

CHILD PROTECTION PROTOCOL

BETWEEN:



The Children's Aid Society
of Haldimand & Norfolk

THE CHILDREN'S AID SOCIETY
OF HALDIMAND & NORFOLK
70 TOWN CENTRE DRIVE, TOWNSEND, ONTARIO
(519) 587-5437

AND



Brant Family and
Children's Services
Since 1966

BRANT FAMILY AND CHILDREN'S SERVICES
70 CHATHAM ST., BRANTFORD, ONTARIO
(519) 753-8681

AND



OGWADENI:DEO
2469 FOURTH LINE, OHSWEKEN, ONTARIO
(519) 445-1864

AND



THE GRAND ERIE DISTRICT SCHOOL BOARD
349 ERIE AVE., BRANTFORD, ONTARIO
(519) 756-6301

AND



THE BRANT HALDIMAND NORFOLK CATHOLIC
DISTRICT SCHOOL BOARD
322 FAIRVIEW, BRANTFORD, ONTARIO
(519) 756-6369

Revised October, 2019

Definitions

In this agreement:

“Boards of Education” means the Grand Erie District School Board and the Brant Haldimand Norfolk Catholic District School Board;

“Child Protection Protocol” means this agreement, entitled the Child Protection Protocol; and

“Child Welfare Agencies” means the Children’s Aid Society of Haldimand & Norfolk, Brant Family and Children’s Services, and Ogwadeni:deo.

Guiding Principles

1. Children in care of the Child Welfare Agencies have unique needs and challenges that require the collaborative effort of both the Child Welfare Agency and the local Boards of Education to meet their full potential.
2. Both the Child Welfare Agencies and local Boards of Education share some common objectives, including a commitment to:
 - a) ensuring that all children have the opportunity to achieve to their educational potential;
 - b) making continuity of school placement a priority, wherever possible;
 - c) actively involving the multi-disciplinary team of all service providers;
 - d) open communication and transparent sharing of information;
 - e) ensuring that educational planning is a dynamic process that has regular and ongoing reviews to ensure the plan is working effectively and that the child is meeting with success.
3. This Child Protection Protocol addresses:
 - i. Child Protection Investigations
 - ii. Transitions/School Registration (through the Joint Protocol for Student Achievement)
 - iii. Case Management (through the Joint Protocol for Student Achievement)
 - iv. School-Based Child Welfare Agency Workers

Review and Sharing of the Child Protection Protocol

The Child Protection Protocol will be reviewed every three years by designates from Child Welfare Agencies and Boards of Education.

The Child Protection Protocol will be reviewed with the following staff annually:

- school board administrators
- by school board student support staff workers
- by child welfare agency case workers

The Child Protection Protocol will be shared with all newly hired school administrators, student support staff workers, and newly hired case workers of Child Welfare Agencies.

Child Protection Referrals and Investigations

1. Where it is reasonably suspected that a child is in need of protection (Appendix A – *Child in need of Protection*, Child, Youth and Family Services Act, 2017), the person having the concern shall promptly inform the Principal (or superintendent where the concern pertains to the principal) and make a telephone referral to the local Child Welfare Agency (Appendix B - *Duty to Report*). Upon making contact with the Child Welfare Agency, school personnel shall record the name of the intake worker and the date and time of the report in the *Child Protection Report of Reasonably Suspected Child Protection Concern Form* (Appendix C-1).

