

Protection from Child Abuse Policy	Policy Number: PA-406
Last Reviewed: 2019/09/24	Next Review: 2020/09/24

**Purpose:** Pinnguaq is committed to taking a pro-active position regarding the prevention of child abuse through the ongoing observation of the children participating in its services.

**Policy Statement:** Pinnguaq has a zero-tolerance policy regarding child abuse. Any allegations, or suspicions must be reported without delay. In Nunavut reports of suspected child abuse are made to the Department of Family Services. In Ontario reports of suspected child abuse are made to a designated children's aid society (designated children's aid societies may be different depending on the community).

1. **Contact information:**

- 1.1. In Nunavut matters involving suspicion of child abuse must be referred to the [Department of Family Services](#).
- 1.2. In Ontario matters involving suspicion of child abuse must be referred to the appropriate [designated children's aid society](#) (community specific contact list)

2. **Legal Requirements:**

- 2.1. In Nunavut, the Pinnguaq Association is legally obligated to ensure the protection of children and youth in accordance with the [Child and Family Services Act](#). In Ontario obligations fall under the [Child, Youth and Family Services Act](#).
- 2.2. Both acts obligate anyone with information on a child needing protection or the suspicion that a child is being abused to report the abuse to authorities without delay.
- 2.3. **Failure to report:** Not reporting a child needing protection or suspicion of abuse is an offence under both the Nunavut Child and Family Services Act and the Ontario Child, Youth and Family Services Act. The penalty imposed (a fine of up to \$5000.00) emphasizes that a child's safety must take precedence over all other concerns (C.F.S.A. 85 (1)).
- 2.4. **Confidentiality:** Under both the Nunavut and Ontario acts, the professional's duty to report suspicions of child abuse overrides any considerations of privacy or confidentiality in the case of children who need protection or who the professional suspect is being abused. **Protection from Liability:** All persons making a report of

suspected child abuse are protected against civil action, unless that person is proven to have acted “....maliciously or without reasonable grounds for the belief or suspicion.

### 3. Principles

- 3.1. The child’s welfare is paramount.
- 3.2. All children have an absolute right to protection from abuse, neglect or exploitation.
- 3.3. All members of The Pinnguaq Association have a responsibility to be mindful of issues related to children's safety and welfare and a duty to report and refer any concerns however “minor” they appear to be.
- 3.4. The duty to report will apply irrespective of whether the harm or abuse or allegation relating to any person inflicting harm or abuse to a child occurs on the premises or elsewhere.
- 3.5. Managing allegations is about taking a purely objective stance, even if the allegation is about a colleague.
- 3.6. The Pinnguaq Association will be proactive and take positive steps to inform staff of the conduct and behaviour expected, and about what to do to safeguard themselves against allegations of abuse.
- 3.7. A member of staff against whom an allegation has been made will be suspended automatically, until careful consideration has been given to the circumstances following Legal and Executive advice.
- 3.8. The Pinnguaq Association will have in place systems that deter possible abusers and will manage fairly, quickly and consistently any allegations of abuse made against staff.
- 3.9. Parents or carers of the child or children involved will be told about the allegation subject to legal advice as soon as possible if they do not already know of it.
- 3.10. The Director, where appropriate, providing the allegation is not about them will, subject to legal advice, keep the person who is the subject of the allegation/s informed of the progress of the case and consider what other support may be appropriate for the individual.
- 3.11. Every effort will be made to maintain confidentiality and guard against publicity while an allegation is being investigated/considered.

### 4. Prevention

- 4.1. Pinnguaq Association will take several steps to ensure that no abuse or allegations of abuse occur.

- 4.2. Ensure that all employees working with children have a current Vulnerable Sector check on file.
- 4.3. Require employees to complete a Declaration of Offences on a yearly basis.
- 4.4. Train employees in basic appropriate behavior when working with children, such as:
  - 4.4.1. Do not work alone in a room with children with a closed, windowless door. If this is impossible due to the structure of the building, ask another adult to drop in regularly.
  - 4.4.2. Do not touch children below the shoulders or above the knees.
  - 4.4.3. The Pinguuaq Association appreciates the value of positive physical contact such as hugs but does not recommend it. At the discretion of the employee, hugs are allowable if the benefit of a hug appears to outweigh the detriment, but they are to be kept short.
- 4.5. Pinguuaq Association will make reasonable efforts to train staff to understand child abuse, recognize signs of abuse and appropriate follow up measures. Information recognizing signs of child abuse can be found here: [Children's Aid Societies of Ontario](#).

## 5. Procedure

### 5.1. Allegations of Abuse

- 5.1.1. If an allegation of abuse is brought against an Employee or Volunteer with The Pinguuaq Association, the following procedure is to be followed: The recipient of the allegation will determine the following: That an allegation has been made
- 5.1.2. The general nature of the allegation
  - When and where the incident is alleged to have occurred
  - Who was involved
  - Any other persons present
- 5.1.3. The alleged abuser should be suspended from their duties involving children immediately until their innocence or guilt has been established. After that verdict is returned, their continued employment will be at the discretion of the Director.
- 5.1.4. The recipient of the allegation **should not** interview the abused, the alleged abuser, or any witnesses, if possible. Interviews of this type should be performed by a professional, so as to not exacerbate any possible trauma.

- 5.1.5. The recipient of the allegation will inform the Director of the events. In the case where the Director is unavailable, the recipient should inform a member of the Board of Directors.
  - 5.1.6. The recipient of the allegation should call their closest Social Services Office for direction at this point. A full list of Social Service Offices in Nunavut is available here: <http://gov.nu.ca/sites/default/files/Social-Services-Offices.pdf>. In Ontario the designated Children's Aid Society should be contacted.
  - 5.1.7. In the case where another adult unassociated with the Pinnguaq Association was the recipient of the allegations, the Pinnguaq Association employee should encourage that adult to follow the above steps.
  - 5.1.8. Regardless of innocence, guilt, or personal feelings, it is the duty of all Pinnguaq Association employees to refer any allegations of abuse to the appropriate contact.
- 5.2. Suspicions of Abuse**
- 5.2.1. Anyone with reasonable and probable grounds to believe that a child is being mistreated or is receiving inadequate care and supervision is required to report such suspicions to the local child protection authority. If there is uncertainty about information, it is prudent to consult with local child protection authorities.
  - 5.2.2. Advise the person that you are required to and will report the occurrence to the appropriate Child Protection Authority and in circumstances involving physical or sexual abuse, police as well as the Director. No judgment statement should be made about the alleged abuser, nor should you show alarm or anger.
  - 5.2.3. Remove the child from any further danger if warranted.
  - 5.2.4. Advise the person they will hear further directly from the child protection authority or police.
  - 5.2.5. Advise the child or parent that all information will be kept confidential and will only be provided to those who require it for the protection of all involved.
  - 5.2.6. Contact the child protection authority, and in circumstances involving physical or sexual abuse, police and the Director immediately following the Discussion.
  - 5.2.7. As soon as possible, write a more detailed report of your discussion regarding alleged or suspected abuse or neglect (ie.who, what, when, where). Give your written statement to the Director.<sup>1</sup>

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<sup>1</sup> From Child Abuse Prevention Policy. Scouts Canada, 2019.



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