

**CENTRAL EGLINTON CHILDREN'S CENTRE
PROCEDURES FOR REPORTING CHILD ABUSE POLICY**

Date Policy and Procedures Established: July 5, 2021

Date Policy and Procedures Updated: January 31, 2023, March 6, 2024

CECC is committed to taking a pro-active position regarding the prevention of child abuse through:

- Ongoing observation of the children in our care.
- Professional education with respect to early identification, effective response and adherence to legal obligations, including reporting.
- Keeping abreast of developments in legislation and relevant issues.
- Communication and support of the child and family; and
- Working with other community service providers

Employees/Students/Volunteers of the Centre

Before commencing employment/placement/volunteering, educators/student teachers/volunteers will be asked to sign an acknowledgement form stating that all the policies and procedures with respect to child abuse have been read, understood and will be followed. Updated policies and procedures will be brought to the attention of all employees etc. for their advice and signature. Every employee, student, teacher, volunteer, that is eligible, will have a vulnerable screen check.

Section 1 Duty to Report CFSA s.72 (1) Last amendment 2011.

The legal definition of child abuse contained in "The Child and Family Services Act" CFSA s.72 (1) refers to a child in need of protection where:

72. (1) 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:

(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.

(b) there is a risk that the child is likely to suffer 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.

(c) the child has been sexually molested or sexually exploited, including by child pornography, 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 risk that the child is likely to be sexually molested or sexually exploited as described in clause (c).

(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 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 actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child.

(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, services or treatment to remedy or alleviate the harm.

(g) 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) 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 or treatment to prevent the 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 to remedy or alleviate the condition.

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

(j) the child is less than twelve 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 or unable to consent to, those services or treatment.

(k) the child is less than twelve 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 in charge of the child or because of that person's failure or inability to supervise the child adequately.

(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 twelve years of age or older, with the child's consent, to be dealt with under this Part; or

(m) the child is 16 or 17 years of age and a prescribed circumstance or condition exists. R.S.O. 1990, c. C.11, s. 37 (2); 1999, c. 2, s. 9; 2017, c. 14, Sched. 2, s. 4 (2).

Who is responsible for reporting a child in need of protection?

Anyone who has reasonable grounds to suspect that a child is or may be in need of protection must promptly report the suspicion and the information upon which it is based to a society.

What are "reasonable grounds" to suspect child abuse or neglect?

It is not necessary for you to be certain a child is or may be in need of protection to make a report to a society.

"Reasonable grounds" refers to the information that an average person, using normal and honest judgment, would need in order to decide to report.

What does an "ongoing duty to report" child abuse or neglect mean?

Even if you know a report has already been made about a child, you must make a further report to the society if there are additional reasonable grounds to suspect that the child is or may be in need of protection. [CYFSA s. 125 (2)]

Can I rely on someone else to report?

No. You have to report directly to a children's aid society. You must not rely on anyone else to report on your behalf. [CYFSA s. 125 (3)]

What about professional confidentiality?

A professional must report that a child is or may be in need of protection, even when the information is otherwise confidential or privileged. This duty overrides any other provincial statutes, including the [Personal Health Information Protection Act, 2004](#), and specifically overrides any provisions that would otherwise prohibit someone from making a disclosure. Only lawyers may not divulge "privileged" information about their clients. [CYFSA s. 125 (10), (11)]

Will I be protected from liability if I make a report?

The CYFSA provides that no action for making the report will be instituted against a person who makes a report unless the person acts maliciously or without reasonable grounds for suspicion. [CYFSA s. 125 (10)]

What happens when I call a society?

The society will investigate the information. The society has the responsibility and authority to investigate allegations and to protect children. The society may involve the police and other community agencies. All societies provide emergency service 24 hours a day, seven days a week.

