

CHILD AND YOUTH PROTECTION MANUAL

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The Foursquare Church= The International Foursquare Church

FGCC= The Foursquare Gospel Church of Canada

Revised 2.1, 12/31/2008 by ICFC

Revised 3.1, 12/01/2012 by FGCC (for Canadian laws & regulations)

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*But if anyone causes one of these little ones who believe in me to sin,
 It would be better for him to have a large millstone hung around
 His neck and to be drowned in the depth of the sea.
 Matthew 18:6*

*"Keep me, Oh Lord, from the hands of the wicked; Preserve me from violent men, who have
 purposed to make my steps stumble." Psalm 140:4 (NKJV)*

Providing a safe, secure, and happy environment for children takes diligent oversight and a heartfelt conviction that children deserve the best. Included here is a copy of a resolution regarding the safety of children adopted April 3, 1991, during the International Church of the Foursquare Gospel Convention in Van Nuys, California.

WHEREAS the Holy Scripture declares children are a heritage from the Lord; and

WHEREAS the Creator has made mankind in His image and sanctified human life with eternal destiny; and

WHEREAS our Lord Jesus Christ received little children and clearly taught us that “of such are the Kingdom of Heaven”; and

WHEREAS both a severe warning against offending little ones and solemn commandments to protect, nurture and teach our children are evident throughout the Word of God;

THEREFORE BE IT RESOLVED

THAT the safety of the child be defended and sacred value of each individual be taught in the writings, the witness and the work of the International Church of the Foursquare Gospel;

THAT we subscribe to a gracious balance between the safety of each individual and the responsibility of parental, civil and Church authority;

THAT we boldly declare our belief that each child has the right to life, liberty and fulfillment in the pursuit of happiness according to the precepts of the Bible; and

THAT together we demonstrate a deep respect for human life, a firm commitment for future generations to have access to Christ’s calling and an entrance into his eternal Kingdom.

The Foursquare Church wishes to thank many in the Foursquare family who have offered helpful and constructive feedback, and without whom this manual would not have been possible.

The Foursquare Church also wishes to extend a special thanks to Praesidium, Inc. and the Navigators for their invaluable contributions to this manual, both in content and in form.

1. INTRODUCTION AND OVERVIEW

We understand intellectually that abuse happens, but we may have difficulty accepting that it can happen within our programs and within the Foursquare family. The following program has been developed to educate ministers, staff and volunteers on the very real threat of child abuse and to provide policies and procedures for fulfilling our biblical and civic responsibility to protect children. All such persons are bound to abide by the policies and procedures contained in this manual. When our child and youth programs are developed in accordance with this policy, we believe everyone will easily function within its boundaries. Volunteers may read part, or all, of this manual, but must read those forms, applications and pages detailed in Section 2.1 of this manual. This policy has been established within The Foursquare Church and includes ministries that involve children and youth.

All types of abuse and mistreatment of children are strictly prohibited.

The policy and procedures outlined herein apply equally to children and youth. For ease of reading, children and youth are jointly referred to as children.

The Foursquare Church may modify these materials at any time, with or without advance notice, at its sole discretion.

1.1. Purpose Statement

The Foursquare Church is committed to protecting and releasing in children the calling God has placed on their lives. First Thessalonians 5:23 is our guide: "... may your spirit and soul and body be preserved complete ..." (NASB). We have been charged by God with the responsibility of protecting each child's spirit, soul, and body and will do everything possible to ensure that that charge is fulfilled.

We are committed to creating a safe and nurturing environment that fosters spiritual, emotional and physical health for all children who participate in our ministries. We are also committed to protecting staff members and volunteers from unwarranted accusations.

1.2. Definitions of Terms

Adult – any ministerial staff member, program director, lay staff member, or volunteer (all as defined below) who is 18 years or older

Child (children) – any person(s) under the age of 18 years, including children in youth ministries

Junior volunteer – a minor between the ages of 12 and 17 who serves in any volunteer capacity with Foursquare children's programs and is active in the local church (junior volunteers must be at least 3 years older than the children they are helping)

Minister or ministerial staff member – a lead pastor, associate pastor, assistant pastor, and/or any other pastor, who has a current Foursquare credential and is appointed to the local church

Program director – the person who supervises local Foursquare church, school and/or camp ministry programs for children

Staff or staff member – includes, but is not limited to, ministers (as defined above), employees, associate staff, interns, and staff spouses, paid or unpaid, who are in a position of responsibility and/or authority at the local Foursquare church, school, and/or camp

Volunteer – any non-staff person 18 years or older who assists in any volunteer capacity with Foursquare children's programs, including, but not limited to Sunday school workers, unpaid daycare workers, camp workers and camp cabin leaders

1.3. Definition of Child Abuse

In general, child abuse is any physical, emotional, or sexual maltreatment, neglect of health and welfare, or exposure to unreasonable risk of harm related to a minor. Whether or not a situation involves abuse may depend upon the circumstances of the situation. Child abuse may include, but is not limited to, the following:

- Intentionally inflicting injury upon a minor
- Placing a minor in a situation where he or she is likely to be injured
- Engaging or allowing a minor to be engaged in sexual activity
- Allowing a minor to witness sexual acts or to be exposed to pornographic materials
- Allowing a minor to witness the abuse of another individual
- Inflicting excessive punishment on a minor
- Allowing a minor to be given or to consume illegal controlled substances
- Neglecting a minor by withholding or denying food, water, clothing, shelter, medical care, unnecessarily restricting freedom of movement, or failure to protect
- Allowing or perpetrating any form of exploitation of a minor

Sexual abuse includes, but is not limited to, any contact or interaction between a minor and an adult, when the minor is being used for sexual stimulation of one or more adults. Sexual behavior between an adult and a minor is always considered non-consensual even when the minor agrees to or initiates the behavior.

Emotional abuse is a pattern of behavior attacking a child's self-worth. It includes belittling, terrorizing, isolating, rejecting, ignoring, and corrupting the child. When continued over a period of time, these activities affect the child's emotional development.

2. SCREENING AND SELECTING WORKERS

All ministers, staff members and volunteers who will have access to children, must be thoroughly screened as part of the selection process, in keeping with the following guidelines.

1. All applicants for employment and volunteer service, will complete and sign an approved application form.
 - a) The application form for employment in a Foursquare church (or a customized version thereof)
 - b) The application to serve as a cabin leader or other camp personnel (or a customized version thereof)
 - c) The application to perform volunteer service (or a customized version thereof)
2. All prospective volunteers will fulfill the attendance requirement: six months of regular attendance at the local Foursquare church prior to being accepted for volunteer service. Rare exceptions may be made at the discretion of the ministerial staff but only after the volunteer has submitted to the background screening detailed in this manual.
3. All adult applicants for employment and volunteer service will agree to a Vulnerable Sector Criminal Record Check.
4. All applicants for employment and volunteer positions will submit to the complete interview/reference process.
 - a) Hiring and recruiting directors will use Foursquare's standardized questions or the equivalent
 - b) Hiring and recruiting directors will conduct a minimum of two (2) reference checks using Foursquare's standardized questions and procedures or the equivalent
 - c) Hiring and recruiting directors will document all responses to reference checks and applicant interviews and keep documentation on permanent confidential file at the local church

Any individual with a prior history of perpetrating physical, emotional, or sexual abuse or neglect, or who, in The Foursquare Church's sole discretion, is found otherwise unsuitable to work with children will be prohibited from working with children and will not be accepted for employment or volunteer service within any children's program of The Foursquare Church.

Substitutes for staff and volunteers in any program will be selected from the pool of pre-screened adults at the local church.

2.1. Documents to be Provided to Employees and Volunteers

Upon acceptance for employment, all employees will receive a copy of this manual and all its related documents.

Upon acceptance for a volunteer position, all volunteers will sign that they have received, read and will respect the requirements of the following: the “Child and Youth Protection Code of Conduct,” “Appropriate and Inappropriate Physical Interactions,” “Appropriate and Inappropriate Verbal Interactions,” “Appropriate and Inappropriate Corrective Measures,” and “Major Signs of Abuse and Neglect,” located in Sections 10.2, 10.3, 10.4, 10.5, and 10.6 of this manual.

2.2. Applications

The Foursquare Church requires all churches maintain completed applications for all employees, cabin leaders, volunteers and junior volunteers equivalent to the applications located in Sections 13.1, 13.2 and 13.3 of this manual. Applications may be customized according to the needs of the local church in accordance with applicable law; however, with the exception of specific skill sets, all information included in the approved applications must be included in the customized ones. It is essential that completed applications be kept in a confidential file at the church.

2.3. Interviewing Candidates

The Foursquare Church requires all churches conduct a face-to-face interview with all applicants, including applicants for volunteer service, using the standardized questions provided in Section 13.6 of this manual. The standardized questions are designed to assist the interviewer in assessing the risk of the applicant engaging in abusive behaviors. At the discretion of the church, additional questions may be asked provided those questions are in accordance with applicable law. Whenever possible, two people representing the local Foursquare church should be involved in the interview process.

2.4. Reference Checks

References validate information provided by the applicant. The Foursquare Church requires all churches contact a minimum of two references for each applicant for a position that includes access to children. A required list of standardized questions is located in Section 13.7 of this manual. The questions are designed to see that the screening process is thorough and the applicants are treated fairly. Churches will use these or comparable questions when checking references. Additional questions may be added at the discretion of the church, provided that those questions are in accordance with applicable laws.

It is essential that documentation of the information gathered during the reference check process be kept confidential in the applicant’s personnel file at the local church. Reference

checks are required for all applicants, regardless of whether the applicant is well known in the church.

2.5. Criminal Background Checks

Because Foursquare values children, regardless of whether staff members and volunteers are well known members of the church, criminal background checks must be conducted on all applicants for ministerial, staff, and volunteer positions with access to children. In addition, criminal background checks must be conducted at a minimum of every three years on all current ministers, staff members and volunteers who have access to children to ensure that they have not been convicted of criminal conduct that makes them ineligible to continue working with children. Conviction of some criminal offenses may make an applicant legally ineligible or undesirable for a position working with children.

If your Police branch requires a consent form, you can find one in Section 13.4 of this manual. For more information regarding FGCC's Child Safety Policy see the Administration Manual Tab 4, Section 2.2.

There are occasions when an individual serves in multiple roles within Foursquare at multiple locations. For example, a local church youth leader may serve as a cabin leader when the church's youth group goes to camp. In those cases, the primary Foursquare entity (returning to the above example, the church would be the primary entity) must perform the entire screening process per Section 2 of this manual, and the secondary Foursquare entity (continuing with the above example, the camp) must verify and document that the individual has been screened and received a clean background check.

An important word about background check limitations. Criminal background checks are a vital part of a cohesive staff screening system. The national checks Foursquare has contracted to conduct can detect convictions in locations other than those listed on a candidate's application. At the same time, it is important to understand all criminal background check systems have inherent limitations. Errors can and do occur because, among other things, the databases and records available may not be complete, up to date, or accurate, and there may be gaps and time periods in which information is missing. These limitations are embedded in the present system and outside of Foursquare's control. Therefore, such checks should never be viewed as the sole (or even the essential) element of your screening process. Rather, you will want to be sure your staff is aware of these limitations and takes seriously the responsibility of implementing all other areas of the complete screening process referenced in this manual. Other areas include: 1) candidate's completion of an appropriate application form, 2) a six month church attendance period before the candidate can serve, 3) candidate interview, 4) reference checks, 5) adequate child-worker ratios, and 6) adequate supervision.

2.6. Provincial Laws and Screening

Please refer to Appendix 5 for specific laws and screening in your province
Please refer to Appendix 6 for specific child welfare systems per province.

2.7. Canadian Criminal Record Background Checks

There are four types of criminal records checks in Canada:

- Fingerprint-based Criminal Record Verification – A fingerprint-based search of the RCMP national repository of criminal records. The results of the search will produce a Certified Criminal Record Product.
- Fingerprint-based Vulnerable Sector Verification - A fingerprint-based search to establish the existence of a sexual offence conviction for which the individual has received a pardon, pursuant to the Criminal Records Act. The results of this search will produce a Certified Vulnerable Sector Product upon consent for disclosure from the Minister of Public Safety.
- Name-based Criminal Record Verification - A query based on name and date of birth indicating whether a criminal record may or may not exist. Generally used as a preliminary search only to determine if a Fingerprint-based Criminal Record Verification may be required.
- Name-based Vulnerable Sector Verification - A query based on name and date of birth to determine the possible existence of a sexual offence conviction for which the individual has received a pardon, pursuant to the Criminal Records Act. This is a preliminary search only to determine if a Fingerprint-based Vulnerable Sector Verification may be required and requires consent of the individual being searched.

The Foursquare Gospel Church of Canada recommends that all of your Children's Workers and Volunteers obtain a **Fingerprint-based Vulnerable Sector Verification** .

www.rcmp-grc.gc.ca/cr-cj/fing-empr2-eng.htm

To apply for this background check, you will need two pieces of identification, one of which must have a current photo:

Examples of acceptable photo ID (any government issued **Photo** Identification containing name, date of birth, signature)

- Provincial Driver's License
- Foreign Driver's License
- Canadian or Foreign Passport
- Provincial ID card
- Canadian Citizenship Card
- Canadian Permanent Resident Card
- Certificate of Indian Status

Secondary ID may be any type of government-issued ID displaying your full name,.

- Birth Certificate
- Social Insurance Card
- Additional primary ID as listed above

2.8. When a Conviction is Revealed in a Background Check

If a vulnerable sector background check reveals a conviction that bars the applicant from serving, the staff member who has been pre-designated by the church to receive these notices should be notified. The obtaining and dissemination of information from this source falls under the jurisdiction of the Canadian Personal Information Protection Act. The fraudulent or improper use of information received can subject a church to fines and penalties, as well as possible litigation. FGCC has designated a Personal Information Compliance Officer. Any inquiry, request or concern related to privacy matters should be made in writing to FGCC's Privacy Policy Officer. A copy of the Policy is available at FGCC's website: www.foursquare.ca.

The Foursquare Church requires a person with a prior conviction for molestation or other abuse against a minor NOT be placed in any position within the church, school, or camp that has access to children. This protects the children, the person, and the church, school or camp.

A conviction does not necessarily preclude a person from serving on staff or as a volunteer within a children's or youth program. Except for offenses against children and offenses of an inherently violent, abusive or sexual nature (all of which shall presumptively disqualify a candidate from serving with children), the following guidelines can be used in assessing whether an offense disqualifies one for service with children:

- The nature and seriousness of the offense
- The circumstances under which the offense occurred
- The age of the person at the time of the offense, and how much time has passed since the offense occurred
- The person's commitment to and acts of repentance, rehabilitation, restitution, and reconciliation
- The probability the person will repeat the offense
- Societal conditions that may have contributed to the nature of the offense

If you have any questions about the above, please contact legal counsel or FGCC National Office (1.866.941.8414).

Adverse actions would include failure to hire an applicant or termination of an existing staff member's employment, based in whole or in part on the report.

If adverse action is taken, also provide the subject notice of the adverse action, including denial of the position or termination.

The entire process is to be well documented. Documentation would include, but not necessarily be limited to, copies of the report, copies of the consent form, copies of the written notice of adverse action, memos of all verbal communications. It is essential that all records be permanently

maintained in a safe location at the local church. For the protection of the church and the applicant or employee, keep all information strictly confidential.

3. SUPERVISION

3.1. Supervising Children's Programs

Note: The supervision ratios in this section apply to all Foursquare church programs. For Foursquare camps and schools other ratios may apply as required by local, provincial, and/or federal law.

Children who participate in Foursquare programs must be supervised at all times. Except for one-to-one ministry as defined below, ensure a minimum of two fully screened and authorized adults are present to provide supervision for the duration of all Foursquare-sponsored children's activities or events. At no time may junior volunteers serve independently of adult staff members or volunteers.

"Adequate adult supervision" may vary depending on the size of the group and the activity. For example an outdoor event with 200 tweeners (aged 9-12) may be well supervised by 8-10 adults; however a group the same size of preschool aged children would require 20 or more adult supervisors. Conversely, it might be tempting for a church with a small number of school age children to think that one adult is adequate supervision.

Generally speaking, more supervision is always better. Most educators recommend that teacher to student ratios remain small for maximum learning. In all cases, the two person rule is the minimum standard, regardless how many children are present. Beyond that, the following ratios define "adequate" adult supervision:

- Birth to 2.5 years 3 children to 1 adult
- Preschool (2.5 to 5 years) 8 children to 1 adult
- Elementary (5 to 9 years) 10 children to 1 adult
- Tweeners (9 to 12 years) 15 children to 1 adult
- Youth (12 and older) 25 youth to 1 adult

Note: The adult-to-child ratio should be adjusted in relation to the hazard level and isolation of the activity.

All church-sponsored children's events and activities will be regularly monitored by staff members and program directors or other authorized delegates who will make unannounced visits to classrooms or other program sites. Authorized monitors will comply with the form, "Instructions for Supervising Children's Ministries" and complete the form, "Monitoring Checklist for Children's Ministries," located in Sections 10.7 and 10.8 of this manual. Completed checklists will be kept on file at the local church for one year.

The Foursquare Church requires each church use a sign in/sign out system to assist with identification at every church-sponsored activity or event for children from birth through preschool ages and recommends using a sign in/sign out identification system through elementary school ages. Completed records from the sign in/sign out system will be kept on file at the local church for one year.

