### Purpose

The Child and Family Services Act promotes the best interests protection and well being of children. The purpose of our policy is to ensure a coordinated, sensitive child focused approach to the investigation and subsequent follow-up of allegations of child abuse of children in our care.

The Child and Family Services Act recognizes that each of us has a responsibility for the welfare of children.

The employees at The Salvation Army London Village are considered by definition to be “professional” for purposes of the duty to report. The professional’s duty to report overrides the provisions of any other provincial statute, especially those that would otherwise prohibit disclosure.

### Policy

If a person has reasonable grounds to suspect that a child is or may be in need of protection, the person must promptly report the suspicion and the information upon which it is based to a Children’s Aid Society.

The duty to report is an ongoing obligation. If a person has made a previous report about a child, and has additional reasonable grounds to suspect that a child is or may be in need of protection, that person must make a further report to a Children’s Aid Society.

The person who has the reasonable grounds to suspect that a child is or may be in need of protection must make the report directly to a Children’s Aid Society. The person must not rely on anyone else to report on his or her behalf.

### Procedure

1. Abuse is:
* The child has suffered physical harm, inflicted by the person having charge of the child or caused by or resulting from that person’s failure to adequately care for, provide for, supervise or protect the child, or pattern of neglect in caring for, providing for, supervising or protecting the child.
* 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 failure to adequately care for, provide for, supervise or protect the child, or pattern of neglect in caring for, providing for, supervising or protecting the child.
* 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.
* There is a risk that the child is likely to be sexually molested or sexually exploited as described above.
* 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.
* The child has suffered emotional harm, demonstrated by serious anxiety, depression, withdrawal, self-destructive or aggressive behaviour, or 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.
* The child has suffered emotional harm 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.
* There is a risk that the child is likely to suffer emotional harm 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.
* There is a risk that the child is likely to suffer emotional harm 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.
* 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.
* The child has been abandoned, the child’s parent has died or is unavailable to exercise his or her 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 that parents refuses or is unable or unwilling to resume the child’s care and custody.
* The child is less than 12 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.
* The child is less than 12 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 having charge of the child or because of that person’s failure or inability to supervise the child adequately.
* In addition to the duty to report, any person who reasonably believes that a representation or material is, or might be, child pornography shall promptly report the information.
1. Professional persons and officials have the same duty as any member of the public to report a suspicion that a child is in need of protection. The Act recognizes, however, that persons working closely with children have a special awareness of the signs of child abuse and neglect, and a particular responsibility to report their suspicions, and so makes it an offence to fail to report. Any professional or official who fails to report a suspicion that a child is or may be in need of protection, where the information on which that suspicion is based was obtained in the course of his or her professional or official duties, is liable on conviction to a fine of not more than $50,000 or to imprisonment for a term of not more than two years, or to both.
2. Any staff member who suspects child abuse or neglect of a child in our care, should immediately discuss their concerns with the Team Leader, Assistant Program Director, and/or Program Director. This is not to gain consent but merely as a means of communication.
3. A written report of specific details, time of incident and date should be immediately written down. Report any action taken or reasons no action taken. This report should be signed by the writer and given to the Program Director or designate. The report will contain:
* The name and address of the child
* The name and address of the individual suspected of abuse
* The nature of the suspected abuse
* Name and phone number and professional title and duties of person making report
* Any contacts made with relevant agencies or individuals (these people may be called upon at a later date)
* The date, time, name, and title of the person receiving the report should be noted for the written report and for follow-up with the agency.
1. The person suspecting abuse will report to the Children’s Aid Society, after notifying the Program Director or designate.
2. The Children’s Aid Society of London and Middlesex and The Salvation Army London Village Day Nursery are committed to providing service to children and their families. It is understood that both agencies are bound by the principles dictated to us by the Child and Family Services Act as to the protection of children. The following principles should apply to any such allegation:
* Every child has the right to protection from harm if harmed the right to support and treatment.
* Every opportunity must be provided to a child to ensure that they feel comfortable and have the right to disclose if something uncomfortable is happening. The child must know that he/she can communicate with staff members and do so without fear of repercussions.
* All staff employed by The Salvation Army London Village Day Nursery Program have an obligation and responsibility to protect children in the care of the program from harm and abuse.
* The physical harm, sexual abuse, neglect and/or emotional harm of any child is unacceptable and will be reported immediately upon suspicion or knowledge that such exists.
* Where a criminal offense such as sexual abuse or physical harm has occurred, that abuse must be investigated and prosecuted as such.
* The abuse of a child is never the child’s fault. A child must be protected from the alleged abuse and supported during the process of the investigation.
* The Salvation Army London Village Day Nursery Program is committed to training staff in issues related to child abuse. All staff must review procedures for identifying and reporting abuse at the onset of employment.
1. Any individual who has reasonable grounds to suspect an abusive situation must follow these steps:
* Intervene to ensure the child’s health and safety wherever possible.
* Notify other staff in the vicinity of the situation.
* Assess necessity for immediate First Aid or health care.
* Immediately contact a Team Leader, Assistant Program Director, and Program Director, should the abuser be a Team Leader, Assistant Program Director, and/or Program Director contact any other management staff.
* Internal reporting is mandatory, complete a detailed incident report. Management will meet with the person reporting the incident as soon as possible. Appropriate external authorities (i.e. Police, Children’s Aid Society) will be contacted by staff. Parents/guardians will be notified by staff or Program Director as soon as practical or as directed by Children’s Aid Society.
* The Salvation Army London Village Day Nursery Program will investigate all situations.
* The Alleged Abuser:
* The alleged abuser will be removed from child contact immediately to ensure both child and staff protection.
* It is imperative to note that everyone is innocent until proven guilty.
* The staff will not attend work until the investigation by appropriate external and/or The Salvation Army London Village Day Nursery is satisfied that the matter is resolved.
* Should charges be laid against the staff person alleged to have committed the offense they will:
* Work in an administrative capacity with no children contact until resolution or
* Not work and receive pay until resolution or
* Not work without pay until resolution
1. Individuals found guilty of abusing a child may be terminated from employment with The Salvation Army London Village Day Nursery.
2. The Salvation Army London Village Day Nursery will not tolerate abuse of any kind. The Salvation Army London Village must ensure children’s safety and rights, as well as, respecting staff rights. It is the intention of The Salvation Army London Village to have incidents reported immediately with swift follow-up and action.
3. The investigation:
* The Children’s Aid Society and the police are the “investigative experts” and have responsibility for the investigation. The staff of The Salvation Army London Village Day Nursery are not in the role of investigating and will not conduct interviews with any parties in the alleged incident.
* The staff of The Salvation Army London Village Day Nursery Program will be expected to assist the Children’s Aid Society and the police in understanding our children’s needs.
* The staff of The Salvation Army London Village Day Nursery will make themselves available for interviews by the Children’s Aid Society and the police if required.
* The Program Director of The Salvation Army London Village shall notify the Ministry that an abuse investigation is underway if the accused is an employee. (Serious Occurrence Reporting Procedures (2014)). The Program Director will also inform the Executive Director.