Consistent with the best interests, protection and well-being of children, services from a society will take the following into consideration:

- respect for a child's need for continuity of care and for stable relationships within a family and cultural environment,
- the physical, emotional, spiritual, mental and developmental needs and differences among children,
- a child's race, ancestry, place of origin, colour, ethnic origin, citizenship, family diversity, disability, creed, sex, sexual orientation, gender identity and gender expression,
- a child's cultural and linguistic needs,
- the goal of achieving permanent plans for children in accordance with their best interests, and
- the participation of a child, the child's parents and relatives and the members of the child's extended family and community, where appropriate. [CYFSA s. 1 (2)]

When do I make the decision to call?

- If a child discloses, whether purposeful or accidental.
- If I observe marks or bruises on child
- Other information available to the employees

If the child's religious affiliation is known, please call the appropriate Children's Aid Society

The Children's Aid Society: 416 924-4646 The Jewish Family and Child Service: 416 638-7800
The Catholic Children's Aid Society: 416 395-1500 The Native Child and Family Service: 416 969-8510

What is the calling procedure?

- Call directly to the CAS.
 - Have the child's information on hand.
- Please inform the directors that you will be making a call, so they may cover your duty, please do not speak with him/her about the call until you have received instructions from the CAS.
- Do not speak about the suspected abuse to anyone else.
- If the allegation is against another child or employee/student teacher or volunteer in CECC, you should consult with a child protection worker, at the CAS as to how to best protect, supervise and support the alleged victim, abuser and other children.
- Please complete the **Child Abuse Documentation – Duty to Report to a Children's Aid Society (CAS)**

If the allegation is related to an employee or volunteer?

- The directors will follow the advice of the child protection worker.

If CECC is required to do an internal investigation – Duty to Report?

The CAS may not pursue the report but may require CECC to investigate. In this circumstance, the director, designate or the board of directors may, depending on the circumstances:

- Interview the person who made the call to determine the facts and reason for the call.
- Discuss the reason and circumstances why the call was made with the person about whom the complaint was made.
- Discuss with witnesses if applicable.
- If necessary, discuss with the person making the complaint.
- Monitor the person about whom the complaint was made.
- If there is a recurrence, contact CAS.

The employee may be asked to go home or to engage in other duties during the investigation process.

If there is a recurrence, the employee may be subject to disciplinary action, which may involve suspension or sanctions of duty, or termination, or if the employee resigns while an investigation is in process, CECC will report the employee to the College of Early Childhood Educators, as per its duty to report. If the employee is not a Registered ECE, notes will be kept in their file if further reference is required.

Please add another sheet of paper if needed.

Who is aware of the allegations?

- Director Name _____
- Assistant Director Name _____
- Parent Name (s) _____
- Other Staff Member (s) Name (s) _____
- Other Name _____

Does the child have any physical injuries or health concerns? please list if necessary _____

Instructions given by CAS contact _____

Follow-up _____

Actions taken if alleged perpetrator was an employee of CECC _____

Was this reported as a Serious Occurrence Yes No , if yes: Date _____ Time _____

Signature _____ Date _____ Time _____

The Following Information Should be Shared with a Children's Aid Society, if it is Available or Known.

- The child's information, name, date of birth, grade, address, telephone number
- Parents' Names, addresses, telephone number
- If you are aware that the alleged offender is in a position where s/he has access to children (within or outside CECC)
- The name of the offender (if provided by the child) and whether s/he may have contact with the child again.
- Whether there are any other concerns about this child (neglect, harsh parental discipline, behavioural issues etc.)
- Similar disclosures in the past about the alleged offender or by the same child
- Whether the child has any injuries
- Whether the child has a disability
- Whether there are any language or cultural considerations are needed
- How long has the child been in CECC, or the length of time you have known him/her?
- What the child told you after the disclosure

In the case of another staff member, CAS may need to speak with the Directors for more information.

Once this form has been completed and you have ended the interaction with the CAS, then please put the form in an envelope, seal it, and sign your name on the sealed line. Please put the date and child's initials on the front of

the envelope.