3.2. Managing Bathroom Visits

Take great care to ensure the safety of all children, staff members, and volunteers during bathroom visits. Specifically, staff members/volunteers may not be alone with a child in the bathroom. Each church must establish a bathroom visit procedure that works for its facility. Appropriate procedures include, but are not limited to informal monitoring (such as keeping the door ajar so passers-by can see the staff or volunteer), two authorized adults taking child(ren) to the bathroom, or asking the parent to assist. Additionally, groups of children may not be unmonitored in the bathrooms for extended periods of time nor may children of significantly different age groups be in the same bathroom at the same time. Refer to Section 6.5 of this manual for managing overnight bathroom procedures.

3.3. Parental and Guardian Involvement in Children's Programs

The Foursquare Church encourages parents and guardians to observe church-sponsored children's programs, to become volunteers in the programs, and to provide feedback to ministers and program directors about those programs. Prior to observing a program, potential observers should contact the program director for approval and wear identification for the duration of their observation.

4. UNIVERSAL PRECAUTIONS

The church understands the potential danger of the spread of infectious diseases and viruses and acknowledges that measures can be taken to help prevent it from occurring. "Universal Precautions" are defined as hygienic measures used to discourage the spread of infectious diseases. As a means of compassionately and comprehensively caring for the children of our Churches, each local church should adopt (or create) and adhere to a "Universal Precautions" policy.

This policy is intended to further the Church's commitment to maintain a safe and healthy environment for the children in its care and to ensure the protection of not only children, but also of Children's Ministries and Youth workers, volunteers and members of the congregation.

Rather than singling out any individual, the goal of the policy is to hold to a standard that protects all individuals as if they have been exposed to an infectious disease and to minister to the entire church family.

4.1 Protection From Disease

1. Many communicable diseases, such as (but not limited to):
 - (a) influenza;
 - (b) mononucleosis;
 - (c) tuberculosis;
 - (d) HIV/AIDS;
 - (e) Hepatitis;
 - (f) Mumps, measles, chickenpox;
 - (g) conjunctivitis or Pink Eye;
 - (h) infections;
 - (i) skin conditions, fungus
2. can be transmitted between persons in group environments.
3. Churches and Foursquare affiliates who operate daycare and school facilities should contact local health authorities to determine and establish appropriate protocols for the prevention of the spread of disease.
4. Simple precautions can discourage the spread of diseases and guidelines for the following should be adhered to by all staff and volunteers:
 - (a) routine hand washing;
 - (b) use of latex gloves in specific circumstances;
 - (c) clean-up procedure for blood or body fluid spills;
 - (d) disposal of waste; and
 - (e) use of disinfectants.
5. Once appropriate guidelines or protocols have been established in consultation with local health authorities, they must be communicated to Children's and Youth Ministry workers and volunteers and adhered to.
6. All blood and body fluid spills are to be recorded on an Accident/Clean-up Report form and given to the appropriate leadership (See Section 10.20).

4.2 Accidents, Illnesses & Emergencies

FGCC recognizes the importance of implementing guidelines for the appropriate response to accidents, illnesses or emergencies, particularly when they involve children in the care of the Church.

This policy is intended to assist church workers and volunteers in responding to child accidents, illnesses and emergencies. The goal is to anticipate the unexpected and sufficiently prepare ahead of time. Accidents, illnesses and emergencies of varying degrees will occur. The Church's responsibility is to handle situations effectively to promote the health and safety of the entire church body.

4.3 Emergency Contacts

1. For every child enrolled in a Foursquare program, the following information shall be provided in writing by a parent or guardian at the time of registration:
 - (a) the full name, address and all telephone or cellular numbers for a parent or guardian to be contacted in the event of an emergency; and
 - (b) the full name, address and all telephone or cellular numbers for an alternate adult person to be contacted in the event of an emergency if the first named parent or guardian contact cannot be reached.
2. For every child enrolled in a Foursquare program, confirmation in writing from a parent or guardian at the time of registration of the following:
 - (a) any special medical conditions of the child;
 - (b) particulars of any medications which the child is required to take;
 - (c) persons authorized to pick up and drop off the child;
 - (d) particulars of any Court order in force in respect of the child; and
 - (e) particulars of any other special arrangements for the child of which Foursquare staff or volunteers should be aware.

4.4 Illness Guidelines

1. Children with the following symptoms will not be allowed to attend daycare, pre-school or school classes or programs:
 - (a) temperature of 100 degrees or higher;
 - (b) cold symptoms such as runny nose, congestion or cough;
 - (c) diarrhea or vomiting within the previous 24 hour period;
 - (d) any rash or skin condition unless stated to be non-contagious by a qualified physician;
 - (e) symptoms of conjunctivitis or Pink Eye, such as coloured discharge from the eye or red, puffy eye lids.
2. No prescription or non-prescription medication of any kind will be administered to a child without express written permission and instructions from a parent or guardian.
3. A parent or guardian of a child who becomes ill will be contacted and asked to remove the child from the program or facility for the duration of the illness.

4.5 Accident Guidelines

1. In the event of an accident, a written Incident Report will be completed in duplicate in a form (See Section 10.17). One copy of the report will be sent home with the child involved and the other will be reviewed by the appropriate leadership and kept on file.
2. Upon receiving an Accident Report, the leadership will report to Foursquare's insurer if appropriate.

4.6 Church Program Driving

1. All drivers for Foursquare programs must have the appropriate driver's license for the class of vehicle being driven. Drivers must be familiar with the vehicles they are called upon to drive.
2. A safety check of the vehicle should be conducted prior to all trips. Seat belts must be worn.
3. Proof of adequate insurance must be on file for all church vehicles and for all private or volunteer drivers. Proof of registration and insurance must be kept in all church vehicles.
4. Drivers of church owned vehicles must be 25 years of age or older.
5. A defined maintenance schedule should be in place and a log kept of the performance of all maintenance for every church owned vehicle.
6. In the event of a motor vehicle accident, an Accident Report will be completed and the appropriate report will be made to Foursquare's insurer and I.C.B.C. as required..

4.7 Emergency Plan

An emergency response plan for

1. earthquake;
2. fire;
3. power failure;
4. flood;
5. parental (divorce/custody) conflicts

should be prepared and implemented by all local Churches and the National Office.

Periodic drills to test emergency readiness and response should be conducted in consultation with local emergency response providers such as the police and fire departments.

4.8 Emergency Kits

Contact your local St. John's Ambulance or other First Aid supplier to obtain Work Safe First Aid kits level 1-3 based on the number of employees in your church. There is no official Canadian regulation regarding the type of kit a Church or Daycare has, there simply needs to be one on site. It is recommended to have 3 kits, one in the main office, one in the children's area, and one mobile kit.

There should be someone on site at all times who has their current First Aid certification. This is a requirement for all daycare workers and a strong suggestion for all volunteers.

4.9 Hazard Protection

1. Electrical cords and outlets in facilities used by children should be checked regularly to ensure that
 - (a) there are an adequate number of outlets for the purposes of the facility;

- (b) worn or broken electrical cords are repaired or replaced;
- (c) electrical cords and outlets are safeguarded for children;
- (d) special care is taken to ensure the safety of electrical cords connecting fans, heaters, ventilation equipment, microphones and speakers; and
- (e) outlet covers are used in all nursery and toddler care facilities.

2. Chemical substances including:

- (a) cleansers;
- (b) disinfectants;
- (c) toner, ink;
- (d) correction fluid;
- (e) glues;
- (f) dry erase markers;
- (g) fertilizers; and
- (h) other hazardous materials

must be kept out of the reach of children. Information concerning what to do in the event of ingestion should be readily available to Children's and Youth Ministry workers and volunteers.

3. Emergency response numbers including

- (a) police,
- (b) fire;
- (c) poison control;
- (d) ambulance; and
- (e) animal control

should be prominently posed near the telephone in all facilities used by children.

4. It would be highly advisable for staff & volunteers to take the WHMIS (<http://www.hc-sc.gc.ca/ewh-semt/occup-travail/whmis-simdut/index-eng.php>) and Food Safe Training (<http://www.foodsafe.ca>).

5. INTERACTIONS BETWEEN STAFF MEMBERS/VOLUNTEERS AND CHILDREN

5.1. Verbal Interactions

The Foursquare Church clearly differentiates appropriate and inappropriate verbal interactions between staff members/volunteers and children. Staff members/volunteers are to speak with utmost respect toward children at all times. Refer to Section 10.3 of this manual for a list of appropriate and inappropriate verbal interactions.

Under no circumstances may staff members/volunteers discuss topics of an inappropriate sexual nature in the presence of children.

Prior to any formal presentation with children regarding topics of a sexual nature including encouragement to practice abstinence, both the outline and key points of the presentation and the context of the presentation must be given in writing and approved by the ministerial staff. Prior notice of such discussion will be given to parents/guardians of all potentially involved children. Refer to Section 10.14 of this manual for a sample notice to parents.

5.2. Physical Interactions

A child's healthy development is greatly dependent upon physical touch and expressions of affection. In appropriate circumstances, the Foursquare Church values healthy, affirming touch.

The Foursquare Church clearly differentiates appropriate and inappropriate physical contact between staff members/volunteers and children. Physical contact must be strictly related to the needs of the child, not the needs of the staff member/volunteer. Ensure that all contact takes place in public areas or in areas that permit monitoring by other adults. Refer to Section 9.4 of this manual for examples of appropriate and inappropriate physical interactions.

Touch must be age-appropriate and should generally be initiated by the child rather than the worker. Children have the right to decide how much physical contact they have with others, except in rare circumstances when they need medical attention or to provide for the safety of the child or others. The Foursquare Church recognizes there are occasions when touch is necessary, occasions such as changing diapers and assisting with bathroom visits of young children.

It is appropriate for staff members/volunteers to monitor each other's behavior and point out anything that could be misunderstood. However, report all concerns about possible abuse to the program director.

5.3. Monitoring of Peer Interactions

The Foursquare Church clearly differentiates appropriate and inappropriate interactions between children. Staff members/volunteers are to encourage children to interact respectfully with each other at all times. Further, it is imperative that staff members/volunteers immediately intervene in and bring to an end any inappropriate interaction such as hazing, bullying, harassing, ridiculing or humiliating, intimidating, name-calling, and sexual innuendoes.

5.4. Corrective Measures of Children During Church Activities

At times during church activities disciplinary or corrective measures by staff or volunteers are necessary. Discipline and correction should always be handled lovingly and firmly. The person administering discipline or correction should communicate clearly to the child that it is the action that is unacceptable, not the child. It is appropriate to intervene to protect a child from harm or risk of harm. It is never appropriate to use corporal punishment; nor is it appropriate to shake a child, make degrading remarks, or threaten to use corporal punishment with a child. Refer to Section 10.5 for appropriate and inappropriate corrective measures.

5.5. Interactions Outside of Scheduled Program Activities

As to church sponsored events, the Foursquare Church believes it is acceptable for staff members/volunteers and children to meet outside of regularly scheduled program activities only when it is of clear benefit to the child. Receive prior written approval from the parents/guardians of the child and by the supervising pastor, and arrange for the interactions to take place in a public setting. Follow the instructions detailed in Section 10.15 of this manual when planning these interactions.

5.6. One-on-One Interactions

On any occasion, such as a pastoral care session, that one adult staff member/volunteer is alone with one child, every precaution is to be taken by the adult to minimize the risk of abuse or allegation of abuse. Ways to minimize risk include:

- Leaving the door open or moving to an open area that can easily be observed
- Meeting in a public location where informal monitoring is possible
- Informing a minister, staff member, or the program director of the situation
- Asking another adult to randomly drop in
- Avoiding physical displays of affection
- Keeping a log of the meetings including names, dates, locations, activities, and any unusual incident or observation

5.7. Pornographic or Other Sexually Explicit Materials

Under no circumstances shall children who are entrusted to the care of The Foursquare Church be exposed to pornographic or other explicit material of any sort by staff members or volunteers of the church. Staff members/volunteers must not access, display, or possess pornography or other sexually explicit material on Foursquare property or equipment, or on property or equipment accessible to children.

6. FIELD TRIPS, SPECIAL EVENTS AND TRANSPORTATION OF CHILDREN

6.1. Planning Special Events and Field Trips

Properly plan and supervise all church sponsored special events and field trips to ensure both success and safety. When planning a field trip or special event, pre-assess the potential for mishaps to occur and devise appropriate interventions. Guidelines are detailed in Section 10.9.

6.2. Owner/Driver Acknowledgment

When privately owned automobiles are used to transport children to and/or from off-site activities, all drivers, prior to the event, must complete and sign the “Owner/Driver Acknowledgment” form located in Section 10.13 of this manual. The local church’s insurance policy can provide information regarding the coverage of individual drivers using church vehicles.



All drivers will show proof of current driver's license and adequate personal automobile liability insurance; registered owners will show proof of current automobile registration and automobile insurance.

6.3. Keeping up with Children

Prior to and immediately following movement from one location to another (e.g., room to room when a hallway or outside area is traversed; travel by automobile, bus, train or other mode of transportation) take a headcount to ensure that all children participating in an activity are accounted for. If a child is missing, notify the director of the activity and commence an immediate search of the area. Assign at least two staff members/volunteers to remain with the assembled children. If the missing child is not found directly, the program director (or a designee) will immediately contact security and/or law enforcement for assistance in locating the missing child. The program director or designee will also contact a member of the ministerial staff who, in turn, will contact the child's parent or guardian.

6.4. Managing Overnight Stays

There are occasions when overnight stays are appropriate. Take special precautions to ensure that all participants are protected from abuse or allegation of abuse. Refer to the form, "Procedures for Managing Overnight Stays," located in Section 10.10 of this manual.

6.5. Managing Overnight Bathroom Procedures

Bathroom activities are necessary with any overnight stay. In addition to following the precautions detailed in "Supervision: Managing Bathroom Visits" (Section 3.2), further precautions apply to overnight activities:

- With the exception of family members, children of significantly different age groups may not bathe or perform other personal hygiene activities in the same bathroom at the same time
- With the exception of a parent and child relationship, adults and children may not bathe or perform other personal hygiene activities in the same bathroom at the same time

7. RESPONDING TO ACCUSATIONS OF CHILD ABUSE AND NEGLECT

Child abuse and/or neglect occurs when a child is mistreated, resulting in injury or risk of harm. Abuse and neglect are further defined in Sections 1.3 and 10.2 of this manual. Child Welfare Departments can also provide additional information (See Appendix 6 for contact information). Child abuse can happen anywhere: in poor, middle-class, or well-to-do homes; in rural or urban areas. For an abbreviated list of symptoms, refer to "Major Signs of Abuse and Neglect" located in Section 10.6 of this manual. All staff members/volunteers will follow the guidelines for appropriate and inappropriate contact with children, as detailed in this manual. The pertinent documents include those listed below (located in Sections 10.3, 10.4 and 10.5):

- “Appropriate and Inappropriate Verbal Interactions”
- “Appropriate and Inappropriate Physical Interactions”
- “Appropriate and Inappropriate Corrective Measures”

Abuse of any kind will not be tolerated. Allegations of past or present abuse against a minister, staff member, or volunteer may result in immediate suspension of that person from duties and may result in permanent dismissal, at the sole discretion of The Foursquare Church.

7.1. Reporting Suspected or Actual Abuse or Neglect

THE FOURSQUARE CHURCH TAKES EVERY ALLEGATION OF ABUSE SERIOUSLY.

The Foursquare Church is committed to creating a safe and nurturing environment that fosters spiritual, emotional, and physical health for all children to whom it ministers. Therefore, all staff must abide by provincial law and Foursquare policy in reporting abuse.

Due to the sensitive nature of abuse and concern for the safety and privacy interests of all involved, staff members and volunteers have a responsibility to report immediately in the manner outlined below any actual or suspected child abuse and/or any unusual behavior, regardless of where it may have occurred. There shall not be any attempt to avoid the reporting process by handling the situation privately or by entering into any private agreement with anyone about next steps. Except for the reporting process below and except as otherwise required by law and/or Foursquare policy, keep all information related to actual or suspected abuse or unusual behavior strictly confidential.

All provinces have enacted mandatory child abuse reporting laws. Local or provincial law usually requires a report be made upon “reasonable suspicion” that a child has been abused or is at risk of being abused. All provinces require the report be made to a law enforcement or child protection agency. Reporting to a parent or relative will not satisfy a mandatory reporter’s legal duty under the statutes.

7.2 Foursquare’s Reporting Process (Reflecting British Columbia Law)

Section 14 of the Child, Family and Community Service Act requires that a person who has reasonable grounds to believe that a child has been, or is likely to be, physically harmed, sexually abused or sexually exploited by a parent or other person must promptly report the matter to the director appointed by the Ministry responsible for Children and Families or other person designated by the director. In conjunction with the report to the National Office, the person shall also report to the local church-appointed program director and the Lead Pastor who will follow these steps:

1. If the child’s health and/or safety are under immediate threat, the minister will contact appropriate authorities immediately in compliance with the Child, Family and Community

Service Act.