2. Following a referral by the school that a child is suspected to be in need of protection, the Child Welfare Agency shall follow its standard processes to assess the referral and determine whether to open an investigation to determine if the child requires protective services. The Child Welfare Agency will contact the school administrator on the day that the referral is made to share the following information:
 - whether an investigation will occur, and if so:
 - confirming which Child Welfare Agency will be proceeding with the investigation
 - the investigation plan, to the extent that information can be shared
 - the assigned worker
 - whether the police will be involved
3. Where the child is a member of a First Nation or a Métis or Inuit community that has an assigned representative for involvement in matters under the *Child, Youth and Family Services Act, 2017*, the Child Welfare Agency is responsible for contacting that representative at the earliest opportunity. The Board of Education will permit such a representative to be present during any investigation or other meetings regarding the child's child welfare matter, if the representative so wishes and is properly identified.
4. When an allegation is made against an employee or volunteer of the Board of Education, the Director of Service or designate at the Child Welfare Agency will immediately notify the Superintendent of Human Resources (HR) or designate/Manager of Human Resources at the Board of Education. At the conclusion of an investigation the Child Welfare Agency will forward an Outcome Letter to the employee/volunteer with a copy of the same letter to the Manager of Human Resources at the Board of Education outlining the results of the investigation. The Child Welfare Agency and School Board will fully cooperate during all phases of the investigation. The investigation and Outcome Letter will be completed as expeditiously as possible, no later than 45 days but may be extended to 60 days with the Child Welfare Agency's supervisory approval. In the event that circumstances outside of the control of the Agency result in the investigation being delayed beyond 60 days the Agency will notify the Manager of HR at the Board of Education.
5. Upon arrival at school, the investigating Child Welfare Agency worker shall produce proper identification and complete the "*Record of CAS School Visits*" log (Appendix C-2). The Principal will make the student, and the person who made the report to the Child Welfare Agency, available for interview by the investigating worker.
6. The school will provide a private room for the interview with the student. The investigating worker will ask the student if they wish another adult present during the interview. The adult must be informed that they could be called at a later date to corroborate the interview, if the proceedings go to Court.
7. If the investigation includes an employee of the Board of Education, the employee has the right to make their union aware of the investigation and have a union representative present at the meeting with the Child Welfare Agency worker.
8. At the request of the investigating worker and at the discretion of the student, the Principal, operating in the role of a parent, may be asked to be present at the interview. In the course of an investigation, the Child Welfare Agency has the authority to interview the student without the presence of a parent or the Principal. The Child Welfare Agency investigating worker does not require any consent to conduct an investigation.

9. The school shall not inform the parent(s)/guardian(s) of the referral unless authorized to do so by the investigating worker as parental/guardian contact could jeopardize or obstruct the investigation. It is the responsibility of the Child Welfare Agency to advise parents/guardians about the investigation involving their child. The Child Welfare Agency will not disclose the referral source unless it is required as part of the investigation. In the event that the timing of the investigation prevents the child from returning home at the usual time, the Child Welfare Agency will advise parents/guardians of their child's whereabouts promptly. It is also the Child Welfare Agency's investigating worker's responsibility to inform the referral source of the outcome of the investigation as soon as possible after completion. The outcome of the investigation and the date the referral source is informed will be recorded on Appendix C-1.
10. The first duty of Child Welfare Agency is the protection and care of the child(ren) during its investigation. Detailed information about a case may be needed in order to move forward with an investigation, especially when court action is required. The school administrator will cooperate fully with the investigation which will include making a best effort to have staff and children available for interviews by the Child Welfare Agency and/or police and by making available all records or other documents pertinent to the investigation. Every effort will be made to protect the confidentiality of all participants in order to facilitate a positive relationship between school staff and families, however, confidentiality cannot be guaranteed.

Transitions/School Registration

To ensure best practice for school registration and transitions of students in the care of child welfare agencies and boards of education, please refer to Joint Protocol for Student Achievement (JPSA).

http://www.granderie.ca/application/files/7815/3556/5767/JPSA_English_Version.pdf

http://www.granderie.ca/application/files/9015/3556/5793/JPSA_French_Version.pdf

Pre-registration

The Child Welfare Agency worker will provide the Principal with any known or available information needed for registration on the *Pre-Registration Information Form – For Children in the Care of a Child Welfare Agency* (Appendix D)

http://www.granderie.ca/application/files/7815/3556/5767/JPSA_English_Version.pdf

http://www.granderie.ca/application/files/9015/3556/5793/JPSA_French_Version.pdf

Case Management

To ensure best practice for case management of students in the care of child welfare agencies and boards of education, please refer to the Joint Protocol for Student Achievement (JPSA).

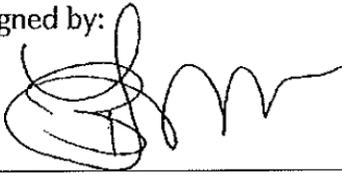
http://www.granderie.ca/application/files/7815/3556/5767/JPSA_English_Version.pdf

http://www.granderie.ca/application/files/9015/3556/5793/JPSA_French_Version.pdf

School-Based CAS Workers

1. Brant Family and Children's Services, in cooperation with both the Brant Haldimand Norfolk Catholic District School Board and the Grand Erie District School Board, may place child welfare workers in selected schools in the City of Brantford to better serve the needs of children, families, schools, and the community. Best practices for school-based Child Welfare Agency workers and schools working together are provided in Appendix E, covering the following areas:
 - Role Definitions
 - Confidentiality
 - Communication
 - Record Keeping and Sharing Space
 - Introducing a School-Based Child Welfare Agency Worker into a School
 - Dispute Resolution
2. Requests to have a school-based Child Welfare Agency worker within a school must be submitted to the Superintendent of Education.

