



Administrative Procedure 4520

Reporting of Child Protection and Child Abuse

Board Governance Policy Cross Reference: [1](#), [11](#), [13](#)

Administrative Procedures Cross Reference:

Form Cross Reference:

Legal/Regulatory Reference:

[The Child and Family Services Act](#)

[Reporting of Child Protection and Child Abuse \(Handbook and Protocols for Manitoba Service Providers\)](#)

[Child Protection – Designated Intake Agencies \(DIAs\) Province of Manitoba](#)

Date Adopted: November 1985

Amended: December 2017; March 2024

In accordance with The Child and Family Services Act, s. 8.16 Duty to Report: “A person who provides work or services to an agency or authority — whether as an employee, volunteer, student trainee, foster parent, operator of a child care facility or in any other capacity — who reasonably believes that a critical incident has occurred in any place, including a place of safety, must report the incident in accordance with this Part.”

The legal responsibility to report supersedes all internal organizational policies and procedures, and lies with the person who suspects the abuse and cannot be transferred. The legal responsibility also applies where the disclosure was made in a confidential context.

If you think a child under 18 years of age is being (or has been) abused, you have the legal duty to report your concern to your local child and family services (CFS) agency.

For a list of CFS designated intake agencies, go to: manitoba.ca/intakeagencies or see page 151 of the Reporting of Child Protection and Child Abuse (Handbook and Protocols for Manitoba Service Providers).

If you do not know the number of your local CFS agency, or it is after working hours, you can call the province-wide intake and emergency after-hours child and family services telephone number at 1-866-345-9241.

If you think the child is in immediate danger, call 911 or your local police.

Definitions

The following definitions are derived from the Child and Family Services Act (“CFS Act”) and Reporting of Child Protection and Child Abuse (Handbook and Protocols for Manitoba Service Providers):

"child" means a person under the age of majority;

"abuse" means an act or omission by any person where the act or omission results in

- physical injury to the child,
- emotional disability of a permanent nature in the child or is likely to result in such a disability, or
- sexual exploitation of the child with or without the child's consent;

Protection of Informant

Section 18.1(1) of The Child and Family Services Act provides that: “No action lies against a person for providing information in good faith and in compliance with section 18.”

Information Sharing and Confidentiality

To ensure that the best course of action is taken, the school shall cooperate with the authorized agencies and professionals in the mutual sharing of information necessary for the investigation and treatment process.

With the exception of the transmittal to authorized persons of information necessary in the conduct of investigation and treatment, information related to the allegations or suspicions of child abuse is to be held in strict confidence. In particular, any written records, notations or reports are to be considered confidential and are not to be placed in the child’s regular or cumulative record or in any other way allowed to become known to persons who have no legitimate need for such information.

Communication and Cooperation with Community Agencies

Since it is important to maintain cooperation among all elements of this community, the Superintendent/CEO or designate shall ensure that such actions are taken as are thought necessary to pursue and maintain open channels of communication with child caring agencies and police particularly with respect to:

- development and maintenance of clear and mutual understanding of relative jurisdictions, roles and responsibilities;

- identification of problems which exist or may arise in the working relations of school, police and child caring agency personnel; and
- development and implementation of specific procedures to solve or forestall such problems.

Staff Knowledge of Policy

Principal or Vice Principal shall ensure that all members of their staff are familiar with this policy and are adequately prepared, through periodic in-service presentations or other methods, to be alert to the signs of child abuse and to be knowledgeable concerning reporting procedures.

Reason to Believe

The key words in understanding the legal obligation to report are reason to believe. This simply means that based on what you have observed, or the information that you have received, you believe a child may be in need of protection and/or at risk, including past abuse.

Reasonable suspicion means that based on observations and facts at-hand, it is objectively reasonable for a person in a like position (and with similar training, knowledge and experience) to suspect child abuse. You do not have to be certain that abuse is taking place. It is the duty of CFS agency staff to investigate the situation.

In cases where grounds for suspecting abuse are of an ambiguous or uncertain nature the person is encouraged to inquire or consult with the local CFS agency or a senior clinician of the Student Services Team. This inquiry or consultation is to be distinguished from formal reporting.

If, as a result of this inquiry, it is determined that there are insufficient grounds to proceed with a formal report, the person may nevertheless approach the Principal or Vice Principal of the school who may arrange for case conferencing or for the provision of support services from the appropriate resource people.

Reporting Procedures

- Child abuse reports should be made immediately to protect the child from any possible further danger or consequences of delay. As a service provider, you need to call your local CFS agency about your concerns. If you think the child is in immediate danger, you need to contact the police.
- It is to be noted that the legal responsibility to report supersedes all internal organizational policies and procedures, and lies with the person who suspects

the abuse and cannot be transferred. The legal responsibility also applies where the disclosure was made in a confidential context.

- See page 99 of the Reporting of Child Protection and Child Abuse (Handbook and Protocols for Manitoba Service Providers) for specific details and procedures.
- In cases where a member of staff has reasonable or probable cause to suspect child abuse, they shall also inform the Principal or Vice Principal of the school of these suspicions and of the fact that a report is being made and shall make an oral report forthwith to the local CFS agency.
- The reporting staff member may, as a follow-up to the oral report, submit a written version of the report as soon as possible thereafter. This written report can be witnessed by the Principal or Vice Principal in order to indicate that he/she is aware that the report has been made.
- School staff shall not contact the child's family, or the suspected perpetrator, or any other persons to inform or to further investigate the cause or circumstances of the suspected abuse. This is the role and responsibility of an authorized agency.
- For a list of CFS designated intake agencies, go to: manitoba.ca/intakeagencies or see page 151 of the Reporting of Child Protection and Child Abuse (Handbook and Protocols for Manitoba Service Providers).
- If you do not know the number of your local CFS agency, or it is after working hours, you can call the province-wide intake and emergency after-hours child and family services telephone number at 1-866-345-9241.
- If you think the child is in immediate danger, call 911 or your local police.
- The responsibility for investigation and follow-up lies with the authorized agencies. In accordance with the Reporting of Child Protection and Child Abuse (Handbook and Protocols for Manitoba Service Providers), the local CFS agency and/or police department are expected to inform the school of action taken on the report at the appropriate agency.
- It is suggested that the school request a formal report back from the local CFS agency and/or police department on the action taken and the disposition of the case.