2. In all situations, the minister will call FGCC National Office (1.866.941.8414), legal counsel, the insurer and the local church's insurer if other than that of FGCC, immediately upon being notified of the actual or suspected abuse, or if notified after hours, the next business morning. FGCC will assist the minister in ascertaining his or her legal responsibility.
3. In all situations, the minister will complete an incident report form in its entirety (located in Section 10.17 of this manual). The minister will submit the completed incident report form to FGCC National Office via fax or e-mail (fax: 604.941.8415; info@foursquare.ca) within two business days of the notification of the actual or suspected abuse. Legal counsel will assist in determining whether a governmental reporting requirement has been triggered and, if so, how to comply appropriately.

NOTE: The statutory provisions regarding reporting requirements change periodically, although not in substance, and specific requirements may differ from province to province. It is important in a case of suspected abuse to immediately contact the National Office (1.866.941.8414) or a local attorney to determine the specific reporting requirements in effect from time to time in the province or territory in which your church is located. See Appendix 5 and 6 for more information on Provincial & Territorial laws, screening and assistance.

Prior to making a report pursuant to the provisions of the Act, no person shall, apart from complying with paragraphs 1 and 2 of this policy statement, conduct any investigation or question any individual(s) in respect of his or her belief. Any information obtained and any report made pursuant to paragraphs 1 and 2 hereof shall be considered and treated as **STRICTLY CONFIDENTIAL** information by the individual making the report and by the church, its employees, servants and volunteers.

An investigation or inquiry shall be conducted where a police investigation has been undertaken with authorization from the appropriate civil authorities.

7.3. Communicating With the Press

Direct any contact by the press or requests for communication with the press to FGCC National Office (1.866.941.8414).

7.4. Evaluation, Review and Investigation

THE FOURSQUARE CHURCH COOPERATES FULLY WITH LAW ENFORCEMENT INVESTIGATIONS.

When a report of actual or suspected abuse or other inappropriate conduct is received, Foursquare's legal counsel will evaluate the circumstances and determine whether a review should be conducted. If a review is necessary, the legal counsel will establish the nature of the review. In some instances, responsibility for investigation will be left to law enforcement or other government authorities. The Foursquare Church does not permit its own internal reviews to delay or interfere with required reporting or cooperation with law enforcement investigations or

proceedings.

The Foursquare Church applies biblical principles and methods in its evaluation and review of allegations. Individuals who are involved in allegations of misconduct must cooperate fully and in a biblical manner with the efforts of FGCC to investigate the allegations.

FGCC shall maintain confidentiality regarding reports of alleged misconduct as long as the following criteria are met:

- Maintaining confidentiality does not interfere with efforts to review and otherwise address the incident.
- Maintaining confidentiality does not interfere with remedial or other action in response to the incident.
- Maintaining confidentiality does not interfere with efforts to prevent further incidents.
- Maintaining confidentiality does not violate state or federal law.

FGCC will not take disciplinary action against any individual who files an incident report in good faith, even if the report is mistaken or inaccurate. Staff and volunteers shall not retaliate against any individual who files an incident report, who provides information to FGCC, or who is the subject of an allegation.

Any retaliation should be reported to FGCC National Office (1.866.941.8414) as soon as possible.

Procedures for responding to allegations of abuse or misconduct are detailed in “Procedures for Responding to Allegations of Abuse” located in Section 10.16 of this manual.

7.5 Documentation of Evaluation and Review Process

All individuals involved with reporting and reviews, will, as early as possible, document their actions and all information obtained or gathered, including the dates and times of conversations, the names of all individuals involved, and any other relevant information. Forms for completing this process are located in Sections 10.17, 10.18 and 10.19 of this manual. Keep documentation confidentially in the church’s permanent files.

8. COMPLIANCE AND ACCOUNTABILITY

FGCC reserves the right to discipline and/or discharge, as it deems appropriate in its sole discretion, any minister or staff who does not comply with the policies and procedures contained in this manual.

Failure by a minister or staff member to cooperate in any internal review and/or law enforcement

investigation will result in disciplinary action, immediate suspension and may result in termination from employment or volunteer services, at the sole discretion of FGCC.

This manual has been prepared solely for the use of The Foursquare Church, and Foursquare shall not be liable for use of the manual, in whole or part, by any other person or party. Nothing in this manual or in any of the related materials, including the “Child and Youth Protection Code of Conduct,” is intended to create an express or implied contract. The Foursquare Church may modify these materials at any time, with or without advance notice, at its sole discretion.

9. SPECIAL PROVISIONS FOR CAMPS AND SCHOOLS

The policies and procedures set forth in this manual apply equally to Foursquare camps and schools. However, camps and schools have unique settings and situations that cannot be addressed adequately in this manual.

10. FORMS AND PROCEDURES

THE FOURSQUARE CHURCH IS COMMITTED TO CREATING A SAFE AND NURTURING ENVIRONMENT THAT FOSTERS SPIRITUAL, EMOTIONAL, AND PHYSICAL HEALTH FOR ALL CHILDREN WHO PARTICIPATE IN ITS MINISTRIES.

I hereby acknowledge receipt of The Foursquare Gospel Church's "Child and Youth Protection Manual" (hereafter called the manual), the form titled "Child and Youth Protection Code of Conduct," and related materials.

I have carefully read the above-referenced materials, understand them, and agree to abide by them. If I did not originally understand any part of these documents, I have sought clarification, and now fully understand them.

I understand that The Foursquare Gospel Church prohibits all types of abuse and mistreatment of children.

I will not perpetrate physical, emotional, sexual abuse, or neglect on another person, as defined in the manual and by applicable state law.

I understand that allegations of abuse against me may result in my immediate suspension from duties and may result in my permanent dismissal, at the sole discretion of The Foursquare Gospel Church.

I understand my responsibility to report abuse and other inappropriate conduct directed toward a child to the immediate director of the program and to a member of the ministerial staff, and, as necessary, the appropriate state authorities, as further defined below and repeated in the manual.

I understand that The Foursquare Church takes every allegation of abuse seriously, that abuse in any form will not be tolerated, and that The Foursquare Gospel Church of Canada will cooperate fully with authorities in the investigation of any allegation of abuse.

I understand that failure to cooperate in any internal review and/or law enforcement investigation will result in disciplinary action, immediate suspension, and may result in termination from employment or volunteer services, at the sole discretion of The Foursquare Gospel Church of Canada.

I understand that, due to the sensitive nature of abuse and concern for the safety and privacy interests of all involved, staff members and volunteers have a responsibility to report immediately, in the manner outlined below, any actual or suspected child abuse or any unusual behavior, regardless of where the behavior may have occurred. No attempt shall be made to avoid the reporting process outlined below by handling the situation privately or by entering into a private agreement with anyone about next steps. Except for the reporting process below and except as otherwise required by law and/or Foursquare policy, I will keep all information related to actual or suspected abuse or unusual behavior strictly confidential.

I understand that all provinces have enacted mandatory child abuse reporting laws and that the laws vary from province to province; that local or provincial law usually requires a report be made upon "reasonable suspicion" that a child has been abused or is at risk of being abused; and that all provinces require the

report be made to a law enforcement or child protection agency. Reporting to a parent or relative will not satisfy a mandatory reporter's legal duty under the statutes.

I understand that Foursquare's abuse reporting process is as follows:

1. No one with a legal duty to report information to a government agency, whether by virtue of a designated occupation or otherwise, shall be prohibited or hindered from so reporting (refer to Section 9.16 of the manual for additional details).
2. Reports of actual or suspected abuse and threat of abuse or other unusual behavior will be made immediately to the local church-appointed program director and the Lead Pastor who is the designated spokesperson for the release for ANY information regarding the allegation.
 - a. If the child's health and/or safety are under immediate threat, the minister will contact appropriate authorities immediately.
 - b. In all situations, the Lead Pastor will call Foursquare's National Office (1.866.941.8414) immediately upon being notified of the actual or suspected abuse, or if notified after hours, the next business morning. They will call legal counsel, the insurer, and the local church's insurer if other than that of FGCC.
 - c. In all situations, the minister will complete an incident report form in its entirety (located in Section 9.17 of the manual). The minister will submit the completed incident report form to Foursquare's National Office via fax or e-mail (fax: 604.941.8415; info@foursquare.ca) within two business days of the notification of the actual or suspected abuse. Foursquare's Legal counsel will assist in determining whether a governmental reporting requirement has been triggered and, if so, how to comply appropriately.

I declare that I have read, understand, and agree to comply with The Foursquare Church's abuse reporting requirements. I agree, as required by provincial law and Foursquare policy, to report any actual or suspected abuse and any other unusual behavior as indicated in the reporting process.

I understand and agree that nothing in this form or in any of the materials I have received, including the manual, the form titled "Child and Youth Protection Code of Conduct," and related materials, is intended to create an express or implied contract. I further understand that The Foursquare Church may modify these materials at any time, with or without advance notice to me, in its sole discretion.

Printed name of applicant

Signature of applicant

Date

The Foursquare Church is committed to protecting and releasing in our children the calling God has placed on their lives. We look to 1 Thessalonians 5:23 as a guide: "... may your spirit and soul and body be preserved complete ..." (NASB). We have been charged by God with the responsibility of protecting each child's spirit, soul, and body; we will do everything possible to fulfill that charge.

We are committed to creating a safe and nurturing environment that fosters spiritual, emotional, and physical health for all children who participate in our ministries. We are also committed to protecting staff members and volunteers from unwarranted accusations. To that end, all staff members and volunteers who work with our children must abide by this Foursquare "Child and Youth Protection Code of Conduct."

Staff Members and Volunteers of The Foursquare Church will

1. Treat children with respect and fairness at all times, regardless of the child's race, sex, age, or religion.
2. Respond with Christian love and understanding in all situations.
3. Act as a positive role model for children by maintaining an attitude of respect, loyalty, patience, courtesy, and maturity.
4. Dress appropriately and avoid wearing provocative and/or revealing clothing.
5. Engage in appropriate displays of affection, as defined in Sections 4.2, 9.3 and 9.4.
6. Refrain from inappropriate physical interactions as defined in Section 9.4.
7. Refrain from using inappropriate corrective measures as defined in Section 9.5.
8. Refrain from swearing or telling offensive or vulgar jokes.
9. Avoid involving children in inappropriately burdensome or disturbing problems or issues.
10. Refrain from sharing or keeping secrets with children.
11. Not abuse alcohol or drugs.
12. Refrain from discussing sexual encounters in the presence of children.
13. Not have or view sexually explicit materials, including any type of pornography.
14. Refrain from staring at or commenting on a child's body.
15. Refrain from perpetrating any kind of abuse upon any child; this includes, but is not limited to, the following:
 - a. Verbal abuse: degrading, threatening, cursing
 - b. Physical abuse: hitting, shaking, slapping, unnecessary restraint

c. Sexual abuse: inappropriate touching, exposing oneself, sexually-oriented conversations

d. Emotional abuse: shaming, humiliating, cruelty

e. Neglect: withholding or denying food, water, clothing, shelter, medical care, freedom of movement, or failure to protect

Abuse of any kind will not be tolerated. Allegations of abuse may result in immediate removal of the staff member or volunteer from duties, and may result in permanent dismissal at the sole discretion of FGCC. The Foursquare Gospel Church of Canada will fully cooperate with authorities if allegations of abuse are made and investigated.

16. Immediately report concerns or complaints, including suspicions of abuse, about a Foursquare church staff member, volunteer, or child to the immediate director of the program and to a member of the ministerial staff.

As an applicant for employment or for a volunteer position with access to children at _____ Church and its ministries I (print name) _____ have read, understand, and agree to abide by the “Child and Youth Protection Code of Conduct” of The Foursquare Church. I further agree to abide by all policies, procedures and rules of The Foursquare Gospel Church of Canada regarding children and as otherwise deemed applicable to me. I further understand that any violation of this code of conduct may result in my immediate and potentially permanent dismissal. I declare that I will not abuse (physically, verbally, sexually, or emotionally) or neglect any child or adult and that I have never been convicted of abuse of, indecency with, or injury to a child or adult.

Printed name of applicant

Signature of applicant

Date



Appropriate Verbal Interactions:

- Positively reinforcing children
- Telling clean, positive, light hearted jokes
- Encouraging children
- Praising children

Inappropriate Verbal Interactions:

- Calling children derogatory names
- Discussing sexual encounters or in any way involving children in personal problems or issues of staff members/volunteers
- Sharing secrets with children
- Cursing
- Telling offensive, vulgar, or sexually oriented jokes
- Complimenting a child on his or her physique or body development
- Shaming
- Belittling
- Making derogatory remarks, including but not limited to derogatory remarks about the child, the child's family or ethnic background
- Using harsh language that may frighten, threaten, or humiliate children



Appropriate Physical Interactions:

- Pats on the back, arm, or shoulder
- Side hugs
- Shoulder to shoulder, “temple” or “A-frame” hugs
- Handshakes
- “High fives” and hand slapping
- Touching hand, face, shoulder, arm
- Arms around shoulders
- Holding hands (with young children)
- Soothing infants
- Sitting beside a child
- Sitting with a small child on adult’s legs

Inappropriate Physical Interactions:

- Any form of affection that is unwanted by the child or the staff member/volunteer
- Any physical activity that is, or could be perceived by another to be, sexually stimulating to the adult or the child
- Full frontal hugs except when holding infants
- Kisses on the mouth
- Kisses of any kind that are unwanted by the child
- Touching chests or anywhere below the waist
- Showing affection in isolated locations such as closets, remote hallways, staff-only areas, or other private rooms
- Staff member/volunteer sleeping in bed with a child
- Wrestling with children
- Piggyback rides
- Tickling
- Allowing a child to cling to the leg of a staff member/volunteer
- Holding a child on a staff member/volunteer’s lap so the child is straddled over private areas
- Massage given by a child to a staff member/volunteer
- Massage given by a staff member/volunteer to a child

It is important that program directors, staff members and volunteers make sure that each child clearly understands behavior expectations. It is essential that program directors ensure that each staff member and volunteer understands appropriate and inappropriate corrective measures and that children may never be punished because of bladder or bowel “accidents” nor because of vomiting or other manifestations of illness.

Always remember, correction is not punishment. Rather it is an opportunity to teach a child a better way to behave while stopping inappropriate behavior. Make an effort to praise good behavior the child displays.

The staff member/volunteer must remain calm at all times when correcting a child.

When correction is necessary, the following guidelines apply.

Appropriate Correction Options

- Talking with the child about what behavior would have been more appropriate. Explain natural consequences to inappropriate behavior.
- Assigning a period of time away from the other children. If the offense is repeated, place the child away from the group in a way that avoids public humiliation for approximately one minute per year of age, not to exceed five minutes.
- Calling for assistance in the case of persistent misbehaviour, e.g., the program director, counselors, and/or pastors. The person called upon for assistance may contact the child’s parent/guardian or sit with the child until the misbehaviour subsides or for the duration of the Foursquare activity.
- Intervention to protect a child from harm or risk of being harmed.

Inappropriate Correction Options

- Using condemning language or tone
- Employing corporal punishment: includes shaking, hitting, spanking, slapping, shoving
- Threatening to use corporal punishment
- Engaging in name calling, shaming, degrading or derogatory remarks, ostracism
- Biting, pinching, hair- and/or ear pulling
- Withholding food/water, or medical care
- Using mechanical or unnecessary physical restraints
- Isolating a child in a small, confined, and/or dark place
- Imposing physical exercise as a punishment

The following are the major signs of physical and sexual abuse, emotional damage, and neglect. The presence of one of these signs, or even several in combination, may not indicate that abuse has occurred. They may indicate a recent accident, or the presence of a medical condition, emotional illness, or other problem. If a number of these signs occur together or if they reoccur frequently, child abuse or neglect might be the cause.

Signs of Neglect

- Poor hygiene, bad odor
- Inappropriate dress for weather
- Left alone, unsupervised for long periods
- Failure to thrive, malnutrition
- Untreated medical condition
- Constant hunger, begging or stealing food
- Extreme willingness to please
- Frequent absence from school
- Arriving early or staying late at school or play areas or other people's homes

Signs of Physical Abuse

- Bruises; welts on face, neck, chest, back
- Injuries in the shape of object (belt, cord)
- Unexplained burns on palms, soles of feet, back
- Fractures that are inconsistent with the account of how an injury occurred
- Untreated medical condition
- Extremes in behavior: very aggressive to withdrawn and shy
- Fear of going home
- Fear of parents and/or other adults

Signs of Emotional Damage

- Low self-esteem
- Self-denigration
- Severe depression
- Aggression
- Withdrawal
- Severe anxiety
- Failure to learn

Signs of Sexual Abuse

- Pain, swelling, or itching in genital area
- Bruises, bleeding, discharge in genital area
- Difficulty walking or sitting, frequent urination, pain
- Stained or bloody underclothing
- Venereal disease
- Refusal to take part in gym or other exercises.
- Poor peer relationships
- Age-inappropriate interest in sex
- Drastic change in school achievement
- Running away or delinquency
- Regressive behavior

1. **Complete one monitoring checklist (located in Section 9.8 of this manual) each month for each weekly program.** All age groups may be combined onto one checklist, though a separate form will be completed when there are multiple weekend services.
2. **Complete one monitoring checklist every fourth meeting of the program if the program does not occur weekly.**
3. **Vary observation times.** Avoid a predictable pattern of observation. Move through programs randomly. Occasionally leave the room and return immediately.
4. **Occasionally arrive before the other staff members/volunteers.** This provides an opportunity to observe staff members preparation for the program or activity. This also provides an opportunity to discuss issues with staff members prior to participants arriving.
5. **Always examine the program area.** Look for items that may provide a safety hazard (e.g., broken glass outside, rusty corners on chairs, unlocked doors leading to off-limits areas, exposed electrical outlets).
6. **Observe activities.** Does the program run in a manner that provides the children with consistency in a positive environment? Do the staff members interact well with the children?
7. **Observe location.** Walk the campus and confirm all children are where they are supposed to be.
8. **Observe interactions among adults.**
Do the adults:
 - a. Know who is responsible for supervising which child(ren)?
 - b. Clearly communicate with each other when one must leave?
9. **Observe the higher risk activities.** For overnight trips, ask how staff members plan to handle bedtime arrangements. Make sure that staff members are not planning to share beds with children. Inspect the bathroom arrangements. Make sure staff members are comfortable with the procedures and that the procedures are consistent with standards outlined in the manual. On overnight trips, pop into rooms in the evenings and mornings.
10. **Observe adult/child interactions.** Evaluate whether the adults:
 - a. Use proper voice tone
 - b. Consistently praise children
 - c. Engage in appropriate physical contact
 - d. Seem to know the children

- e. Listen to the children
- f. Encourage children
- g. Set appropriate standards of behavior
- h. Interact with all the children
- i. Set appropriate boundaries
- j. Maintain control
- k. Manage behavior effectively
- l. Pay undue attention to any particular child

11. Be sure staff members and volunteers know how to respond to the following "what if" situations:

- a. A child keeps walking into the bathroom while another child is in there.
- b. A child complains that his or her private parts hurt.
- c. A child falls, injures his head, and becomes unconscious.
- d. A child crawls into a staff member's or volunteer's bed at night.
- e. A child says he is afraid of another child.

