

**Department: Human Resources**  
**Section: Employee and Labour Relations**

The objective of this policy is to inform all school community members of their obligations under the law in relation to reporting suspected child abuse and to provide procedures to follow when they report suspected child abuse. The objective is also to ensure a cooperative and collaborative relationship exists between the school board and child protection agencies of the Department of Community Services/Mi'kmaw Family and Children's Services when responding to the suspected abuse or neglect of a child.

### **General Procedures**

- 1.0 A school community member is defined in the *School Code of Conduct* as all adults whose role, or jobs, place them in contact with students in school settings and school activities. "All adults" includes all administrative, teaching, and support staff in any capacity, Board members, parents/guardians, community groups, school parental organizations or any person associated with the school system in any capacity, including volunteers and contract employees.
- 2.0 Every person who has information, whether or not it is confidential or privileged, indicating that a child is in need of protective services will report that information to an agency. In deciding to report an incident or situation or suspected abuse or neglect of a child, it is not a requirement that the person making the report has proof that abuse has occurred. This is for the child protection agency and the courts to determine. Any uncertainty in deciding to report a suspicion should be resolved in favour of the child.
- 3.0 The school community member is responsible for reporting suspected child abuse and neglect to the Department of Community Services/Mi'kmaw Family and Children's Services if the child is fifteen (15) years of age and under. If a student is sixteen (16) years of age or older, the report shall be made to the appropriate policing agency.
- 4.0 The school community member will only report the information and will not in any way investigate, nor interfere in the investigation of the child welfare agency or appropriate policing agency. Child protection agencies of the Department of Community Services/Mi'kmaw Family and Children's Services are solely responsible for investigating reports that a child may be abused or neglected, including the decision of when and where to interview a child and when to inform the child's parents/guardians of the interview.
- 5.0 The reporting of suspected child abuse and neglect is to be made in the strictest of confidence.
- 6.0 The school community member shall maintain confidentiality with respect to the information reported. However, when a report is made by an employee, then the immediate supervisor should be advised. If the report is regarding the immediate supervisor, then the employee must advise the Director of Human Resources.

- 7.0 Where an employee is alleged to be a perpetrator and following the report to the Department of Community Services/Mi'kmaw Family and Children's Services, the Director of Human Resources must be notified. The person having this information must inform the Director of Human Resources of the report, but not the substance or details of the reported information. If an agency determines that the referral warrants investigation, it will advise the Director of Human Resources who will notify the Superintendent and may meet with the appropriate manager, supervisor or school principal to determine the immediate actions that may need to be taken by the school board.

### **Principal and School Community Member Responsibilities**

- 8.0 In the event the Department of Community Services/Mi'kmaw Family and Children's Services deem it necessary for a child protection social worker to interview a child in a school, the school principal will:
- require the child protection social worker to provide identification confirming their employment with an agency before allowing contact with the child;
  - assist the child protection social worker by:
    - providing a private and comfortable interview space, free from distractions. for the child and child protection social worker,
    - bringing the child to the interview space,
    - providing additional supports for the child as necessary and available (e.g., translator, assistive technology), and
    - if invited by the child protection social worker, offering support to the child during the interview process.
  - direct the parent/guardian of children interviewed to the child protection social worker if the parent/guardian is requesting information about the interview;
  - keep confidential any information learned during the reporting and interviewing process.
- 9.0 For further details, refer to the *Nova Scotia Provincial Policy for Interviewing Children by Child Protection Social Workers in Public Schools, Appendix B: Protocol for School Principals* once they have been notified that a child protection social worker has deemed it necessary to interview a child at school.
- 10.0 School community members will not:
- Interfere with a child being interviewed by the child protection social worker in any way, including:
    - refusing to produce the child,
    - requiring the consent of the child's parent/guardian to allow the child protection social worker access to the child,
    - requiring that the child protection social worker provide information about why the child is being interviewed,
    - questioning the child about their interview with the child protection social worker, and
    - questioning the child about suspected abuse or neglect.

- Inform any person, including the child or the child's parent/guardian that a report has been made to an agency. Informing any person that an agency has been notified may not be in the child's best interest and may place the child at greater risk of harm.
- Inform any person, including the child or the child's parent/guardian, of any response by an agency, including that a child has been interviewed on school property. Informing any person of agency actions may not be in the child's best interest and may place the child at greater risk of harm.

### **Department of Community Services/Mi'kmaw Family and Children's Services Responsibilities**

- 11.0 In the event the Department of Community Services/Mi'kmaw Family and Children's Services deem it necessary for a child protection social worker to interview a child in a school, the Department of Community Services/Mi'kmaw Family and Children's Services protection social worker will:
- make contact with the principal, or designate, when entering a school and inform the principal, or designate, that they are there to conduct an interview with a child;
  - provide identification confirming their employment with an agency prior to contact with the child;
  - provide contact information to the principal, or designate, in order for the principal to provide this information in response to a parent/guardian's request for information; and
  - contact the parent/guardian of the child being interviewed as soon as possible as outlined in legislation.
- 12.0 For detailed interview procedures, refer to the *Nova Scotia Provincial Policy for Interviewing Children by Child Protection Social Workers in Public Schools, Appendix B: Protocol for School Principals*.

### **Parent/Guardian Responsibilities**

- 13.0 Parents/guardians shall contact the Department of Community Services/Mi'kmaw Family and Children's Services if they have an objection to the school providing the child protection worker access to their child.
- 14.0 Parent/guardians shall approach the Department of Community Services/Mi'kmaw Family and Children's Services if requesting information regarding the report or interview.

### **School Board Responsibilities**

- 15.0 The Board, through the Human Resources Department, is responsible for ensuring that all school community members, including employees, Board members, parents, volunteers, community groups, parent/guardian school organizations or others having contact with students in the school system, understand their rights, role and responsibilities with respect to reporting protocol: suspected child abuse.

### Consequences

- 16.0 The legal protection of a school community member reporting, and the legal consequences of not reporting suspected child abuse or neglect are in accordance with the ***Children and Family Services Act (Nova Scotia)***.
- 17.0 There will be no action against a person reporting information pursuant to the ***Children and Family Services Act (Nova Scotia)***, unless the reporting of that information is done falsely and maliciously.
- 18.0 Failure to comply with this policy and administrative procedure may result in disciplinary action up to and including termination of employment in accordance with the applicable collective agreement or terms and conditions of employment, and/or volunteer services.

### Monitoring

- The Director of Human Resources is responsible for the implementation, monitoring and revision of this administrative procedure.
- This administrative procedure will be monitored annually

**Superintendent Approved:** May 10/04

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**Monitoring Date:** Annually

**Revised:** April 6/09; January 4/18