Signed by:



Bernadette Gallagher, Executive Director
Brant Family and Children's Services

Oct. 29/19

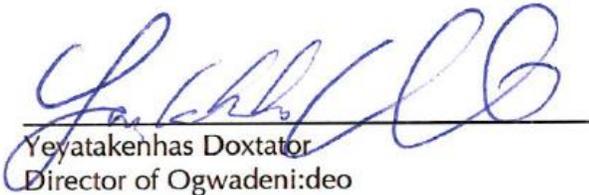
Date



Shannon Chevrier, Executive Director
Haldimand & Norfolk Children's Aid Society

Nov 11/19.

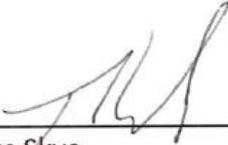
Date



Yeyatakenhas Doxtator
Director of Ogwadeni:deo

Nov 14/19

Date



Arliss Skye
Director of Six Nations Social Services

Nov 14/19

Date



Michael McDonald, Director of Education
Brant Haldimand Norfolk Catholic DSB

NOV 13 2019

Date



Rick Petrella, Chair of the Board
Brant Haldimand Norfolk Catholic DSB

NOV 13 2019

Date



Brenda Blancher, Director of Education
Grand Erie District School Board

Nov. 18, 2019

Date



Greg Anderson, Chair of the Board
Grand Erie District School Board

Nov - 14/19

Date

This protocol will remain in effect without further amendment until August 31, 2022 unless there are changes to legislation or there are requests for amendments made by any of the signing parties above.

APPENDICES

- Appendix A Child in Need of Protection
- Appendix B Duty to Report
- Appendix C-1 Child Welfare Agency Log Book – Report of Reasonably Suspected Child Protection Concern Form
- Appendix C-2 Child Welfare Agency Log Book – Record of Child Welfare Agency School Visits
- Appendix D Pre-Registration Information Form – For Children in the Care of a Child Welfare Agency
- Appendix E School Based Child Welfare Agency Workers – Roles and Responsibilities
- Appendix F Progressive Discipline and Promoting Positive Student Behaviour Policies and Procedures

CHILD IN NEED OF PROTECTION

Excerpt from the *Child, Youth and Family Services Act, 2017*, SO 2017, c 14, Sch 1

PART V CHILD PROTECTION

InterpretationDefinitions**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 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;
- (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 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;
- (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 abuse or 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);
- (e) the child requires treatment to cure, prevent or alleviate physical harm or suffering and the child'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 and the parent is a substitute decision-maker 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. self-destructive 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's parent or the person having charge of the child does not provide services or treatment or access to services or treatment, or, where the child is incapable of consenting to treatment under the Health Care Consent Act, 1996, refuses or is unavailable or unable to consent to the treatment to remedy or alleviate the harm;
- (h) there is a risk that the child is likely to suffer emotional harm of the kind described in subclause (f) (i), (ii), (iii), (iv) or (v) resulting 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;
- (i) there is a risk that the child is likely to suffer emotional harm of the kind described in subclause (f) (i), (ii), (iii), (iv) or (v) and that the child's parent or the person having charge of the child does not provide services or treatment or access to services or treatment, or, where the child is incapable of consenting to treatment under the Health Care Consent Act, 1996, refuses or is unavailable or unable to consent to treatment to prevent the harm;
- (j) the child suffers from a mental, emotional or developmental condition that, if not remedied, could seriously impair the child's development and the child's parent or the person having charge of the child does not provide treatment or access to treatment, or where the child is incapable of consenting to treatment under the Health Care Consent Act, 1996, refuses or is unavailable or unable to consent to the treatment to remedy or alleviate the condition;
- (k) the child's parent has died or is unavailable to exercise 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;
- (l) the child is younger than 12 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 child's parent or the person having charge of the child does not provide services or treatment or access to services or treatment, or, where the child is incapable of consenting to treatment under the Health Care Consent Act, 1996, refuses or is unavailable or unable to consent to treatment;
- (m) the child is younger than 12 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 that person's failure or inability to supervise the child adequately;
- (n) the child's parent is unable to care for the child and the child is brought before the court with the parent's consent and, where the child is 12 or older, with the child's consent, for the matter to be dealt with under this Part; or
- (o) the child is 16 or 17 and a prescribed circumstance or condition exists.