Date: _____ Time of Observation: _____

Name of Program: _____

Location of Program: _____

Staff/Volunteers Present: _____

Approximate number of children: _____

<p>Adult-to-child ratio for activity are appropriate</p> <p>Ratios:</p> <p>Birth to 2.5 years: 3 children to 1 adult</p> <p>Preschool (2.5 to 5 years): 8 children to 1 adult</p> <p>Elementary (5 to 9 years): 10 children to 1 adult</p> <p>Tweeners (9 to 12 years): 15 children to 1 adult</p> <p>Youth (12 and older): 25 youth to 1 adult</p> <p>Comments:</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>Adult-to-child interactions are appropriate:</p> <p>Comments:</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>Child-to-child interactions are appropriate:</p> <p>Comments:</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>All children are accounted for and in their appropriate places.</p> <p>Comments:</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>

Additional Observations: _____

 Printed Name of Monitor

 Signature of Monitor



Follow these basic guidelines when planning an event, whether it be on church property or at an off-site location:

1. Choosing volunteers

Screen all volunteers for suitability to participate in the event; consider age, gender, and physical suitability for the event, in accordance with FGCC policies regarding volunteers.

2. Evaluating facilities and equipment

- a. Check if the facility contains adequate lighting and space for the event.
- b. Check the facility for accessibility to people with disabilities
- c. Anticipate potential safety hazards.
- d. Periodically check safety and performance of equipment.
- e. Check for adequate parking space to accommodate the number of vehicles necessary for transporting people to the event.

3. Preparing people for the event

- a. Communicate clearly to all children participating in the event appropriate details of the event including conduct required of them.
- b. Distribute to all parents/guardians of children participating in the event information explaining the event and rules of conduct.
- c. Make sure to receive for each child participating in the event, a release form completed and signed by the parents/guardians that confirms the parents/guardians have seen the information outlined in 3.a., above, and that they consent to their child's participation in the activity (forms are located in Sections 9.11 and 9.12 of this manual).
- d. Communicate clearly to the volunteers appropriate and responsible supervision for the event
- e. Meet with volunteers and discuss risks and procedures for handling problems or emergencies
- f. If volunteers are driving children, make sure to receive for each driver a completed owner/driver acknowledgement located in Section 9.13 of this manual.
- g. Verify that vendors and outside contractors have workers' compensation and general liability insurance coverage; request documentation of coverage.
- h. Prepare clean-up crew and personnel to secure facilities when activity closes

Transportation

Guidelines for transportation by private vehicle:

- Whenever possible, two adults will be present when transporting one or more children. When that is not possible, at least two children will be present when transported by a single adult.



- Obtain written parental permission prior to transporting children.
- Transport children directly to the destination, with no unauthorized stops.
- Adults will avoid inappropriate activities such as smoking, talking on a cell phone, eating and unsafe driving while transporting children.
- Inform the program director when a child or children are being transported by an adult or adults.

Guidelines for transportation by chartered bus/van:

- Determine the number of staff members necessary to provide adequate supervision for children (defined in Section 3 of this manual).
- The vehicle driver may not serve as a supervisor for children.
- Seat staff members randomly throughout the vehicle.
- Seat children by age or grade.
- On overnight trips staff members and children of the opposite sex may not sit together. Staff members may not share blankets with children or sleep in the same seat with children.

Guidelines for transportation using public transportation:

- Determine the number of staff members necessary to provide adequate supervision for children (defined in Section 3 of this manual).
- The activity director will record the bus/train/plane/boat identification number and, if available, the route or flight number.
- Place children in one area of the bus/train/plane/boat, if at all possible.
- Ensure staff members assigned to a group of children remain with that group on the bus/train/plane/boat.
- Take a headcount of the children immediately after leaving the bus/train/plane/boat.



Always communicate clearly and thoroughly with staff, volunteers, parents or guardians, and participants about the details of the event. Complete the following checklists during the planning process and during the event.

Checklist for all Overnight Stays

- ✓ Receive prior approval from director.
- ✓ Receive written parental permission for each child prior to event.
- ✓ Implement an appropriate ratio for supervision. Refer to the ratios provided in Section 3 of this manual; you may need to consider adjusting the ratios to provide more effective supervision.
- ✓ Clearly define areas where children are allowed and not allowed.
- ✓ Establish clear sleeping arrangements. Separate boys' and girls' sleeping areas. Position adults to sleep nearest to the doors and in a way that maximizes supervision (to provide a layer of protection from people coming into the room and reduce the risk of children sneaking out).
- ✓ Require staff members to stay awake until all minors are asleep.
- ✓ Prohibit staff members from sleeping with children, either in the same bed or extremely close to each other on the floor.
- ✓ Prohibit staff members from changing clothes in front of children.
- ✓ Prohibit staff members from showering with children.

Additional Checklist for Overnight Events at a Foursquare Building

- ✓ Require that children be monitored at all times.
- ✓ Schedule activities throughout the night, and limit free time as much as possible.
- ✓ Clearly define for boys and girls appropriate and inappropriate interactions with each other; make sure that all staff members and volunteers understand the guidelines (refer to Section 4.3 for additional information).

Additional Checklist for Events at a Hotel

- ✓ Arrange for connecting rooms and open the doors between rooms.

Additional Checklist for Events at Cabins/Large Rooms

- ✓ Designate staff member(s) to walk around the premises 2 to 3 hours after the children's bedtime.

10.11 Activity Permission, Release and Medical Power of Attorney

1. I, the lawful parent or guardian of _____ (the "child"), give permission for my child to participate in the activity described on the reverse and release from all liability and indemnify the Foursquare Gospel Church of Canada o/a _____ (local church, camp, or school legal name) and its directors, officers, council, agents, representatives, volunteers, and employees ("Church") from any and all liability, claims, judgments, cost or expenses, including attorney fees, arising out of any damage, injury or illness incurred or caused by my child while participating in or traveling to or from the activity, or otherwise in Church custody. I understand the risks in these activities, including the possibility of unforeseen hazards, serious injury or death. I certify my child is able to participate in the activity.

2. I agree to instruct my child to cooperate with the Church and its representatives in charge of the activity and understand my child may be prohibited from participating for any failure to follow the rules established by the Church.

3. I appoint Church representatives who are acting as leaders, or designated by such leaders, as my attorney in fact to act for me in my name and my behalf, in any way that I could act if I were personally present, with respect to the following matters if any injury, illness or medical emergency occurs during the activity, related travel or while my child is in Church custody.

- a. To give any and all consents and authorizations to any physician, dentist, hospital or other persons or institutions pertaining to any emergency transportation, medications, medical or dental treatments, diagnostic or surgical procedures or any other emergency actions as our medical attorney-in-fact shall deem necessary or appropriate for the best interest of the child.
- b. I understand the Church will make a reasonable attempt to contact me as soon as possible in the event of a medical emergency involving my child.

4. My child is to be **excluded** from the following activities _____ and/or from release to the following persons _____ (IF LEFT BLANK, NO ACTIVITIES OR PERSONS ARE EXCLUDED.)

5. I agree that the Church may use my child's and/or my own name, voice, portrait, photograph or image for promotional, website, office or any other church related purposes. These may be used in any broadcast, telecast, digital or print medium, including video images, photographs, pictures or renderings, audio recordings, or other likenesses, in combination or alone.

I will notify the Church immediately of any change in the information presented and agree it is valid until revoked in writing by me. I have carefully read this statement, and my signature acknowledges that I fully understand the content and meaning.

Signature of parent or guardian (individually and as parent/guardian)

Date

Signature of parent or guardian (individually and as parent/guardian)

Date

Medical Information — Completed by Parent or Guardian — Please Print

Child's name

Date of Birth

Allergies

Medications

Chronic/other medical conditions (e.g. epilepsy, diabetes, asthma, heart, etc.)

Medical insurance company

Policy number

Parent/guardian name (print)

Emergency phone number

Parent/guardian name (print)

Emergency phone number

Family doctor

Phone number

Revision 2:1, 12/31/2008 by ICFC

Revision 3.1, 12/01/2012 by FGCC

To Be Completed By Church – Please Print

This Activity form (with 10.11) is to be used for 1) any activity specifically listed below, 2) any high risk activity, and 3) any off-site activity. It is not required otherwise.

For recurring on-site activity only, complete Section A, and the form may then be signed once annually but must be re-signed each year. "Recurring" means an activity with a consistent date, time and location. If in doubt, complete Section B and have a new form completed and signed each time the activity occurs. If two parents have legal custody of the child, both should sign. **Please complete ALL blanks below.** If information doesn't apply, insert "N/A."

A. On-Going Program (complete only if activity has a consistent date, time, and location)

Local church legal name		Church address
Name(s) of group leader(s)		Telephone number
Starting date	Ending date	Registration fee
Usual activity location (address)		Usual day and time

Recurring Activity (check ALL that apply) ☐ Skateboarding ☐ Rollerblading ☐ Roller Skating ☐ Rock Climbing
☐ Boating/Rafting ☐ Swimming ☐ Hiking ☐ Contact Sports (e.g., basketball, etc.) ☐ Super Slide or other inflatable apparatus
☐ Other ☐ Offsite Activity (check only if activity is off Church grounds)

Other information

Check here if any additional information is attached. (Note: any additional activity information (e.g., schedule, list of specific activities, etc.) may be attached to further information parent(s) or guardian(s).)

B. One-Time Activity

Local church legal name		Church address
Name(s) of group leader(s)		Telephone number
Activity location (address)	Emergency telephone number	Cost
Starting date and time		Meeting place
Ending date and time		Meeting place

Activity (check ALL that apply) ☐ Skateboarding ☐ Rollerblading ☐ Roller Skating ☐ Rock Climbing ☐ Boating/Rafting
☐ Swimming ☐ Hiking ☐ Contact Sports (e.g., basketball, etc.) ☐ Super Slide or other inflatable apparatus ☐ Other
☐ Offsite Activity (check only if activity is off Church grounds)

Type of transportation (if any)

Other information

Check here if any additional information is attached. (Note: any additional activity information (e.g., schedule, list of specific activities, etc.) may be attached to further information parent(s) or guardian(s).)



Church name	Location of activity	Date(s)	
Name of driver (as listed on license)	Age of driver		
Street address	City	Province	ZIP Code
Driver's License number	Province	Expiration date	
If different than driver, name of registered owner of vehicle	Used with permission?		
Address of registered owner of vehicle	City	Province	Zip Code
Year, make and model of vehicle	License plate number	Registration expiration date	
Insurance company	Policy number	Expiration date	

As the *driver* of the vehicle, I agree to abide by the laws of the provinces, counties and cities in which I will be driving. I declare that I have a current and valid driver's license and adequate personal automobile liability insurance.

As the *registered owner* of the vehicle, I declare I have current registration and all lawful insurance necessary for the vehicle being driven for this activity. I voluntarily offer the use of my personal vehicle to the church named above and the above named driver, if different than myself, for the activity named herein.

I/we understand and agree that, in the event of an at-fault accident involving the vehicle named above, the insurance policy(ies) listed above will be primary for physical damage to the vehicle and any liability and bodily injuries. I/we understand that there is no coverage for this vehicle (comprehensive, collision, liability, or medical) through the auto policy of the Foursquare Gospel Church of Canada and I/we agree to hold harmless, indemnify and defend the Foursquare Gospel Church of Canada against any loss, liability, claim, cost or expense related to bodily injury to person(s) or damage to property arising from or related to use of the automobile. In the event of an accident that is the fault of another driver, the insurance policy covering that vehicle will be primary. I have read the guidelines governing the transportation of participants to and from church-sponsored activities.

DRIVER

Signature of driver

Printed name of driver

Date

DIRECTOR OF ACTIVITY

Signature of program director

REGISTERED OWNER (if different than driver)

Signature of registered owner

Printed name of registered owner

Date



The following is a sample notice to parents and (or) guardians of the local church's intention to discuss with youth topics of a sexual nature:

Dear Parents and Guardians:

We, the pastors and staff, of _____ (name of church)

are committed to helping you protect and train your children so they have a Biblical foundation of knowledge and faith that will enable them to make God-honoring choices when confronted with an increasingly amoral society.

Our Youth Ministry, with the blessing and approval of the Senior Pastoral staff, will present on _____ (date of event) a special session for all

Youth, aged 12 through 18, on Human Sexuality. There will be two sessions, one for boys and the other for girls. Human reproduction as well as Biblical-based behavior/response will be discussed in a candid, non-judgmental forum. Great care will be taken to assure all discussion is appropriate and respectful.

If you would like your youth to attend please fill out and return the attached permission slip to _____ (name of person/ministry).

Permission from the youth's parent or guardian is required for them to attend this special session and it is open to youths 12 years of age and older only.

I, _____ (please print your name), as the parent or legal guardian of _____ (name of youth) (age _____) give permission for him/her to attend the Youth Ministry session on

_____ (date) on Human Sexuality.

Signature of parent/guardian

Date

Prior to the interaction, staff members/volunteers will submit to their supervising pastor a written plan for the intended interaction with a child or children outside of regularly scheduled program activities. The plan will include the following required elements:

- The activity
- Date and time of activity
- Location of activity
- Name(s) of the child(ren) involved
- Purpose of the activity

Arrange for the activity to take place in a public setting. Refer to Sections 5.5 and 5.6 for additional information governing this type of activity.

Examples of Appropriate Methods for Submitting a Written Plan to Supervising Pastor (be sure to include all required elements listed above):

- Email
- Memo
- Printout of electronic calendar
- Printout of minutes of meeting where anticipated interaction is planned

Directly following the interaction if anything additional and/or unusual occurred, staff members/volunteers will document their contact with the child(ren). Documentation will include the name(s) of the child(ren), date, time, activity, and any additional and/or unusual incidents that occurred.

Examples of Appropriate Outside Contact:

- Taking groups of children to dinner
- Taking groups of children to a movie
- Taking groups of children to a sporting activity
- Attending functions at a child's home, with parents present
- Home visits, with parents present

Examples of Inappropriate Outside Contact:

- Taking one child on an outing
- Visiting one child in the child's home without a parent of the child being present
- Entertaining one child alone in any other home
- One child spending the night with a staff member

Respond immediately to all reports of inappropriate or suspicious behavior; report the behavior to the program director, the lead pastor, and to FGCC National Office (604.941.8414).

- Discuss suspicious or inappropriate behavior with the staff member or volunteer involved.
 - Provide the staff member or volunteer with feedback and follow the progressive disciplinary procedure detailed in the Handbook, if warranted (1st warning, 2nd, etc.).
 - Thoroughly document all the actions taken.
 - Discuss the allegations with the individuals making the accusation.
 - Designate a program director/ministerial staff contact person at the church, school, or camp to whom the report will be made.
 - Develop a corrective action plan to prevent a recurrence.
1. To ensure full compliance with the applicable child abuse reporting statutes in your area, immediately contact Foursquare's National Office (1.866.941.8414) for assistance in determining your province's reporting requirements.
 2. Contact your unit supervisor and your insurance carrier if any of the following occur:
 - a. Child abuse/molestation is reported or confirmed.
 - b. A Foursquare worker is named as the perpetrator.
 - c. The alleged behavior occurred on Foursquare property.
 3. At the first suspicion of child abuse/molestation, take the following steps immediately:
 - a. Take the suspicion or accusation seriously.
 - b. Begin an internal review immediately and conclude it as soon as possible.
 - i. Report the incident to one of the ministers of the church and to the program director.
 - ii. The minister receiving the report will be responsible for confirming the facts reported and ascertaining the condition of the child, on the same day in which the first report was made. Use the checklist located in Section 10.4 when completing the staff responsibilities involved with the occurrence.
 - iii. Obtain data concerning the child, such as name, address, and other pertinent information, through discussions with the initial reporter and other staff members. Obtain the name and address of the parent/guardian of the child as well.
 - iv. After the information is secured and in accordance with Section 6 of this manual, the lead pastor will contact Foursquare's National Office and, if appropriate, will then be advised to contact the applicable governmental agency. At no time shall a person with a legal duty to report information to a government agency be prohibited or hindered from so reporting.

