



POLICY MANUAL SECTION Service user Services	POLICY NAME Duty to Report Abuse & Neglect	POLICY NUMBER PS 826
POLICY MANUAL SUBSECTION	RESPONSIBILITY CEO	APPROVED BY CEO
LAST REVIEW DATE March 2023	APPROVAL DATE April 2024	NEXT REVIEW DATE April 2026

SCOPE

The Child, Youth and Family Services Act (CYFSA) also referred to as the 'Act' provides for a broad range of services for families and children, including children who are, have been or may be victims of abuse and/or neglect. The *Child Youth and Family Services Act, 2017* (CYFSA) recent amendments include new grounds for protection that provide clarity regarding a protection worker's authority to intervene where a child/youth has been sexually exploited as a result of being subjected to sex trafficking, or where there is a risk that a child/youth is likely to be sexually exploited as a result of being subjected to sex trafficking. The paramount purpose of the Act is to promote the best interests, protection and well-being of children and youth. The Act (s. 125 (1) recognizes that each of us has a responsibility for the welfare of children and youth. It states clearly that members of the public, including professionals who work with children, have an obligation to report promptly to a Child Welfare and Protection agency if they suspect that a child or youth is in need of protection. This policy applies to any child who is or appears to be under the age of 18. Note- this Act now also applies to youth 16 to 18 years of age as per the raised age of protection, January 1, 2018

The purpose of this policy is to provide definitions of what constitutes abuse and neglect, who it applies to and who is obligated to report as defined by the Child, Youth and Family Service Act (CYFSA), 2017, including recent amendments pertaining to sexual exploitation and sex trafficking. In compliance with the CYFSA the intention of this policy is to promote the best interest, protection and well-being of children and youth.

We all share a responsibility to protect children from harm.

POLICY

It is the policy of the organization that all employees fully understand the concept of "Duty to Report"; are knowledgeable of what constitutes a situation where a child/youth may need protection; know how to promptly report to a Child Welfare and Protection agency; and the organization's procedures for documentation and accountability. It is expected that all employees as professionals working closely with children and youth have an awareness of the signs of abuse, neglect, and sexual exploitation and therefore have a particular responsibility to report their suspicions. To ensure full compliance with this act Lumenus provides procedures regarding training, management, employee support and oversight. Lumenus is committed to the delivery of its services in an environment that protects the rights of



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service users and is free from any form of abuse and neglect and coercion. This policy applies to every employee, student and volunteer. Adherence to this policy is mandatory. All employees, students and volunteers must be familiar with this policy, acknowledge their understanding of it and adhere to it.

PROTOCOLS

All Lumenus employees, staff and volunteer have an obligation to report concerns regarding the well-being of children and youth to Child Welfare and Protection and Protection Services. Some employees have an increased responsibility based on the nature of the services they are providing (see section Reasonable Grounds). Psychotherapists, psychologists, social workers/service coordinators have an increased obligation related to nature of the service they are providing to report suspected child abuse and neglect to Child Welfare and Protection and Protection and to follow up with Child Welfare and Protection and Protection on these reports in an ongoing manner (see ongoing duty to report).

Situations that must be reported are set out in the CYFSA and include:

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 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 including by child pornography, 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.
 - 4.1 The child has been sexually exploited because of being subjected to sex trafficking.
 - 4.2 There is risk that the child is likely to be sexually exploited as a result of being subjected to child sex trafficking. (4.1 and 4.2 are **new grounds for reporting** and do not require that the child's circumstances result from the actions or failure to act on the part of the "person having charge of the child", they encompass situations where a parent or caregiver is acting protectively but has been unsuccessful in extricating the child from the trafficking situation).
5. The child requires medical 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



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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
- v. delayed development
- vi. there are reasonable grounds to believe that the emotional harm suffered by the child results from 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 i, ii, iii, iv or v of paragraph 6 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 his or her 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.



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13. The child is less than 12 years old 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.

Youth in Custody, Court Holding Cells and Police Transport

Youth complaints about treatment while in court holding cells or in the care of police during transport must be reported to a Child Welfare and Protection agency and to the local police department for investigation, for youth under 16 years. For youth 16 years and over, complaints about treatment while in court holding cells or in the care of police during transport must be reported to the local police department, with or without the youth's consent, and the police occurrence number recorded in the youth's file/incident report.

All verbal and/or written allegations of abuse or suspected abuse dealing with youth over the age of sixteen, with or without the youth's consent, must be reported to the local police department and a police occurrence number recorded in the service user's record and in an incident report.

