

# Child Protection Policy and Procedures

Name of Child Care Centre: **Martin Luther Kindergarten**

Date Policy and Procedures Established: **January 11, 2019**

Date Policy and Procedures Updated: April 10, 2019

## Purpose

The purpose of this policy and the procedures within is to provide clear instructions for staff, students and volunteers to follow for how to protect the children of the Martin Luther Kindergarten and how to identify, respond to and report a serious occurrence. It ensures that there is a plan to deal with any serious incidents that may affect the health, safety and well-being of children and those working directly with children, and that these serious incidents are reported, tracked and followed up on.

This policy requires that an annual review be conducted of serious occurrences that took place over the last calendar year for an opportunity to reflect on the incidents that took place and consider approaches that will be implemented to minimize the chance that the incidents will occur again in the future.

This policy is intended to fulfill the obligations set out under Ontario Regulation 137/15 for policies and procedures with respect to serious occurrences for child care centres.

Note: definitions for terms used throughout this policy are provided in a Glossary at the end of the document.

## Policy

### Selecting Workers (Employees, Students and Volunteers)

In order for an adult to interact with the children at the Martin Luther Kindergarten in a leadership or direct supervisory role including as employee, student and volunteer, it is required for the following steps to be followed:

1. Obtain a completed application form from the applicant.
2. Obtain references from two references (not including relatives). Reference checks for volunteers may be waived.
3. Interview each prospect, obtaining any information missing from the application and additional information regarding answers to questions on the application and obtaining any other pertinent information and taking written notes of the interview.
4. Facilitate criminal background checks and vulnerable persons checks for all employees, students and volunteers.
5. Request the appropriate staff member to approve the applicants.
6. Inform the applicant of determination.

### Supervision of Workers

We strive to have at least two adults present at all times when interacting with children at the Martin Luther Kindergarten. The presence of a parent who has not been screened and above does not satisfy the two-adult rule, not excuse the requirement that two other adults who have been so screened and approved be present at all such activities.

### **Identifying a Serious Occurrence**

- Under the *Child Care and Early Years Act, 2014*, serious occurrences are defined as:
  1. the death of a child who received child care at a child care centre,
  2. abuse, neglect or an allegation of abuse or neglect of a child while receiving child care at a child care centre,
  3. a life-threatening injury to or a life-threatening illness of a child who receives child care at a child care centre,
  4. an incident where a child who is receiving child care at a child care centre goes missing or is temporarily unsupervised, or
  5. an unplanned disruption of the normal operations of a child care centre that poses a risk to the health, safety or well-being of children receiving child care at the child care centre.
- Note: Appendix A provides examples and scenarios of reportable and non-reportable incidents.

### **Definitions of Child Abuse and Neglect**

Child abuse includes physical, emotional and sexual abuse and neglect leading to failure to thrive.

- Physical abuse means any physical force or action which results in or may result in a non-accidental injury to a child.
- Sexual abuse means any sexual contact with a child whether consensual or not. It includes touching of a sexual nature and sexual intercourse and may include any behaviour of a sexual nature towards a child.
- Emotional abuse means acts or omissions of those responsible for the care of a child which are likely to produce long term serious emotional difficulties.
- Neglect means the failure of those responsible for the care of the child to meet the physical, emotional or medical needs of a child to the extent that the child's health, development or safety is endangered.

### **Reporting a Serious Occurrence**

- Staff will notify the licensee, supervisor or designate of a serious occurrence as soon as they become aware of the incident.
- All serious occurrences will be reported to the Ministry of Education in the Child Care Licensing System (CCLS) within 24 hours of the licensee, supervisor or designate becoming aware of the occurrence.
- Identifying information such as children or staff names will not be included in the serious occurrence reports.

- If CCLS cannot be accessed (e.g. where CCLS or an internet connection is unavailable), the licensee, supervisor or designate will notify the program advisor (PA) assigned to the licence by email or by telephone within 24 hours of becoming aware of the occurrence. A serious occurrence report will be submitted in CCLS as soon as the system can be accessed.
- Where a Ministry of Education PA cannot be reached by telephone, a voicemail message will be left to notify the PA of the incident.
- All updates to serious occurrences will be reported in CCLS through update reports until the serious occurrence has been closed by the Ministry of Education.
- Where the Ministry of Education requests updates to a serious occurrence in CCLS, these will be provided as soon as possible through update reports.
- Serious occurrences reported to the Ministry of Education will be documented in the daily written record.