Note: Before taking any of the following steps, confirm the appropriateness of any such procedure with Foursquare's legal counsel.

4. Except for the reporting process described in this manual, maintain the confidentiality of the review. Emphasize the confidentiality of the victim and the accused.
5. Cooperate fully with law enforcement officials.
6. Suspend the accused from the performance of duties involving children until the review has been completed. Any notice of suspension shall be given in a manner that will not jeopardize any investigation by the Ministry for Children and Families director or the police and shall be done in consultation with the civil authorities. Any suspension from duty is not and shall not be deemed to be a presumption by the church or an admission by the individual of "guilt". The suspension of a person in the circumstances set forth in this policy statement is imposed for the protection of the children in our care and to demonstrate the commitment of the church, its officials, employees, servants and volunteers to protect the children in the care of the church and its programs.
7. Inform the victim and the immediate or custodial family (unless the alleged perpetrator is a member of said family) of the steps that are being taken, and continue to keep them advised of the status of the review. If child abuse/molestation is confirmed, ask the victim and the family what action they would like the church to take and fully cooperate to address their request within the bounds of a legal and prudent response. Contact Foursquare's legal counsel to assist in this determination.
8. In instances where child abuse/molestation is confirmed or determined to present a risk of harm to any child or other person, the church should immediately dismiss or suspend the worker from that position. Any personnel, volunteer or employee, found to have abused a child or placed a child at risk of abuse shall, apart from any other discipline process, be prohibited from participation in any children's ministry in the church unless specifically authorized by the church council and then only in accordance with any and all terms and conditions determined by the church council.
9. In instances where the evidence is inconclusive, the church and Foursquare will make a determination based on reasoned judgment, in Foursquare's sole discretion. The victim's family's request may be given consideration.
10. All allegations will be taken seriously. The information will be immediately given to the appropriate staff member, documented in writing, and given to the Lead Pastor, who is the designated spokesperson for the release of ANY information regarding the allegation. This includes media inquiries.

The Lead Pastor shall immediately contact Foursquare Gospel Church of Canada's
(a) insurer and the local church's insurer if other than that of FGCC;
(b) legal counsel; and

(c) National Office.

11. The Lead Pastor will contact the appropriate civil authorities following the guidance of the insurance and legal advisors of FGCC in compliance with the requirements of the child abuse reporting statute.
12. The Lead Pastor will usually contact the parents. The accused will not be confronted until the safety of the victim has been secured. Every attempt will be made not to prejudice any party but the allegation will be taken seriously and the victim and the family will be offered compassion, support and any pastoral resources that are deemed appropriate.
13. In some instances, the Lead Pastor along with an elder or other church leader will contact the accused. The accused will be treated with the utmost dignity and respect. An accused who is an employee of or volunteer with Foursquare will be temporarily relieved of his/her duties until the investigation is complete. The accused will be offered compassion, support and any pastoral resources that are deemed appropriate.
14. Only on the advice of Foursquare Legal Counsel will the Lead Pastor prepare a public statement and release it to the media. Any such statement will first and foremost safeguard the confidentiality of everyone involved. The statement will also emphasize the Church's awareness of the overall problem and seriousness of child abuse, the concern for victims and persons wrongfully accused and the Church's commitment to full co-operation with law enforcement agencies.
15. The Lead Pastor, after consultation with Foursquare Legal Counsel, may convey the news to the congregation in a manner that protects the confidentiality of everyone involved.



*With the exception of your signature, please print all information.
Use additional sheet if necessary to provide details of this incident.*

Date _____ Name of preparer _____

This is an: accident _____ allegation _____ other (specify) _____

Name(s) and age(s) of people involved: _____

Contact information of people involved (if minors were involved, include their parents' or guardians' names and contact information): _____

Date, time, and location of incident: _____

Describe the incident as reported or witnessed (be factual and objective): _____

Name(s) of staff member(s) or volunteer(s) involved: _____

Name(s) of other adult(s) witnessing or present during incident: _____

How was the incident brought to your attention (include name(s) and contact information of source(s) of information)? _____

Were there any visible injuries? _____ If yes, please list: _____

How were the injuries treated? _____



Where and by whom were the injuries treated? _____

Name of parents/guardians notified: _____

By whom? _____ Date/Time _____

Does this incident require mandatory reporting to authorities? _____

If yes, what authority was notified? _____ *Date/Time* _____

Describe action taken by that authority: _____

If notification was made:

Was Foursquare's national office notified? ____ Date/time _____ Person notified _____

Was Foursquare's insurance department notified? ____ Date/time _____ Person notified _____

Describe initial follow-up action with family/parents/guardians: _____

If staff member or volunteer was involved, what initial action has been taken?

Counseling _____ Warning _____ Suspension _____ Termination _____

Please provide additional details, if any: _____

Church/School/Camp Name _____ Code Number _____

Signature of preparer _____ Title _____

Printed name of preparer _____ Date _____

Signature of senior pastor or designee _____ Title _____

10.18 Incident Report- Supplemental Interview with Staff/Volunteer Accused

With the exception of your signature, please print all information.
Use additional sheet if necessary to provide details of further interviews with staff/volunteer accused.

Date _____ Name of preparer _____

Name of staff member/volunteer accused _____ Date of alleged incident _____

Date of first interview with staff member/volunteer accused: _____

Persons present 1) _____	Title _____	Initials _____
2) _____	Title _____	Initials _____
3) _____	Title _____	Initials _____

Does staff/volunteer admit guilt? _____

Action taken by church/school/camp: Warning _____ Probation _____ How long? _____

Suspension _____ How long? _____ Termination _____ Effective date: _____

Date of subsequent interview (if necessary) with staff member/volunteer accused: _____

Persons present 1) _____	Title _____	Initials _____
2) _____	Title _____	Initials _____
3) _____	Title _____	Initials _____

Results: _____

Long term recommendation: _____

Signature of minister

Title

Printed name of minister

Date

With the exception of your signature, please print all information.
 Use additional sheet if necessary to provide details of further follow-up with the family.

Date _____ Name of preparer _____
 Date of meeting with parents/guardians _____ Location _____
 Family members present: _____

Family attitude is: Angry _____ Hurt _____ Litigious _____ Other _____

Action requested by family: _____

Staff members present 1) _____ Title _____ Initials _____
 2) _____ Title _____ Initials _____
 3) _____ Title _____ Initials _____

Church/school/camp's response to family is: _____

Date of response/ministry to family: _____

Church/school/camp personnel involved in response:

Name _____ Title _____ Initials _____
 Name _____ Title _____ Initials _____

Long term recommendation: _____

 Signature of minister

 Title

 Printed name of minister

 Date

Date and Time: _____ Class/Group/Area: _____

Injured of Person with spill: _____

Name of Parent/Guardian: _____

Age of Person with spill: _____ Any illness: _____

Description of Incident: _____

Name(s) of anyone else involved: _____

How where other(s) involved: _____

Parent/Guardian Notified by: _____

When: _____ How: _____

Description of Spill: _____

Description of Clean-up(by whom, procedure used): _____

Possible Exposure - Who? _____ How? _____

Name(s) of any physician or other medical practitioner called: _____

Name of person in charge of Group/Class: _____

Signature of person completed report: _____ Date: _____

NOTE: Give to appropriate leader on completion.



1. An accident Report Form will be filled out for every accident or injury. A copy will be given to the parent/guardian of the injured child and a copy will also be given to the Children's Ministry Director.
2. When children are involved in Church activities (whether in the church building itself or any other location), where the parents are not present at the facility, an up-to-date Emergency Contact Form must be kept on file.

11. CHECKLISTS



Foursquare Gospel Church of Canada



- ✓ Familiarize yourself & your staff with the *Child and Youth Protection Manual*
- ✓ Familiarize your volunteers with §§ 10.2, 10.3, 10.4, 10.5, and 10.6 of the *Child and Youth Protection Manual*
- ✓ Conduct background checks on all staff & volunteers who work with children in the church (refer to §§2.5 and 13.5 of the *Child and Youth Protection Manual*)
- ✓ Refer to the New Hire Checklist (§11.2 of the *Child and Youth Protection Manual*) to confirm that the church's current employee records meet the standard requirements.
- ✓ Refer to the Volunteer Checklist (§11.3 of the *Child and Youth Protection Manual*) to confirm that the church's current volunteer records meet the standard requirements.



Required Process:

- Complete approved forms for employment in a Foursquare church (refer to §§2 and 13.1 of the *Child and Youth Protection Manual*)
- Complete criminal record check (refer to §§2.5, 13.4 and 13.5 of the *Child and Youth Protection Manual*)
- Complete interview process using Foursquare's standardized questions & procedures (refer to §13.6 of the *Child and Youth Protection Manual*)
- Conduct at least two reference checks using Foursquare's standardized questions & procedures (refer to §13.7 of the *Child and Youth Protection Manual*)

Required Forms:

- Employment Application Form (§13.1 of the *Child and Youth Protection Manual*)
- Foursquare Background Check Forms (§13.4 of the *Child and Youth Protection Manual*)
- Child Protection Conduct Acknowledgement & Affirmation of Understanding Form (§10.1 of the *Child and Youth Protection Manual*)
- Child and Youth Protection Code of Conduct (10.2 of the *Child and Youth Protection Manual*)

Upon Hiring:

- Receive a copy of the *Child and Youth Protection Manual*



Required Process:

- ✓ Prospective Volunteer fulfills the attendance requirement: six months of regular attendance at the local Foursquare church.
- ✓ Complete approved application form (refer to §§2.2 and 13.2 or 13.3 of the *Child and Youth Protection Manual*)
- ✓ Complete criminal record check (refer to §§2.5 and 13.5 of the *Child and Youth Protection Manual*)
- ✓ Complete interview process using Foursquare's standardized questions & procedures (refer to §§2.3 and 13.6 of the *Child and Youth Protection Manual*)
- ✓ Conduct at least two reference checks using Foursquare's standardized questions & procedures (refer to §§2.4 and 13.7 of the *Child and Youth Protection Manual*)

Required Forms:

Forms to be completed by volunteer and kept on file at church/camp/school:

- ✓ Volunteer Application Form (§§13.2 or 13.3 of the *Child and Youth Protection Manual*)
- ✓ Foursquare Background Check Forms (§13.4 of the *Child and Youth Protection Manual*)
- ✓ Child and Youth Protection Code of Conduct (§10.2 of the *Child and Youth Protection Manual*)

Forms to be given to the volunteer:

- ✓ Copy of signed Child and Youth Protection Code of Conduct (§10.2 of the *Child and Youth Protection Manual*)
- ✓ Appropriate and Inappropriate Physical Interactions (§10.3 of the *Child and Youth Protection Manual*)
- ✓ Appropriate and Inappropriate Verbal Interactions (§10.4 of the *Child and Youth Protection Manual*)
- ✓ Appropriate and Inappropriate Corrective Measures (§10.5 of the *Child and Youth Protection Manual*)
- ✓ Major Signs of Abuse and Neglect (§10.6 of the *Child and Youth Protection Manual*)

When an allegation is made:

- ✓ Take the allegation seriously
- ✓ Report the incident to one of the ministers of the church and to the program director
- ✓ Review Procedures for Responding to Allegations of Abuse or Misconduct (Section 10.16 of the Child and Youth Protection Manual)
- ✓ Complete the Incident Report form (Section 10.17 of the Child and Youth Protection Manual)
 - Evaluate the situation / obtain facts regarding the allegation:
 - Does the child need medical attention?
 - Is the child in immediate danger?
 - What are the details of the alleged abuse/misconduct?
 - Has this incident been reported before?
 - Obtain data concerning the child (name, address, and other pertinent information)
 - Obtain data of the parent/guardian of the child (name, address, and other pertinent information)
- ✓ Contact Foursquare's legal counsel or national office (1.866.941.8414) for assistance in determining your province's reporting requirements*
- ✓ At no time shall a person with a legal duty to report information to a government agency be prohibited or hindered from so reporting
- ✓ Contact your unit supervisor and your insurance carrier, if applicable
- ✓ Care for the child throughout the process

* Please keep in mind the specific process of reporting an allegation will vary by Province; by contacting Foursquare's legal counsel, they will assist you in specific steps to take in reporting the incident.



- Abuse, 1, 2, 5, 8, 12, 13, 14, 15, 16, 19, 25, 42, 132
Allegation(s) of, 13, 14, 15, 16, 17, 22
Emotional, 2, 3, 15, 21, 26
Exploitation, 2
Major Signs of Abuse and Neglect, 4, 14, 26
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Foursquare Gospel Church of Canada

13. APPLICATIONS AND RELATED FORMS

13.1 Application for Employment

Date _____

Last name _____ First _____ Middle _____ Social Insurance number _____

Street address _____ City _____ Province _____ Zip Code _____

(_____) _____ (_____) _____

Home or Cell phone _____ Business phone _____

Type of position desired _____ Expected salary range (in dollars) _____

Referred by (please give specific name): _____

What church do you regularly attend? _____

For how long? _____

What church did you previously attend? _____

For how long? _____

Is there a person from your former church that we may contact? _____

___ Yes ___ No

Name _____

Phone _____

Have you ever applied for employment with The Foursquare Church? ___ Yes ___ No

If yes, indicate the approximate date _____

Are you a Canadian citizen? ___ Yes ___ No

If yes, can you provide proof? ___ Yes ___ No

Have you ever had a traffic citation that was over \$500*? ___ Yes ___ No

If yes, explain in box below.

Have you ever been convicted of a crime anywhere*? ___ Yes ___ No

If yes, explain in box below.

A Yes response does not automatically disqualify your application.

**Other than citations/convictions expunged, sealed, set aside by law, or otherwise protected by applicable law from disclosure on this employment application. A conviction includes a guilty verdict, guilty finding, guilty plea, or "no contest" plea, whether or not a sentence was imposed.*

Do you have any criminal charges pending against you? ___ Yes ___ No If yes, explain in box below.

If you are unsure how to complete these questions, or do not know whether a conviction meets these criteria, please consult with your criminal attorney before signing this form.

Provide explanation below if you answered "yes" to the traffic citation, criminal conviction, and/or pending charges questions. (Use a separate page if more space is needed.)

Date	Location	Charge	Disposition

COMPUTER SKILLS

Indicate all of the following in which you are proficient or that you have used on a regular basis:

Operating Systems

Windows

Macintosh

Other _____

Word Processors

Microsoft Word

Word Perfect for Windows

Other _____

Spreadsheets

Excel

Other _____

Databases

Access

Other _____

Web Design

DreamWeaver

Flash

Photoshop

Other _____

Other Applications

Microsoft Publisher

Microsoft PowerPoint

InDesign

Other _____

EDUCATION

Type of School	Name of School	City/Province	Degree or Certificate	Major/Minor
High School				
Vocational/ Technical				
College or University				
Graduate School				

RESIDENCE

Please list your place(s) of residence for the past 7 years:

Street Address	City	Province	Postal Code	Dates of Residence

EMPLOYMENT

List your last four employers, beginning with the most recent. Please provide as much detail as possible:

Name & Address of Employer 1	Date Employed	Primary Responsibilities
	From:	
	To:	
	Salary	
Phone Number:	Start:	
Position Title:	End:	
Supervisor:		
Reason for Leaving:		

Name & Address of Employer 2	Date Employed	Primary Responsibilities
	From:	
	To:	
	Salary	
Phone Number:	Start:	
Position Title:	End:	
Supervisor:		
Reason for Leaving:		

Name & Address of Employer 3	Date Employed	Primary Responsibilities
	From:	
	To:	
	Salary	
Phone Number:	Start:	
Position Title:	End:	
Supervisor:		
Reason for Leaving:		

Name & Address of Employer 4	Date Employed	Primary Responsibilities
	From:	
	To:	
	Salary	
Phone Number:	Start:	
Position Title:	End:	
Supervisor:		
Reason for Leaving:		

CHRISTIAN COMMITMENT

The primary purpose of serving at a church within the Foursquare Gospel Church of Canada is to serve the Kingdom of God. In order to fulfill effectively this part of their job descriptions, it is essential that all employees have a personal relationship with Jesus Christ and be in agreement with the statement of faith and the bylaws of The Foursquare Church.

Please describe your current relationship with God, the history of your Christian commitment, and your present church involvement:

REFERENCES

Please provide the names of three people who are able to write a letter of reference supporting your integrity in relation to business performance, character, and personal Christian commitment:

Name	Years Known	Organization	Position	Home/Business Address	Home or Business Phone

I understand that any material misrepresentation or deliberate omission of a fact in my application may be justification for refusal of or termination from employment. I authorize The Foursquare Church to investigate my entire work history and verify all dates given in my application, related papers, or oral interviews. I understand and agree that, if I am employed, such employment will be at the will of The Foursquare Church and for no definite period of time and that The Foursquare Church can change wages, benefits, and conditions at any time without my approval.

I further understand that the Foursquare Gospel Church of Canada takes abuse very seriously and that abuse in any form will not be tolerated. I am aware that my participation in abuse in any form is cause for my dismissal.

