

Parks, Forestry and Recreation Division **Child Abuse Reporting Policy**

<p>Approved by: Parks and Recreation Directors Date Approved: June 1999 Date Revised: August 2001; January 30, 2012</p>	<p>Category: Parks, Forestry and Recreation</p>
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<p>Purpose</p>	<p>This policy outlines child abuse reporting procedures for staff and volunteers, as established by the Ontario Child and Family Services Act.</p>
<p>Policy Statement</p>	<p>The Ontario Child and Family Services Act requires members of the public and professionals that work with children to promptly report to a children's aid society when a child is or may be in need of protection.</p> <p>Parks, Forestry and Recreation (PFR) provides programs and services that enhance the physical, social, mental, and emotional well-being of children. PFR strives to ensure that all children are supported to engage in its recreation and leisure activities, and to provide a safe environment for children while attending a PFR program, facility or property.</p> <p>PFR staff and volunteers are obligated to report any suspected or disclosed child abuse or neglect as set out in the Ontario Child and Family Services Act.</p>
<p>Application</p>	<p>This policy applies to all PFR staff and volunteers. All PFR staff and volunteers are obligated to report a suspicion of or receipt of disclosed child abuse or neglect to the appropriate children's aid society, and treat the matter confidentially.</p>
<p>Definitions</p>	<p>Child: A person under the age of 16 years, or under the age of 18 years if they are in a children's aid society's care or are a ward of the Crown. (<i>Ontario Child and Family Services Act, R.S.O. 1990, Chapter C.11</i>)</p> <p>Child in Need of Protection: There are four main types of child abuse: physical abuse, sexual abuse, emotional abuse, and neglect. These four types are outlined in detail below.</p> <p>According to the <i>Ontario Child and Family Services Act</i>, a child is in need of protection where:</p> <ol style="list-style-type: none"> 1. The child has suffered physical harm, inflicted by the person having charge of the child or caused by or resulting from that person's: <ul style="list-style-type: none"> • Failure to adequately care for, provide for, supervise or protect the child, or • Pattern of neglect in caring for, providing for, supervising or protecting

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	<p>the child.</p> <ol style="list-style-type: none">2. 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:<ul style="list-style-type: none">• 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.3. The child has been sexually molested or sexually exploited, including by child pornography, by the person having charge of the child or by any other 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.4. There is a risk that the child is likely to be sexually molested or sexually exploited as described in item 3, above.5. The child requires medical treatment to cure, prevent or alleviate physical harm or suffering and the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to the treatment.6. The child has suffered emotional harm, demonstrated by serious:<ul style="list-style-type: none">• 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 person having charge of the child.7. The child has suffered emotional harm of the kind described in item 6, above, and 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.
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8. There is a risk that the child is likely to suffer emotional harm of the kind described in item 6, above, resulting from the actions, failure to act or pattern of neglect on the part of the person having charge of the child.
9. There is a risk that the child is likely to suffer emotional harm of the kind described in item 6, above, and 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.
10. The child suffers from a mental / emotional or developmental condition that, if not remedied, could seriously impair the child's development and 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.
11. The child has been abandoned, the person having charge of the child 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 the parent refuses or is unable or unwilling to resume the child's care and custody.
12. The child is less than 12 years of age 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 person having charge of the child does not provide, or refuses or is unavailable or unable to consent to those services or treatment.
13. The child is less than 12 years of age 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 the person having charge of the child's failure or inability to supervise the child adequately.

Children's Aid Society:

An independent, non-profit organization run by a board of directors elected from the local community. Children's aid societies:

- investigate reports or evidence of abuse or neglect of children under the age of 16 or in the children's aid society's care or supervision and, where necessary, take steps to protect the children;

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	<ul style="list-style-type: none"> • care for and supervise children who come under their care or supervision; • counsel and support families for the protection of children or to prevent circumstances requiring the protection of children; and place children for adoption. <i>(Ontario Ministry of Children and Youth Services http://www.children.gov.on.ca)</i> <p>Reasonable Grounds: Reasonable grounds to suspect child abuse or neglect refers to the information that an average person, using normal and honest judgement, would need in order to decide to report to a children's aid society. It is not necessary for a person to be certain that a child is or may be in need of protection to make a report. <i>(Ontario Ministry of Children and Youth Services http://www.children.gov.on.ca)</i></p>
<p>Conditions</p>	<p>Based on the definition of a "child in need of protection" above, staff and volunteers must report to a children's aid society:</p> <ul style="list-style-type: none"> • their suspicion that a child is in need of protection; or • child abuse or neglect that has been disclosed to them by the child or another person. <p>Not reporting a suspicion of child abuse or neglect is an offence under the Ontario Child and Family Services Act. If convicted, the penalty is a fine. <i>[Ontario Child and Family Services Act, R.S.O. 1990, Chapter C.11, s. 72(4), (5), (6), (6.2)]</i></p> <p>Staff and volunteers reporting suspected child abuse or neglect to a children's aid society are protected against legal action unless they acted maliciously or without reasonable grounds for the suspicion. <i>[Ontario Child and Family Services Act, R.S.O. 1990, Chapter C.11, s. 72(7)]</i></p> <p>Reporting Directly PFR staff and volunteers have a legal obligation to report any suspected or disclosed child abuse or neglect directly to a children's aid society and must not rely on any other person to report on his / her behalf.</p> <p>Ongoing Duty to Report In addition to reporting to the children's aid society, PFR staff and volunteers who have additional reasonable grounds to suspect child abuse or neglect, or receive another disclosure of child abuse or neglect will make a further report</p>