### **Posting a Serious Occurrence Summary (Notification Form)**

- Within 24 hours of becoming aware of a serious occurrence, the supervisor/designate will complete a Serious Occurrence Notification Form in either CCLS or using the form available in Appendix B.
- The form will provide a summary of the serious occurrence and of any action taken by the child care centre.
- The summary will not include identifying information (e.g. names and ages of children, staff, or program rooms) and will contain gender-neutral language.
- The summary will be posted at the child care centre in a place that is visible and accessible to parents for a minimum of 10 business days, regardless of the serious occurrence type and the status of any related investigation.
- All updates to the serious occurrence will be added to the posted summary, and the summary will remain posted for an additional 10 business days each time any updates are added.
- All serious occurrence summaries will be retained for 3 years from the date they are created or last updated (whichever date is most recent).

### **Annual Analysis of Serious Occurrences**

- An annual analysis of all serious occurrences that occurred in the previous calendar year will be completed by the supervisor/designate (the form available in Appendix C may be used for this purpose).
- The annual analysis will be used to identify issues, trends and actions taken.
- The analysis and record of actions in response to the analysis will be kept on file for Ministry of Education review and retained for 3 years from the date the analysis and record of actions were created.

### **Concerns about the Suspected Abuse or Neglect of a Child**

- If any person, including a person who performs professional duties with respect to children, has reasonable grounds to suspect that a child has suffered, or is at risk to suffer, physical or emotional harm or sexual exploitation or molestation inflicted by the person having charge of the child, the person will report the suspicion directly to a children's aid society (CAS).
- Suspected abuse or neglect that will be reported will include physical, emotional and sexual abuse and/or neglect.
- Where a parent expresses concerns that a child is being abused or neglected, the parent will be advised to contact their local CAS directly. The person who becomes aware of these concerns is also required to report the concerns to the local CAS.

## Procedures to Respond to a Serious Occurrence

### Steps to Follow for All Serious Occurrences

Steps for Staff, Students and Volunteers to Follow:	Steps for the Licensee/Supervisor/Designate to Follow:
<p><b>1. Immediately:</b></p> <ul style="list-style-type: none"> <li>• Ask for assistance from other staff, students, or volunteers.</li> <li>• Provide immediate medical assistance, if applicable, according to Standard First Aid and CPR training, where applicable.</li> <li>• Call emergency services and follow direction from emergency services personnel, where applicable,</li> <li>• Ensure that other children are removed from the scene and do not have access to the area, where applicable.</li> <li>• Address any risks to the health or safety of the child and/or other children present to prevent the risk of further harm.</li> <li>• Notify the supervisor/designate.</li> </ul> <p><b>2. Ongoing and after the incident:</b></p> <ul style="list-style-type: none"> <li>• Follow any direction provided by third-party authorities (e.g. police, CAS, public health, etc.)</li> <li>• Ensure that children are supervised at all times.</li> </ul>	<p><b>1. Immediately:</b></p> <ul style="list-style-type: none"> <li>• Provide assistance to children, staff, students, volunteers and families.</li> <li>• Provide immediate medical assistance, if applicable, according to Standard First Aid and CPR training.</li> <li>• Call emergency services and follow direction from emergency services personnel, where applicable.</li> </ul> <p><b>2. Within 24 hours of becoming aware of the incident:</b></p> <ul style="list-style-type: none"> <li>• Collect all pertinent information to report the incident to the Ministry of Education as a serious occurrence, including: <ul style="list-style-type: none"> <li>○ A description of the incident;</li> <li>○ The date, time, place where it occurred, actions taken and outcome;</li> <li>○ The current status of the incident and child/parties involved; and</li> <li>○ All other parties notified (e.g., emergency services, CAS, parents).</li> </ul> </li> </ul> <p><b>3. Report the serious occurrence in CCLS, or notify the Ministry of Education program advisor by</b></p>