Signature of applicant

Date



Foursquare Gospel Church of Canada

13.2 Adult Application for Volunteer Work

This form is designed to help us provide a safe and secure environment for the children and youth who participate in our programs and ministries. It is also designed to ensure the personal dignity of all who are involved in serving them. The information on this application will remain confidential, in keeping with the legal requirements of the church. This is not an application for employment.

Date _____

Last name		First	Middle
Street address		City	Province
(_____) _____		(_____) _____	Zip Code
Home phone		Business phone	

VOLUNTEER INTEREST

Which areas of ministry interest you? _____

If interest is in children/youth ministries, which age group do you prefer to work with? _____

Why would you like to serve in this area? _____

On what date will you be available? _____ Minimum length of commitment _____

REFERENCES

Please provide the following information for three people who are over 18 years of age and are able to provide a reference supporting your integrity in relation to working with children or youth, character, and personal Christian commitment.

Name	Years Known	Address	Phone Numbers Day/Night

CHRISTIAN COMMITMENT AND CHURCH BACKGROUND

Please describe your current relationship with God and the history of your Christian commitment: _____

How long have you consistently attended our church? _____

What church did you previously attend? _____ For how long? _____

Is there a person from your former church that we may contact? ____ Yes ____ No

Name _____ Phone _____

Revision 2:1, 12/31/2008 by ICFC

Revision 3.1, 12/01/2012 by FGCC

PERSONAL INFORMATION

If you prefer, you may discuss your answers to the following questions in person rather than answering them on this application. Answering yes, or leaving the question unanswered, will not automatically disqualify you as an applicant for volunteer work with children or youth.

Do you have any physical, mental, or emotional conditions that would prevent you from performing certain types of activities related to working with children/youth? ☐ Yes ☐ No. If yes, please explain: _____

Is there any circumstance or pattern in your life which would make it inappropriate for you to serve with children or youth, or would compromise the integrity of our church? ☐ Yes ☐ No. If yes, please explain: _____

Have you ever been convicted of child abuse or neglect, or a crime involving actual or attempted sexual molestation of a minor? ☐ Yes ☐ No. If yes, please explain: _____

Have you been a victim of abuse, molestation, or neglect? ☐ Yes ☐ No
What have you done to resolve the experience and minimize its effect in your life? _____

Have you ever had a traffic citation that was over \$500*? ☐ Yes ☐ No If yes, explain in box below.
Have you ever been convicted of a crime anywhere*? ☐ Yes ☐ No If yes, explain in box below. A Yes response does not automatically disqualify your application.

**Other than citations/convictions expunged, sealed, set aside by law, or otherwise protected by applicable law from disclosure on this employment application. A conviction includes a guilty verdict, guilty finding, guilty plea, or "no contest" plea, whether or not a sentence was imposed.*

Do you have any criminal charges pending against you? ☐ Yes ☐ No If yes, explain in box below.
If you are unsure how to complete these questions, or do not know whether a conviction meets these criteria, please consult with your criminal attorney before signing this form.

Provide explanation below if you answered "yes" to the traffic citation, criminal conviction, and/or pending charges questions. (Use a separate page if more space is needed.)

Date	Location	Charge	Disposition

The information contained in this application is correct to the best of my knowledge. I authorize any references or churches listed on this application to give any information (including opinions) that they may have regarding my character and fitness for work with children or youth. I release all such references from any liability for furnishing such evaluations to you, providing they do so in good faith and without malice. I waive any right that I may have to inspect references provided on my behalf. I am striving to live a Holy Spirit-led life and agree to set a Christ-like example while working with the children and/or youth of this church. I understand this is not an application for employment.

I further understand that The Foursquare Church takes abuse very seriously and that abuse in any form will not be tolerated. I am aware that my participation in abuse of any form is cause for my removal from volunteer service.

Signature of applicant

Date

Staff approval

Date



Foursquare Gospel Church of Canada

13.3 Youth Application for Volunteer Work

This form is designed to help us provide a safe and secure environment for the children and youth who participate in our programs and ministries. It is also designed to ensure the personal dignity of all who are involved in serving them. The information on this application will remain confidential, in keeping with the legal requirements of the church. This is not an application for employment.

Date _____

Last name	First	Middle
Street address (_____)_____	City	Province
	(_____)_____	Zip Code
Home phone	Business phone	
Name of School Attended	Grade Level	
Father's name	Mother's name	Parent's marital status

VOLUNTEER INTEREST

Which areas of ministry interest you? _____

If interest is in children/youth ministries, which age group do you prefer to work with? _____

Why would you like to serve in this area? _____

On what date will you be available? _____ Minimum length of commitment _____

REFERENCES

Please provide the following information for three people who are over 18 years of age and are able to provide a reference supporting your integrity in relation to working with children or youth, character, and personal Christian commitment.

Name	Years Known	Address	Phone Numbers Day/Night

CHRISTIAN COMMITMENT AND CHURCH BACKGROUND

Please describe your current relationship with God and the history of your Christian commitment: _____

How long have you consistently attended our church? _____

Revision 2:1, 12/31/2008 by ICFC

Revision 3.1, 12/01/2012 by FGCC

PERSONAL INFORMATION

If you prefer, you may discuss your answers to the following questions in person rather than answering them on this application. Answering yes, or leaving the question unanswered, will not automatically disqualify you as an applicant for volunteer work with children or youth.

Do you have any physical, mental, or emotional conditions that would prevent you from performing certain types of activities related to working with children/youth? ___ Yes ___ No. If yes, please explain: _____

Is there any circumstance or pattern in your life which would make it inappropriate for you to serve with children or youth, or would compromise the integrity of our church? ___ Yes ___ No. If yes, please explain: _____

Have you been a victim of abuse, molestation, or neglect? ___ Yes ___ No If yes, please explain: _____

PARENTAL PERMISSION

I understand that my child is making an important commitment to serve the children or youth ministry of the church. I give my permission for my child to perform that service.

Signature of parent

Date

APPLICANT'S STATEMENT

The information contained in this application is correct to the best of my knowledge. I authorize any references or churches listed on this application to give any information (including opinions) that they may have regarding my character and fitness for work with children or youth. I release all such references from any liability for furnishing such evaluations to you, providing they do so in good faith and without malice. I waive any right that I may have to inspect references provided on my behalf. I am striving to live a Holy Spirit-led life and agree to set a Christ-like example while working with the children and/or youth of this church.

I understand this is not an application for employment.

I further understand that The Foursquare Church takes abuse very seriously and that abuse in any form will not be tolerated. I am aware that my participation in abuse of any form is cause for my removal from volunteer service.

Signature of applicant

Date

Staff approval

Date



CONSENT FOR CRIMINAL RECORD SEARCH

POLICE AGENCY: _____ FILE NO.: _____

FULL NAME OF APPLICANT: _____
(Surname) (Birth Surname) (Given Names)

BIRTH DATE: _____ BIRTHPLACE: _____
DD/MM/YYYY

ADDRESS: _____
Street

City

Province Postal Code

I, _____ (full name including any
nickname or alias), hereby authorize and direct that the _____
_____ (name of police department) release any information pertaining
to any record of convictions contained in its files, or otherwise available to it, on me to:

Foursquare Gospel Church of Canada

Attention: _____

and this release shall be your good and sufficient authority for so doing.

Dated at _____, _____, this ____ day of
_____, 20__.

Signature

Date of Birth: _____

Place of Birth: _____

Which type of Police Check is Required and What is the Process?

There are two Basic types of Police Checks in Canada:

- Police Records Checks (Criminal Records Checks or Police Information Checks)
- Vulnerable Sector Checks

A potential and/or existing volunteer or employee may obtain a Criminal Record Check by applying to any police service. All other police checks must be completed by the police service in the area where the applicant

resides. In most police jurisdictions, the applicant will go directly to the local police service to complete the request forms. They must clearly indicate if the check is for a position working with vulnerable clients (indicate yes), and provide the following information:

- A description of the paid or volunteer position;
- The name of the organization (include church legal name) that requires the VS check;
- The details regarding the children or vulnerable persons with whom the individual will be working;
- If the person will not be compensated for her/his expenses, a letter stating this; and
- Two pieces of personal identification.

Who Makes the Decision Once a Police Check is Complete?

Information provided by any police service represents what is currently in the records and is no guarantee that the applicant has never committed an offence. These reports do not provide a decision about engaging an applicant. They provide an organization with additional information on which to base their decision. Offences on the record may or may not have direct bearing on the position in question or may be unrelated; they may be viewed as major or minor; they may be recent or in the distant past. The number and frequency of the offences may indicate a possible pattern of behaviour or they may be viewed as isolated incidents. These are all judgment calls that the organization must make. It is not the responsibility of police to determine the bona fi de requirements of a position or positions within an organization. Those are best determined by someone familiar with all elements and potential risks of a position. Organizations need to establish policies and procedures to make these decisions in a consistent and transparent way. Screening protocols should be based on proper risk assessments and police checks are clearly determined to be only one of the tools used in the process.

If a Conviction is Revealed

The Foursquare Church requires a person with a prior conviction for molestation or other abuse against a minor NOT be placed in any position within the church, school, or camp that has access to children. Refer to Section 16.6.5 of the Handbook for detailed instructions regarding ministering to persons convicted of sexual crimes against children. This protects the children, the person, and the church, school or camp.



Prior to finalizing any adverse action based in whole or in part on the criminal background report, provide the subject of the report the following (this does not prevent taking intermediate steps to insure the safety of the child(ren) or other person):

1. A copy of the report, which will have been sent to the church.
2. A reasonable amount of time after the applicant receives the reports (approximately 10 days) to dispute the accuracy and completeness of the information.

Adverse actions would include failure to hire an applicant or termination of an existing staff member's employment, based in whole or in part on the report.

The entire process is to be well documented. Documentation would include, but not necessarily be limited to, copies of the report, copies of the consent form, copies of the written notice of adverse action, memos of all verbal communications. It is essential that all records be permanently maintained in a safe location at the local church. For the protection of the church and the applicant or employee, keep all information strictly confidential.

The Foursquare Church requires all applicants be interviewed and required to respond to the following standardized questions that assess for abuse risk. Additional questions may be added at the discretion of the church.

Applicant

Date

Interviewed by

Position applied for

1. What aspects of this position interest you? _____

2. What age group of children do you prefer to work with? Why? _____

3. How do you spend your free time? Hobbies? Volunteer work? _____

4. There are times when others try our patience. Do you know of a time when a child/youth tried your patience? Tell me about that experience and how you responded to the situation.

5. What elements create a successful learning environment?

6. Often we are expected to adhere to rules and regulations. Tell me of a time you had to stick to the rules, even though you didn't feel that doing so was reasonable. How did you handle that situation?



7. Have you ever abused or molested a child? Have you ever been convicted of abusing or molesting a child?

8. Describe a time when you encouraged a child who needed a friend. How did you know the child needed support? How did you support the child?

9. Are you willing to be knowledgeable of and abide by the guidelines put in place for the safety of the child/youth of _____ (church name)?

Applicant

Date



“RED FLAGS” REGARDING APPLICANTS

Listed below are some warning signs of potential problems with an applicant. Please be aware that one item in itself may not be cause to worry. If two or more signs arise during the screening process, there is probably cause for concern.

- Unstable employment or residence history
- Chronic dissatisfaction with previous churches or organizations
- Unwillingness to submit to authority; recurring problems with authority; negative responses to instruction
- Inconsistency in ministry or volunteer work
- Inordinate need to be with children; displays pattern or themes of gaining access to children
- Inordinate need to be with children of a specific age range with no reasonable explanation for the preference
- Dysfunctional family relationships
- History of inappropriate behavior or accusations of inappropriate behavior
- Defensive/angry responses
- Evasive responses
- Willingness to accept any position, regardless of significant difference in pay and/or responsibilities



PERFORMANCE SKILLS

The following are traits that would be considered critical for adults working with children. Use the definitions to help you listen to the applicant's examples of previous work with children. Specific examples of previous situations will help you evaluate the applicant's suitability for working with children.

Trainability: Able to comprehend and behaviorally incorporate new information and skills; willing to use training and supervision to modify and improve known techniques.

Policy adherence: Able to conform to established policies and procedures and to address issues in a manner that is consistent with existing procedures for the organization.

Patience: Able to maintain a mature, calm, problem-solving demeanor when faced with interpersonal conflict, personal rejection, hostility, or other stressful circumstances.

Supportiveness: Able to show genuine concern for others, determine when a person needs comfort, provide appropriate comfort in a manner that is helpful.

Judgment: Able to generate useful, effective solutions. Exhibits a realistic understanding of issues and uses reason, even when dealing with emotional or sensitive topics.

Boundaries: Able to understand and abide by organizational policies as well as maintain appropriate, professional contacts with children; exhibits a clear understanding that children are not peers.

FOR PERSONAL REFERENCES

The Foursquare Church requires that all churches contact a minimum of two references on each applicant that will have access to children or youth. The following questions will be used to ensure that applicants are thoroughly screened and treated fairly. Additional questions may be added at the discretion of the church. References validate information provided by the applicant and documentation of the reference check should be kept in the personnel files. Reference checks are required for all applicants regardless if the applicant is well known in the church.

_____ Name of applicant	_____ Date
_____ Name of reference	Reference _____ of _____ (1 of 3, etc.)
_____ Address	
_____ Phone numbers	_____

Script for Phone Call:

Hello, my name is _____ (your first and last name) with _____ (name of church). _____ (the applicant's first and last name) has applied for a position with us and said you would be a good person for us to talk with about him/her. Do you have a few minutes to talk with me now? I would like to start by letting you know that _____ (the applicant's name) has applied for a position working with (children/youth), and so it is extremely important for us to determine that every applicant is suitable for this type of position. I appreciate your help with this.

1. How long have you known _____ (the applicant's name)?
2. What is your relationship to _____ (the applicant's name)?
3. How would you rate the applicant's ability to work with and relate to children?
☐ Above Satisfactory ☐ Satisfactory ☐ Below Satisfactory

Can you give me an example of how the applicant relates to children?

4. How would you rate the applicant's ability to be patient and stay calm under very trying conditions with children?
☐ Above Satisfactory ☐ Satisfactory ☐ Below Satisfactory

5. Have you ever known the applicant to treat a child harshly or abusively? If yes, please explain.



6. Would you be comfortable placing one of your own children in the care of the applicant? Please explain.

7. How does the applicant spend his/her free time?

8. How would you rate the applicant's ability to relate to adults?

____ Above Satisfactory ____ Satisfactory ____ Below Satisfactory

Can you give me an example?

9. How would you rate the applicant's ability to be genuinely supportive and understanding with children?

____ Above Satisfactory ____ Satisfactory ____ Below Satisfactory

10. Do you know of a time when the applicant was able to show genuine concern for another person who needed comfort? Please explain.

11. How would you rate the applicant's ability to maintain appropriate boundaries with children?

____ Above Satisfactory ____ Satisfactory ____ Below Satisfactory

12. Do you have any additional comments?

Thank you for your time.

Signature of interviewer

Date

Revision 2:1, 12/31/2008 by ICFC

Revision 3.1, 12/01/2012 by FGCC



FOR PROFESSIONAL REFERENCES

The Foursquare Church requires that all churches contact a minimum of two references on each applicant that will have access to children or youth. The following questions will be used to ensure that applicants are thoroughly screened and treated fairly. Additional questions may be added at the discretion of the church. References validate information provided by the applicant and documentation of the reference check should be kept in the personnel files. Reference checks are required for all applicants regardless if the applicant is well known in the church.

Name of applicant

Date

Name of reference

Reference _____ of _____ (1 of 3, etc.)

Address

Phone numbers**Script for Phone Call:**

Hello, my name is _____ (your first and last name) with _____ (name of church). _____ (the applicant's first and last name) has applied for a position with us and said you would be a good person for us to talk with about his/her previous work habits. Do you have a few minutes to talk with me now? I would like to start by letting you know that _____ (the applicant's name) has applied for a position working with (children/youth), and so it is extremely important for us to determine that every applicant is suitable for this type of position. I appreciate your help with this.

1. How long have you known _____ (the applicant's name)?
2. How do you know _____ (the applicant's name)?
3. How would you rate the applicant's ability to learn new information and skills?
____ Above Satisfactory ____ Satisfactory ____ Below Satisfactory

Can you give me an example of how the applicant was able to learn something new and use it in his/her work?

-
-
-
4. How would you rate the applicant's ability to follow an organization's policies and procedures?
____ Above Satisfactory ____ Satisfactory ____ Below Satisfactory

5. How would you rate the applicant's ability to work with and relate to other adults?
____ Above Satisfactory ____ Satisfactory ____ Below Satisfactory



6. Have you ever known the applicant to use harsh or abusive discipline with a child? If yes, please explain.

7. How would you rate the applicant's ability to use good judgment in normal conditions?

____ Above Satisfactory ____ Satisfactory ____ Below Satisfactory

8. How would you rate the applicant's ability to use good judgment in stressful conditions?

____ Above Satisfactory ____ Satisfactory ____ Below Satisfactory

Can you give me an example?

9. Have you observed the applicant working with children? ____ Yes ____ No (if no skip to question 10)

If yes, how would you rate the applicant's ability to relate to children?

____ Above Satisfactory ____ Satisfactory ____ Below Satisfactory

Can you give me an example of how the applicant relates to children?

With what types of children have you observed the applicant working well (enjoying the work, being effective with the children)? Please explain your observation.

With what types of children have you observed the applicant not working well (becoming frustrated, angry, resentful or non-productive)? Please explain your observation.

