

## Report to a Children's Aid Society

<b>Reviewed Date</b>		<b>Number</b>	LG0102
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### Introduction

Simcoe Muskoka District Health Unit (SMDHU) employees and students come in contact with children and their families as a result of their work. In the course of providing SMDHU programs and services, employees and students may have cause to involve a Children's Aid Society (CAS) out of concern for the health, safety and/or wellbeing of a child.

The Child and Family Services Act (CFSA) Section 72(4) states that professional persons and officials have the same duty as any member of the public to report a suspicion that a child is in need of protection. The CFSA recognizes, however, that persons working closely with children have a special awareness of the signs of child abuse and neglect, and a particular responsibility to report their suspicions. The CFSA prescribes an offence for failure to report a suspicion and provides for a fine of up to \$1,000 upon conviction.

In addition to this policy, there are SMDHU program based protocols relating to reporting obligations that are required to be followed that are more specific.

It should be noted that referrals may occur to CAS in order for clients to access a variety of services provided by CAS at any time during the prenatal period, at the time of birth or at any stage of a child's development. A referral requires client consent.

### Purpose

The purpose of this policy is to inform Simcoe Muskoka District Health Unit employees and students of the parameters within which a report to a Children's Aid Society will take place

### Legislative Authority

Child and Family Services Act, R.S.O. 1990, c. C. 11 (Last amendment: 2008, c. 5. ss.12-14).

### Policy Definitions and Interpretation

For the purposes of this policy a "**report**" is defined as the report of an individual or family to a CAS as required by the duty to report. A report to CAS does not require client consent.

**Child:** As per the Child and Family Services Act child refers to a person less than 16 years of age.

The following definitions of abuse and neglect were extracted from [Ontario Association of Children's Aid Societies](#) website (extracted from website October 7, 2016):

"**Child abuse**" includes physical, emotional and sexual abuse and/or neglect. It also addresses a pattern of abuse and risks of harm.

**Neglect** occurs when a caregiver fails to provide basic needs such as adequate food, sleep, safety, education, clothing or medical treatment. It also includes leaving a child alone or failing to provide adequate supervision.

**Emotional abuse** is a pattern of behaviour that attacks a child's emotional development and sense of self-worth.

**Sexual abuse** occurs when a child is used for the sexual gratification of an adult or an older child.

### **Policy**

If any SMDHU employee or student in the performance of their duties suspects that a child is or may be in need of protection, that individual is obligated by the Child and Family Services Act to report these findings as soon as possible to the closest CAS referred to as the Duty to Report.

The CFSA Section 72(2) also refers to the ongoing, direct duty to report which states: "A person who has additional reasonable grounds to suspect that a child is or may be in need of protection shall make a further report under subsection (1) even if the individual has made a previous report with respect to the same child". Therefore, in the event that a SMDHU employee or student is aware of additional concerns regarding a child who already has CAS involvement that employee or student will report their concerns to CAS.

CFSA Section 72(3) states that "A person who has a duty to report a matter ... shall make the report directly to the society and shall not rely on any other person to report on their behalf." The person having information bears the responsibility of making the report directly to the CAS.

### **Procedures**

1. If an employee or student in the performance of their duties has reason to suspect that a child is in need of protection, the employee or student will immediately report via telephone to the appropriate CAS.
  - a. CAS in Simcoe County and the District of Muskoka is known as Simcoe Muskoka Family Connexions (legally known as Simcoe Muskoka Child, Youth and Family Services).
  - b. Simcoe County: (705) 726-6587 or 1-800-461-4236; Fax: (705) 726-9788.
  - c. District of Muskoka: (705) 645-4426 or 1-800-680-4426; Fax: (705) 645-1905.
2. If during the course of agency work a situation arises where the reporting obligation is unclear the employee or student must call to consult about the situation with a CAS.
3. Following a telephone report, the employee or student will document the information upon which the decision to report was based according to established agency and/or program documentation procedures.
4. When a case of suspected or actual abuse or neglect comes to the attention of an employee or student by another person, the employee or student will advise that person of their obligation to report to a CAS. While the duty to report to a CAS cannot be delegated to another individual, should the information lead the employee or student to suspect child abuse or believe neglect may or has occurred, then the duty

to report would apply even though the other person is responsible for directly reporting to a CAS. Therefore, the employee or student is required to call a CAS.

***Related Policies***

IM0103 Personal Information Including Personal Health Information Privacy-Consent

IM0105 Personal Information Including Personal Health Information Privacy-Disclosure

***Related Forms***

***Final Approval Signature:*** \_\_\_\_\_

Review/Revision History:

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