



St. John Paul II Academy

Responding to Student Abuse/Neglect

SCHOOL. FAMILY. COMMITMENT | www.sjp2academy.com

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Rationale

St. John Paul II Academy recognizes that every student has a right to a life free of abuse, neglect and violence. Child abuse is a serious societal issue. Its impact can last a lifetime and extend to future generations. Understanding child abuse and neglect is vital for all staff and administrators at St. John Paul II Academy. Knowing how to respond to any disclosure of abuse or neglect is critical.

Policy

St. John Paul II Academy prohibits and will not condone any form of child abuse, neglect or violence. All personnel at St. John Paul II Academy will comply with child protection legislation as outlined in the Child, Family and Community Service Act of B.C. and the B.C. Handbook for Action on Child Abuse and Neglect (January 2016).

School personnel will report suspected child abuse, neglect or violence immediately. Everyone who has a reason to believe that a child has been or is likely to be physically harmed, sexually abused or exploited, or neglected by a parent, or otherwise in need of protection as set out in Section 13 of the Child, Family and Community Service Act (as detailed below) is legally responsible under Section 14 (as detailed below) of that Act to report promptly to a social worker. School personnel, who are uncertain about the duty to report, will consult with the Principal, or appointed alternate school officer, who can discuss the options and course of action.

School personnel will inform the principal (or appointed alternate school official such as the Vice-Principal in the event that the principal is the alleged offender) as soon as possible.

School personnel will co-operate with the resulting investigation.

School personnel, through the principal, will support students who have experienced child abuse, neglect or violence.

School personnel will safeguard the privacy and dignity of the student and share information regarding any allegation of child abuse, neglect or violence only with those persons who have a legitimate reason for receiving the information (i.e. social worker, the police, the principal). Personnel will recognize that improper disclosure of information may prejudice the child protection investigation or other related investigations.

Suspected Child Abuse – Statutory Reporting Obligations

In British Columbia, Section 14 of the Child, Family and Community Service Act (which came into force on January 29, 1996) and the B.C. Handbook for Action on Child Abuse and Neglect (January 2016) outline staff duties to report when there is reason to believe a child needs protection.

The Act requires that any person who has reasonable grounds to believe that a child has been abused by a family member, staff member, volunteer or others must report those suspicions to the appropriate official with the Ministry for Children and Families.

Sections 13 and 14 of the Child, Family and Community Service Act are reproduced here for information.

When protection is needed

13 (1) A child needs protection in the following circumstances:

- a) if the child has been, or is likely to be, physically harmed by the child's parent;
- b) if the child has been, or is likely to be, sexually abused or exploited by the child's parent;
- c) if the child has been, or is likely to be, physically harmed, sexually abused or sexually exploited by another person and if the child's parent is unwilling or unable to protect the child;
- d) if the child has been, or is likely to be, physically harmed because of neglect by the child's parent;
- e) if the child is emotionally harmed by
 - i. the parent's conduct, or
 - ii. living in a situation where there is domestic violence by or towards a person with whom the child resides;
- f) if the child is deprived of necessary health care;
- g) if the child's development is likely to be seriously impaired by a treatable condition and the child's parent refuses to provide or consent to treatment;
- h) if the child's parent is unable or unwilling to care for the child and has not made adequate provision for the child's care;
- i) if the child is or has been absent from home in circumstances that endanger the child's safety or well-being;
- j) if the child's parent is dead and adequate provision has not been made for the child's care;
- k) if the child has been abandoned and adequate provision has not been made for the child's care;
- l) if the child is in the care of a director or another person by agreement and the child's parent is unwilling or unable to resume care when the agreement is no longer in force.

(1.1) For the purpose of subsection (1) (b) and (c) but without limiting the meaning of "sexually abused" or "sexually exploited", a child has been or is likely to be sexually abused or sexually exploited if the child has been, or is likely to be,

- a) encouraged or helped to engage in prostitution, or
- b) coerced or inveigled into engaging in prostitution.

(1.2) For the purpose of subsection (1) (a) and (c) but without limiting the circumstances that may increase the likelihood of physical harm to a child, the likelihood of physical harm to a child increases when the child is living in a situation where there is domestic violence by or towards a person with whom the child resides.

(2) For the purpose of subsection (1) (e), a child is emotionally harmed if the child demonstrates severe

- a) anxiety,
- b) depression,
- c) withdrawal, or
- d) self-destructive or aggressive behaviour.

Duty to report need for protection

14 (1) A person who has reason to believe that a child needs protection under section 13 must promptly report the matter to a director or a person designated by a director.

(2) Subsection (1) applies even if the information on which the belief is based

- a) is privileged, except as a result of a solicitor-client relationship, or
- b) is confidential and its disclosure is prohibited under another Act.

(3) A person who contravenes subsection (1) commits an offence.

(4) A person who knowingly reports to a director, or a person designated by a director, false information that a child needs protection commits an offence.

(5) No action for damages may be brought against a person for reporting information under this section unless the person knowingly reported false information.

(6) A person who commits an offence under this section is liable to a fine of up to \$10 000 or to imprisonment for up to 6 months, or to both.

(7) The limitation period governing the commencement of a proceeding under the [Offence Act](#) does not apply to a proceeding relating to an offence under this section.

Suspected Child Abuse - Additional Reporting Obligations

Every staff member shall, forthwith upon

- making a report under Section 14 of the *Child, Family and Community Services Act* and the B.C. Handbook for Action on Child Abuse or Neglect (January 2016), or
- becoming aware of any suspected or alleged sexual or physical abuse of a student by a staff member (no matter how false or frivolous or unjustified the circumstances may appear), immediately report the same to the Principal (Appointed School Official) or the Campus Minister (Alternate Appointed School Official). Forthwith upon the Principal or Campus Minister receiving any report under this Section, such person shall immediately report the same to the Pastor and Education Committee Chair who will then report to the Education Committee. In this Section “abuse” includes any physical or sexual abuse, corporal punishment or undue physical restraint or unwelcome touching or touching of a student where not reasonably warranted or appropriate. **Nothing in this section shall relieve any staff member from any obligation to make a report under the *Child, Family and Community Services Act*.**

How to Handle Disclosures

When a child or adolescent decides to get help by telling someone that they are being abused it is called a DISCLOSURE. This is a very frightening but courageous step. By telling they stop the secret. What do

you say to a child who is telling you about his/her own abuse or that of a friend? What should you DO? What should you NOT do?

DO:

- Listen: Take the time HEAR what the child has to say, no matter how busy you are.
- Believe: Tell them you believe them and you will do whatever you can to get them help.
- Reassure the Child: Say that you are sorry this has happened and tell them "It is not your fault".
- Report: Phone the correct authorities and say that you want to make a report. In British Columbia, dial 0, ask for Zenith 1-2-3-4
- Take care of yourself. It is difficult to listen to a disclosure and make a report.

DON'T

- React with shock, horror, or disbelief – even though you might feel like it.
- Promise to keep it a secret – you are legally obligated to report if you have reasonable grounds to believe that a child is in need of protection.
- Say that "everything will be fine now" – it may not be fine for some time. There are often too many problems to resolve.
- Assume that the child hates the abuser - there may be very conflicting feelings, especially if the offender is a parent or relative.
- Put the responsibility for reporting onto someone else - they may not do it.
- "Interview" the child - the matter may go to court, so it is important that questioning be done by social workers, police and/or lawyers who are familiar with the law.

It is important to keep a record of indicators, behaviours, dates, times and the people involved.