



**Child Protection Policy
Vancouver Island School of Innovation and Inquiry
May 2021**

RATIONALE

Under the *Child, Family and Community Service Act*, principals and teachers have a legal responsibility to report all suspected cases of abuse and/or neglect to a child protection social worker in the Ministry of Children and Family Development. This policy provides relevant procedures to follow.

At the Vancouver Island School of Innovation and Inquiry (“VISII” or “the School”) we value respect for each other. This allows students, staff and society members to feel safe, to develop a sense of belonging, to forge friendships with peers and maintain respectful relationships. With this sense of community, the opportunity for teaching and learning is optimized.

The safety and well-being of children is paramount.

POLICY

The Epiphyte Educational Society (“EES” or “the Society”) expects all students, staff, and other members of the Society to be treated with respect and courtesy, in accordance with the *Code of Conduct*.

The EES is committed to protection of its school’s learners from physical, emotional and verbal neglect and/or abuse, and sexual abuse. It is equally committed to protection of staff from victimization through false and/or unsubstantiated allegations or charges of child abuse.

SCOPE

The school is responsible for developing policy, procedures, and programs that address all forms of harassment, bullying, discrimination, isolation, and abuse.

This policy addresses abuse of one or more students by an adult, including staff or members of the Society. Sexual abuse of a student by another student is also covered.

For policy regarding harassment and bullying by students, staff, and members of the Society see the *Bullying and Harassment Policy*.

PROCEDURES

Purpose

Our policy models a respectful environment that prevents child abuse from occurring and, in the event that it occurs, promotes healing and justice for the victim, and healing and accountability for the abuser.

Awareness

There are many underlying causes of child abuse.

Child abuse can be blunt or subtle, and may continue undetected by anyone other than the victim.

Staff shall help raise awareness of what child abuse is and what can be done to prevent it.

Prevention

Our staff are leaders who nurture and model a school climate that fosters community, prevents child abuse, and supports healing in cases where such abuse to occur.

Staff shall make students aware that they can communicate safely and confidentially complaints about child abuse and any other related matter to staff.

Upon request from the Inspector of Independent Schools, the Society must make available to the Inspector, or the Inspector's designate, any information or records pertaining to an individual under review that is necessary for conducting a criminal records review.

Intervention

Reporting

Staff must report any evidence of child abuse that comes to their attention to the Appointed School Officer (ASO) or alternate ASO in cases where the primary ASO is unable, for reasons of conflict of interest, to carry out the duties of ASO, and to a Child Protection Social Worker in the Ministry of Children and Family Development.

The Principal is the primary ASO except in cases where the Principal is the subject of the alleged child abuse or where the Principal is in another kind of conflict of interest. Until further notice, the ASO is Simone Littledale and the alternate ASO is Sasha Ilnyckyj. In cases where the alternate ASO is required to act, she must notify the Board.

In addition to making a verbal report, staff must document the allegation in a written report to ensure complete and accurate information is shared with child abuse investigators. The format of the report will be made available to staff in the "Emergency Management Plan Binder."

The written report shall be submitted to the Board. If the alleged abuser is a member of the Board, then the President shall exclude that board member from consideration of the report. In the case where the president is the alleged abuser, then the Vice President shall be seized of the matter.

The ASO shall advise the Inspector of Independent Schools when an employee of the school is

reported for alleged child abuse. If the Principal is the subject of the alleged child abuse, the Board shall advise the Inspector.

If a decision made by the Society as a result of a child abuse allegation involves any disciplinary measures against a teacher or principal, those disciplinary measures shall be reported to the Teacher Regulation Branch.

All actions taken shall be documented, including names, times, and methods of communication, and a copy retained in the administrative files.

Confidentiality

The records of all informal and written complaints, and all information and documentation gathered or produced during, or as a result of, complaints shall be considered confidential by the parties and the Society, except as required by law. The Society may use such information and documentation as required to protect the interests of the general school community with respect to both the subject complaint and in future matters.

The identity of a staff person who has reported suspected child abuse shall not be revealed, except as required by law.