Steps for Staff, Students and Volunteers to Follow:	Steps for the Licensee/Supervisor/Designate to Follow:
<p><b>3. Within 24 hours:</b></p> <ul style="list-style-type: none"> <li>• Document the incident in:           <ol style="list-style-type: none"> <li>a. the daily written record;</li> <li>b. the child's record of symptoms of illness, if applicable; and/or</li> <li>c. in an accident report, if applicable.</li> </ol> </li> <li>• Where an accident report is created, provide a signed copy to a parent of the child.</li> </ul>	<p>telephone or email where CCLS is not available.  <b>Note:</b> Where CCLS is not available, a serious occurrence report will be submitted in CCLS as soon as it becomes available.</p> <p><b>4.</b> Post a summary of the serious occurrence and of any action taken by the child care centre in a place that is visible and accessible to parents.</p> <p><b>5. Ongoing and after the incident:</b></p> <ul style="list-style-type: none"> <li>• Follow any direction provided by third-party authorities (e.g. police, CAS, public health, etc.)</li> <li>• Maintain confidentiality at all times.</li> <li>• Update the serious occurrence report in CCLS, as required.</li> <li>• Conduct an internal review of the serious occurrence with staff, students and volunteers to establish next steps and reduce probability of repeat occurrences.</li> <li>• Provide children, parents, staff, students and/or volunteers with supports, if needed.</li> <li>• Review with staff, students and volunteers the child care centre's program statement policies and procedures that set out prohibited practices and expectations of promoting the health, safety, nutrition and well-being of all children.</li> </ul>

### Steps to Follow According to Specific Serious Occurrence Categories

Serious Occurrence Category	Steps for Staff, Students and Volunteers to Follow:	Steps for the Licensee/Supervisor/Designate to Follow:
<p><b>Death of a Child</b></p>	<p><b>Death occurs while a child is receiving child care:</b></p> <p>See 'Steps to Follow for All Serious Occurrences' for staff, students and volunteers.</p>	<p>See 'Steps to Follow for All Serious Occurrences' for the Licensee/Supervisor/Designate, and</p> <p><b>a) Death occurs while a child is receiving child care:</b></p>

Serious Occurrence Category	Steps for Staff, Students and Volunteers to Follow:	Steps for the Licensee/Supervisor/Designate to Follow:
		<p><b>1. Immediately, upon becoming aware of the incident:</b></p> <ul style="list-style-type: none"> <li>• Contact a parent of the child, or where a parent cannot be reached, contact the child's emergency contact.</li> </ul> <p><b>b) Death occurs while a child is not receiving child care:</b></p> <p><b>Within 24 hours of becoming aware of the incident:</b></p> <ul style="list-style-type: none"> <li>• Contact local Children's Aid Society (CAS) or police services to find out if there is an investigation. If an investigation is ongoing, conduct an internal investigation after CAS or police services have completed their investigation, if applicable.</li> </ul>
<p><b>Allegation of Abuse and/or Neglect</b></p>	<p>'Steps to Follow for All Serious Occurrences' for staff, students and volunteers, and</p> <p><b>Where there is a concern about the abuse or neglect of a child by any person:</b></p> <p><b>1. Immediately:</b></p> <ul style="list-style-type: none"> <li>• Report concerns to the local Children's Aid Society (CAS) as per the duty to report obligations under the <i>Child and Family Services Act</i> (CFSA).</li> <li>• Document the conversation with CAS and follow their recommendations.</li> <li>• Notify the supervisor/designate of the incident and the report made</li> </ul>	<p>See 'Steps to Follow for All Serious Occurrences' for the Licensee/Supervisor/Designate, and</p> <p><b>Where there is a concern about the abuse or neglect of a child by a staff, student or volunteer, or where a person has otherwise reported alleged abuse/neglect concerns to the supervisor/designate:</b></p> <p><b>1. Immediately:</b></p> <ul style="list-style-type: none"> <li>• Notify the person who reported concerns about their duty to report obligations under the <i>Child and Family Services Act</i> (CFSA).</li> <li>• Report the concerns to the local Children's Aid Society (CAS) as per the duty to report obligations</li> </ul>

Serious Occurrence Category	Steps for Staff, Students and Volunteers to Follow:	Steps for the Licensee/Supervisor/Designate to Follow:
	<p>to CAS, where appropriate.</p> <ul style="list-style-type: none"> <li>• Refrain from discussing the allegation with others.</li> <li>• Maintain confidentiality at all times.</li> </ul>	<p>under the CFSA, unless it is confirmed that a report has already been made to CAS.</p> <ul style="list-style-type: none"> <li>• Document the concerns.</li> <li>• Contact and notify a parent of the child, where appropriate.</li> <li>• Based on the nature of the allegation and/or the direction of CAS and/or internal policies, determine next steps such as disciplinary measures and additional actions, such as an internal investigation to protect children in care.</li> <li>• Determine whether the individual alleged to have abused/neglected a child is registered with a professional regulatory body (e.g. College of Early Childhood Educators, Ontario College of Teachers, etc.). If so: <ul style="list-style-type: none"> <li>○ Report the allegation of abuse to the appropriate regulatory body;</li> <li>○ Report to the College of Early Childhood Educators when the employment of a registered early childhood educator (RECE) is suspended or terminated or if the RECE resigns.</li> </ul> </li> <li>• Refrain from discussing the allegation with others.</li> <li>• Maintain confidentiality at all times.</li> </ul> <p><b>2. Once all external investigations are complete (e.g. by police and/or CAS), if applicable:</b></p>