10. How would you rate the applicant's ability to be genuinely supportive and understanding to a person in need?

____ Above Satisfactory ____ Satisfactory ____ Below Satisfactory

11. Are you aware of any reason why we should not allow this applicant to work with children? If yes, please explain.



12. Do you have any additional comments?

Thank you for your time.

Signature of interviewer

Date



“RED FLAGS” REGARDING REFERENCES

- References were reluctant to participate in interview.
- References did not know the applicant well.
- References have short-term relationships with the applicant.
- References refused to answer particular questions.
- References’ information differed from the applicant’s.
- References described applicant as having high-risk characteristics.
- References were evasive.
- References reported specific concerns about the applicant.

13. APPENDIX

RE: Skate Boarding Activities

As with any church activity, it is a good idea to analyze the hazards and develop risk management/injury prevention policies and procedures to address these risks. Skate boarding, although not excluded from coverage, is not a risk typically associated with a church.

Skate boarding certainly presents some risk management concerns. Skate boarding presents a very real potential for injury to participants and therefore potential liability arising from such injuries. Health Canada statistics on the subject document a range of injuries suffered by skate boarders from minor abrasions and fractures to concussions and head injuries.

With respect to general risk management issues, a general practice for organizations such as churches should be to review activities and determine appropriate and prudent methods for managing risks and whether or not activities are suitable.

With respect to skate boarding specifically, the insurance company who underwrites our specialized church insurance program assumes church boards will exercise sound loss control practices regarding any decision to allow skate boarding activities on the church premises.

The church should ensure that any proposed construction of ramps and/or “grinders” involve the services of qualified professionals, where appropriate.

The church, prior to allowing skate boarding activities to begin, should draft and post rules conspicuously and in close proximity of any skate boarding activities or ensure all participants are made aware of rules prior to being allowed to participate in such activities. It should be stressed to all participants that the rules must be followed and will be enforced at all times.

The church may want to obtain parent permission slips. We can also provide you with a copy of Loss Control Bulletin, Designing Parent Permission Slips upon your request. Of course we cannot attest to the effectiveness or validity of permission slips and/or waivers from a legal perspective. Such matters should be referred to appropriate legal counsel for a proper legal opinion.

The rules developed that pertain to this type of activity must require there be supervision provided by a responsible person at all times and that approved safety equipment (helmets, knee pads, wrist pads, elbow pads) be worn at all times.

Policies and procedures should outline safety measures that must be in place during use of ancillary skate boarding equipment when applicable, and outline regular equipment inspections and



maintenance procedures. Records of inspections and maintenance should be kept on hand with back up kept off-premises.

A written emergency plan should be considered to ensure all persons in a position of responsibility have read it and understand it. Such persons should sign an acknowledgment form stating so. Such a plan will hopefully assist in minimizing further injury should an accident occur.

Enforcing these safety measures and following regular maintenance procedures ensures that the skate boarding equipment is an asset, not a liability, for the church.

Lastly, your insurance policy serves as your contingency plan. Should an incident occur and the church is named in a law suit alleging negligence, regardless of the merits of such an action, the church's insurance policy will respond to defend both the church as well as its employees, volunteers and officials, and pay any compensatory damages awarded in keeping with policy conditions.



*Prepared by:
Mike McCormack*

RE: Church Climbing Walls

As with any church activity centre, it is a good idea to analyze the associated hazards and to develop risk management/injury prevention policies and procedures to address these risks. Such steps should include the following:

- 1) The church should draft and conspicuously post climbing wall rules in close proximity of the climbing wall.
- 2) Whether the climbing wall is used exclusively by your organization or used by outside user groups, the church's policy should be clear, that climbing wall rules must be posted, followed, and enforced at all times.
- 3) The climbing wall rules should require there be supervision provided by a responsible person at all times. Obviously a person designated to assume responsibility should be qualified to do so.
- 4) Policies and procedures should outline safety measures that must be in place during use and outline regular inspections and maintenance procedures. A climbing wall manufacturer may be able to provide guidelines in this area. Records of inspections and maintenance should be kept on hand with back up kept off premises.
- 5) Development of a written emergency plan and ensure staff/volunteers in a position of responsibility have read it, understood it and sign an acknowledgment form stating so. This will assist in minimizing further injury should an accident occur.

Enforcing these safety measures and following regular maintenance procedures ensure that a church's climbing wall is an asset, not a liability, for the church.

With respect to outside user groups, please review our risk management notice regarding outside user groups.

All participants and their parents should sign a form of some kind. See our Risk Management notice regarding designing parental permission slips.

As far as the wording of such forms and their effectiveness, should a legal matter develop, appropriate legal counsel should review these issues.

Lastly, your church insurance policy serves as your contingency plan. Should an incident occur and the



church is named in a lawsuit alleging negligence, regardless of the merits of such an action, the church's insurance policy is designed to respond in such situations. The policy is designed to defend both the church, as well as its employees, volunteers and officials and to pay any compensatory damages awarded in keeping with policy conditions.



Prepared by:
Mike McCormack

Re: Youth Group Activities

Youth ministries are committed to building relationships and encouraging discipleship, while trying to provide positive alternatives to competing outside organizations and activities. In that regard youth pastors and/or youth ministry workers are challenged to provide activities that are of interest to youth group members.

Such activities, as is the case with so many things in life, are not free from hazards. As such, it is important that church boards and leaders give consideration to managing those risks associated with youth group activities, some of which have the potential for serious injury.

Managing these risks doesn't necessarily mean entirely avoiding the activity. It does mean that some form of policy should be in place, requiring a prior review of the proposed activity. It is a question of balance. Ultimately the goal is to avoid a tragedy that, regardless of whatever liability protection may be in place, could have life time consequences.

Things to consider:

Consider the activity. Is it suitable for the age group?

Does the proposed activity present any unusual hazards? For example, rafting, mountain climbing, caving, cliff diving, rock climbing, snorkeling, skiing, tobogganing, tubing, ice hockey etc.... Do the group leaders or chaperones have any experience with these activities?

Are signed *Permission Slips* for these activities obtained from parents? They should specifically state what the activity will be. This information allows parents the opportunity to evaluate beforehand if they want their child to participate? An assumption of risk statement should be included in the permission slip. (appropriate legal counsel should be consulted with respect to drafting such statements)

Are medical history forms on hand for all active youth members and carried along on trips. These forms should include telephone numbers for family physicians.

Pre-planning the event is essential. Are there an adequate number of chaperones to ensure proper supervision and the safety of all participants? Is there a qualified First Aid attendant? Does the leader have a cellular telephone?

Finally, it has to be decided if the activity is suitable considering the risks. Are there alternatives? Can



an outside facility or organization be recruited who specializes in this activity and provides facilities, equipment and trained personnel. For example: an indoor Rock climbing facility, A Ski Hill with dedicated tobogganing runs, A Ski Boat operator.

In these cases, evidence of insurance should be obtained from the Operator, showing your organization as an *additional insured*.

Proper monitoring and review of youth group activities can help ensure the safety of all those participating..



Prepared by:
Mike McCormack

Re: Playground Safety

Playgrounds are a common addition to many churches. However, playgrounds also pose a very real risk to children's safety.

Some facts:

- One of the most important safety features of a playground is appropriate and adequate shock absorbing protective surfacing. One study determined 75% of all playground injuries are caused by falls.
- Another important factor is the Fall Zone. This area around and under slides, swings, and/or climbing equipment should be free of other equipment, obstacles or other hazards.
- The actual height of play equipment is an important safety consideration. The higher the equipment the greater the risk of injury. Secondly, the depth of surfacing material required increases with the height of the play equipment. It should not be necessary for equipment to exceed a maximum height of six feet.

Some Risk Management steps:

1. Construction: Thorough consideration must be given to product quality, design and the contractor to be hired. If the playground is to be built by volunteer support, proper planning and guidelines should be established to ensure it meets appropriate safety standards and will be able to stand the test of time. Remember that it will be your responsibility to maintain it over the years.
2. Regular Inspections: Playground equipment should be inspected weekly and a record of such inspections should be kept on file. The best time for such an inspection would be first thing Sunday morning to discover any damage occurring over the weekend. The inspections should be designed to look for conditions such as damage by vandalism as well as wear and tear and other hazards including sharp edges, broken glass, or insufficient base material.
3. Maintenance: This should occur on a regular and timely basis as per the equipment manufacturer's maintenance specifications with all maintenance documented. Any problems discovered while performing maintenance inspections should also be documented and rectified as soon as possible.

Additional Information:

Canadian Standards Association – Children's Playspaces and Equipment

<http://www.csa-intl.org/onlinestore/getcatalogdrilldown.asp> – search "Children's Playspaces and Equipment"



Prepared by:
Mike McCormack

Provincial Laws and Screening

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Disclaimer – this information is not legal advice, nor does it represent the views of the government of Canada or its representatives. This information is a brief summary of current federal legislation and common law relevant to screening in Canada. For complete and up-to-date information, readers should check with appropriate authorities. Readers seeking legal advice should consult with a lawyer

1. INTRODUCTION

Screening in Canada is subject to a complex set of criminal, civil, constitutional and administrative statutes, combined with a substantial body of common law. Taken together, these laws form a regulatory regime that applies to those Organizations and individuals, both paid and volunteer, who work with children, youth and other vulnerable persons.

When Volunteer Canada's The Screening Handbook was first published in 1996, the concept and practice of volunteer screening was relatively new. Although there had been some high profile instances of children being harmed by those in whose care they were placed, these were not sufficient in number or magnitude to galvanize public opinion or forge a uniform response to the issue of screening. Debate at this time revolved around whether organizations had a duty to screen employees and volunteers, and in only a few cases did existing laws or policies explicitly require that screening be undertaken.

Today there is far greater consensus in the non-profit community that screening must be done. Debate today is not on whether we must screen (as it is widely accepted that we must) but on how it should be done, given the need to find a practical balance between the duty of organizations to provide a safe environment and the practical limits of what organizations can afford to do, or have time and resources to do.

Revision 2:1, 12/31/2008 by ICFC

Revision 3.1, 12/01/2012 by FGCC

2. PURPOSE OF THIS DOCUMENT

Today, it is well-established in common law, regardless of the province in which one is located, that organizations providing services to vulnerable persons have a duty to take reasonable steps to ensure their safety and well-being. This is the case in all sectors of the non-profit community – whether the organization's services are focused on education, health, social services, the arts, recreation, sport or faith. The organization that does not carry out some form of screening of volunteers is likely failing to meet the standard of care that the community, and Canadian law, now requires of them.

This document provides an update on provincial legislation as it pertains to screening. In most areas, Canadian provinces are similar in how their laws address the issue of screening to protect vulnerable persons from harm. For example, all provinces have statutes dealing with incorporation of businesses and societies, occupiers' liability, changing names, child protection and welfare, human rights and protection of privacy. These are areas of legislation that make either explicit or implicit references to screening.

However, the provinces also differ in other regards: for example, British Columbia is unique in having the Criminal Records Review Act, a statute that intersects many other laws and requires screening in a wide range of circumstances, while Ontario is unique in having Canada's first sex offender registry, created in 2001 under a statute called Christopher's Law.

Whether similar or distinct, legislation in the provinces must be considered in light of both federal laws and the common law. For a discussion of federal legislation relevant to screening, readers are referred to the Volunteer Canada publication, Federal Law and Social Policy. A discussion of the common law is presented in section 3.



The concluding section of this document highlights provincial laws, pointing out where the provinces are similar in their laws relating to screening, and also where they are different.

3. COMMON LAW

Common law is that body of law that has evolved over centuries of judicial decision-making. The common law is a set of legal standards or principles that have developed over time as judges decide different cases. The common law is not static but continues to slowly evolve, often in response to changes in societal attitudes and community standards. Sometimes, the principles of common law are “codified” into a statute, where a statute is a specific law passed by a legislative body to address a specific issue in the common law.

There are three areas of common law that are relevant to screening, all of which apply to activities within provincial jurisdiction. The most important of these is the law of negligence. Two other significant areas of law are defamation (which includes libel and slander) and administrative law (which is the body of legal principles that applies to autonomous, self-governing organizations).

Each of these areas of common law is briefly discussed here.

a) Negligence

The term negligence refers to the responsibility or duty to ensure the safety of those persons who may be affected by our actions. The “standard of care” that a person is expected to exercise is an objective standard reflected by what an average, reasonable person would do, or not do, in a given situation. This standard of care is invoked when a person has a duty of care towards another. Where this duty exists, conduct that fails to meet this objective standard of care may be negligent.

To understand the concept of negligence more fully, two components of it warrant further discussion. These are the terms “duty of care” and “standard of care”.

A person does not owe a duty of care to everyone around them, or to every person with whom they interact. The circumstances that give rise to a duty of care stem from the existence of a certain relationship between persons, or between a person and an organization.

This relationship might be a very “general” one – for example, each of us owes a duty of care to those other persons that we can foresee might be affected by our actions, whether or not we have a close relationship with them. The relationship that gives rise to a duty of care might also be a “special” relationship of trust and authority, such as that which exists between parent and child, teacher and student, pastor and parishioner, doctor and patient, driver and passenger, coach and athlete, program leader and participant, professional and client. A duty of care also exists between a service organization and the client group that it serves.

The existence of a duty of care gives rise to a corresponding, objective standard of care. Standard of care refers to the level of care and attention that one person owes to another when they are in a general or special relationship such as described above. The behaviour required to meet the standard of care will vary with the circumstances, including the nature of the relationship between the parties, the nature of the activities being undertaken, the degree of supervision of the activity, the setting in which the activity occurs and the inherent risk in the activity.

For example, the standard of care in the provision of ordinary services to adults may be relatively low. As the activities undertaken by these adults



become riskier or more complex this standard may increase. Conversely, the standard of care may be relatively high in situations that involve providing services to youth and other vulnerable persons, who unlike ordinary adults are not as capable of perceiving potential harm, protecting themselves from such harm and making sound decisions.

In the context of screening, the law has viewed vulnerable persons as “those persons who have difficulty protecting themselves from harm and are at risk due to age, disability, handicap or other circumstances”. Vulnerable persons can include children, youth, the elderly and people with physical, mental, developmental, emotional, social or other disabilities. Vulnerable persons might also include people dealing with addiction, people experiencing short-term trauma or crisis, or people coping with loss or bereavement.

The standard of care may also be higher in situations where the relationship between two individuals is one of authority, power or trust. Typically, these relationships create a category of persons who are vulnerable. A relationship of trust is said to exist where:

- someone has a degree of authority and power over another, such as a teacher or coach would have;
- someone has unsupervised access to another person, such as a nurse or doctor;
- the activity specifically requires a close, personal and trusting relationship, such as a mentoring or matching program; or
- the nature of the service being provided renders the client vulnerable, as in a primary caregiver relationship where the caregiver may be bathing, clothing or feeding the client.

All of these relationships and situations create a higher standard of care for both the individual in the relationship and for the organization that employs them or for whom they volunteer. It is this standard of care, and in particular, the higher

standard that exists in relationships of trust that imposes on organizations the obligation to take reasonable steps to screen employees and volunteers.

b) Defamation

Defamation refers to the act of harming another’s good name or reputation by speaking or writing about a person in ways that demean them or expose them to contempt or ridicule. Where the harmful comment is in written form it is called libel and where it is verbal it is called slander. Like negligence, defamation is a matter largely addressed by common law and it has significance for screening.

Individuals within organizations who have responsibility for carrying out screening activities need to be aware of the law of defamation as it exists in common law as well as in various provincial statutes. By its very nature, the activity of screening has the potential to give rise to defamation: in fact, the fear of legal action for defamation is one reason organizations are reluctant to disclose negative information obtained through a screening process, and are hesitant to communicate truthfully when an employee is released or when a reference is requested from a future employer.

The law of defamation is tricky and it involves treading the fine balance that exists between the protection of a person’s reputation and the right to freedom of speech. Our law presumes every person has a good reputation and sets a very low threshold for a finding of defamation. However, there are defenses to defamation that recognize the right to make certain comments about other people under certain circumstances. Two defenses are relevant to screening: justification and qualified privilege.

The defense of justification occurs when the otherwise defamatory information about an individual can be proved to be true. A suspicion or



a belief that the information reflects the truth is not sufficient – the substance of the information must be proved true and accurate. A person relying upon this defense when they are screening others must be confident that they have full, factual and well documented information. The contents of a police records check would be factual and accurate, while hearsay comments attributed to a third party would not.

The defense of qualified privilege occurs when the person furnishing the information about an individual has a legal, social or moral duty or interest to do so, and the person to whom this information is furnished has a corresponding duty or interest in receiving it. There is no absolute test for what is privileged and what is not – it depends on the circumstances under which the information is provided. The important and fairly universal public policy objectives of protecting youth and vulnerable persons from harm through screening will often support a defense based upon qualified privilege.

c) Administrative law

Most screening activities in Canada are carried out by private, non-profit organizations. In addition to being subject to external federal and provincial statutes and common law, these organizations are self-governing through their own internal policies and rules. As such, these organizations have the authority to establish policies, write rules, make decisions and take actions, including actions around screening, that affect their members, participants, clients and constituents.

