



The Lee Wiggins Childcare Centre CHILD ABUSE POLICY

Childcare staff is under legal obligation to report all suspected cases of child abuse immediately to the Children's Aid Society (CAS). Please contact any staff member if you need help with child guidance strategies.

Policy

It is a legal responsibility to report any suspicion of child abuse encountered in the course of one's professional duties. The responsibility to report those suspicious applies not only to individuals directly involved with the children, but to any volunteers, students or support staff who have contact with the children.

Suspected cases of child abuse by a staff member of the Lee Wiggins Childcare Centre (LWCC) must be reported to the Children's Aid Society when a serious occurrence takes place or if there is a staff allegation.

Abuse has been defined in Section 47 (1) *The Child Welfare Act 1978* as;

"A condition of

(1) physical harm;

(2) malnutrition or mental ill health of a degree that is not immediately remedied could seriously impair growth and development or result in permanent injury or death;

(3) sexual molestation."

A child is defined in Part 3 of the *Child and Family Services Act*, as a person under, but not including, 16 years of age (CFSAs #37(1)a.)

Confidentiality

The individual's duty to report overrides the provisions of any other provincial statute, specifically those provisions that would otherwise prohibit disclosure by a professional or official. The professional must comply with the reporting laws even though the reported information may be confidential or privileged. The only privilege not subject to the reporting law is that between a solicitor and his/her client. (CFSAs #68(8))

Protection from Liability

All persona making a report of suspected child abuse to the Children's Aid Society are protected in law against civil action unless the person is proven to have acted maliciously or without reasonable grounds for the belief or suspicion. (CFSAs #68(7))



The Lee Wiggins Childcare Centre CHILD ABUSE POLICY

Failure to Report

The penalty imposed for failure to report a suspicion of child abuse emphasizes that the child's safety must take precedent over all other concerns, including confidentiality of information and all other provincial statutes. Any professional who fails to report his/her suspicion of a child's abuse is liable upon conviction, to a fine up to \$1,000.00. (CFSAs #81(1))

Procedures for Recording Information

If indicators of possible child abuse are observed, the following information should be documented

- in objective non-judgemental terms,
 - observer's handwriting,
 - in a confidential record book,
 - as soon as possible after the observation.
1. The child's name, age, address, and phone number
 2. Name(s) and ages of siblings (if known)
 3. Name(s) and address of parent(s)
 4. Name and address of person suspected of having inflicted abuse (if known)
 5. Nature of the suspected abuse, documenting the physical and behavioural indicators which led to the suspicion. For example, a description of any injury or direct quotes heard from the child.
 6. Date and time of the entry
 7. What action, if any, were taken. For example, any contacts with relevant agencies or individuals
 8. Whether the parents are aware of the report
 9. Date, time, name, and professional title and signature of the person making the entry

If the handwriting is difficult to read, the Coordinator of the Centre will include a typewritten copy with the handwritten original. All records should be stored in a locked cabinet.

It is not the individual's role to prove child abuse, but to be aware of the indicators, to know what to document, and to record the information in an organized manner.



The Lee Wiggins Childcare Centre CHILD ABUSE POLICY

Reports and When and Where to Report

Whoever witnesses child abuse will report the incident to CAS.

In situations where there is uncertainty if the indicators support mandatory reporting, the Coordinator of the Centre will consult with a Children's Aid Worker to discuss the appropriateness of making the report.

Remember it is the legal responsibility of the person who initially suspected the abused to report the abuse directly to CAS. Suspicions of child abuse must be reported "forthwith" (i.e., immediately) to a local CAS.

How the Report Will Be Made

1. A telephone call will be made to report a suspected case of child abuse.
2. If the caller reaches a telephone answering service, he/she must either leave a telephone number so that the service can have a worker return the call, or obtain information on how to contact the appropriate CAS staff member.
3. A call to a society answering service or police does not constitute a report – the caller must make the report of suspected child abuse directly to a qualified CAS staff member.
4. If a CAS worker does not act upon the report, place another call to contact the Director of CAS.

