
207 Students AP – Child Abuse Investigation

BACKGROUND

The Division believes that the safety and welfare of its students is paramount. There may be occasions when an employee believes that a student is in need of 'intervention services' as defined by the *Child, Youth and Family Enhancement Act*. Staff are expected to fulfill their legal obligation and moral responsibility to report suspected cases of child abuse and/or neglect.

Any person (including any staff member) who has reasonable and probable grounds to believe that a child has been abused or neglected, or is at substantial risk, is legally required to report the matter to a Children's Services Authority.

The *Child, Youth and Family Enhancement Act* provides protection from legal action against a person making a report unless the reporting "is done maliciously or without reasonable and probable grounds for the belief." Similarly, the Alberta Teachers' Association Professional Code of Conduct does not prevent members from reporting the unprofessional conduct of another member. Members have no liability for wrongful complaints unless reporting is malicious and without probable grounds.

GUIDELINES

1. Employees of the Division will be aware of the definitions and indicators of neglect and/or abuse as outlined in the *Child, Youth and Family Enhancement Act*. (See *Appendix A – excerpt from Child Abuse Handbook (2006)*)
2. All employees of the Division are required to report any cases of suspected child abuse as required by the *Child, Youth and Family Enhancement Act*.
3. Divisional employees will assist Provincial Children Services Workers and/or police officers in the course of an investigation into a report of child abuse/neglect.

PROCEDURES

A. Reporting

1. Any division staff member who suspects a child is in need of intervention services, shall seek advice as to whether or not the facts constitute reasonable and probable grounds for belief. Advice may be obtained from the school

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administrator(s), or designate, Student Wellness Counsellor, Division Student Services staff, or the Southeast Alberta Child & Family Services Intake Unit.

2. If satisfied that there are reasonable and probable grounds to suspect a child is in need of intervention, the staff member shall make a formal report to:
 - a) South East Alberta Children's Services Intake line 403-529-3607 (M 8:15–4:00 pm)
 - b) ***CHILD ABUSE HOTLINE - 1-800-638-0715 (after hours)***
3. The staff member shall advise the principal or designate regarding any formal report that has been or will be made.
4. Staff who make a report that a child is in need of intervention should record, in their own records, the date and time of the call and the name and position of the Child & Family Services caseworker accepting the report. No information with respect to reports of children in need of intervention may legally be kept in the student's school record.
5. It is possible that allegations of child abuse may be against teachers and other school personnel. In all such cases, the principal and the Superintendent shall be informed as soon as possible, whether the report originates in the school or elsewhere.

B. Investigating

1. Each school principal is responsible to ensure that all members of the school staff are aware of the regulations of this policy.
2. Child Intervention Workers should contact the school by phone in advance of arriving at the school.
3. Upon arriving at the school, the Child Intervention Worker must report to the school administrator, display identification verifying they are an agent of the Children's Services Authority, and provide a letter explaining the purpose of their visit, prior to meeting with any student.

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4. If the identification is not in order, the Principal should contact the Southeast Alberta Children's Services Intake line (403-529- 3607) and explain the situation and request formal documentation around the request.
5. The principal will only inform staff in regard to instances where the need for intervention has been *verified* by a provincial authority (CSA, police). Staff will only be given details on a need to know basis.
6. School administration will inform staff of which children are under the care of a Children's Services Authority – and provide only information only as it relates to programming and/or supervision needs of the child. All Children *under the care* of a CSA authority will require a Success in Schools plan.

Responsibility for Investigations

7. The investigation of complaints about a child in need of intervention is the responsibility of duly authorized Southeast Alberta Children's Services caseworkers who may, where appropriate, be assisted by the police. Division staff should not assume this responsibility. School staff should offer support to the student but refrain from seeking further information to confirm suspicion or clarify disclosures.
8. It is recommended that the interview be conducted in private unless the student requests or otherwise demonstrates that he/she requires the supportive but non-participatory presence of a familiar school employee. The investigator and Principal shall together determine the appropriateness of having a school representative present to support the student during the interview.
9. School personnel present in such interviews must recognize that they could potentially be subpoenaed to provide court testimony.
10. A staff member to whom a student has made disclosure statements should record those statements, preferably in the student's own words, as soon as possible after the disclosure and retain them in their own records for future reference. Such records or information shall be kept in the strictest confidence and shall not be included in the student's record. Staff should be careful not to probe, question or

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lead a student during a disclosure as it could impact the outcome of an investigation.

11. Within the context of their responsibility for the well-being and care of students in a school, staff should facilitate Southeast Alberta Children's Services caseworkers' and/or officers' access to students for the purposes of determining if a child is in need of intervention. See Appendix A
12. All those involved in a child protection investigation are required by law to keep details about the investigation confidential in accordance with the Child, Youth and Family Enhancement Act RSA (2000).
13. A child intervention worker whose identification is in order may:
 - a) request to interview any child. (See Procedure B5) Parental permission to interview the child shall be obtained by the Child Intervention Worker prior to the interview taking place. The principal shall confirm that all parties have been clearly identified.
 - b) take the child into custody through apprehension at the school. To do this, the child intervention worker will show school administration an apprehension order from the courts, and when possible, provide a copy to the school. When such an act occurs, it is the responsibility of the Child Intervention Worker, not the school, to notify the parent (s).
14. The responsibility for notifying a student's parent/guardian about an investigation rests with the Children's Services worker or police officer. In the event that a student's return to home from school is delayed because of an investigation, it is the responsibility of the investigator to contact the guardian(s). School personnel shall not assume this responsibility.
15. If the Child Intervention Worker/investigator has not contacted the child's parents and the parents call a school staff member regarding an investigation, the staff member shall provide the investigator's name and telephone number.

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16. The principal shall make and retain a confidential written record of the identity of the Child Intervention Worker, the reason for the interview and the name of the child interviewed.

Follow Up

17. School personnel directly involved may expect follow up communication from CFSA. This shall be determined by the authorities and shall be provided on a "need to know" basis.
18. At the end of the investigation, the Principal, school counsellor, and/or staff member(s) may request to meet with the CFSA worker to discuss steps to be taken to assist the student, including any continued need for school support and educational services

References: Education Act
Child Youth and Family Enhancement Act RSA (2000)
Government of Alberta – Responding to Child Abuse Handbook - 2006
Southeast Alberta Child & Family Services
Southeast Alberta Child & Family Services Intake Unit

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