DUTY TO REPORT

Excerpt from the *Child, Youth and Family Services Act, 2017*, SO 2017, c 14, Sch 1

PART V CHILD PROTECTION

Duty to Report**Duty to report child in need of protection**

125 (1) Despite the provisions of any other Act, if a person, including a person who performs professional or official duties with respect to children, has reasonable grounds to suspect one of the following, the person shall immediately report the suspicion and the information on which it is based to a society:

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,
 - 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.
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,
 - 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.
3. 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 abuse or sexual exploitation and fails to protect the child.
4. There is a risk that the child is likely to be sexually abused or sexually exploited as described in paragraph 3.
5. The child requires treatment to cure, prevent or alleviate physical harm or suffering and the child'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*, refuses or is unavailable or unable to consent to, the treatment on the child's behalf.
6. The child has suffered emotional harm, demonstrated by serious,
 - i. anxiety,
 - ii. depression,
 - iii. withdrawal,
 - iv. self-destructive 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.

7. The child has suffered emotional harm of the kind described in subparagraph 6 i, ii, iii, iv or v and the child's parent or the person having charge of the child does not provide services or treatment or access to services or treatment, or, where the child is incapable of consenting to treatment under the *Health Care Consent Act, 1996*, refuses or is unavailable or unable to consent to, treatment to remedy or alleviate the harm.
8. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph 6 i, ii, iii, iv or v resulting 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.
9. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph 6 i, ii, iii, iv or v and the child's parent or the person having charge of the child does not provide services or treatment or access to services or treatment, or, where the child is incapable of consenting to treatment under the *Health Care Consent Act, 1996*, refuses or is unavailable or unable to consent to, 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 child'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*, refuses or is unavailable or unable to consent to, treatment to remedy or alleviate the condition.
11. The child's parent has died or is unavailable to exercise 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 younger than 12 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 child's parent or the person having charge of the child does not provide services or treatment or access to services or treatment, or, where the child is incapable of consenting to treatment under the *Health Care Consent Act, 1996*, refuses or is unavailable or unable to consent to treatment.
13. The child is younger than 12 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 that person's failure or inability to supervise the child adequately.

Ongoing duty to report

- (2) A person who has additional reasonable grounds to suspect one of the matters set out in subsection (1) shall make a further report under subsection (1) even if the person has made previous reports with respect to the same child.

Person must report directly

- (3) A person who has a duty to report a matter under subsection (1) or (2) shall make the report directly to the society and shall not rely on any other person to report on the person's behalf.

Duty to report does not apply to older children

- (4) Subsections (1) and (2) do not apply in respect of a child who is 16 or 17, but a person may make a report under subsection (1) or (2) in respect of a child who is 16 or 17 if either a circumstance or condition described in paragraphs 1 to 11 of subsection (1) or a prescribed circumstance or condition exists.

Offence

- (5) A person referred to in subsection (6) is guilty of an offence if,
- (a) the person contravenes subsection (1) or (2) by not reporting a suspicion; and
 - (b) the information on which it was based was obtained in the course of the person's professional or official duties.

Professionals and officials

- (6) Subsection (5) applies to every person who performs professional or official duties with respect to children including,
- (a) a health care professional, including a physician, nurse, dentist, pharmacist and psychologist;
 - (b) a teacher, person appointed to a position designated by a board of education as requiring an early childhood educator, school principal, social worker, family counsellor, youth and recreation worker, and operator or employee of a child care centre or home child care agency or provider of licensed child care within the meaning of the Child Care and Early Years Act, 2014;
 - (c) a religious official;
 - (d) a mediator and an arbitrator;
 - (e) a peace officer and a coroner;
 - (f) a lawyer; and
 - (g) a service provider and an employee of a service provider.

Volunteer excluded

- (7) In clause (6) (b), "youth and recreation worker" does not include a volunteer.