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	<p>even if he / she has made previous reports with respect to the same child.</p> <p>Training Supervisors in Community Recreation, Parks, and Urban Forestry are responsible to ensure that all staff and volunteers that work with children are trained in this policy. Staff will receive training on identification of child abuse and correct reporting procedures as a mandatory requirement of their employment with PFR.</p>
<p>Procedures</p>	<p>PFR staff and volunteers who have reasonable grounds to suspect that a child is in need of protection, as defined in this policy, must complete the steps below:</p> <ol style="list-style-type: none"> 1. Notify your immediate supervisor that you are going to make a report to a children's aid society about suspected or disclosed child abuse or neglect. No one, including a manager or supervisor, should advise a staff member or volunteer not to report suspicions of child abuse or neglect, or stop them from reporting to a children's aid society. 2. The person who suspects or receives disclosed child abuse or neglect must report the suspicion / disclosure to the appropriate children's aid society. Another person cannot make the report on their behalf. Refer to "Related Information" below to determine the appropriate children's aid society. If the child's religious/cultural affiliation is not known, contact the Children's Aid Society of Toronto and follow their instructions. 3. When receiving information about child abuse or neglect from another person (e.g. friend, relative, etc.), strongly encourage that person to report directly to a children's aid society. To ensure the child's safety, proceed with notifying your immediate supervisor and contacting a children's aid society as in Steps 1 and 2 above, to make a report. 4. After reporting to the children's aid society, notify your immediate supervisor and full-time supervisor of the incident and action taken. If the full-time supervisor cannot be reached, follow procedures outlined in <i>PFR's Management Standby / On-Call Coverage Policy</i>.

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5. Complete a *PFR Record of Suspected Child Abuse Reporting Form* immediately after reporting suspected child abuse or neglect to a children's aid society, following the steps noted in the Documentation section, below.

Volunteers may seek the assistance of their immediate supervisor to complete the report.
6. The full-time supervisor will:
 - Ensure that support is available to the staff or volunteer that reported the suspected child abuse or neglect;
 - Notify the appropriate Branch / District Manager of the incident; and
 - Submit the *PFR Record of Suspected Child Abuse Reporting Form* in confidence to the appropriate Branch Supervisor of Staff Support.
7. The Supervisor of Staff Support will:
 - Take all reasonable measures to securely maintain child abuse and neglect records in its care and control and prevent unauthorized access to personal information;
 - Ensure that all hard copies of documents containing personal information are stored in locked filing cabinets with restricted access;
 - Ensure that any electronic records, including e-mails, containing personal information are maintained securely with appropriate use of passwords or other necessary protections; and
 - Retain personal information that has been used by PFR for a minimum period of one year after use or as identified in PFR's retention schedule for child abuse and neglect records.
8. If at a later time you have additional reasonable grounds to suspect child abuse or neglect, you must make a further report even if you have made previous reports with respect to the same child. Follow the Procedures beginning at Step 1, above.
9. If a person having charge of the child contacts a staff / volunteer regarding a report that was made about them to a children's aid society, staff does not need to admit to making a report but should inform the person having charge of the child that:
 - a) the children's aid society will not release information regarding who made the report as this information is confidential;

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- b) all staff / volunteers have a legal duty to report suspicions of child abuse or neglect;
- c) failure to report can result in being charged and fined; and
- d) it is the children's aid society's mandate to determine if child abuse or neglect is taking place.

If the person having charge of the child is not satisfied with your response, direct them to your supervisor or manager.

Emergency Crisis Situations

In addition to the Procedures above, ensure that the following steps are taken for the emergency / crisis situation below.

- A) Threats / Aggressive Behaviour (jeopardizing others' safety and wellbeing)**
 - Call the Police (9-911) for assistance.
 - The full-time supervisor will debrief with staff and volunteers and follow up on any issues.
- B) Child Abuse or Neglect Taking Place at a Program / Facility**
 - Call the Police (9-911) for assistance.

