



Government of
Northwest Territories

SCHOOL HANDBOOK FOR

SUSPECTED CHILD ABUSE AND/OR NEGLECT RESPONSE

DEPARTMENT OF EDUCATION, CULTURE AND EMPLOYMENT

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Introduction

The *Child and Family Services Act (2016)* is the legislation that includes the Duty to Report a Child or Youth Needing Protection 8(1). The *Act* begins with the following:

- Whereas the family is the basic unit of society and its well-being should be supported and promoted;
 - And whereas children are entitled to protection from abuse, harm and neglect;
 - And whereas children are entitled to be informed of their rights and involved in decisions affecting those rights and their lives;
 - And whereas families are entitled to be informed of their rights and to participate in the decisions affecting those rights;
 - And whereas it is recognized that decisions concerning children should be made in accordance with the best interests of children,
- with a recognition that differing cultural values and practices must be respected in those determinations;
 - And whereas a child's extended family can often provide important support in meeting the best interests of the child;
 - And whereas each community has a role in supporting and promoting the best interests of the children and the well-being of families in the community;
 - And whereas it is desirable to provide in law for the timely resolution of matters concerning children.
-

Everyone has a responsibility to protect children and youth. Because children and youth spend so much of their time in school, school staff may recognize signs and symptoms of child abuse that might otherwise go unnoticed. If you are concerned about a child or youth, but are unsure why, pay close attention to their environment. Listen to your intuition; trust your instincts. Never assume that a child or youth is 'OK', or that you are meddling.

When you report suspected or known child abuse, you are taking the first and most important step in getting help for the child or youth. A child or youth experiencing child abuse needs concerned adults to provide the protection that they themselves cannot provide in the current circumstances. You are in a position to seek help for a child or youth who may be caught in a desperate situation.

People who work in schools often have no specific training in responding to child abuse and may not feel ready, able or even willing to ‘get involved’. The reporting of child abuse is difficult; however, that cannot be a reason not to report. Knowing and understanding the responsibilities associated with reporting suspicion or knowledge of child abuse is an important responsibility for anyone working in schools.

There are a number of Acts, regulations, policies and procedures that can affect staff and students in schools in the Northwest Territories. It is important to understand how these relate to each other so that decisions are made in alignment with all relevant Acts, regulations, policies and procedures.



Legislation	Charter of Rights and Freedoms	Government of Canada
Legislation	Criminal Code of Canada	Government of Canada
Legislation	Human Rights Act	Government of NWT
Legislation	ATIPP (Access to Information and Protection of Privacy Act)	Government of NWT
Legislation	Child and Family Services Act	Government of NWT
Legislation	Education Act	Government of NWT
Policies and Procedures	Local School Board Policies	District Education Authorities
Procedures and Ethics	Membership	Northwest Territories Teachers' Association (NWTTA)

The *Act Respecting First Nations, Inuit and Métis Children, Youth and Families* sets out national standards such as best interests of the child or youth, cultural continuity and equality to guide the provision of Child and Family Services in relation to all Indigenous children or youth. Where there is a conflict or inconsistency with the national standards under the *Federal Act* and the *Child and Family Services Act (2016)*, the national standards prevail. This changes both the Director of Child and Family Service's obligations and the factors the court must consider in relation to Indigenous children or youth. Regarding the *Child and Family Services Act (2016)*, it takes precedence over all other **territorial legislation**; any policies, procedures or practices in your local school board; and practices and ethics associated with the Northwest Territories Teachers Association (NWTTA). No one can tell you not to report - not even your administrator or school board member. Your first responsibility if you suspect, or have knowledge about, a child or youth experiencing child abuse and/or neglect is to report.

The intent of this booklet is to provide information about the *Child and Family Services Act (2016)* and what you are required to do if you suspect or have knowledge that a child or youth is being abused.

Definitions

<i>Child and Family Services Act (2016): Definitions</i>	
What the Act Says	What This Means
'abuse' means neglect or emotional, psychological, physical or sexual abuse	A child experiencing any type of abuse is in need of help, and an adult knowing this is occurring must make the report.
'child' means a person who is or, in the absence of evidence to the contrary, appears to be under the age of 16 years, and a person in respect of whom an order has been made under subsection 47(3) or 48(2)	You do not need to know the actual age of a child – if you think that the child looks to be under 16 years of age, you need to make the report.
'youth' means a person who has attained 16 years of age but has not attained the age of majority	You do not need to know the actual age of the youth – if you think that the youth looks to be over 16 years of age, you need to make the report.

The School Handbook for Suspected Child Abuse and/or Neglect Response (2020) defines:

Physical Abuse

Physical abuse causes hurt or injury to a child or youth's body.

Emotional Abuse

Emotional abuse causes harm or hurt to a child or youth's self-esteem or self-worth such as being exposed to constant 'put downs' and verbal attacks and repeated rejection.