Director, officer or employee of corporation

- (8) A director, officer or employee of a corporation who authorizes, permits or concurs in the commission of an offence under subsection (5) by an employee of the corporation is guilty of an offence.

Penalty

- (9) A person convicted of an offence under subsection (5) or (8) is liable to a fine of not more than \$5,000.

Section overrides privilege; protection from liability

- (10) This section applies although the information reported may be confidential or privileged, and no action for making the report shall be instituted against a person who acts in accordance with this section unless the person acts maliciously or without reasonable grounds for the suspicion.

Solicitor-client privilege

- (11) Nothing in this section abrogates any privilege that may exist between a lawyer and the lawyer's client.

Conflict

- (12) This section prevails despite anything in the *Personal Health Information Protection Act, 2004*.

Society to assess and verify report of child in need of protection

- 126** (1) A society that receives a report under section 125 that a child, including a child in the society's care or supervision, is or may be in need of protection shall as soon as possible carry out an assessment as prescribed and verify the reported information, or ensure that the information is assessed and verified by another society.

Protection from liability

- (2) No action or other proceeding for damages shall be instituted against an officer or employee of a society, acting in good faith, for an act done in the execution or intended execution of the duty imposed on the society by subsection (1) or for an alleged neglect or default of that duty.

REPORT OF REASONABLY SUSPECTED CHILD PROTECTION CONCERN FORM

To be used in preparation of making a report to child welfare.

Not all information is required but can be useful.

Brant FACS (519) 753-8681 CAS of Haldimand Norfolk 1-888-227-5437 Ogwadeni:deo 519-445-1864

Student's Last Name	First Name	Gender	Date of Birth (DD/MM/YYYY)
		Female Male TransGender <input type="text"/>	

Date of Report	Time of Report	Grade / Class	Teacher
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School	School Address	School Telephone
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Home Address (Street No. / Apt)	City	Postal Code	Home Telephone
		<input type="text"/>	

Religion or Culture (if known):	Languages Spoken at Home:
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Indigenous identity (if known):

Is the student Indigenous?	Yes	No	Unsure
If yes, indicate:	Status	Non-Status	Inuit Metis
If known, indicate the student's First Nation or other membership/affiliation:			

Medical Concerns or Relevant Special Needs

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Siblings

Last Name	First Name

Mother / Guardian Last Name	First Name	Business No.	Home or Cell No.
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Father / Guardian Last Name	First Name	Business No.	Home or Cell No.
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**PRE-REGISTRATION INFORMATION FORM
– FOR CHILDREN IN THE CARE OF A CHILD WELFARE AGENCY**

Principal's Name:
 School Name:
 School Phone Number:
 School/Board Email:
 Date of Registration meeting set with school: _____

*** This form with student details is not to be copied without the permission of the Child Welfare Agency***

Note: This form has been prepared by the agency worker, in collaboration with the child, to provide preliminary planning information regarding the child's education program and should be placed in the Ontario Student Record.

Part A – Student Details

Student's Legal Name: _____
 Student's Date of Birth DD/MM/YYYY _____ Current Grade Level: _____
 Previous School: _____ Previous School Board: _____
 Names of other biological / step siblings in this school: _____

Is the student Indigenous?	Yes	No	Unsure	If known, indicate the student's First Nation or other membership/affiliation:
If yes, is the student:	Status	Non-Status	Inuit	

Date of most recent admission to care: _____

Child Welfare Agency Details (check appropriate Agency box)

Brant Family and Children's Services
 Catholic Children's Aid Society of Hamilton
 Ogwadeni:deo
 The Children's Aid Society of Haldimand and Norfolk
 The Children's Aid Society of Hamilton

Name of Child Welfare Agency Worker: _____ Telephone Number: _____

<u>Caregivers as designated by Child Welfare Agency:</u>	Indicate Caregiver Role (choose 1)
Caregiver Name	Kin Placement
Telephone Contact	Foster Home
	Group Home

Part B- Student Strengths, Interests, Identities, Preferences

What important things do you want people to know about this student's strengths, interests, identities, and learning preferences?