Reasonable Grounds

The person making the report does not need to be certain that a child/youth is or may be in need of protection to make a report to a Child Welfare and Protection agency. "Reasonable grounds" are what an average person, given his or her training, background and experience, exercising normal and honest judgement, would suspect.

Under CYFSA s. 72(4) and (6.2), professional persons and officials have the same duty as any member of the public to report a suspicion that a child/youth is in need of protection. The Act recognizes, however, that persons working closely with children and youth have a special awareness of the signs of abuse and neglect, and have a particular responsibility to report their suspicions, and so makes it an offence to fail to report.

Any professional or official who fails to report a suspicion that a child/youth is or may be in need of protection, where the information on which that suspicion is based was obtained in the course of his or her professional or other duties, is liable on conviction to a fine of up to \$5,000, imprisonment, or both.

A concern regarding a 16–17-year-old youth is not mandatory to report under the act, however the organization takes the position that all concerns for this age range are considered serious, are to be addressed immediately and reported if this is deemed to be the best course of action. The CYFSA authorizes Child Welfare and Protection workers and peace officers to temporarily remove 16- or 17-year-old victims of child sex trafficking in order to offer voluntary supports and services, for a maximum period of 12 hours

The Act defines the term "in need of protection" and sets out what must be reported to a Child Welfare and Protection agency. The definitions of a child/youth in need of protection including physical, sexual and emotional harm, neglect and the risk of such harm.

Ongoing Duty to Report

Under CYFSA s. 125 (2) the duty to report is an ongoing obligation. If a person has made a previous report and has additional reasonable grounds to suspect that a child/youth is or may



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be in need of protection, that person must make a further report to a Child Welfare and Protection agency.

Professional Confidentiality

The employee's duty to report overrides the provisions of any other provincial statute, specifically, those provisions that would otherwise prohibit disclosure by the professional or official. The professional must report a suspicion that a child is or may be in need of protection even when the information is otherwise supposed to be confidential or privileged. The only exception for "privileged" information is the relationship between a solicitor and a service user. For this reason, all service users at their initial contact with the organization must be informed during the intake process of **the 'limits of confidentiality'** and the legal requirement to report abuse or neglect.

Requirement to Report Directly

Under CYFSA s. 125 (3), the person who has the reasonable grounds to suspect that a child is or may be in need of protection must immediately make the report directly to a Child Welfare and Protection agency. **The person must not rely on anyone else to report on their behalf.**

Exemptions from Privilege and Protection from Liability

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 of the Act, unless the person acts maliciously or without reasonable grounds for the suspicion.

Professionals Affected

For example, under CYFSA s.125 (6) persons who perform professional or official duties with respect to children include but are not limited to the following:

- health care professionals, including physicians, nurses, dentists, pharmacists and psychologists
- teachers, 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 organization or home child care agency or provider of licensed child care within the meaning of the Child Care and Early Years Act, 2014
- social workers and family counsellors
- clergy religious official
- operators or employees of day nurseries/child care organization/home child care agency
- a mediator and an arbitrator
- youth and recreation workers (not volunteers)
- peace officers and coroners
- a lawyer
- service providers and employees of service providers, and
- any other person who performs professional or official duties with respect to a child.

Individuals who are not sure whether they may be a professional for purposes of the duty to



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report should contact a local Child Welfare and Protection agency, professional association or regulatory body for clarification.

Training:

All employees are required to be aware of the organization's policy, procedures and materials (documents relevant to their programs) pertaining to Duty to Report Abuse and Neglect Policy. New employees are oriented by their Manager regarding Duty to Report within the first week of hire. All employees will have a mandatory annual review of procedures. Programs and services that provide direct care, such as (but not limited to) intensive intervention programs, live-in treatment programs that have a higher threshold of responsibility may provide more frequent training.