Neglect

Neglect occurs when a child or youth is not being well-supervised, protected, cared for and provided the basic necessities of life, i.e.; clothing, food, shelter, and health care. It also includes situations where a child or youth's deeper needs for love and affection, a sense of belonging, guidance and stability are not being met.

Sexual Abuse

Sexual abuse occurs when a child or youth has been molested or exploited sexually; i.e. involving a child or youth in sexual touching or any form of sexual activity. It may also include forcing or allowing a child or youth to watch or look at sexual activity, pornographic materials, or books, magazines or videos containing sexual material that is inappropriate or unsuitable for a child or youth.

Domestic Violence

Domestic violence refers to the abuse and/or assault of adolescents or adults by their intimate partners. Children exposed to domestic violence may see, hear or be aware of violence against one parent/caregiver that is perpetrated by another parent/caregiver.

Child Protection Worker

A Child Protection Worker has the authority to act on behalf of the Director of Child and Family Services who has the authority to enforce the *Child and Family Services Act (2016)*. Also, when a Child Protection Worker is unavailable to respond to a report of abuse and/or neglect, an RCMP officer and/or an authorized person can act on the behalf of the Director.



When do I need to make a report?

<i>Child and Family Services Act (2016): Duty to report a child in need of protection</i>	
What the Act Says	What This Means
8. (1) A person who has information of the need of protection of a child shall, without delay, report the matter (a) to a Child Protection Worker; or (b) if a Child Protection Worker is not available, to a peace officer or an authorized person.	If you think a child or youth is being abused or neglected, you have a duty to report it to the Child Protection Worker or RCMP officer. It is the law to report this. You cannot ask someone else to report it. The report can only be made by the person who thinks a child or youth may need protection.

What is a disclosure?

A disclosure occurs when a child or youth tells you or lets you know in some other way that they have been, or are being abused.

Sometimes children or youth will tell you directly that they are being abused.

Often they use indirect ways to let you know. For example:

- drawing pictures about hitting or inappropriate touching
- writing about abuse in journal stories
- play-acting frightening scenes

Children or youth may disclose abuse that:

- is ongoing
- happened weeks, months or years ago
- took place in another location (community or province)
- is happening to someone else

What to do if a child or youth tells you that they have been abused and/or neglected?

- Stay calm and listen – if you are shocked or angry, the child or youth may be scared to talk further. Please be mindful of your facial expression and other non-verbal cues.
- Be supportive – let the child or youth know they haven't done anything wrong. Don't ask 'why' questions.
- Tell the child or youth what will happen next – that you need to report the problem to a Child Protection Worker or RCMP officer to keep them safe.
- Report what the child or youth has told you to the Child Protection Worker or RCMP as soon as possible.

You need to report all disclosures of abuse and/or neglect, no matter where or when they happened.



Disclosures can occur in a variety of ways:

Direct Disclosures:

Verbal or written statements by the child or youth.

Example: “_____ hits me.”

Appropriate response:

“You are very brave to tell me about that. Is there anything that you need right now (for example: snack, drink, medical attention)? After we do that, we will talk to a social worker who knows how to support children, youth and families who may be going through something like this. They also want to talk to you about this.”

“Thank you for letting me know. It can be very hard to talk about someone you love hurting you.”

“Talking about this is the right thing to do, even though it is hard to talk about.”

**In these examples, the term ‘social worker’ is used to identify a Child Protection Worker as this is the term most commonly used in conversations and by children and families.*

Indirect Disclosures:

Verbal, written or graphic hints including journal writing, drawings, and artwork that appears to be about abuse.

Example: “_____ bothers me.”

Appropriate response:

“What kinds of things do they do that bother you?”

This child or youth may or may not be talking about abuse. They could have been talking about a sibling who plays loud music or plays jokes. The answer to your question will identify what you need to do next.

**Disclosures with
Conditions:**

The child or youth says that they will tell you about something that is happening only if certain conditions are met.

Example: "I want to tell you something but only if you promise...."

- *not to tell anyone else*
- *to keep this secret*
- *not to tell my parents/
social worker/police*
- *that my parents won't
get in trouble*
- *that I won't have to go
to foster care."*

Appropriate response:

Do not make these promises.

"Before you tell me about this, you need to know that if I think that someone is hurting you, I need to call the social worker."

"There are some secrets that shouldn't be kept. We need to talk to the social worker about this."

"Thank you for telling me about this. This is the kind of situation that I have to talk with a social worker about. It is my responsibility to let them know if I think that a child or youth is not safe. Would you like to listen while I call them?"

Note:

This child or youth may not be ready to talk about the situation without the conditions. Let the child or youth know that you would be available to answer questions about talking to a social worker or to talk about the situation at any time. Make a note of the comments that the child or youth has made to include in a report if you make one in the future.

Third Party Disclosures:

The child or youth tells you about abuse that is happening to another child or youth.

Example: "I know someone who is being abused."

Appropriate response:

"Do you think that you could bring your friend here to talk with me about this situation?"

When a child or youth has disclosed abuse and/or neglect, inform them that a social worker needs to be involved.