Has this student been <i>Identified</i> through the <i>IPRC</i> process?	Yes	No	Unsure
If yes, what is the identification?			
Does this student have an Individual Education Plan (IEP)	Yes	No	Unsure
Has this student been placed in a specialized learning environment (e.g. self-contained or Section classroom)?	Yes	No	Unsure
Does this student have a Safe Intervention Plan (SIP)?	Yes	No	Unsure
Has this student ever received English Language Learner / English as a Second Language (ELL/ESL) support?	Yes	No	Unsure
Has this student fulfilled the Literacy Graduation requirement?	Yes	No	Unsure
Has this student fulfilled the Community Involvement Graduation requirement?	Yes	No	Unsure
Is the student currently receiving supports for any of the following: Medication, behaviour, physical health, emotional well-being, mental health, communication?	If "yes" to any of these supports, please provide additional details:		

Part C – Access Details

List all persons with signing authority for this student: <i>(Full Name of Persons)</i>		Authority <i>Choose One</i> <i>Kin</i> <i>Foster Parent</i> <i>Child Welfare Agency Worker</i>
Are there other agencies or volunteer services (e.g., volunteer drivers) involved with this child?	No	Yes If yes, please list agencies.
Are there restrictions related to parental / family access to this child?	No	Yes If yes, please discuss at the time of intake.

Society workers need to be notified when:

Child makes a disclosure of abuse or neglect;
 Child is suspended, or another serious discipline measure is taken (including the consideration and/or initiation of a Violence Threat Risk Assessment);
 There is a meeting i.e. IPRC, meeting to discuss behaviour/academic performance;
 There are any concerns with the caregiver of the child;
 There are any outstanding achievements/awards, etc.; or
 Other concerns (mental health issues, behaviour issues, suspicious activities, etc.)

School needs to be notified when there are changes in the child's status, caregiver, worker or residence

Retention: E+1 (E = case resolved)

Child Protection Protocol - October 2019

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Brant FACS, Brant Haldimand Norfolk Catholic DSB, CAS Haldimand Norfolk, Grand Erie DSB, Ogwadani:deo, Six Nations Social Services

List of Descriptors:

Temporary Care Agreement: A voluntary contractual arrangement where the Child Welfare Agency agrees to care for a child under age 16 for a temporary period. The child is not necessarily in need of protection. Parents maintain their legal rights however can appoint a Child Welfare Agency representative including a foster parent to sign school documents (e.g. permission slips, report cards). In the absence of appointing the Child Welfare Agency as the legal guardian the parent's authorization is required, but the Child Welfare Agency should be the first point of contact.

Temporary Care and Custody: A child protection application has been brought before the court, but the court has not yet decided if the child is in need of protection. The court orders temporary care and custody during the periods of adjournment.

Interim Child Welfare Agency Care: A court has found the child to be in need of protection and has placed the child in the care of a Child Welfare Agency for a period of up to 12 months.

Extended Child Welfare Agency Care: A court order has made a long-term order placing the child in the care of a Child Welfare Agency. The Child Welfare Agency has the rights and responsibilities of a parent for the purpose of the child's care, custody and control. The order lasts until the child turns 18, is adopted, is married, or the court changes the order.

Customary Care: Customary care is a form of care in accordance with the custom of the child's First Nation or their Inuit or Métis community. Ontario law recognizes the use of customary care. Customary care usually involves a voluntary agreement among the parents, the child if older, the First Nation (or other Indigenous government), the Child Welfare Agency, and the caregivers.

**GRAND ERIE DISTRICT SCHOOL BOARD AND
BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD
SCHOOL-BASED CHILD WELFARE AGENCY WORKERS – ROLES AND RESPONSIBILITIES**

Rationale

The Grand Erie District School Board, the Brant Haldimand Norfolk Catholic District School Board and the Brant Family and Children’s Services work together to have Child Welfare Agency workers based in some schools in the City of Brantford. Roles and responsibilities of school-based Child Welfare Agency workers are outlined below.

Role Definitions

Student Support Services Worker Role

Both school boards have professional staff assigned to each school to support student, families, staff, and each of these disciplines has a clearly defined role in the school.

In Grand Erie, these professionals include Attendance Counselors, Behaviour Counselors, Board Certified Behaviour Analysts, Child and Youth Workers, Indigenous Counselors, Psychological Services, a Mental Health Lead, Social Workers, Communication Services (Speech-Language Pathologists, Communicative Disorders Assistants).

In Brant Haldimand Norfolk Catholic District School Board, these professionals include Child and Youth Workers, a consulting psychologist, Social Workers who also serve as Attendance Counsellors, Speech and Language pathologists, Applied Behaviour Analysis Leads, a Mental Health.

