of protection as set out in [Section 13 of the Child, Family and Community Services Act](#) is legally responsible under [Section 14 of the Act](#) to report promptly to a child welfare worker. “Reason to believe” simply means that, based on what was seen or information received, a person believes a child has been or is likely to be at risk. *The reporter need not be certain.* It is the child welfare worker’s job to determine whether abuse or neglect has occurred or is likely to occur.”
- If school personnel are uncertain about their duty to report, phone MCFD to consult with a child welfare worker who can discuss the options and appropriate course of action.
- Reporters should:
  - **not** contact the parents or guardians who may be involved in allegedly abusing the child; this is the responsibility of the child welfare worker.
  - cooperate fully with any resulting investigation, including assisting with the interviews of children and staff as necessary.
- Flex Academy will protect personal information regarding the investigation, including the reporter’s identity, against improper or unauthorized disclosure or use. Reporters should **not** share information with outside agencies about child abuse investigations, particularly if the police are involved.
- The ASO or AASO will ensure that the school environment is safe during any investigation.
- School personnel will support students who are victims of child abuse or neglect.

## Procedures Where Allegations of Child Abuse are Made Against Flex Acadmey Staff, Volunteers, Contract Service Providers or Others in the School Setting

- According to the MCFD handbook, “*The BC Handbook for Action on Child Abuse and Neglect – For Service Providers*”, p. 32, “If the abuse occurs in a setting such as a school, youth custody or child care centre, the head of the organization is responsible for responding.”
  - It is the legal responsibility of school administration and employees to provide a safe learning environment for students.
  - If school administration and employees believe that a child is being abused or at risk, there is a legal duty to report the concern to the local child welfare worker and the police if the child is in imminent danger.
  - The ASO or AASO has the primary responsibility for responding to and taking action with regard to allegations of child abuse involving school employees, volunteers, contract service providers, or others on school property or supervising an school activity outside of the school.
    - Where there are allegations of child abuse by a **school staff member**, the ASO or AASO is responsible to investigate the allegations and report the matter to a Child Welfare Worker if there is reason to believe that the child is in need of protection, or the police if there is reason to believe the child is in imminent danger or that a criminal offence has been committed. The ASO or AASO has the authority under the [Independent School Act \(ISA\), Section 7 \(2\) \(b\)](#) to suspend a school staff member whose presence threatens the safety and welfare of students.
    - Where there are allegations of child abuse by a **staff member, volunteer, contract service provider or other persons**, the ASO or AASO has the authority to issue a *No Trespass Order* prohibiting attendance at school events by a person whose presence threatens the safety and welfare of students. The order, provided orally or in writing, to the volunteer, contracted service provider or other person, and copied to the police, must specify the date of issue, the reason for the order and the termination date of the order (Such orders may be re-issued on an annual basis if required). This authority is provided under the [Trespass Act, s. 4 \(1\), \(b\)\(c\)](#).
  - School personnel who have reason to believe that another employee, volunteer, contract service provider or other person attending or supervising a school activity has abused a student, must report the incident or information to the ASO or AASO. It is the responsibility of the ASO or

AASO to investigate the allegations and, in collaboration with the school personnel, determine what action is required.

- The ASO or AASO must inform parents of children alleged to have been abused in the school setting of the allegations and the outcome of the school investigation, unless there are special circumstances, e.g., relating to a child protection or police investigation, or endangerment of the child.

## Reporting to the Police

- Not every incident that might constitute an offence if proven will warrant police involvement. School administrators are expected to exercise judgment. Where there is reason to believe that the alleged child abuse by employees, volunteers, contract service providers or other persons may constitute a criminal offence warranting police involvement, the school official should consult with the police regarding the matter.

## Reporting to a Child Welfare Worker

- Although the primary responsibility for dealing with abuse allegations involving school staff, volunteers or contract workers rests with the ASO or AASO, there may still be a need to report to a Child Welfare Worker. Where there is reason to believe that abuse or neglect has taken place outside the scope of the school investigation and the parent is unwilling or unable to protect the child, or there is reason to believe that the parent is unwilling or unable to protect the child with respect to the abuse that is the subject of the school investigation, a school administrator must report this to a Child Welfare Worker in accordance with the [Child, Family and Community Service Act \(CFCSA\)](#).

## Duty to Report Professional Misconduct

- An authorized person (certificate holder or a person who holds a letter of permission), must promptly provide the commissioner a written and signed report if the authorized person has reason to believe that another authorized person has engaged in conduct that involves sexual abuse or sexual exploitation of a student ([Teachers Act, s 38 \(1\)\(b\)](#)).
- If the ASO or AASO suspends, dismisses or disciplines an authorized person for misconduct that involves physical harm to a student or minor, or significant emotional harm to a student or minor, the ASO or AASO must without delay send to the commissioner a report regarding the suspension, dismissal or disciplinary action ([ISA s. 7.2](#)). If an authority suspends, dismisses or disciplines an authorized person, the authority must without delay notify the ASO or AASO who must without delay report the matter to the commissioner ([ISA s. 7.3](#)).

## Protocols on Relationships with Partner Agencies

- Flex Academy will obtain the names and contact information of local agencies that will provide assistance when dealing with child abuse and/or neglect.
- The ASO or AASO will inform Flex staff of local protocols that are in place with MCFD or a Delegated Aboriginal Child and Family Services Agency, for cases of suspected child abuse and/or neglect. Police are contacted whenever there is a criminal investigation, or the child is in immediate danger. School personnel should become familiar with these protocols.
- School administration will promote a working relationship with the local MCFD and Police on reporting suspected cases of child abuse and/or neglect and cooperating with these parties in their response to reports. The school will identify personnel within MCFD who are able to support the school in training staff to recognize signs of abuse, protect abused students and report abuse and neglect to the appropriate authorities.

## Staff Training and Review

- The ASO or AASO will ensure that annual training is provided to all teachers, educational assistants, administrators and any support staff who are working with children, and ensure they are aware of and

understand how to carry out their legal duty when responding to concerns about child abuse and/or neglect.

- Training will include recognizing child abuse and/or neglect, what actions are required, prevention measures, reporting child abuse and/or neglect protocols, and everyone's legal responsibility if they suspect abuse and/or neglect of a child.
  - Administration will train school personnel on how to respond when concerns about child abuse and/or neglect arise. This information is available in [\*The BC Handbook for Action on Child Abuse and Neglect\*](#).
  - Administration will annually review with school personnel the information on different types of child abuse, recognizing child abuse and/or neglect and types of disclosures that abused children may provide (this information is available in [\*The BC Handbook for Action on Child Abuse and Neglect\*](#), pages 21 – 33). Individual school personnel will document their participation in annual training.
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