What can I say when I need to let the child or youth know that I need to stop the disclosure and contact a social worker?

- “Telling someone about this is the right thing to do. I’m going to have to ask you to do something that will be hard, but it is important...”
- “What you are telling me about needs to be heard by someone who is trained to help you better than I would be able to...”
- “I’m honoured that you trust in me, and ask that you continue to trust me...”

What do I tell the child or youth about what is going to happen next?

Explain that you and the child or youth will go to talk with a social worker

Let them know that:

- A social worker (or when appropriate, an RCMP Officer) will be coming to talk about what was just said.
- You will stay with them until they are able to meet with the social worker and share the same information.
- The most important thing that the social worker will be thinking about is your safety.

The child or youth must continue to think that what they have to say is important, and must feel safe enough to relay the complete disclosure to the social worker.

Is there anything that I shouldn’t say or do?

- Do not make promises: Telling a child or youth that “everything is alright” or “now you will get the help you need” are promises that cannot be guaranteed.
- Do not make judgments: Making statements like “What a terrible thing to do” or “How awful” can create more stress and anxiety for the child or youth and may make it more difficult to repeat the story to a Child Protection Worker.
- Do not show disgust or shock: These kinds of statements can also create added stress or reluctance to repeat the story.
- Do not express to the child or youth what you think they might be feeling: “You must hate _____ for doing that to you.” is not an appropriate response.

Do not...

- continue with questioning once you suspect or have knowledge of child abuse
- contact the parents/caregivers of the child or youth
- discuss the identity of the child, youth or family or any details of the disclosure or the report with anyone, including other school personnel
- discuss the report with anyone except the Child Protection Worker or the RCMP investigating the specific case you are reporting attempt to do any investigation

After the disclosure

The child or youth may deny that the abuse has taken place or make excuses for the abuser or try to minimize what happened. The child or youth may do this as a way of dealing with the feelings about the abuse or the abuser. The child or youth may want to deny the abuse because they feel responsible for upsetting the family or getting the abuser in trouble.

After a disclosure of abuse, there is likely to be some upheaval within the family, even if the abuser is not a family member. The family may need to be separated, and the abuser may be angry about having to talk with the Child Protection Worker. Family members may side with the abuser making the child or youth feel isolated or that they did something wrong. In some cases, abuse may have taken place but there is not enough evidence to take action so the child or youth is returned to the family. In some instances concerns of neglect or abuse may not be substantiated.

After a disclosure of abuse, a child or youth may feel guilty for many reasons including that they may:

- have enjoyed some aspects of the abusive relationship (for example: the attention, special treats or gifts)
- feel responsible for starting or continuing the relationship
- feel that they are getting the abuser into trouble with Child Protection or the RCMP
- be worried that the family will be separated
- be worried about what will happen to siblings or parents

These feelings may cause the child or youth to be angry with the person they told. Do not take the child or youth's anger personally and do not let it keep you from being supportive.

Who makes the report?

Child and Family Services Act (2016): Duty may not be delegated	
What the Act Says	What This Means
8. (2) For greater certainty, a person may not delegate the duty to report a matter under subsection (1) to another person.	<p>If you are the person who has the information, you must make the call and as soon as possible.</p> <p>You must not ask or allow another person to make the report for you.</p>

What do I do if I am unable to leave my class to make a call?

Ask your Administrator or another staff member to cover your class while you make the call. This can take some time, so let them know that you may be out of the class for a while.

You can let them know that you need to contact the Child Protection Worker, but you must not identify the child or youth or any of the details about the situation.

What do I do if the phone is in my class and I may be overheard while making the report?

A report of child abuse and/or neglect must be confidential. If you could be overheard at a phone, you must find a place where you can have a private conversation.

What if the person identified by the child or youth is a student or staff person in the school?

The legislation and process for reporting are the same – it does not matter who the person identified is or the position they hold in the school or community.

Verbal Report of Suspected Child Abuse and/or Neglect

What do I need to make a report?

To make the initial phone call, you will need:

- your name and position in the school
- the name, address and phone number of the school
- the child or youth's name, grade and teacher
- the family's name and contact information
- family status (birth, foster, living with...)
- where the child or youth is now
- any circumstances that may affect the response of the Child Protection Worker (for example: the parent usually picks the child up after school – this lets the Child Protection Worker decide if they want to respond before school finishes)

Use the *Written Report of Suspected Child Abuse and/or Neglect Form and Checklist* as a guide to ensure that you have all of the information you need.

Before ending the call

- ask for and write down the full name of the Child Protection Worker you talked with
- write down any follow-up actions that the Child Protection Worker tells you about

What do I do after the Child Protection Worker arrives?

Answer any questions that the Child Protection Worker has regarding the child or youth or the disclosure.

Where will the Child Protection Worker meet with the child or youth?

Child Protection Workers have the authority to meet with and/or take a child when and where they decide is most appropriate. In most cases, they prefer to meet with the child at school during the school day as this is a safe, comfortable and familiar place for the child with support persons available.

