

AP 624 – STUDENT WELFARE

Background

The Division requires all employees to concern themselves with the physical, social and emotional welfare of each student. Abuse or neglect of children and youth must be addressed appropriately by persons charged with the care of students. Requirements concerning the welfare of children attending school are defined in The Saskatchewan Child Abuse Protocol 2017. The Division affirms that employees will be active partners with other agencies in supporting the needs of children.

Procedures

1. The Legal Requirement to Report to Authorities
 - 1.1 The Child and Family Services Act requires any Division employee who has reasonable suspicion to believe that a child under the age of sixteen (16) (and in the exceptional circumstances youth ages 16 and 17) is in need of protection as a result of parental abuse or neglect has the responsibility to report the information to an officer of social services or a police officer.
 - 1.2 The Emergency Protection of Victims of Child Sexual Abuse and Exploitation Act requires any Division employee who has reasonable suspicion to believe that a child under the age of eighteen (18) has been or is likely to be subjected to sexual abuse to report the information to an officer of social services or a police officer.
 - 1.3 The duty to report applies in spite of any claim of confidentiality or professional privilege other than solicitor/client privilege or crown privilege.
2. Assisting Children in Need of Protective Services
 - 2.1 When a child reports physical, sexual or emotional abuse the receiver of the report should attempt to:
 - 2.1.1 Listen openly and calmly.
 - 2.1.2 Reassure the child that he/she is safe and this is not his/her fault.
 - 2.1.3 Do not correct language and let the child report the incident in his/her own words.
 - 2.1.4 Document what the child said, along with observations of the child's demeanor at the time of disclosure.
 - 2.1.5 Report (but do not investigate) any suspected abuse or neglect immediately to the local Ministry of Social Services or First Nations Child and Family Services Agency and/or to police and then notify school administration.

- 2.1.6 Avoid making promises that cannot be kept (e.g. "I won't tell anyone. I will keep it a secret.").
 - 2.1.7 Do not wait until you have all of the information before calling to report the abuse.
 - 2.1.8 Co-operate with police and child protection workers by providing access to information and an opportunity to speak to the child as needed.
 - 2.1.9 Participate in case planning and observe child's progress, including behavior, academic progress, emotional functioning and physical well-being.
 - 2.2 Division employees who, through personal observation or on the basis of a discussion with a child find evidence of, or suspect, possible physical, sexual or emotional abuse or neglect shall report this information to the Ministry of Social Services. The duty to report is a **personal** "Duty to Report" and **cannot** be delegated to another individual.
 - 2.3 The Principal must be informed that a report has been made to a child protection worker or police officer. The Principal, in consultation with the person reporting the suspected abuse or neglect, shall maintain a record of all reports and evidence made concerning every incident of suspected abuse or neglect.
 - 2.4 All information, reports and discussions relative to child abuse or neglect will be treated as confidential by every person employed by the Division.
3. Cooperation with Officers of Social Services or Police Officers
- 3.1 Any request from an officer of Social Services or the Police Services to interview a child shall be referred to the Principal.
 - 3.2 The Principal (or designate) will work with the child protection worker and/or police to make the necessary arrangements for a confidential interview to occur.
 - 3.3 The child's protection worker and police will determine who will be at the interview and will consider the child's support needs and comfort level. By being present at the interview, there is a possibility that the staff member may be subpoenaed to give testimony at a child protection hearing or any criminal proceedings.
 - 3.4 A written confirmation may be provided to the school by the child protection worker and/or police highlighting the meeting arrangements, acknowledging the assistance of the principal and indicating the general outcome of the investigation with respect to the child in a school setting. If written information is provided, it shall be retained in school files.
 - 3.5 When a child is in need of protection within the meaning of the Child and Family Services Act, Division employees shall cooperate with the persons or agencies involved in the care of the child. This may include, but is not limited to:

- 3.5.1 Observing the child's progress, including behaviour, academic progress, emotional functioning and physical well-being.
- 3.5.2 Participating in any agreed-upon case plan, subject to the limits imposed by statute and the Education Act.
- 3.5.3 Sharing information with an officer of Social Services and any other persons involved in the treatment and support of the child subject to the limits imposed by statute, including the Education Act and the Local Authority Freedom of Information and Protection of Privacy Act.

4. Students aged sixteen (16) and older:

- 4.1 Division employees who, through personal observation or on the basis of discussion with a student sixteen (16) years or older find evidence of, or suspect possible physical, sexual or emotional abuse or neglect, shall:
 - 4.1.1 Encourage the student to seek appropriate counseling from a professional experienced in dealing with issues of abuse.
 - 4.1.2 Assist the student, within the context of the educational environment, in obtaining help to deal with the issue facing the student.
 - 4.1.3 If the student is in need of immediate protection the employee has a duty to report however if the student is not in need of immediate protection, should the student wish, assist the student within the context of the educational environment, in reporting the abuse or neglect to the appropriate authorities.
 - 4.1.4 Subject to law and statutory provisions keep the information confidential, unless given permission by the student to disclose the information.
 - 4.1.5 Advise the student of any circumstances where information received from the student might be subject to disclosure pursuant to federal or provincial laws, including a duty to disclose under the Emergency Protection Act.

Reference: Sections 85, 87, 175, 231 Education Act
Child and Family Services Act
Emergency Protection of Victims of Child Sexual Abuse and Exploitation Act
Saskatchewan Child Abuse Protocol 2017
Youth Criminal Justice Act
Canadian Charter of Rights and Freedoms