A written record confirming the report should be made in duplicate with one copy forwarded to the CAS and the other copy remaining in the programs files.

Informing the Caregiver / Parent About the Report

1. Consult with the CAS before informing a parent/caregiver that a suspicion of child abuse has been reported, as such action could jeopardize the subsequent investigation. Remember that in the case of a child who is injured, obtaining medical attention is a priority.
2. The decision to contact CAS should not be discussed with a parent/caregiver in the following situations:
 - a. If a sexual abuse is suspected
 - b. There is a change the family will "move" quickly, or withdraw from the Centre
 - c. There is a chance that the child will be further abused.
3. The CAS will advise as to who should notify the child's parent. If it is appropriate for a staff member to inform a parent(s) of the report, staff will emphasize both their concern for the child and the Centre's legal obligation to report suspicions of child abuse.



The Lee Wiggins Childcare Centre CHILD ABUSE POLICY

Informing Others

Any information related to suspicion or report of child abuse is confidential between the person(s) directly involved, the person making the report, and the CAS. The Coordinator of the Centre will make the final decision about the appropriate sharing of information with staff, students, volunteers and the Board of Directors, in consultation with the CAS.

Discussing any information related to a situation of suspected child abuse with the parents of the other children in case is a Breach of Confidentiality.

Follow Up to the Report

Further contact with the CAS should be initiated if,

1. A worker has not been called regarding the outcome of the report
2. Concerns on the behalf of the child have not been fully understood, a second option from a Supervisor at CAS is needed or;
3. Any further suspicions of abuse occur, or “moves” of the child’s family or the suspected abuser (if known) are discovered.

The Reporting of Staff Suspected of Child Abuse

If a staff member of the LLWC is suspected of child abuse, then the reporting procedure outlined should be followed.

If the suspected abuse occurred while the child was in the care of LLWC program, a serious Occurrence Report must be completed and submitted to the City of Toronto.

1. The Coordinator of the Centre will notify the Chair of LLWC Board of Directors within 24 hours.
2. In the case of suspected child abuse by a staff member, the LLWC Board of Directors will determine in consultation with the Coordinator of the Centre, the CAS, and legal counsel, whether the staff member will be suspended pending further investigation.

Indicators of Child Abuse or Neglect

1. Signs of Physical Abuse

In the child's appearance, look for:

- Unexplained bruises or welts
- A number of scars in a regular pattern
- Burn marks that appear to be inflicted
- Inflamed tissue suggesting scalding
- Unexplained fracture
- Adult size bite marks
- Inappropriate clothing (e.g. long sleeves on a very hot day)

In the child's behaviour, look for:

- Fear of physical contact
- Apparent fear of going home
- Uncharacteristic or unexplained changes in behaviour
- Inconsistent explanations of injury
- Reluctant to participate in physical activities
- Unusual knowledge of sexual behaviour through play
- Stories of sexual contact with an adult or an older child
- Destructive or delinquent behaviour

2. Signs of Sexual Abuse

- Difficulty in walking or sitting pain
- Itching, bleeding, or bruising in the genital area or anus stained, torn, or bloody underwear

3. Signs of Emotional Maltreatment

In the child's behaviour, look for:

- Demands for constant attention
- Extreme lack of confidence
- Withdrawal or depression
- Extreme aggressiveness or passivity when playing with children has to "win" attitude
- Inappropriate adult behaviour such organizing or disciplining others

4. Signs of Neglect

In the child's appearance, look for:

- Persistent hunger, malnutrition, underweight, dehydration
- Poor hygiene, dirtiness, skin disorders associated with bad hygiene
- Persistent fatigue and listlessness
- Inappropriate clothing for winter
- Unattended sores or cuts or other medical needs

In the child's behaviour, look for:

- Demands for constant attention
- Lack of parental participation or interest
- Indications that no one is ever home to look after the child
- Obvious lack of energy when playing