All employees are required to report disclosures to their management immediately, who will provide support and assistance; determine if a Serious Occurrence Report and or other steps are required. (See Serious Occurrence Reporting Policy)

PROCEDURES

1. Alleged or Suspected Abuse:

Any employee, student, volunteer, or person acting on behalf of the organization to whom a child/youth alleges abuse or who has reasonable grounds to suspect that a child/youth will suffer, may be suffering, or may have suffered abuse or neglect will:

- Ask only enough questions to determine reasonable suspicion of abuse or neglect and ascertain the facts (who, when, where, how). Ask open-ended questions. Stay calm. Do not deny allegation or minimize it. Be understanding and offer reassurance. Use language that a child/youth can understand.
- Notify their Manager or (if the direct Manager is not available) the On-Call Manager, Director of the suspicion; to receive assistance and support throughout the reporting process;
- If there is reasonable suspicion of abuse or neglect, a report to the appropriate Child Welfare and Protection agency must be made immediately. This report can be made to the Child Welfare and Protection agency intake worker, emergency after hour's worker, or to the ongoing worker if one has been previously assigned.
- The employee will endeavor to report to Child Welfare and Protection (Societies in the Toronto region: CAST, CCAST, NCFS, JCFS etc that reflects the child/youth's cultural/religious affiliation, and is able to provide service in preferred language and cultural context
- Provide all information upon which the report is based, and such identifying information as is necessary for the Child Welfare and Protection agency to conduct their investigation. The Child Welfare and Protection agency may decide to involve the police in their investigation.
- Act as advocate for the child/youth to the person(s) receiving the information, (e.g., requesting a prompt response), as the child/youth may be experiencing considerable anxiety.
- Discuss and formulate an immediate plan with the Child Welfare and Protection representative. In the discussion, review:
 - the place and time of disclosure



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- the age and development of the child/youth
- whether the child/youth needs to be separated from the parent or adult who is charged with her/his care at that time or if s/he is with a supportive adult. If the child needs to be separated, identify a comfortable, safe and supportive location for the child/youth to wait
- any concerns regarding the child/youth's safety following the disclosure
- factors that may lead the child/youth to recant or deny his/her allegation
- what, if any, information can be given to the child/youth and/or parent or person having charge of the child/youth regarding the next steps. This can include:
 - whether the relevant person(s) can be informed that an allegation of suspicion of abuse or abuse has been reported to a Child Welfare agency
 - further investigation will take place
 - who will conduct this investigation
 - the time frame for the investigation, and
 - whether the child/youth can be released to the parent or person having care of the child/youth. This is often dependent on the nature and circumstance of the allegation, the relationship with the alleged abuser and their access to the child/youth. It is the role of the Child Welfare and Protection agency to escort the child/youth home and meet with the parents. The difference between the organization's role (treatment and the Child Welfare and Protection worker's role (protection) needs to be clear to the parents.
- if possible, negotiate a plan with the Child Welfare and agency (and/or police) re:
 - need for physical examination- notification of the parent(s) (Child Welfare and Protection agency/police decision);
 - gender of the investigating Child Welfare and Protection agency worker and police officer(s) (if significant to the child/youth);
 - place of the Child Welfare and Protection agency/police interview with the child/youth;
 - timing of the investigation.

When information is received from a service service user and/or their family, which leads an employee to suspect that a child/youth residing in the community is or may be in need of protection, the employee with the support of their supervisor, or on call manager will immediately:

- reports the suspicion of abuse/neglect to the local Child Welfare and Protection agency;
- record all information pertaining to the suspicion and/or allegations, and
- forward the report to the Manager, Director and Chief Operating Officer or designate as needed.
- Complete all documentation as required by their program and the organization i.e., Incident Report, service user file

The Employee provides the following information in making a report to the Child Welfare and Protection agency regarding a suspicion that a child/youth may be in need of protection where available:

- the child/youth's name, age, sex or gender identity, address, phone number and guardianship details



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- the names and addresses of any caregivers
 - the nature of the suspicion and/or allegation including documented information and related behavioural indicators observed
 - information about other children in the home or family (who may also be at risk) including their names, ages and addresses
 - the name, professional address, phone number and professional duties of the employee member reporting the suspicion and the context in which the information became known
 - whether the child/youth's parents/guardians/caregivers are aware of the report being made and their reactions
 - an opinion as to the urgency of the situation in terms of the child's physical and/or emotional safety and,
 - the names and addresses and telephone numbers of other possible witnesses or persons having relevant information.
- the worker will seek advice from the local Child Welfare and Protection agency about notification of family members regarding the suspicion and/or allegation.

The Manager/Director and/or Supervisor will:

- ensure that the employee who received the information regarding the child/youth in need of protection has immediately reported the suspicion and/or allegation directly to a local Child Welfare and Protection agency;
- ensure that documentation such as Serious Occurrence Report and/or Incident Report is completed and submitted within the required time frames to the appropriate Ministry (See Serious Occurrence Reporting Policy), and
- provide ongoing support to the Child Welfare and Protection agency throughout the investigation of the suspicion and/or allegation wherever possible.

