

GAP
GENERAL ADMINISTRATIVE
PROCEDURES

SECTION:	100 PUPILS
GAP NUMBER:	108.00
SUBJECT:	CHILD IN NEED OF PROTECTION REPORTING PROCEDURE
REFERENCE:	<p>Policy4.14: Freedom of Information and Protection of Privacy Policy08.72 Policy34.00 Indigenous Education Policy39.00 Keeping Children Safe: Duty to Report GAP131.00 Indigenous Education GAP115.00 Anti-Human Trafficking Protocol</p>
EFFECTIVE:	September 01, 1991

occurrence.

A full definition of a child in need of protection (CYFSA) is contained in Appendix I.

1.2 DUTY TO REPORT

Section 125 (1) of the Child, Youth and Family Services Act (2017) (repealed, 2021) provides direction for reporting a child in need of protection to a Children's Aid Society. This includes a child that is or may be suffering from abuse or neglect by a caregiver, or by a person having charge of the child. Every person who has reasonable grounds to suspect that a child is "in need of protection" shall immediately report the suspicion and the information upon which it is based to a Children's Aid Society. This duty to report applies to all employees, coaches and trainers, volunteers, and parents/guardians of the Board

- x A person must report any additional disclosures, concerns or suspicions of a child in need of protection even if that person has reported previous information about the same child and family. (CYFSA s.125(2))
- x The duty to report cannot be delegated. The person holding the suspicion of a child in need of protection is personally obligated to report (CYFSA s.125(3))
- x For students residing in Peel, staff report to Peel Children's Aid Society
- x For students in Dufferin County, reports will be made to Dufferin Child and Family Services. For addresses and phone numbers of these agencies, please see Appendix II.

1.3 REASONABLE GROUNDS

The Ontario Association of Children's Aid Societies (OAS) is a non-profit organization that provides support and resources to children's aid societies across Ontario. For more information, visit www.oas.ca.
 The Ontario Association of Children's Aid Societies (OAS) is a non-profit organization that provides support and resources to children's aid societies across Ontario. For more information, visit www.oas.ca.

may request the reporter's identifying information and a formal report

5.8 When there is a disclosure that involves "peer-peer" sexual assault/misconduct (i.e., not by a caregiver) and there is a differential in power in the relationship between peers, the sexual assault must be reported to the CAS

6.5 When a child is suspected to be in need of protection and the child has differing abilities (i.e., Autism Spectrum Disorder, developmental delay, deaf), it is the responsibility of the CAS Police to obtain assistance from specialized community staff prior to and/or during the interview with the student in the school. The principal/designate shall ensure that appropriate information concerning the student's differing communication needs are shared with this community staff or other appropriate support services. Refer to GAP 529.06 or the police protocol.

6.6 Principals shall consult with the Family of Schools Superintendent or the Chief Social Worker as appropriate.

7.0 STAFF TRAINING

7.1 School principals and other system leaders will ensure that:

- i. Each September, at a staff meeting, school personnel including parent/guardian and community volunteers are made aware of and understand the relevant sections of the CYFSA, particularly the requirements to report suspected cases of a child in need of protection.
- ii. Principals are encouraged to involve school social workers and other support services personnel when in-serviceing school personnel at staff meetings. A Duty to Report Module is available in the Support Services SharePoint Site.

7.2 Family of Schools' Superintendents will ensure that:

- i. School administrators receive a yearly in-service with regard to the CYFSA legislation and this General Administrative Procedure.

7.3 The Superintendent of Special Education and Learning Services will ensure that:

- i. In consultation with the Chief of Social Work, a letter to every parent and guardian is issued through the school at the beginning of each school year regarding Duty to Report.

APPENDIX I

DEFINITION OF A "CHILD IN NEED OF PROTECTION"

The specific wording of the Ontario Child, Youth and Family Services, 2017, as amended (CYFSA) concerning a child in need of protection (72) is as follows:

Child in need of protection

74. (2) A child is in need of protection where,

- (a) the child has suffered physical harm, inflicted by the person having charge of the child or caused by or resulting from that person's,
 - (i) failure to adequately care for, provide for, supervise or protect the child, or
 - (ii) pattern of neglect in caring for, providing for, supervising or protecting the child;
- (b) 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,
 - (i) failure to adequately care for, provide for, supervise or protect the child, or
 - (ii) pattern of neglect in caring for, providing for, supervising or protecting the child;
- (c) the child has been sexually abused or sexually exploited, 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~~ sexual exploitation and fails to protect the child;
- (d) there is a risk that the child is likely to be sexually abused or sexually exploited as described in clause (c);
 - (d.1) the child has been sexually exploited as a result of being subjected to ~~child sex~~ trafficking;
 - (d.2) there is a risk that the child is likely to be sexually exploited as a result of being subjected to child sex trafficking;
- (e) the child requires treatment to cure, prevent or alleviate physical harm or suffering and the ~~parent's~~ parent or the person having charge of the child does not provide the treatment or access to the treatment, or, where the child is incapable of consenting to the treatment under ~~the~~ Health Care Consent Act, 1996 the parent is a substitute decisionmaker for the child, the parent refuses or is unavailable or unable to consent to the treatment on the child's behalf;
- (f) the child has suffered emotional harm, demonstrated by serious,
 - (i) anxiety,
 - (ii) depression,
 - (iii) withdrawal,
 - (iv) selfdestructive or aggressive behaviour, or
 - (v) 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;
- (g) the child has suffered emotional harm of the kind described in subclause (f) (i), (ii), (iii), (iv) or (v) and ~~the child'~~

APPENDIX II

HOW TO CONTACT YOUR LOCAL CHILDREN'S SOCIETY

- A) Peel Children's Aid Society
<https://www.peelcas.org/>

25 Capston Drive