What do I do after the Child Protection Worker leaves?

You may have some anxiety or concerns after making a report of child abuse. Although you must not identify the child or youth or family and/or any of your suspicions or details of the report, it is a good idea to debrief the experience with someone who has been involved in child protection matters. In most cases, the School Counsellor, Program Support Teacher or Administrator will have had experiences with child protection matters.

It should be noted not all reports of suspected child abuse and/or neglect will meet the threshold for an investigation. Child Protection Workers are responsible to complete an initial screening assessment upon receipt of a report and determine next steps in consultation with a Supervisor or Manager. In cases where a report does not meet the criteria (screen in), a Child Protection Worker will not be investigating the matter and the reporter will not be informed of this.

Written Report of Suspected Child Abuse and/or Neglect Form

Some school policies require staff members to complete a *Written Report of Suspected Child Abuse and/or Neglect Form* whenever they receive disclosures of child abuse and/or neglect.

Even though this may be your school's policy, it is important to note that it is mandatory that you make a verbal report directly to a Child Protection Worker and/or a RCMP Officer.

If your school administration requires the completion of a *Written Report of Suspected Child Abuse and/or Neglect Form*, please use the following guidelines :

While waiting for the Child Protection Worker:

- complete the *Written Report of Suspected Child Abuse and/or Neglect Form*
- collect any relevant or related drawings, writings or other documents by the child or youth
- write down (document) and date any comments or statements made by the child or youth during the disclosure
- try to use the child's or youth's exact words.
- keep notes about the child or youth's behaviour and emotional state, as well as the circumstances at the time of the disclosure (for example: "Child or youth stayed at her desk with her face hidden after all the other children went home. She cried for 15 minutes.")
- Have an Administrator sign the *Written Report of Suspected Child Abuse and/or Neglect Form* to acknowledge its existence, however, the Administrator must not influence the information that is included in the Form. If the administrator was also involved in the direct disclosure from the child, they would be required to verbally report the disclosure to the Child Protection Worker and/or RCMP.

What if the person identified by the child or youth is the Administrator in the school?

If the Administrator or designate is the person identified, you must not discuss the report with them or have them sign the form. In this case, you would contact the Superintendent for the signature.

What do I do with my copy of the *Written Report of Suspected Child Abuse and/or Neglect Form*?

A *Written Report of Suspected Child Abuse and/or Neglect Form* belongs to the staff that completes the form and makes the report.

The staff filling the form must store the form in a **confidential manner**.

1. Place a copy of the report including copies of related documents in a sealed envelope.
2. Write your name and the date on the front of the envelope and place in the Child Protection Referrals File. The Administrator or designate will know where this file is kept.
3. The *Written Report of Suspected Child Abuse and/or Neglect Form* must be destroyed within one calendar year from the date of the report. This form must be shredded before being discarded.

A *Written Report of Suspected Child Abuse and/or Neglect Form* is not a school record and cannot be placed in the child's Student Record (Cumulative File) or any other school file including the Program Support Record or the Principal's Record.

I am not sure making a report is a good idea because:

- The child or youth has asked me to keep the information private.
- I do not want to make trouble for the family.
- I am worried that if the family knows that I made a report they will threaten me/take their kids out of school/hurt their kids...

<i>Child and Family Services Act (2016): Confidentiality and privilege</i>	
What the Act Says	What This Means
8. (3) Subsection (1) applies (a) notwithstanding any other Act; and (b) notwithstanding that the information is confidential or privileged.	You must report information about child abuse even when it has been told to you in confidence, and the child or youth asks you not to tell.

Can I get in trouble for making a report of child abuse?

What if:

- the Child Protection Worker doesn't find any evidence of child abuse and/or neglect?
- the child/family changes their story?

<i>Child and Family Services Act (2016): Civil liability</i>	
What the Act Says	What This Means
8. (4) No action shall be commenced against a person for reporting information in accordance with this section unless it is done maliciously.	When you make a report in good faith and without malice, you are protected by law from any legal action.

I am concerned about making a report because:

- The family will be upset and threaten me.
- The family will take their kids out of school.
- The family will hurt their kids.
- The child or youth will no longer come to me when they need help.

<i>Child and Family Services Act (2016): Offense and punishment</i>	
What the Act Says	What This Means
8. (6) Every person who contravenes subsection (1) is guilty of an offense and liable on summary conviction to a fine not exceeding \$5,000, to imprisonment for a term not exceeding six months or to both.	To not report a child in need of protection is an offense and can be punishable with a fine, imprisonment or both.

I do not have any evidence (for example, bruises or other marks) that child abuse took place.

- This is the first time this child or youth has said anything like this.
- This is a good family – they don't do this kind of thing.
- We have known this family for a long time and this has never happened before.

<i>Child and Family Services Act (2016): Investigation</i>	
What the Act Says	What This Means
9. (1) A person to whom a report is made under section 8 shall investigate the child's need for protection.	Your duty is to report. It is not your duty to confirm or investigate a disclosure. That is the responsibility of the Child Protection Worker.