School Based Child Welfare Agency Worker Role

The school-based Child Welfare Agency worker is guided by the child welfare mandate as legislated under the Child and Family Services Act. They will carry a caseload of families who have been referred to the Child Welfare Agency for services. These services may include individual counseling with children, support for families, referrals to community resources and support/therapy groups. The school-based Child Welfare Agency worker brings a unique expertise and mandate pertaining to the delivery of child welfare services. This role can help enrich the support to schools and encourage a collegial working relationship between the two organizations.

The school-based Child Welfare Agency worker is available for consultation about children or families where there is a concern that a child is being neglected, or there is concern about harm or abuse or potential harm or abuse of a child. If a school board staff member is uncertain about whether a report should be made to the Child Welfare Agency, they can consult with the Child Welfare Agency worker without giving identifying information about the family. The Child Welfare Agency worker will then determine if the information warrants a report to the Child Welfare Agency.

These consultations are dealt with in the same manner that a phone call to the intake department would be- documented and entered into the Child Welfare Agency database when identifying information is provided. If the school-based Child Welfare Agency worker is unavailable, a call should be placed to the covering Child Welfare Agency worker and if this is unsuccessful to the Child Welfare Agency central intake. Reports must always be made in a timely manner and school staff should not delay making a report because the school-based Child Welfare Agency worker is unavailable.

Confidentiality

The Child Welfare Agency worker is an employee of the Child Welfare Agency **not** Grand Erie District School Board or Brant Haldimand Norfolk Catholic District School Board. As such, there are limits to what information can be shared between school board staff and the school-based Child Welfare Agency worker. Information pertaining to a child at risk must be shared under the duty to report legislation. Any information about a child and/or family that does not directly pertain to a child being harmed or neglected can only be shared with the written consent of the family. School board staff and Child Welfare Agency staff will have more open communication as a result of the Child Welfare Agency worker being located in the school. As a result, standard practice will be for the Child Welfare Agency worker to consult with the family regarding their wishes about information sharing between the school and the Child Welfare Agency. If the parent agrees, the Child Welfare Agency worker will obtain consent to disclose information which will allow open communication between the Child Welfare Agency the respective school board. A copy of this form will be provided to the school administrator to be filed in the student's Ontario Student Record (OSR). A separate consent to disclose information form is required to access information from school board support staff. This practice follows current Municipal Freedom of Information and Privacy Act and Consent laws.

Communication

With Children and Families

It is essential that the school-based Child Welfare Agency worker identifies themselves as a Child Welfare Agency worker, not a school social worker. As the Child Welfare Agency worker is located in the school, it is quite possible that children and families may assume that they are a social worker employed by the school board. Social workers employed by the board and school-based Child Welfare Agency workers provide different services and are under different mandates. This should be explained to the family. If school board staff is directing a family to the school-based Child Welfare Agency worker they must explain to the family that the individual is an employee of the Child Welfare Agency.

With Student Support Services Workers

There exists the potential for overlap in service delivery between school board staff supporting the school and the school-based Child Welfare Agency worker. Therefore, communication is essential. The school-based Child Welfare Agency worker must have an understanding of the existing supports in the school. Each school has its own support team. To increase communication, the Child Welfare Agency worker will be provided with names and contact information for the student support services staff for their school. When support for a family/child is shared between the school-based Child Welfare Agency worker and school board support services staff, a discussion to define roles will take place. Consent should be obtained from the family before this discussion. The school administration should inform the Child Welfare Agency worker of any support services staff working with the child.

In Grand Erie, school board support staff attend the school each month for a resource team meeting. If there is a child being presented at team who is an open file to the Child Welfare Agency, the school could consider inviting the school-based Child Welfare Agency worker to attend for the discussion of that child. The school must contact the parent to get their permission for the Child Welfare Agency worker to attend the team meeting. The Child Welfare Agency worker should only be present for the part of the meeting pertaining to the child with whom they are involved.

In the Brant Haldimand Norfolk Catholic District School Board, team meetings occur on an as needed basis. If there is a child being presented, who is an open file to the Child Welfare Agency, the school could consider inviting the school-based Child Welfare their permission for the Child Welfare Agency worker to attend the team meeting. The Child Welfare Agency worker should only be present for the part of the meeting pertaining to the child with whom they are involved.