Should the identity of a staff person who has reported suspected child abuse become known to the alleged abuser, the Board shall support the reporting staff by:

1. Notifying police and the Ministry for Children and Family Development, if the alleged abuser harasses or threatens the reporting staff.
2. Notifying the abuser that the Board considers the reporting staff to have acted according to her/his legal responsibility and that the Board supports the actions of the staff.

Involvement of Other Agencies

The EES shall cooperate with the Ministry of Children and Family Development, the RCMP, and local police in investigating charges of child abuse.

Dismissal of Staff

If it is demonstrated to the satisfaction of the Board that a staff has been abusive and/or inappropriately involved including, but not specifically restricted to, sexual involvement with a child or children of school age, the Board will consider such conduct a fundamental breach of the staff's duties and obligations and may dismiss the staff.

Discipline of Students

If a student is found to have sexually abused another student, the Principal shall take the following action:

1. Notify the students and their parents/caregivers, and the Board that action will be taken.
2. Notify the appropriate authorities.
3. Ensure that a formal plan is prepared to address healing for the victim and accountability for the abuser. The plan shall include specific accountability for monitoring and follow-up, and may include serious disciplinary action.
4. Ensure that all steps in the plan are implemented in a timely manner.
5. Document a summary of these events, including names, times and methods of communication, and retain a copy in the administrative files.

Process and Timelines

To enable timely responses to issues as they arise, the Principal may delegate their authority under this policy to another teacher for periods when the Principal is unavailable.

Time is of the essence in dealing with child abuse, since the victim may continue to be subject to abuse while the interventions and planning are under way.

All initial responses shall be undertaken without delay, and where required, a plan shall be completed within ten (10) working days.

Appeals

Parties involved should consult VISII's *Complaints and Appeals Policy*.

DEFINITIONS

The following definitions are intended to enhance understanding of this policy. They are descriptive only and not intended to be used for any legal actions.

Child

Any person under 19 years of age.

Child abuse

As defined in the *Inter-Ministry Child Abuse Handbook*, child abuse includes physical, emotional and verbal neglect and/or abuse and sexual abuse.

Criminal records check

A check covered by the *Criminal Records Review Act* (CRRA) and conducted by the CRRA office. Individuals working with children must have had a CRRA check unless exempted under s.3 of the CRRA.

Emotional and verbal abuse

A pattern of destructive behaviours or verbal attacks by an adult on a child. Typical behaviours may include rejecting, terrorizing, ignoring, isolating, humiliating, insulting, scapegoating, exploiting or corrupting a child.

Neglect

The failure of those responsible for the care of the child to meet the physical, emotional or medical needs of a child to an extent that the child's health, development or safety is endangered.

Abuse

Any deliberate physical assault or action which results in, or may result in, a non-accidental injury to a child, and which exceeds that which could be considered reasonable discipline.

Relevant criminal offence

The *Criminal Records Review Act* designates which offences are relevant to the protection of

children. Only offences associated with physical or sexual abuse, as listed in the *Act*, Schedule 1, are considered. This includes indecent acts and violence. It does not include offences that are not relevant to the protection of children.

Sexual abuse

Any sexual exploitation of a child whether consensual or not. It includes touching of a sexual nature and sexual intercourse, and may include any behaviour of a sexual nature toward a child, such as, menacing or threatening sexual acts; deliberate exposure of a child to sexual activity or material; and permitting, encouraging or requiring a child to engage in conduct of a sexual nature for stimulation, gratification, or self-interest of another person.

In determining whether behaviour is of a sexual nature, one should ask whether a reasonable observer, looking at the behaviour in its context, would conclude that it is. This would exclude normal affectionate behaviour towards children and normal health or hygiene care.

Sexual activity between children may constitute sexual abuse if the difference in age or power between the children is so significant that the other or more powerful child is clearly taking sexual advantage of the younger or less powerful child. This would exclude consensual, developmentally appropriate sexual activity between children where there is not significant difference in age or power between the children.

Staff

Any individual who is employed by the EES, including an independent contractor who has entered into an agreement with the Society.

Work with children

Working with children directly, or having, or potentially having unsupervised access to children in the ordinary course of employment or in the practice of an occupation.

Epiphyte Educational Society

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