Interference with Investigations

School personnel must not contact parents/caregivers/guardians of the child or youth about a report of known or suspected child abuse and/or neglect. This could lead to tainted or spoiled evidence and cause serious problems with the investigation.

What will the Child Protection Worker do?

- I never heard back about the last report that I made.
- The last time I called and reported, nothing happened.

<i>Child and Family Services Act (2016): Confidentiality</i>	
What the Act Says	What This Means
71. (1) Any information or record of information relating to a person is confidential where it is received, obtained or retained by any person: (a) under this Act or the regulations; (b) in the exercise of his or her powers or in the performance of his or her duties under this Act or the regulations;	A Child Protection Worker is strictly bound by confidentiality and may not be able to disclose any information about the decisions being made.

Child Protection Workers have to be very careful with any information that they gather during an investigation of child abuse. They must protect the identity of the child, youth, family and the person making the report. They must also handle the information carefully to ensure that it can be used in court, if necessary. If it turns out that there is no evidence of child abuse, the child, youth and family must be able to continue to live their lives without suspicion.

Child Protection Workers have a number of responsibilities when investigating a report of child abuse and/or neglect. If they do not follow the legislation outlined in the *Child and Family Services Act*, they may jeopardize any future decisions about the child or youth and any criminal charges against the accused.

Information for Administrators

Verbal Report of Suspected Child Abuse

The person who suspects child abuse and/or neglect **must make the verbal report**. The Administrator or designate can support this by being available to replace the person who is reporting and/or providing a confidential place to make the report. Reports must be made as soon as possible; therefore, the Administrator, or designate, should be available at the time of the request.

Written Report of Suspected Child Abuse and/or Neglect Form

Administrators will be asked to sign any *Written Report of Suspected Child Abuse and/or Neglect Forms* to acknowledge its existence, however, the Administrator must not influence the information that is included in the Form.

Any influence or direction about the decision to report or the information included in the report is in contravention of the *Child and Family Services Act (2016)*.

Child Protection Referrals File

A *Written Report of Suspected Child Abuse and/or Neglect Form* belongs to the staff that files the form and makes the report; however, the person filing the form must store the form in a confidential manner within in the school as per school policy.

A Written Report of Suspected Child Abuse and/or Neglect Form is not a school record and cannot be placed in the child's Student Record (Cumulative File) or any other school record including the Program Support Record or the Principal's Record.

The Administrator will develop a Child Protection referrals file that will be kept in a confidential and secure location.

Anyone making a child abuse report and is required to complete a *Written Report of Suspected Child Abuse and/or Neglect Form*, including copies of supporting notes and documents in a sealed envelope with their name and date. The *Written Report of Suspected Child Abuse and/or Neglect Form* must be destroyed within one calendar year from the date of the report. This form must be shredded before being discarded.

After a Report

Making a report of suspected child abuse and/or neglect can be difficult, especially if the person making the report has not done this before. They may appreciate an opportunity to debrief the experience.

Although the child, youth or family and/or any of the suspicions or details of the report cannot be identified, a general discussion about the importance of reporting and any questions or concerns about the experience can be discussed.

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**Written Report of Suspected Child Abuse
and/or Neglect Form (SAMPLE)**

Attach all of the child or youth's writing, drawing or artwork that supports this report.
Sign and date them.

1. From (Person making the report):

Name: _____

Position: _____

Telephone Numbers: (home) _____ (work) _____

School and address: _____

2. The Verbal Report:

Date and time of verbal report: _____

Person receiving referral: _____

Position: _____

Telephone Number: _____

3. Student Information:

Name: _____ Date of birth(D/M/Y): _____

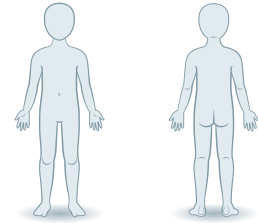
Gender: _____

Grade: _____ Classroom teacher: _____

Name and address of the person the child lives or stays with at the time of this report: _____

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4. Describe what caused you to suspect child abuse (conversation, events, observations, or circumstances. If you suspect physical abuse please mark injury areas on drawing and describe the injury (e.g. bruising, burns). Attach additional sheets as required.



5. Did the Child Protection Worker and/or RCMP say that they would be taking any follow-up action?

Yes No

The follow-up actions include:

6. Your Signature: _____ **Date:** _____ **Time:** _____

Administrator's Signature: _____ **Date:** _____ **Time:** _____

7. Place a copy of the report including copies of any relevant or related documents and notes in a sealed envelope.

Write your name and the date on the front of the envelope. File/place in Protection Referrals File. The Administrator or designate will know where this file is kept.