Where there are allegations against staff / volunteers:

- C) Allegations against Staff / Volunteers – Children's Aid Investigation**
 - Cooperate with the children's aid society in completing their investigation.
 - The Manager will consult with Labour Relations (LR) for direction if the children's aid society does not allow the staff / volunteer to work alone with children, or determines that the staff / volunteer may not work at all with children.
 - Confidentiality must be adhered to at all times. If staff knows anything about the investigation, they are not to discuss it with staff, volunteers, media, etc.
 - The full-time supervisor will consult with the children's aid society on any follow-up discussions that may take place upon the staff's /

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	<p>volunteer's return.</p> <ul style="list-style-type: none"> • The full-time supervisor will notify the staff / volunteer of their return-to-work date. • The full-time supervisor will meet with the staff / volunteer on their return to work to provide support and discuss follow up actions as directed by the children's aid society and LR. <p>D) Allegations against Staff / Volunteers – Children's Aid Does Not Investigate</p> <ul style="list-style-type: none"> • The full-time supervisor will conduct an internal investigation in consultation with LR and review findings with the Manager. • The full-time supervisor will review the PFR Child and Youth Guidance Policy with staff and volunteers. • The Manager will determine any follow-up action.
<p>Documentation</p>	<p>The <i>PFR Record of Suspected Child Abuse Reporting Form</i> must be completed every time a staff or volunteer has reason to suspect that child abuse or neglect has occurred.</p> <ol style="list-style-type: none"> 1. Complete a <i>PFR Record of Suspected Child Abuse Reporting Form</i> immediately after reporting suspected or disclosed child abuse or neglect to a children's aid society, and ensure you include the following: <ol style="list-style-type: none"> a) Note the date, time, and location of the incident. b) Note any witnesses to the incident and record their full name and contact information if possible. c) Document the facts only (what you observed or what the child has said), being careful to avoid noting any personal opinions or assumptions. d) Be precise, objectively descriptive and avoid using general or subjective terms. e) Describe events in detail, noting exact words used in any verbal exchange. f) Attach a list of names, addresses, phone numbers, and employee numbers of additional staff or volunteers reporting the incident. g) Record the name and phone number of the children's aid society representative that you spoke with and the date and time that you spoke with them. h) Document any actions that staff or volunteers have taken to date.

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	<p>i) Attach any additional related documentation.</p> <ol style="list-style-type: none"> 2. Sign and date the form and place it in a sealed envelope along with any other information, documentation, or reports. Write the name of your full-time supervisor, and the word "CONFIDENTIAL" on the envelope. 3. Submit the form to the full-time supervisor. As this is confidential information, do not make copies of the form or send it by fax. 4. The full-time supervisor will forward the form to the Supervisor of Staff Support and notify the appropriate Branch / District Manager. 5. Staff Support will keep individual, confidential file records to track and properly maintain all documentation relating to suspected child abuse or neglect, as per Procedures, Step 7.
<p>Confidentiality</p>	<p>Any information related to an allegation or report of child abuse or neglect is confidential between the person directly involved, the staff or volunteer making the report, and the children's aid society. Discussing any suspicions of child abuse or neglect with a person having charge of the child, child, staff or volunteers before consulting with a children's aid society could jeopardize the child and interfere with the investigation.</p> <p>The Staff Support Supervisor will maintain all confidential information relating to suspected child abuse or neglect, as per Procedures, Step 7.</p>
<p>Authority</p>	<p>Ontario Child and Family Services Act, R.S.O. 1990, Chapter C.11, Section 72 (1)</p>
<p>Related Information</p>	<p>Children's Aid Societies</p> <ul style="list-style-type: none"> • Children's Aid Society of Toronto <ul style="list-style-type: none"> ○ (416) 924-4646 ○ http://www.casmt.on.ca/ • Catholic Children's Aid Society of Toronto <ul style="list-style-type: none"> ○ (416) 395-1500 ○ http://www.torontoccas.org/ • Jewish Family and Child – Greater Toronto Area

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	<ul style="list-style-type: none"> ○ (416) 638-7800 ○ http://www.jfandcs.com/ ● Native Child & Family Services <ul style="list-style-type: none"> ○ (416) 969-8510 ○ http://www.nativechild.org/ <p>City of Toronto Employee Assistance Program</p> <ul style="list-style-type: none"> ● Phone: 416-392-6633 or TTY 416-338-2916 ● Website: http://insideto.toronto.ca/hrweb/eap/index.htm <p>PFR Policies <u>Child and Youth Guidance</u> <u>Management Standby / On-Call Coverage</u> <u>Police Protocol</u></p> <p>Ontario Ministry of Children and Youth Services Website: http://www.children.gov.on.ca Brochure – Reporting Child Abuse & Neglect - ON</p>
Form(s)	PFR Record of Suspected Child Abuse Reporting Form
Contact	<p>Questions about this policy may be directed to:</p> <p>General Manager of Parks, Forestry and Recreation Division Toronto City Hall 4th Floor, West Tower 100 Queen Street West Toronto, Ontario, M5H 2N2 416-338-5058</p>