

Camp Kintail Child Abuse and Disclosure Policy

POLICY STATEMENT

IT IS THE POLICY OF Camp Kintail to take a proactive position regarding the prevention of child abuse through:

- Ongoing observation of the children in our care
- Education of staff with respect to early identification, effective response, and adherence to legal obligations, including reporting
- Keeping abreast of developments in legislation and relevant issues
- Working with other community service providers

This policy and these procedures are designed to make staff/volunteers aware of their responsibilities for the recognition, documentation, and reporting of suspicions of child abuse that may have occurred.

BACKGROUND

Child abuse is a significant societal concern which requires immediate and ongoing attention. Children have the right to a safe and nurturing environment. Camps must play a role in ensuring that children are safe and stay free of harm. Camp staff are in a unique position to be aware of indicators of possible physical, emotional, and sexual abuse, and neglect. Early identification of child abuse and neglect is the starting point to ensure that children remain safe.

Child abuse is any form of physical harm, emotional deprivation, neglect, or sexual mistreatment which can result in injury or psychological damage to a child. Behavioural or physical indicators are often helpful in offering clues that a child may have been abused. In addition, a child's disclosure or concerns expressed by other parties may be reason to report to a Children's Aid Society.

LEGAL RESPONSIBILITY

The Child and Family Services Act

Duty to report: In accordance with the Child and Family Services Act, it is the responsibility of every person in Ontario to immediately report to a Children's Aid Society if they believe that child abuse has occurred or if there is a risk of abuse (C.F.S.A. 72(1)). In Ontario, a person is a child from birth until their 18th birthday.

The legislation places additional responsibility on individuals who perform professional or official duties with respect to children to report their suspicion of child abuse or risk of abuse to a Children's Aid Society. This includes any Camp operator or staff.

Failure to report: It is an offence under the Child and Family Services Act to contravene one's reporting responsibilities. The penalty imposed (a fine of up to \$1000.00) emphasizes that a child's safety must take precedence over all other concerns (C.F.S.A. 85 (1)).

Confidentiality: The professional's duty to report suspicions of child abuse overrides the provisions of any other provisional statute, specifically those provisions that would otherwise prohibit disclosure by a professional or official (C.F.S.A. 72 (7)). The only exception to this is lawyer/client privilege (C.F.S.A. 72 (8)).

Protection from Liability: All persons making a report of suspected child abuse are protected against civil action, unless that person is proven to have acted "...maliciously or without reasonable grounds for the belief or suspicion..." (C.F.S.A.) 15 (6)).

PROCEDURE

1. **DISCLOSURES/SUSPICIONS:** In Ontario under the Child and Family Services Act, every person who has reasonable grounds to suspect a child is in need of protection is obliged to report the suspicion and the information upon which it is based to a Children's Aid Society. The responsibility to report lies with the person who suspects child abuse or neglect.

2. **QUESTIONING OF THE CHILD:** Camp staff should not conduct an investigation regarding the suspicion or the disclosure and should question the child only to clarify the nature of the complaint. **Do not promise the child that you will keep this information “a secret”.**

3. **INFORM THE CAMP DIRECTOR/DESIGNATE:** Report to the Camp Director any suspicions or disclosure without the presence of the child involved. Since reporting to the Children’s Aid Society is of utmost priority, the Camp Director/Designate should assist to facilitate the process. While the duty to report remains with the person who receives the disclosure, they may request the Camp Director’s presence while making the report to the Children’s Aid Society.

4. **INFORM THE CHILDREN’S AID SOCIETY:**

a. All suspicions and disclosures of child abuse/neglect in which there are reasonable grounds must be reported forthwith to the appropriate Children’s Aid Society.

b. The phone call is made to the intake screener at the local Children’s Aid Society.

c. The following information, if available, should be provided to the Children’s Aid Society: personal data on the child and detailed information pertaining to the disclosure/suspicion.

d. Clarify with the children’s aid intake screener about the following:

i. the intake screener’s name and contact information;

ii. if the reported situation is to be investigated;

iii. the timing and location of the interview with the child; and,

iv. parental contact – when and by whom.

5. **SUPPORT FOR THE CHILD:** Respect the child’s rights to privacy by not identifying them to other staff. They may need the support of the Camp Director, other Senior Staff or Health Care staff. Assure the child that the primary consideration for any action taken is for their safety and well-being.

Reporting Checklist

The following information, if available, should be provided to, and obtained from, the Children’s Aid Society:

1. General details:

- Name and position of the person reporting
- Date and time of report
- Child’s name
- Child’s date of birth
- Name of parent(s)/guardian(s)
- Sibling information
- Home address
- Telephone number(s)

2. Details about the disclosure or suspicion:

- What the child said, and to whom
- When and where the incident(s) occurred
- Alleged offender

- Brief description of any physical injuries or marks
- General effect on the child

3. Questions to ask the intake screener:

- The intake screener's name and contact information
- If the reported situation is to be investigated
- If so, the timing and location of the interview with the child
- Parental contact
- The information that can be shared with the child