The school-based Child Welfare Agency worker may run groups in the school for the children on their caseload. Child and Youth Workers (CYW) employed by the board also run groups in schools. If a school-based Child Welfare Agency worker is interested in offering a group, they should consult with the CYW for that school.

Support for families is provided by the school social worker in both boards, if informed consent has been provided. If a parent presents to school administration requesting support for their family or child, the administrator must determine whether to call the school social worker or direct the parent to the school-based Child Welfare Agency worker. If the school administrator is concerned that the child is at risk of abuse or neglect, then they should refer to the Child Welfare Agency. If there is no evidence that the child is at risk of harm from the parent or anyone else, then a call should be made to the school social worker. Child Welfare Agency staff work under a child welfare mandate. While they also provide support to families, there are other agencies in the community which provide support as well and may be more appropriate. The school social worker can be consulted by the administrator if guidance is needed around the best agency to support a family in crisis.

Record Keeping and Sharing Space

Appropriate space for counseling and parent meetings is at a premium in many schools within the both school boards. While the school-based Child Welfare Agency worker will be assigned space, they will often be out in the community providing service. The school-based Child Welfare Agency worker will store their files in a locked filing cabinet in this assigned area and will ensure confidential student information including forms, notes or records are stored in the filing cabinet and not accessible to unauthorized persons. The school secretary will have a key to the Child Welfare Agency worker's space. The Child Welfare Agency worker will tell the school secretary when their space will be empty. The Child Welfare Agency worker will keep their workspace clear of confidential documents. First priority will be given to the Child Welfare Agency worker, but this procedure will allow school board support services staff and others to use this space when it is not being used by the Child Welfare Agency worker-

Premises

The school board shall permit staff of the Child Welfare Agency space in the school to conduct their work where space is available, is not required for school operations, and that providing space will not disrupt school operations. This space will be designated by the principal in the school. Should the needs at the school change so that the space is required for school business, the school board will provide 30 days' notice to the Child Welfare Agency that the space can no longer be used as a school-based Child Welfare Agency location. The space will be available during days throughout the school year, but not during the months of July and August or other non-instructional days, including Board closure of schools for any reason.

Introduction of a Child Welfare Agency Worker into a School

When it is proposed that a Child Welfare Agency worker will be located within a school, this information will be presented to the staff at the school. The Child Welfare Agency worker and appropriate student support services workers assigned to the school (i.e. social worker, child and youth worker) could present at a staff meeting to define roles and answer questions about service delivery. The Child Welfare Agency worker will review this protocol before beginning work in an assigned space at a school. This protocol will be shared with school staff to review before the Child Welfare Agency worker accesses space at the school.

Internet/telephone cabling

Access to the internet or phone within a school must be discussed with the principal. If additional internet/telephone cables are required to provide confidential access by the school-based Child Welfare Agency worker, the principal shall discuss this need with the School Superintendent. Costs associated with enhanced cabling will be paid by the Child Welfare Agency. Schools in both school boards have a guest Wi-Fi network that could be used by non-employees as required. The office at each school has the password to this network.

Dispute Resolution

Periodically, disagreements may arise between Child Welfare Agencies and school boards when the agency has a worker based in a school. The following dispute resolution process will be used to identify solutions for these conflicts.

- Step 1: The School-based Child Welfare Agency worker and School Administrator will be the first level of dispute resolution authority.

- Step 2: If the dispute is not satisfactorily resolved within 15 school days, the matter will be referred to the Child Welfare Agency Director of Service and the Superintendent of the appropriate Family of Schools.

- Step 3: If the dispute continues to remain unresolved, the agency will vacate the office space in the school.

**PROGRESSIVE DISCIPLINE AND PROMOTING
POSITIVE STUDENT BEHAVIOUR POLICIES AND PROCEDURES**

Brant Haldimand Norfolk Catholic District School Board:

Student Discipline Policy and Administrative Procedures:
http://www.bhncdsb.ca/files/policies/student_discipline_20026.pdf

Grand Erie District School Board:

Progressive Discipline and Promoting Positive Student Behavior Policy

http://www.granderie.ca/application/files/3815/4351/7495/SO11_Progress_Discipline_and_promoting_positive_student_behaviour.pdf

Code of Conduct Policy

http://www.granderie.ca/application/files/3815/4351/7495/SO11_Progress_Discipline_and_promoting_positive_student_behaviour.pdf