



Duty to Report #300.23

Adopted:	March 2025
Last Reviewed/Revised:	NEW
Responsibility:	Superintendent of Education
Next Scheduled Review:	2029

POLICY STATEMENT:

The Brant Haldimand Norfolk Catholic District School Board (“the Board”) is committed to fostering safe and inclusive school communities that promote and support student well-being and achievement. The Board believes all staff have an obligation to contribute to building a culture of care and are equipped to respond to safety risks, including their duty to report any child in need of protection to the local Child and Family Services.

APPLICATION AND SCOPE:

The duty to report a child in need of protection to the local Child and Family Services (CFS) applies to all employees, volunteers, and parents/guardians of the Board. All employees, volunteers, and parents/guardians of the Board are directed to follow the *Joint Child Protection Protocol* at the link in the References section.

Child and Family Services help to protect infants, children and youth who are experiencing abuse or are at risk of experiencing abuse, physically, sexually, emotionally or through neglect or abandonment. Section 125(1) of the *Child, Youth and Family Services Act* (CYFSA) provides direction for reporting a child in need of protection to Child and Family Services. This includes a child that is or may be suffering from abuse or neglect by a caregiver, or by a person having charge of the child. Every person who has reasonable grounds to suspect that a child is "in need of protection" shall immediately report the suspicion and the information upon which it is based to Child and Family Services. The Ontario Ministry of Education's Policy/Program Memorandum No. 9 *Duty to report children in need of protection* further emphasizes this duty, requiring all school staff to be aware of their responsibilities under the CYFSA and ensuring that school board policies conform to the Act's provisions.

REFERENCES:

- Child, Youth and Family Services Act (2017) (amended, 2021)
- Policy/Program Memorandum 9, Duty to report children in need of protection
- Erin's Law (Child Sexual Abuse Prevention and Reporting), 2024, S.O. 2024, c. 33 - Bill 123 - An Act to amend the Education Act with respect to child sexual abuse prevention and reporting
- Joint Child Protection Protocol
- BHNCDSB Policy 200.23 Equity and Inclusive Education
- BHNCDSB Policy 200.07 Voluntary Indigenous Self-Identification
- BHNCDSB Policy 200.51 Anti-Human Trafficking
- BHNCDSB Police School Board Protocol



FORMS:

- Report of Reasonably Suspected Child Protection Concern Form – Form 1
- Child and Family Services School Visits Log – Form 2

APPENDICES:

- N/A

DEFINITIONS:

Child and Family Services (CFS): also known as Children's Aid Societies, or Child Welfare Agencies, are government or non-profit organizations that focus on the well-being of children and families, particularly those facing difficult situations, by providing services like child protection, family support, and placement options.

ADMINISTRATIVE PROCEDURES:

1.0 Responsibilities

- 1.1 All staff play an important role in safeguarding the physical and mental health and well-being of children and youth by recognizing, preventing, and responding to children who may be in need of protection.
- 1.2 Detailed staff responsibilities, legal requirements, procedures, child protection protocols, referrals and investigations are outlined in the Board's *Joint Child Protection Protocol*.

2.0 Requirements

- 2.1 Section 125(1) of the Act confirms that if a person, including a person who performs professional or official duties with respect to children and youth, has reasonable grounds to suspect that a child is, or may be in need of protection, the person shall immediately report the suspicion and the information on which it is based to Child and Family Services. This includes a child that is or may be suffering from all types of abuse, emotional harm, exploitation, and/or neglect by a caregiver, or by a person having charge of the child. Therefore, teachers, principals, and other professionals in the course of performing their professional duties must report this information without delay to Child and Family Services.
- 2.2 Upon making a report to the Child and Family Services, the principal and/or school personnel shall record the information including the name of the intake worker and the date and time of the report in the *Report of Reasonably Suspected Child Protection Concern Form (Form 2)*.

3.0 Record of Visits

- 3.1 In cases where the Child and Family Services worker must visit the school as part of an investigation, the principal will make the student and the person who made the report available for an interview in a discrete location.
- 3.2 Upon arrival at school, the investigating CFS Worker shall produce proper identification and complete the *Child and Family Services School Visits Log (Form 1)*.



4.0 Human Trafficking

- 4.1 All school board staff, volunteers and families work together to safeguard the physical and mental health and well-being of children and youth by recognizing, preventing, and responding to human trafficking in culturally sensitive ways.
- 4.2 Staff will identify the warning signs of human trafficking and safely connect those who have been, or are at risk of being trafficked, to the appropriate responsive school and community programs and services. The Board's Anti-Human Sex Trafficking Policy 200.51 guides the ongoing response to students who may be at risk of trafficking.