Serious Occurrence Category	Steps for Staff, Students and Volunteers to Follow:	Steps for the Licensee/Supervisor/Designate to Follow:
		<ul style="list-style-type: none"> <li>• Update the serious occurrence report in CCLS, as required.</li> <li>• Update all other authorities to whom the allegation was reported (e.g. College of Early Childhood Educators, Ontario College of Teachers, CAS, etc.).</li> </ul>
<b>Life-threatening Injury or Illness</b> <b>a. Injury</b> <b>b. Illness</b>	See 'Steps to Follow for All Serious Occurrences' for staff, students and volunteers.	See 'Steps to Follow for All Serious Occurrences' for the Licensee/Supervisor/Designate.
<b>Missing or Unsupervised Child(ren)</b> <b>a. Child was found</b> <b>b. Child is still missing</b>	<p>'Steps to Follow for All Serious Occurrences' for staff, students and volunteers, and</p> <ol style="list-style-type: none"> <li><b>1. Immediately, upon becoming aware that a child or children are missing:</b> <ul style="list-style-type: none"> <li>• Alert the supervisor/designate, and all staff, students and volunteers;</li> <li>• Search the child care premises, including outdoor areas (e.g. hallways, washrooms, playground, outdoor classrooms, etc.);</li> <li>• Ensure that remaining children are supervised at all times.</li> </ul> </li> <li><b>a) Where the child or children are <u>not found</u> after being deemed missing.</b> <ul style="list-style-type: none"> <li>• Continue to search the premises.</li> <li>• Update the supervisor/designate.</li> </ul> </li> <li><b>b) Where the child or children are <u>found</u> after being deemed missing.</b> <ul style="list-style-type: none"> <li>• Update the supervisor/designate.</li> </ul> </li> </ol> <ol style="list-style-type: none"> <li><b>2. After the child or children have</b></li> </ol>	<p>See 'Steps to Follow for All Serious Occurrences' for the Licensee/Supervisor/Designate, and</p> <ol style="list-style-type: none"> <li><b>1. Immediately, upon becoming aware that a child is missing:</b> <ul style="list-style-type: none"> <li>• Assist with searching for the missing child(ren).</li> </ul> </li> <li><b>a) Where the child or children are <u>not found</u> after being deemed missing:</b> <ul style="list-style-type: none"> <li>• Call emergency services and follow direction from emergency services personnel.</li> <li>• Contact the child(ren)'s parent(s), or where a parent cannot be reached, contact the child's emergency contact.</li> </ul> </li> <li><b>b) Where the child or children are <u>found</u> after being deemed missing:</b> <ul style="list-style-type: none"> <li>• Update the child(ren)'s parent(s), or where a parent cannot be reached the child(ren)'s emergency contact(s).</li> </ul> </li> </ol>