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**Written Report of Suspected Child Abuse
and/or Neglect Checklist (SAMPLE)**

1. Verbal Report of Child Abuse and/or Neglect

Before I call, I need:

- my name and position in the school
- the name, address and phone number of the school
- the child or youth's name, grade and teacher
- the family's name and contact information
- the family status (birth, foster, living with...)
- where the child or youth is now
- any circumstances that may affect the response of the Child Protection Worker (for example: the parent usually picks the child or youth up after school – this lets the Child Protection Worker decide if they want to respond before school finishes)

2. Name of Child Protection Worker

- The name of the Child Protection Worker I spoke to is:

3. Written Report of Suspected Child Abuse and/or Neglect

To complete the *Written Report of Suspected Child Abuse and/or Neglect Form*, I need:

- Written Report of Suspected Child Abuse and/or Neglect Form
- any relevant or related drawings, writings or other documents by the child or youth
- any notes I havemade about any comments or statements made by the child or youth during the disclosure (try to use the child or youth's exact words)
- any notes I made about the child or youth's behaviour and emotional state, as well as the circumstances at the time of the disclosure

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4. Administrator's Signature

The Administrator signs the *Written Report of Suspected Child Abuse and/or Neglect Form* to acknowledge its existence, however, they must not influence either my decision to report or the information that is included in the report.

My Administrator has signed the form.

OR

If the Administrator or designate is the person identified, I do not discuss the report with them and I do not have them sign the form.

I have contacted the Superintendent for the signature.

5. The *Written Report of Suspected Child Abuse and/or Neglect Form*

I have:

placed the form, including copies of any relevant or related documents and my notes in a sealed envelope

written my name and the date on the front of the envelope

placed the sealed envelope in the Child Protection Referrals File with my Administrator

A Written Report of Suspected Child Abuse and/or Neglect Form is not a school record and cannot be placed in the child or youth's Student Record (Cumulative File) or any other school file including the Program Support Record or the Principal's Record.

6. Destruction of the *Written Report of Suspected Child Abuse and/or Neglect Form* within One Calendar Year from the Date of the Report

My copy of the form has been destroyed by my administrator or myself, depending on the school policy, by **shredding** and then discarding it.

Child and Family Services Act (2016)

<i>Child and Family Services Act (2016): A child needs protection where:</i>	
What the Act Says	What This Means
7.3 (a-b) there is a substantial risk or the child has suffered physical harm inflicted by the child’s parent or caused by the parent’s inability to care and provide for or supervise and protect the child adequately;	You suspect or have knowledge that a child or youth is experiencing physical abuse.
(c-d) there is a substantial risk or the child has been sexually molested or sexually exploited by the child’s parent or by another person in circumstances where the child’s parent knew or should have known of the possibility of sexual molestation or sexual exploitation and was unwilling or unable to protect the child;	You suspect or have knowledge that a child or youth is experiencing sexual abuse.
(e-f) there is a substantial risk or the child has demonstrated severe anxiety, depression, withdrawal, self-destructive behaviour, or aggressive behaviour towards others, or any other severe behaviour that is consistent with the child having suffered emotional harm and the child’s parent does not provide, or refuses or is unavailable or unable to consent to the provision of, services, treatment or healing processes to remedy or alleviate the harm;	You suspect or have knowledge that a child or youth is experiencing mental health or behavior concerns.
(g) 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 does not provide, or refuses or is unavailable or unable to consent to the provision of, services, treatment or healing processes to remedy or alleviate the condition;	You suspect or have knowledge that a child is not receiving appropriate parent support for a mental health or developmental condition.
(h-i) the child has been subject to a pattern of neglect and there is a substantial risk or that has resulted in physical or emotional harm to the child;	You suspect or have knowledge that a child or youth is experiencing neglect that could cause physical or emotional harm.
(j) the child has been exposed to domestic violence by or towards a parent of the child, the child has suffered physical or emotional harm from that exposure and the child’s parents fails or refuses to obtain services, treatment or healing processes to remedy or alleviate the harm;	You suspect or have knowledge that a child or youth is experiencing harm due to domestic violence.

Child and Family Services Act (2016): A child needs protection where:

What the Act Says	What This Means
(k) the child has been exposed to domestic violence by or towards a parent of the child and there is a substantial risk that the exposure will result in physical or emotional harm to the child and the child's parent fails or refuses to obtain services, treatment or healing processes to prevent the harm;	You suspect or have knowledge that a child or youth is witnessing repeated incidents of domestic violence.
(l-m) there is a substantial risk or the child's health or emotional or mental well-being has been harmed by the child's use of alcohol, drugs, solvents or similar substances, and the child's parent does not provide, or refuses or is unavailable or unable to consent to the provision of, services, treatment or healing processes to remedy or alleviate the harm;	You suspect or have knowledge that a child or youth is being harmed by the use of child's use of alcohol, drugs, solvents or similar substances.
(n) the child requires medical treatment to cure, prevent or alleviate serious physical harm or serious physical suffering, and the child's parent does not provide, or refuses or is unavailable or unable to consent to the provision of, the treatment;	You suspect or have knowledge that a child or youth is not receiving appropriate care for a physical condition.
(o) the child suffers from malnutrition of a degree that, if not immediately remedied, could seriously impair the child's growth or development or result in permanent injury or death;	You suspect or have knowledge that a child or youth is experiencing malnutrition that may impair growth or development.
(p-q-r) the child has been abandoned by the child's parent or the child's parents have died without making adequate provision for the child's care or custody and the child's extended family has not made adequate provision for the child's care or custody;	You suspect or have knowledge that a child or youth is without parents or extended family members who will provide care.
(s) the child is less than 12 years of age and has killed or seriously injured another person or has persisted in injuring others or causing damage to the property of others, and services, treatment or healing processes are necessary to prevent a recurrence, and the child's parent does not provide, or refuses or is unavailable or unable to consent to the provision of, the services, treatment or healing processes.	You suspect or have knowledge that a child who is less than 12 years of age has killed, seriously injured and/or persistently injured others.
(t) the child is engaging in or attempting to engage in prostitution or prostitution-related activities.	You suspect or have knowledge that a child or youth is engaging in prostitution or prostitution-related activities.