5.0 Indigenous Peoples

- 5.1 The duty to report extends to all students. However, as members of distinct, self-determining Nations, Indigenous Peoples have the right to be consulted in determining best approaches to the care and response in duty to report scenarios and incidents of human trafficking. The Board recognizes the importance of consultation and outreach with Indigenous rightsholders, in the work to prevent and respond to human trafficking in Indigenous communities.

6.0 Confidentiality

- 6.1 Board staff will respect confidentiality, privacy, and related requirements when they respond to students who are at risk. The Board acknowledges the limits of confidentiality under the law, in particular section 125(1) of the Child, Youth and Family Services Act that requires all adults to immediately report to the local Child and Family Services any reasonable grounds to suspect that a child below the age of 16 is in need of protection, including incidents of human trafficking.

7.0 Ongoing Reporting

- 7.1 Subsection 125(2) of the act states that the duty to report is an ongoing obligation. If a person has made a report about a child to Child and Family Services and has additional reasonable grounds to suspect that the child is or may be in need of protection, that person must make a further report to Child and Family Services.

8.0 Older Children

- 8.1 Subsection 125(4) of the act clarifies that, if the child is 16 or 17 years old, there is no duty to make a report, but there are circumstances where a person may make a report concerning older children as described in paragraphs 1 to 11 of subsection 125(1).

9.0 Consequences of Failure to Report

- 9.1 Subsection 125(5) of the act makes it an offence where a person performing professional or official duties with respect to children fails to report a child who they suspect is or may be in need of protection. Subsection 125(6) expressly identifies teachers, designated early childhood educators, and school principals as such persons. If such professionals obtain information, in the course of performing their professional or official duties, that leads them to suspect that a child is or may be in need of protection, they must report this suspicion. If they do not report the suspicion, they are liable, upon conviction of the offence, to a fine of up to \$5000.



10.0 Protection for Persons Making Reports

- 10.1 The Board supports subsection 125(10) of the Child and Family Services Act which confirms that no action for making a report will be instituted against a person who acts in accordance with the duty to report in section 125, unless the person acts maliciously or without reasonable grounds for the suspicion.

11.0 Erin's Law (Child, Sexual Abuse Prevention and Reporting)

- 11.1 The Board will ensure that information regarding child sexual abuse prevention and reporting, and available counselling and resources for children who are sexually abused, is made available to all students, staff, parents and guardians of students in its schools.
- 11.2 The Board will ensure that students in its schools are engaged annually, in a developmentally appropriate manner, regarding the topics of child sexual abuse prevention and reporting, including age-appropriate techniques to recognize child sexual abuse and telling a trusted adult.



RECORD OF CHILD WELFARE AGENCY SCHOOL VISITS

DATE	TIME IN	CASE WORKER	PURPOSE OF VISIT	TIME OUT	SIGNATURE

PRINCIPAL TO RETAIN THIS RECORD
IN THE CHILD WELFARE AGENCY LOG BOOK FILE
IN A SECURE LOCATION

Retention: E+1 (E = case resolved)

Child Protection Protocol - February 2025

Child and Family Services of Grand Erie, Brant Haldimand Norfolk Catholic DSB, Grand Erie DSB



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.

Child and Family Services of Grand Erie 519-753-8681

Ogawadeni:deo 519-445-1864

Student's Last Name	First Name	Gender	Date of Birth (DD/MM/YYYY)
		☐ Female ☐ Male ☐ Trans/Non-Binary	

Date of Report	Time of Report	Grade / Class	Teacher

School	School Address	School Telephone

Home Address (Street No. / Apt)	City	Postal Code	Home Telephone

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

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

Siblings

Last Name	First Name

Mother / Guardian Last Name	First Name	Business No.	Home or Cell No.
Father / Guardian Last Name	First Name	Business No.	Home or Cell No.



**Keep your consultation to the minimum.
This report form and any other written records may be subpoenaed in subsequent legal proceedings.**

- What the child said and to whom
- The alleged offender (s) and relationship to the child
- When and where the incident occurred
- Names of any other children who might be involved
- Brief description of easily visible marks or injuries or evidence of neglect

Details of Reasonably Suspected Abuse / Neglect (use an additional form if further space is required)

Person Making the Report :

Last Name

First Name

Position

Name of Child Welfare Agency

Name of the Person to Whom the Information was Reported

Investigation outcome:

Investigation Undertaken? ☐ YES ☐ NO ☐ UNKNOWN

Follow up received? ☐ YES ☐ NO ☐ UNKNOWN

If yes, note date of follow up
in this format DDMMYYYY:

Status of file

Retention: E+1 (E = case resolved)

**Principal / Supervisor
or Designate Signature**

Print Name

Principal to retain this record in Child Welfare Agency Log Book file in a secure location.

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