2. Employee Allegation:

Within the context of providing service, concerns may arise which implicate an employee (including contract employees, student and volunteers) of the organization. If these concerns provide reasonable grounds to suspect that an employee may have been responsible for the abuse and/or neglect of a child/youth/adult in receipt of service, the procedure described above is followed. If it is not clear whether or not these concerns provide such reasonable grounds to suspect abuse and/or neglect, the Manager/Director and/or local Child Welfare and Protection agency is consulted.

In any situation where an employee of the organization receives information that would lead them to suspect that a child/youth/adult has been abused, or in the Child Welfare and Protection agency where a child/youth directly alleges that they have been abused by an employee of the organization, the Employee will immediately:

- report the incident promptly to their immediate manager/supervisor or their designate who in turn will immediately contact the Program Director and Chief Executive Officer;
- The person suspected of abuse is not to be told about any suspicions, the intention to report or that a report has been made until after the Chief Executive Officer has spoken with a Children's Aid worker or other authority, such as police, for direction;
- report the suspicion of abuse/neglect to the local Child Welfare and Protection agency and/or proper authorities;
- record all information pertaining to the suspicion and/or allegations, and



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forward the report to the Manager and Director.

The Director, Manager or designate shall:

- ensures that there is no further contact between the service user and the employee until the Child Welfare and Protection agency investigation takes place and has been resolved
- The Chief Executive Officer will immediately notify the Board Chair, who in consultation with the Chief Executive Officer, legal counsel, Children's Welfare and Protection Society and/or other authority as relevant, will determine what action, if any, will be taken with respect to the suspected person's responsibilities at Lumenus.
- The Chief Executive Officer will meet with the suspected person to discuss any procedures for a change in responsibilities. After an alleged incident of abuse, the worker may be suspended by their Program Director forthwith, with pay (as applicable). The suspected individual is to submit a written report providing their perspective and relevant details of the incident within no more than three (3) working days of the incident. The individual's Manager and Program Director will assess the seriousness of the incident within no more than ten (10) working days of receipt of the report. The suspension may continue throughout the process. The Chief Executive Officer will give the suspected person a written confirmation of any decisions and the reasons for such, and retain a copy on file.
- Abuse, mistreatment, or any injury of a resident by an employee, must be reported within 24 hours to the service user's parent/guardian, placing agency and/or representative from Child Welfare and Protection Services as relevant and to the respective Ministry Supervisor through completion of an SORL(see SOR policy)). If, as a result of the internal investigative procedure outlined above, the manager and Program Director conclude that the abuse is unequivocal, and that there are not sufficient mitigating circumstances, the individual may be subject to dismissal in accordance with Lumenus' Human Resources policies and procedures.
- Documentation of suspicions of abuse will be forwarded to the Chief Executive Officer to be placed in a secure cabinet, separate from the worker's personal file and separate from any other service user information.
- If the Chief Executive Officer is suspected of abusing a child, the Board Chair is to be notified of the intention to report to a Child Welfare and Protection Services or other authority as relevant and to the Ministry. The Board will assume the responsibilities of the Chief Executive Officer outlined in above reporting procedure.
- Documentation of suspicion s of abuse will be forwarded to the Chief Executive Officer to be place in a secure cabinet, separate from the worker's personal file and separate from any other service user information.

This policy and the Protocols for Suspicions of Abuse by Lumenus Employees policy supersede any other policies and procedures from organizations with which an independent contractor, intern or volunteer is affiliated ⁱ

In instances where an employee is under investigation contact with other employees is suspended until the issues are investigated and resolved. This practice is intended to safeguard the organization's service users, to protect the employee from further allegations while an investigation is underway, and to protect the interests of the organization.

3. Elect to Work or 3rd Party Staffing:



NOTE: Where an elect to work employee is involved, the employee is advised that the Organization will not be calling them for shifts at any of the organization's programs until the matter is resolved. For 3rd Party agencies, the agency is notified that their staff's shifts with Lumenus will need to be on hold until the matter is resolved.

The Employee provides the following information in making a report to the Child Welfare and Protection agency regarding a suspicion that a child/youth may be in need of protection where available:

- the child/youth's name, age, sex or gender identity, address, phone number and guardianship details;
- the names and addresses of any caregivers;
- the nature of the suspicion and/or allegation including documented information and related behavioural indicators observed;
- information about other children in the home or family (who may also be at risk) including their names, ages and addresses;
- the name, professional address, phone number and professional duties of the employee member reporting the suspicion and the context in which the information became known;
- whether the child/youth's parents/guardians/caregivers are aware of the report being made and their reactions;
- an opinion as to the urgency of the situation in terms of the child/youth's physical and/or emotional safety, and
- the names and addresses and telephone numbers of other possible witnesses or persons having relevant information.

