

NOTE: This is intended as a sample that your parish can use as a starting point for developing your own protocols. It is dangerous to adopt this or any other protocol without serious discussion, and ultimately review by Parish Council: the Parish is bound to abide by the protocol(s) it adopts.

## **Protocol for Reporting of and Initial Response to Allegations, Complaints, Disclosures, Reports, or Suspicions of Child Abuse**

The Parish will follow the steps outlined in this protocol in the case of any allegation, complaint, disclosure, report, or suspicion of child abuse (See explanatory Notes at the end of this document):

### **(1) Caring for the child: Is the child safe enough?**

The very first obligation of the individual who receives the allegation, complaint, disclosure, report of abuse from a child, or who is suspicious that child abuse has taken place is to care for the child. In particular, if there is a question or concern about the child's immediate safety or security, the individual will raise the issue with child welfare authorities and parish authorities and seek direction as to action that should be taken.

### **(2) Reporting an Allegation, Complaint, Disclosure, Report or Suspicion of Child Abuse to the Child Welfare Authorities**

1. If a child alleges, complains, discloses, or reports to any member of the Parish's personnel that he or she has been abused, or if any member of the Parish's personnel suspects that a child or youth has been abused (including being neglected), the matter will be reported to child welfare authorities immediately, as required by the Nova Scotia *Children and Family Services Act* and the PEI *Child Protection Act*.

2. Parish personnel and authorities **will not vet or investigate** any such allegation, complaint, disclosure, report, or suspicion to determine if an allegation, complaint, report, disclosure, or suspicion is legitimate before contacting child welfare authorities to report the matter. Information provided by the child will be recorded on the Incident Report Form, but Parish personnel are not to ask the child any questions about the alleged abuse.

3. The allegation, complaint, disclosure, report, or suspicion will also be reported immediately to the Rector and Wardens of the Parish. An authorized representative of the Parish will inform the Bishop's office and the parish's insurer of the matter.

4. Information about the allegation, etc., and all follow-up actions will be documented.
5. The individual who receives the allegation, complaint, disclosure, or report from a child **will not** promise the child “I won’t tell anyone.” The individual who receives the allegation, etc., or is suspicious is legally required to report the matter. While every effort must be made to protect privacy, especially of the child, and maintain confidentiality of the information, it is wrong to suggest to the child that no one will be told.
6. The Parish must not take any action that would impede or prejudice any investigation by child welfare or other civil authorities, especially the police and the courts, or that might be seen to prejudice the outcome of any such investigation(s). Therefore, **the Parish will not undertake any internal investigation of the allegation, complaint, disclosure, report, or suspicion of abuse until child welfare or other civil authorities have notified the Parish of the disposition of the matter and/or that they are no longer investigating the matter.**

### **(3) Immediate Parish Action if Individual Against Whom an Allegation, etc., is Made is a Member of the Parish Personnel**

1. If the individual against whom an allegation, complaint, disclosure, or report of abuse is made or who is suspected of abuse is a paid member of the personnel of the Parish, he or she will be placed on a leave of absence pending the outcome of the investigation, and he or she will be instructed not to undertake any duties in the name of the Parish. Parish Council may need to consider the question of continuing to pay salary or stipend in such a situation.
2. If the individual against whom an allegation, complaint, disclosure, or report of abuse is made or who is suspected of abuse is a member of the clergy or any individual governed by the Diocese’s Sexual Misconduct Policy, the Bishop will be notified immediately (by a Warden or other member of Parish Council), and all relevant instructions and processes outlined in the Diocesan Sexual Misconduct Policy will be followed.
3. If the individual against whom an allegation, complaint, disclosure, or report of abuse is made or who is the subject of a suspicion of abuse is a volunteer or other unpaid member of the Parish’s personnel, he or she will be suspended from any duties in the Parish pending the outcome of the investigation of the matter.

#### **(4) Pastoral Care for Individuals**

The Parish will undertake to provide pastoral care for individuals involved in the matter, immediately and on an ongoing basis, in particular, as needed and appropriate, including in particular, the child in question and his or her family or caregivers, Parish personnel affected by the situation, and possibly the individual against whom an allegation is made. As far as possible, Parish authorities will seek the advice of child welfare authorities and/or the police before contact is made in an effort to avoid jeopardizing or tainting investigations or possible prosecutions.

#### **(5) Protecting Confidentiality of Relevant Information**

1. The Parish will seek to maintain confidentiality of information in relation to any allegation, report, disclosure, or suspicion of abuse, in particular the name of the child or youth who is the alleged victim. However, relevant information will be provided to Parish personnel who need to know it in order to fulfill the requirements of their positions.
2. Parish authorities will remind all who are aware of an allegation, complaint, disclosure, report, or suspicion of abuse that an individual accused is innocent until proven guilty, and that the matter should not be discussed or information disclosed unless a member of the Parish personnel requires the information in order to perform the duties of his or her position.
3. Any decision about disclosure of information must be made by parish authorities—i.e., the Rector, Wardens, and/or Parish Council—not by individual Parish personnel. The Parish will seek legal counsel on the matter before making any public disclosure (including any kind of statement to other members of the Parish), unless Parish authorities have reasonable grounds to believe that disclosure to particular individuals is a matter of urgency—e.g., if they believe that a child or other person may be in danger if the information is not disclosed, in which case Parish authorities will make a decision and document the situation, including the reasons for their decision(s).

#### **(6) Documentation of Parish Actions**

1. Parish personnel are to document all of their actions and decisions in relation to an allegation, complaint, disclosure, report, or suspicion of abuse. All relevant documentation is to be placed in a confidential file, which is to be kept permanently by the Parish in a secure manner and location.

## NOTES:

1. \*Re the definition of a child for purposes of this protocol: A “child” is defined by the Nova Scotia *Children and Family Services Act* as, generally, a person under the age of 16. Someone 17 or 18, who is disabled or particularly vulnerable, **might** also be considered a child for purposes of the Act. If in doubt about whether someone falls within this definition, it is best to make the report and ask the Intake Worker. Under the PEI *Child Protection Act*, a “child” is defined as someone under the age of 18.
2. In Nova Scotia, reporting to the child welfare authorities means calling the local or regional office of the provincial Department of Community Services. The phone numbers of regional Community Services offices with Child Welfare Services can be found online here: <http://novascotia.ca/coms/departement/contact/ChildWelfareServices.html>. Parishes in Nova Scotia should identify the phone number of the appropriate Community Services office and note that number on a copy of this protocol or the Incident Report Form. On PEI, the call should be made to the Provincial Child Protection Intake Unit at 1-877-341-3101 (or, after normal business hours, to 1-800-341-6868).
3. The obligation to report child abuse is a personal one. This means that the individual to whom an allegation, complaint, disclosure or report was made, or who is suspicious that a child has been abused is under a legal obligation to report the matter to the authorities. Reporting the matter to the Rector or a Warden is not enough. The individual who received the allegation or who is suspicious is under the legal obligation to either (i) make the report himself or herself, or (ii) **be CERTAIN that it is made** by the Rector or Warden (or other authorized person).
4. If people are in doubt as to whether a report should be made, more weight should be given to the protection of children than to any other consideration. A call to the child welfare authorities will not necessarily always trigger an investigation by them and/or by the police. Staff of the Department of Community Services/Child Protection Unit will make a determination based on the information provided to them.
5. The term “personnel” is used here deliberately as the most generic, inclusive term for those who do work on behalf of the Parish. Personnel includes clergy and laypeople, paid employees and unpaid volunteers, members of Parish Council and its committees, etc.