Best Interests of Indigenous Children and Youth

The *Act Respecting First Nations, Inuit and Métis children, youth and families* 'Federal Act' sets out the best interests for Indigenous children and youth in section 10.

As previously indicated, the Federal Act prevails over the best interests of the child and youth provisions set out under the *Child and Family Services Act*, in the context of providing services to Indigenous children and youth.

In keeping with both legislations, Child Protection Workers must consider the following:

- The best interests of the child/youth must be the primary consideration when making decisions and taking actions when providing services to Indigenous children, youth, and families.

All relevant factors must be considered when determining the best interests of the child/youth:

- The child/youth's physical, emotional and psychological safety, security and well-being;
- The importance of the child/youth having an ongoing relationship with their family;

- The risk that the child/youth may suffer harm through being removed from, kept away from, returned to, or allowed to remain in, the care of a parent; and
- The importance of the child/youth's ongoing relationship with their Indigenous community and of preserving the child/youth's connection to their culture, including learning about and practising their Indigenous traditions, customs and language.

Additional factors that must be considered:

- The child/youth's cultural, linguistic, religious, and spiritual upbringing and heritage;
- The child/youth's needs, given the child/youth's age and stage of development, such as the child/youth's need for stability, care or treatment to meet those needs;
- The nature and strength of the child/youth's relationship with their parent, the care provider, and any member of their family who plays an important role in their life;

- The importance to the child/youth of preserving the child/youth's cultural identity and connections to the language and territory of the Indigenous group, community or people to which the child/youth belongs;
 - The child/youth's views and preferences, giving due weight to the child/youth's age and maturity, unless they cannot be ascertained;
 - Any plans for the child/youth's care, including care in accordance with the customs or traditions of the Indigenous group, community or people to which the child/youth belongs;
 - Any family violence and its impact on the child/youth, including whether the child/youth is directly or indirectly exposed to the family violence as well as the physical, emotional and psychological harm or risk of harm to the child; and
 - Any civil or criminal proceeding, order, condition, or measure that is relevant to the safety, security, and well-being of the child/youth.
- Additional factors must also be considered:
 - The merits of any proposed case plan for the child/youth;
 - The importance of continuity in the child/youth's care and the possible effect on the child/youth of disruption of that continuity;
 - The child/youth's relationship by blood or through adoption;
 - The effects on the child/youth of a delay in making a decision.

What information can be shared with me?

All children and youth in care, particularly those who experience significant transitions over the course of the school year, benefit when individuals who work with them collaborate and share information about their learning potential, wellness and safety.

Significant transition can include:

- transferring to a different school;
- changes in living arrangements, including coming into care, a change in foster placement, returning from residential treatment or returning to live with family or parent(s) and/or caregiver(s);
- going on or returning from temporary school breaks such as Christmas Break and March Break and summer holidays;
- changes in the Child Protection Worker responsible for the child or youth's care; and
- transitioning to post-secondary life and transitioning out of care.

These transitions can be very stressful and can have potentially major impacts on the child or youth as a learner.

Where a Child Protection Worker is the child or youth's guardian (Temporary or Permanent Custody), school personnel can share with them any information that can be shared with a parent; when participating in school-based planning, Child Protection Workers can share with school personnel the level of detailed information necessary to ensure the child or youth's wellbeing.

For those children and youth who are **not** in care of the Director of Child and Family Services; i.e. receiving services through a Voluntary Services Agreement, Support Services Agreement, Plan of Care Agreement and Supervision Order, school personnel can share information with the Child Protection Order **only** with the consent of the parent(s) and/or caregivers. This is the same for Child Protection Workers.

The Child Protection Worker **must** provide information to school personnel as soon as possible after the child or youth is placed in temporary or permanent care, (in other instances, parental consent would be required prior to sharing this information), including:

- relevant health information;
- previous school record;
- custody status;
- information that will assist in ensuring the child or youth's safety, including the need to protect the child or youth from contact with another person;
- name of, and contact information for, the Child Protection Worker and their Supervisor and/or Manager;
- name of, and contact information for, the foster parent(s) or treatment center;
- direction on involvement of the parent(s) and/or caregiver(s);
- any health and safety risks posed by the child or youth towards another person; and
- when/if child or youth returns to care of his or her parent(s) and/or caregiver(s).