The Manager/Director will:

- ensure that the employee who received the information regarding the service user/service user in need of protection has reported the suspicion and/or allegation directly and immediately to a local Child Welfare and Protection agency;
- ensure that an Incident Report and a Serious Occurrence Report is completed and submitted within the required time frames to the appropriate Ministry (See Serious Occurrence Reporting Policy and Incident Report Policy);
- facilitate the investigation of the suspicion and/or allegation by the local Child Welfare and Protection agency wherever possible, and
- advise the Chief Executive Officer or Chief Operating Officer of the incident and actions taken regarding the service user/service user and involved employee.

The Director/Manager/Supervisor and worker seek advice from the local Child Welfare and Protection agency about notification of family members regarding the suspicion and/or allegation.

The Director, Manager and/or Supervisor:

- meets or speaks with the employee person involved in the allegation on the next working day to determine next steps in the process and to ensure that the employee person is supported during the investigation where applicable
- ensures that Human Resources is aware of the situation so that, where appropriate, they can assume a lead role in providing support to the employee person on behalf of the organization



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NOTE: Where appropriate an alternative lead will be designated by the Director, Manager. An internal review into the matter does not precede the Child Welfare and Protection agency and/or police investigation. Once the service user/service user has made an allegation and it has been reported to the Child Welfare and Protection agency, the service user/service user should not be questioned further about the incident by organization employee.

Once a formal report to the local Child Welfare and Protection agency has been made, the investigating Child Welfare and Protection agency and/or police will assume responsibility for conducting the investigation. Once a report of abuse has been made, the investigation will begin as soon as possible and will occur at Child Welfare and Protection agency's discretion. The Child Welfare and Protection agency will determine the location of the initial contact with the service user/service user. If the interview occurs at a Lumenus site, the organization will provide private space for any interviewsService user

4. Service user against Service user allegation

Within the context of providing service, treatment needs of one service user may interfere with another service user. Lumenus provides a detailed summary of the Risks and Benefits of the service prior to admission to the program. There may be circumstances where one service user makes allegations towards another If these concerns provide reasonable grounds to suspect that a service user may have been responsible for the abuse of a another in receipt of service, the procedure described above is followed. If it is not clear whether or not these concerns provide such reasonable grounds to suspect abuse and/or neglect, the Manager/Director and/or relevant Child Welfare and Protection services and or the police are consulted.

In any situation where Lumenus staff receive information that would lead them to suspect that a service user has been abused, or in the case where a service user directly alleges that they have been abused by another service user of the program, the worker immediately:

- ☐ reports the suspicion of abuse/neglect to the relevant Child Welfare and Protection Services for children and youth;
- ☐ notifies a Manager or (if the direct Manager is not available) the On-Call Manager of the suspicion;
- ☐ records all information pertaining to the suspicion and/or allegations;
- ☐ forwards the report to the Manager and Director.

The Director, Manager:

- ☐ ensures that there is no further contact between the two service users until the Child Welfare and Protection Services investigation takes place;
- ☐ clarifies that the worker who received the information regarding the service user in need of protection has reported the suspicion and/or allegation directly and immediately to a local Child Welfare and Protection Services;
- ☐ ensures that a Serious Occurrence Report is completed and submitted within the required time frames to the appropriate Ministry (See Serious Occurrence Reporting);
- ☐ facilitates the investigation of the suspicion and/or allegation by the Child Welfare and Protection Services wherever possible;
- ☐ advises the Strategic Director who reports to the Chief Operating Officer of the incident and actions taken regarding the service user and involved staff.

The Lumenus employee provides the following information in making a report to the Child Welfare



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and Protection Services: a suspicion that a child may be in need of protection where available:

- ☐ the child's name, age, sex or gender identity, address, phone number and guardianship details;
- ☐ the names and addresses of any caregivers;
- ☐ the nature of the suspicion and/or allegation including documented information and related behavioural indicators observed;
- ☐ information about other children in the home or family (who may also be at risk) including their names, ages and addresses;
- ☐ the name, professional address, phone number and professional duties of the staff member reporting the suspicion and the context in which the information became known;
- ☐ whether the child's parents/guardians/caregivers are aware of the report being made and their reactions;
- ☐ an opinion as to the urgency of the situation in terms of the child's physical and/or emotional safety;
- ☐ the names and addresses and telephone numbers of other possible witnesses or persons having relevant information.