Serious Occurrence Category	Steps for Staff, Students and Volunteers to Follow:	Steps for the Licensee/Supervisor/Designate to Follow:
	<p><b>been found, after being deemed missing:</b></p> <ul style="list-style-type: none"> <li>Document the incident in the daily written record.</li> </ul>	
<p><b>Unplanned Disruption of Normal Operations</b></p> <p>a. Fire</p> <p>b. Flood</p> <p>c. Gas Leak</p> <p>d. Detection of Carbon Monoxide</p> <p>e. Outbreak</p> <p>f. Lockdown</p> <p>g. Other Emergency Relocation or Temporary Closure</p>	<p>‘Steps to Follow for All Serious Occurrences’ for staff, students and volunteers, and</p> <p><b>a) Where the incident is suspected to be an <u>outbreak</u>:</b></p> <p><b>1. Immediately:</b></p> <ul style="list-style-type: none"> <li>Notify the supervisor/designate on site of concerns.</li> <li>Separate children who are showing symptoms of illness from other children.</li> <li>Follow the child care centre’s sanitary practices policy and procedures.</li> </ul> <p><b>2. Within 24 hours:</b></p> <ul style="list-style-type: none"> <li>Record symptoms of ill health in the affected child(ren)’s records,</li> <li>Document the incident in the daily written record.</li> </ul> <p><b>a) Where the incident is not an outbreak (<u>all other disruptions of normal operations</u>):</b></p> <p><b>1. Immediately:</b></p> <ul style="list-style-type: none"> <li>Follow the child care centre’s fire safety and evacuation plan and/or the emergency management policies and procedures, as applicable.</li> </ul> <p><b>2. Within 24 hours:</b></p> <ul style="list-style-type: none"> <li>Document the incident in the daily</li> </ul>	<p>See ‘Steps to Follow for All Serious Occurrences’ for the Licensee/Supervisor/Designate, and</p> <p><b>a) Where the incident is suspected to be an <u>outbreak</u>:</b></p> <p><b>1. Immediately:</b></p> <ul style="list-style-type: none"> <li>Contact the local public health department.</li> </ul> <p><b>b) Where the incident is deemed an outbreak by public health:</b></p> <p><b>1. Immediately:</b></p> <ul style="list-style-type: none"> <li>Follow instructions from the local public health department.</li> <li>Contact the parent(s) of the affected child(ren) and ensure the affected child(ren) are picked up by their parent(s) and/or taken to hospital.</li> <li>Obtain an outbreak posting from the local Medical Officer of Health and post in an area easily accessible for parents.</li> </ul> <p>Note: Outbreaks must be reported as a serious occurrence only if deemed an outbreak by public health.</p> <p><b>2. Within 24 hours:</b></p> <ul style="list-style-type: none"> <li>Notify all parents of children enrolled at the child care centre of the outbreak.</li> </ul> <p><b>a) Where the incident is <u>not deemed an outbreak</u>, follow</b></p>

Serious Occurrence Category	Steps for Staff, Students and Volunteers to Follow:	Steps for the Licensee/Supervisor/Designate to Follow:
	written record.	<p><b>sanitary practices policy.</b></p> <p><b>b) Where the incident is not an outbreak (<u>all other disruptions of normal operations</u>):</b></p> <p><b>1. Immediately:</b></p> <ul style="list-style-type: none"> <li>• Follow the child care centre's fire safety and evacuation plan and/or the emergency management policies and procedures, as applicable.</li> </ul> <p><b>Note:</b> a hold and secure (an external threat in the area) is not a reportable serious occurrence.</p>

## Glossary

*Children's Aid Society (CAS):* A local agency with the exclusive mandate, under the *Child and Family Services Act*, to investigate allegations of child abuse or neglect and to deliver child protection services.

*Emergency:* An urgent or pressing situation in which immediate action is required to ensure the safety of children and adults in the child care centre.

*Interact:* To be or become involved in communication, social activity or work with somebody else or one another (Source: Encarta Dictionary). Examples of interactions with children include conversing, playing, directing, intervening, supervising or assisting in fulfilling their needs (e.g. food/drink consumption, toilet use).

*Licensee:* The individual or agency licensed by the Ministry of Education responsible for the operation and management of each child care centre it operates (i.e. the operator).

*Lockdown:* A threat inside the building that will restrict movement within the child care centre.

*Parent:* A person having lawful custody of a child or a person who has demonstrated a settled intention to treat a child as a child of his or her family (all references to parent include legal guardians, but will only be referred to as "parent" in this policy).

*Serious Occurrence:* An incident that must be reported to the ministry of education within 24 hours.

*Staff:* Individual employed by the licensee (e.g. program room staff).

## Regulatory Requirements: Ontario Regulation 137/15

### Serious occurrences

#### 38.

- (1) Every licensee shall ensure that,
  - (a) there are written policies and procedures with respect to serious occurrences in each child care centre operated by the licensee and each premises where it oversees the provision of home child care, that address, at a minimum, how to identify, respond to and report a serious occurrence;
  - (b) a report is provided to a program adviser of any serious occurrence in any child care centre operated by the licensee or any premises where it oversees the provision of home child care within 24 hours of the licensee or supervisor becoming aware of the occurrence;
  - (c) a summary of the report provided under clause (b) and of any action taken as a result is posted for at least 10 business days in a conspicuous place at the child care centre or home child care premises; and
  - (d) the report and the summary of the report are each kept in accordance with section 82.
- (2) Every licensee of a child care centre or home child care agency shall,
  - (a) conduct an annual analysis of all serious occurrences that occurred in the previous year at each child care centre operated by the licensee and at each premises where the licensee oversees the provision of home child care; and
  - (b) keep records of the actions taken in response to the analysis.