This information can be shared both verbally and in written form. Sharing can also include, but is not limited to, relevant information from:

- medical professionals (i.e.; child and youth mental health clinician, pediatrician, psychologist, psychiatrist) about conditions that affect the child or youth's learning or attendance;
- school files, including report cards, Individual Education Plan, school-based assessment reports, and minutes from school-based team meetings.

The means of information sharing to support collaborative planning includes, but is not limited to:

- in-person individual or team meetings;
- teleconferencing or weekly phone calls;
- mid-term updates;
- written or email reports; and
- home visits.

Joint planning requires the ongoing collaboration of the Child Protection Worker, school personnel, parent(s) and caregiver(s) and child or youth to ensure consistent and continuous support for child and youth in care in achieving their learning outcomes, particularly when they are experiencing significant transitions. Collaborative work is the best way to address the multiple and complex needs of child and youth in care.

Information for Child Protection Workers when visiting children and youth or conducting investigations at school

The principal at the school is responsible for all things that take place within it. Typically guests to the school, including parents/guardians, check in/sign in at the front office when entering the building. Some schools use identification badges so staff can easily know that person is an approved guest when they are moving through the building.

For Child Protection Workers, due to the nature of their visits, a separate confidential log is kept and it is secured in a locked drawer or in the safe. The Child Protection Worker, if unknown to the school staff, will be asked for evidence of identity to ensure student safety.

The sign in sheet typically includes:

1. The date and time of visit
2. The Child Protection Worker's name and contact information
3. The Child Protection Worker's supervisor/manager's name and contact information
4. The general purpose of the visit without using identifying information(client visit, investigation, etc.)

The information helps the principal know who to contact should they need further information. This information is not about the details of an investigation, as principals are not entitled to know that. Some things schools commonly need to know include:

1. Whether a parent/guardian/caregiver may pick up the child or youth at present
2. Whether a parent/guardian/caregiver may visit the child or youth at school
3. Whether the child or youth can go home after school
4. If the child or youth is not going home, where they will be staying and the contact information
5. If there is anything the school needs to know that affects the child or youth's day to day at school
6. Who to contact if a parent/guardian/caregiver comes to the school, but is not allowed to interact with the child or youth at present

If a Child Protection Worker is there for an investigation, the principal (or designate) will discuss with them whether the school is the right place for the investigation. Generally, schools are in agreement that having the investigation take place at school is the least disruptive for the student; however, there may be other circumstances.

If not, the principal will assist the Child Protection Worker by getting the student for them in a confidential manner.

If so, the principal will:

1. Locate a private space for the interview to take place
2. Get the student from class in a confidential manner
3. Meet with the Child Protection Worker following the investigation to get information pertaining to the school.
4. If appropriate, offer the support of a staff member, e.g. child and youth care counsellor or their trusted teacher, to the child after the interview has been completed.

In addition, the principal is responsible for ensuring that school staff is aware of school procedures in order to meet the requirements of territorial legislation- *Child and Family Services Act (2016)* and the *Education Act (2017)*.

Reporting Suspected Child Abuse and/or Neglect

Child and Family Services Contact Information

REGION		DAYTIME	AFTER HOURS EMERGENCY
Beaufort Delta Region <ul style="list-style-type: none"> • Aklavik • Fort McPherson • Inuvik • Paulatuk • Sachs Harbour • Tsiigehtchic • Tuktoyaktuk • Ulukhaktok 		867-777-8101 or 867-777-8239	867-777-8000
Deh Cho Region	<ul style="list-style-type: none"> • Fort Liard • Nahanni Butte 	867-770-4770	867-770-4770
	<ul style="list-style-type: none"> • Fort Providence • Kakisa 	867-699-3421	867-699-3421
	<ul style="list-style-type: none"> • Fort Simpson • Jean Marie River • Sambaa K'e (Trout Lake) • Wrigley 	867-695-2293	867-695-2293
Fort Smith Region		867-872-6300	867-621-1122
Hay River HSSA <ul style="list-style-type: none"> • Enterprise • Hay River • Hay River Reserve 		867-874-7213	867-874-2696
Sahtu Region <ul style="list-style-type: none"> • Colville Lake • Déljñę • Fort Good Hope • Norman Wells • Tulita 		867-587-3650 ext. 400	867-444-1142
Tlicho CSA <ul style="list-style-type: none"> • Behchokq • Gamètì • Wekweètì • Whatì 		867-392-3005	867-492-0022
Yellowknife Region <ul style="list-style-type: none"> • Dettah • Fort Resolution • Lutsel K'e • N'Dilo • Yellowknife 		867-767-9122	867-445-1092



Government of
Northwest Territories