The Director/Manager/Supervisor and worker seek advice from the relevant Child Welfare and Protection services about notification of family members regarding the suspicion and/or allegation.

The Director, Manager:

- ☐ facilitates the recommendations from Child Welfare and Protection ensuring the safety of both service users

NOTE: Where appropriate an alternative lead will be designated by the Director, Manager, or Supervisor

An internal review into the matter does not precede the Child Welfare and Protection and/or Police investigation. Once the service user has made an allegation and it has been reported to the Child Welfare and Protection Society, the service user should not be questioned further about the incident by Lumenus staff.

Once a formal report to the local Child Welfare and Protection has been made, the investigating worker and/or Police will assume responsibility for conducting the investigation. Once a report of abuse has been made, the investigation will begin as soon as possible and will occur at Child Welfare discretion. The Child Welfare agency will determine the location of the initial contact with the service user. If the interview occurs at a Lumenus site, the agency will provide appropriate private space for the interview where available.

The Child Welfare employee and/or Police will determine:

- ☐ who will be part of the investigative process;
- ☐ when and how contact with the staff person about whom the allegations have been made will occur.

The Child Welfare and/or Police may request the person to whom the service user disclosed or another supportive person may be requested to attend a part or all of the initial interview with the youth to validate the youth's statement.

The Chief Operating Officer, or designate, will ensure that regular contact occurs with CAS in



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order to stay apprised of the investigation process, including assessment of the safety of the youth and possible planning recommendations.

Lumenus may be asked to monitor the youth for any signs of further abuse, emotional upheaval or other indications that the youth may be at risk.

The Chief Executive Officer, or designate, will ensure that regular contact occurs with Child Welfare to ensure that the organization is notified, as soon as possible, regarding the investigation findings so that appropriate action can be taken with respect to the staff involved (e.g. reinstate, train, discipline, dismiss).

The Child Welfare worker will provide a written report regarding the investigation findings addressed to the Chief Operating Officer of the organization.

The Child Welfare worker and the organization will work collaboratively to support the youth in any follow-up Service Plans.

Once the Child Welfare worker has shared its findings and recommendations with the organization, the Chief Executive Officer and/or Chief Operating Officer, in consultation with the Director, will determine if there are unanswered questions and whether the organization should initiate its own internal review or investigation of the situation to understand the incident, ascertain what might have been done to prevent same, understand what changes/clarifications are required in Lumenus policies and practices, identify staff or manager training needs, identify any disciplinary actions that need to be taken to reinforce the seriousness of the incident, etc.

5. Other Roles and Responsibilities:

The Child Welfare and Protection agency and/or police will determine:

- who will be part of the investigative process;
- when and how contact with the employee person about whom the allegations have been made will occur.

The Child Welfare and Protection agency and/or police may request the person to whom the service user/service user disclosed, or another supportive person may be requested to attend a part or all of the initial interview with the youth to validate the youth's statement.

The Chief Executive Officer, or designate, will ensure that regular contact occurs with Child Welfare and Protection agency in order to stay apprised of the investigation process, including assessment of the safety of the youth and possible planning recommendations.

The organization may be asked to monitor the youth for any signs of further abuse, emotional upheaval or other indications that the youth may be at risk.

The Chief Executive Officer, or designate, will ensure that regular contact occurs with the Child Welfare and Protection agency to ensure that the organization is notified, as soon as possible, regarding the investigation findings so that appropriate action can be taken with respect to the employee involved (e.g. reinstate, train, discipline, dismiss).

The Child Welfare and Protection agency will provide a written report regarding the investigation findings addressed to the Chief Executive Officer of the organization. The Child Welfare and Protection agency and the organization will work collaboratively to support the youth in any follow-up Service Plans.

Once the Child Welfare and Protection agency has shared its findings and recommendations



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with the organization, the Chief Executive Officer and/or Chief Operating Officer , in consultation with the Director, will determine if there are unanswered questions and whether the organization should initiate its own internal review or investigation of the situation to understand the incident, ascertain what might have been done to prevent same, understand what changes/clarifications are required in organization policies and practices, identify employee or supervisor training needs, identify any disciplinary actions that need to be taken to reinforce the seriousness of the incident, etc.

DocuSigned by:

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DS

6/3/2024

Chief Corporate Services Officer

DocuSigned by:

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6/22/2024

Chief Executive Officer