Furthermore, a body of law called “administrative law” prescribes the rules by which private organizations must operate. There are two important aspects of administrative law that are relevant to screening:

Firstly, these organizations derive their authority from their constitution, bylaws, policies and rules,

which taken together can be termed “governing documents”. These governing documents form a contract between the organization and its members, where this contract specifies respective rights and obligations. This contract is like any other contract and may be enforced legally. The activity of screening, particularly when members and volunteers are the focus of screening, must be properly incorporated into the private organization’s governing documents.

Secondly, these organizations have a legal obligation to interpret and implement their governing documents according to the rules of procedural fairness. These rules indicate that decisions must be properly authorized, persons affected by decisions have a right to be heard, and decision-makers must not be influenced by bias. This means that policies for screening must be soundly designed and properly written, and must be implemented in a manner that is knowable and fair to those persons who are subject to screening.

As well, most volunteers are “members” of the organizations for whom they volunteer, and volunteering opportunities are widely recognized as a benefit or privilege of membership. The development and implementation of screening policies and measures (which have the potential to deny a volunteer the opportunity or benefit of volunteering) must not only comply with statutes and common law, they must also properly reflect and respect the principles of procedural fairness described above.

4. PROVINCIAL LEGISLATION - GENERAL

The majority of Canadian provinces have legislation dealing with the following areas that are relevant to screening:

- Incorporation
- Occupiers’ liability
- Privacy protection
- Child protection



- Human rights
- Change of name
- Victims' services
- Regulated professions

To avoid unnecessary repetition in this document, these eight areas, including the purpose of such legislation and its implications for screening, are discussed in general terms in this section. In sections five to 14 the document then turns to each province to elaborate on these general areas, as well as highlight any unique characteristics or distinctive features in that province's legislative structure.

a) Legislation governing incorporation

Most Canadian provinces have a Companies Act and/or Business Corporations Act under which corporations (both for-profit and non-profit) are created. Some provinces also have a specific statute for the incorporation of non-profit organizations, such as the Societies Act in Alberta, or the Non-Profit Corporations Act in Saskatchewan. Other provinces such as Manitoba and Ontario rely on their respective Business Corporations Act to enable the creation of non-profit corporations.

There are two important aspects of incorporation that are relevant to screening. First, personal liability is limited for members and directors of an organization that is incorporated. For example, if an organization is found liable for negligence in regards to screening, hiring or supervision, or vicariously liable for the actions of its employees or volunteers, the individual members of the organization, including its directors and officers, will not be held personally liable.

Second, directors and officers of non-profit corporations assume significant duties in representing the interests of the corporation and its members (for more information on this topic, refer to the Volunteer Canada publication

Directors' Liability: A Discussion Paper on Legal Liability, Risk Management and the Role of Directors in Non-Profit Organizations). Under business or non-profit corporation statutes, every director and officer of a corporation has an obligation to act honestly and in good faith with a view to the best interests of the corporation; to exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances; and to comply with the relevant Act and its regulations as well as the incorporating documents and bylaws of the corporation.

With respect to screening, it is these latter two duties that are significant. Directors of organizations who fail to ensure that the organization complies with statutory and common law obligations to appropriately screen employees and volunteers may be deemed to have failed in their fiduciary obligations to their members, and can be held responsible on behalf of the corporation.

b) Occupiers' liability legislation

Each province in Canada has a statute outlining the duties of an occupier of premises to take reasonable care to ensure the safety of those persons who use their premises.

An "occupier" includes a person who is in physical possession of premises, or a person who has responsibility for and control over the condition of premises, activities conducted on the premises, and the persons allowed to enter those premises. At any given time there can be more than one occupier of a given premises. "Premises" is defined as land, buildings and other structures erected on land. Occupiers can thus include owners and renters of land or buildings as well as occasional users of land or buildings, such as public facilities or public parks.



An occupier has an affirmative duty of care that applies to the condition of premises, the activities being carried out there, and the actions of persons on the premises (regardless of whether those persons are employees, volunteers, participants or third parties). However, an occupier may be relieved from its duty if the person or visitor willingly accepts the risks of entering the premises. Of course, a vulnerable person or someone who has diminished mental capacity may be incapable of assuming those risks.

The laws of occupiers' liability have very broad implications for screening. If an organization is deemed an occupier, it may be liable for any negligence that occurs on its premises. In addition, the organization may be found vicariously liable for the actions its employees or volunteers, even when the organization itself was not negligent. This reaffirms the need to manage risks, properly screen volunteers, and to adequately train and supervise personnel, both paid and volunteer.

c) Privacy legislation

All provinces in Canada have statutes regulating the management and disclosure of personal information held by provincial government departments, agencies and institutions. These statutes seek to balance the legitimate need of public institutions to gather information about individuals, and the right of individuals to keep such information private and confidential. This balance is achieved through a complex set of rules regarding the collection, retention, use, disclosure and disposal of personal information held by provincial institutions.

The legislation is relevant to screening because it imposes strict controls over the disclosure of personal information, such as the information that would be obtained in the screening process. However, personal records may be disclosed if the individual who is the subject of the records requests such disclosure or consents to it, and

individuals may also obtain access to their own personal records for their own use.

Nearly all screening measures in Canada are based on the principle of "voluntary consent", wherein the person being screened for an employment or voluntary position is asked to grant their consent to the release of personal information. In this way, the strict controls in privacy legislation may be bypassed.

d) Change of name legislation

All Canadian provinces have legislation governing how people may change their names. Usually, this is done for reasons of marriage, divorce or adoption. In many provinces, this legislation incorporates checks and balances to ensure that names are changed for legitimate purposes, as opposed to being changed as a way to avoid detection by authorities. In other words, any name change application must include details of criminal offenses and law enforcement orders, as well as a police records check. However, some provinces do not have these restrictions.

This legislation is relevant to screening in an indirect way, as it is becoming increasingly difficult for individuals to change their names in order to disguise records of abuse or other criminal activity. However, the information contained in a name change application, and provincial records that are kept of changed names, is generally not available to private organizations that carry out screening. As well, once a name change has been approved, the individual has no obligation to disclose this or to make any reference to their former name as part of a screening process.

e) Child protection legislation

All provinces have legislation designed to protect children from harm and to ensure that, where and when possible, support and assistance are provided so that a child may remain with his/her family.



Under these statutes, organizations are licensed to provide a range of services to families and children, including those children who are victims of neglect or abuse, or are otherwise in need of protection. Typically, organizations licensed or funded under this legislation must, as a matter of policy, have comprehensive screening policies to conduct screening of employees and volunteers.

In most provinces, this legislation authorizes the creation of a child abuse registry to keep track of known child abusers. This registry is used to make informed decisions about child protection matters and the placement of children in foster care. Generally, this registry may be accessed only by public agencies and law enforcement officials, and thus, with a few exceptions, is not available to assist private organizations in their screening efforts.

From the perspective of screening, the definition of a child in need of protection and the duty of professionals working with children, as well as members of the general public to report such a need, are significant. Agencies working with children have significant responsibilities under these statutes. And while not all provinces impose an affirmative duty to screen through their child protection laws, there is everywhere an implied duty to carry out effective screening in order to protect children, and screening is routinely conducted as a matter of policy.

Child protection legislation is of critical importance to screening. For this reason, in the sections that follow describing specific provincial legislation, this area of law is discussed in detail even though the general overview presented here also applies.

f) Human rights legislation

Human rights laws are fairly consistent across all provinces. These laws assert the right of all individuals to equal treatment with respect to goods, services, facilities, accommodations and

employment. Discrimination is prohibited on a number of grounds such as race, ancestry, sex, marital status, family status, sexual orientation, religion, disability and, for employment purposes, record of criminal offenses. (It is noted that there are slight variations from province to province).

Human rights laws apply to provincial and municipal governments, public and quasi-public agencies (such as educational institutions) and private organizations and businesses that provide goods, services, facilities or accommodations to the general public. (Again, there are slight variations from province to province).

Human rights laws are relevant to screening because their anti-discrimination provisions will impact the authority and discretion of organizations to recruit, hire and dismiss both employees and volunteers. In other words, organizations cannot discriminate in providing and filling employment or volunteer opportunities. However, the prohibition on discrimination is not absolute: in the employment area, if the employer can demonstrate a bona fide occupational requirement, then that employer can discriminate on those grounds related to that requirement.

For example, it is not unlawful to discriminate on the basis of age, sex, race, ancestry, religion or other ground, depending on the nature of the organization, the nature of the volunteer position and the degree of responsibility in the position. As well, while in many provinces employers cannot normally discriminate on the basis of criminal record, they can do so if they can show a legitimate, policy-oriented and reasonable rationale why a prospective employee should not have a record, or should not have a record for certain types of criminal offenses.

Human rights laws tend not to reference volunteers specifically, nor do they define employees or employment situations. As a result, it is not entirely



clear whether volunteers are included in this prohibition on the basis of criminal record. However, organizations carrying out screening of volunteers are prudent to presume that volunteers would be covered by this legislation, and to implement screening measures in a manner that does not discriminate on prohibited grounds.

g) Victims' services legislation

There is a recent trend in some provinces to expand legislation defining the rights and services to which victims of crime may be entitled, ranging from compensation, to information disclosure to counseling services. Although these laws do not impose an explicit duty to screen, it is consistent policy in all provinces having such laws to require screening of all government staff, professionals and volunteers who come into contact with, and provide services to, victims of crime.

h) Regulated professions

The regulation of professions is a provincial responsibility. In most provinces, legislation exists to provide a basic framework within which self-governing professions operate. Those regulated professionals that come into contact with vulnerable persons include the many health professionals (doctors, nurses, dentists, psychologists, physiotherapists, pharmacists, etc.) as well as teachers, social workers and lawyers.

To be employed in a regulated profession, an individual must be a member of the profession's relevant governing body or college and as such, is subject to codes of conduct, standards of practice, and requirements for training and professional development. Member professionals may be subject to disciplinary procedures for failing to comply with standards. Most professions maintain a public register of members in good standing, and disclose the outcomes of disciplinary proceedings against their members. As well, employers of regulated professionals have a duty to report to the

relevant college any dismissal of a professional for incompetence, professional misconduct or a criminal conviction.

Although, with a few exceptions, the regulation of professionals through legislation makes no explicit reference to screening, any organization that is considering hiring or retaining under contract the services of a professional should, as a minimum screening step, ensure the individual is a member in good standing of his or her professional college.

5. ALBERTA

Business Corporations Act

R.S.A. 2000, c. B-9

Companies Act

R.S.A. 2000, c. C-21

Societies Act

R.S.A. 2000, c. S-14

Refer to Section 4(a) for a discussion of this legislation and its implications for screening.

Change of Name Act

R.S.A. 2000, c. C-7

Refer to Section 4(d) for a discussion of this legislation and its implications for screening. With the exception of a name change being published in the Alberta Gazette, there are no other controls or restrictions on name changes.

Child Welfare Act

R.S.A. 2000, c. C-12

Note: The Government of Alberta is currently reviewing the Child Welfare Act. The goal is to achieve a balance between promoting and ensuring the safety and well-being of children, and respecting the fundamental responsibility of parents for their children. The review and



implementation will take place in five phases. The draft legislation will be ready for presentation to the Legislature and for implementation between February 2003 and March 2004.

Purpose of the Legislation

The Child Welfare Act is the legal authority for child protection services in Alberta. The Act is based on the belief that a family is responsible for the care and supervision of its children. With the support of the community, most parents are able to protect their children. Child protection services are only needed when a parent cannot adequately protect a child.

A child is in need of protective services when the security or development of the child is endangered because the child has been abandoned or lost, or because the guardian of the child is unable or unwilling to provide adequate care, which includes protection from physical injury, sexual abuse, emotional injury, and cruel and unusual punishment.

A “guardian” is defined in part as a person who is appointed guardian of the child under the Domestic Relations Act, or a person who is a guardian of the child under an agreement or order made pursuant to the Child Welfare Act. The Act also provides that any adult who has had continuous care of a child for a period of more than six months may apply to the Court for a guardianship order in respect of the child.

Implications for Screening

Under this legislation, the protection of children extends only as far as those persons who fall within the definition of a guardian. This does not include organizations offering programs or services, such as care centres or day care programs, because they do not fall within the definition of guardian.

However, the Act does provide that any person who has reasonable and probable grounds to

believe, and does believe that a child is in need of protective services has an obligation to report the matter. This would include anyone who has contact with the child, including family, teachers, social workers, day care employees, nurses and doctors. However, the Act does not require organizations working with children to screen their employees or volunteers.

Freedom of Information and Protection of Privacy Act

R.S.A. 2000, c. F-25

Refer to Section 4(c) for a discussion of this legislation and its implications for screening.

Health Professions Act

R.S.A. 2000, c. H-7

Purpose of the Legislation

This statute establishes a number of self-governing colleges for the regulation of health professions, including doctors, nurses, dentists, chiropractors, naturopaths, optometrists, physical therapists, pharmacists, dieticians, social workers and psychologists.

A college is required to govern its regulated members in a manner that protects and serves the public interest; establishes, maintains and enforces standards for registration and of continuing competence; and establishes, maintains and enforces a code of ethics for the particular health profession. Refer to Section 4(h) for a discussion of this legislation and its implications for screening.

Human Rights, Citizenship and Multiculturalism Act

R.S.A. 2000, c. H-14

Refer to Section 4(f) for a discussion of this legislation and its implications for screening. It is



interesting to note that neither sexual orientation nor criminal records are prohibited grounds of discrimination in Alberta, unlike in most other provinces.

Occupiers' Liability Act

R.S.A. 2000, c. O-4

Refer to Section 4(b) for a discussion of this legislation and its implications for screening.

Protection for Persons in Care Act

R.S.A. 2000, c. P-29

Purpose of the Legislation

This legislation requires agencies to maintain a reasonable level of safety for the adults in their care and to protect them from abuse. In light of this goal, agencies are required to screen their employees and volunteers.

Agencies include hospitals, lodges or nursing homes, social care facilities, hostels, emergency shelters, residential treatment centres, group homes, and vocational rehabilitation and training centres (these agencies are operated by the Government of Alberta or receive part or all of their operating funds from the Government of Alberta).

The Act places a duty on all individuals or service providers to report abuse when they have reasonable and probable grounds to believe that there is or has been abuse against a client. A service provider is a person who is employed by or provides services on behalf of an agency (which would appear to include volunteers), and a client refers to an adult who receives services from an agency.

Any person who knowingly fails to report abuse is guilty of an offence, and if the person is a member of a regulated profession (for example, nurses,

doctors, chiropractors, dentists, social workers or others), the appropriate governing body of that profession or occupation shall be advised of the person's failure to comply.

Once a report of abuse has been received there must be an investigation. Upon completion of the investigation a final report must be delivered to the appropriate Minister. In that report the Investigator may recommend that the funding an agency receives from the government or any government agency be reviewed and altered, that the agency take disciplinary action against an employee or service provider, or that the complaint be dismissed.

Implications for Screening

Every agency has a duty to provide a safe environment for its clients and as such, each agency must require that every successful applicant for employment and every new volunteer provide a criminal records check. If screening is not carried out and a report of abuse is received, the agency is at risk to lose all or part of its funding.

6. BRITISH COLUMBIA

Adult Guardianship Act

R.S.B.C. 1996, c. 6 [sections 4-43 and 65 not yet in force]

Purpose of the Legislation

This Act looks to enhance the independence and self-determination of adults when they become vulnerable in the most effective, and least restrictive and intrusive manner. The guiding principles of the legislation state that adults are entitled to live in the manner they choose and to accept or refuse support, assistance or protection as long as they do not harm others and are still capable of making their own decisions.

Support and assistance is provided to abused and



neglected adults (where an adult is defined as a person who has reached 19 years of age) who are unable to seek support and assistance because of physical restraint; a physical handicap that limits their ability to seek help; or an illness, disease, injury or other condition that affects their ability to make decisions about the abuse or neglect.

In this statute, “abuse” is defined as the deliberate mistreatment of an adult that causes physical, mental or emotional harm, or damage to or loss of assets, and includes intimidation, humiliation, physical assault, sexual assault, over-medication, withholding needed medication, censoring mail, invasion or denial of privacy or denial of access to visitors. “Neglect” is defined as any failure to provide necessary care, assistance, guidance or attention to an adult that causes, or is likely to cause, the adult serious physical, mental or emotional harm or substantial damage to or loss of assets, and includes self-neglect.

The support and assistance outlined in the Act applies whether the adult is abused or neglected in a public place, in the adult's home, a relative's home, a care facility or any other place except a correctional centre.

Anyone who has information indicating that an adult is abused or neglected may report the circumstances to a designated agency (defined as a public body, organization or person). In each community there is a designated organization that will respond to complaints of abuse.

Implications for Screening

The legislation does not require the screening of employees or volunteers, nor does it require mandatory reporting of abuse of adults. However, if a designated agency has reason to believe that a criminal offence has been committed against an adult, the agency must report the facts to the police. Ultimately, there remains a duty on individuals and organizations (employees and

volunteers) to recognize abuse, in its many forms, and to protect adults who can no longer protect themselves.

Child, Family and Community Service Act

R.S.B.C. 1996, c. 46

Purpose of the Legislation

The Child, Family and Community Service Act is the legislative authority for the Ministry's Child Protection Services. The goal of the legislation is to protect children from abuse, neglect and harm or threat of harm and to ensure that, if possible, and with the aid of support services, a child remains with his or her family. A child is defined as a person under 19 years of age.

The Act provides specific legal definitions for terms including child in need of protection, sexual abuse, sexual exploitation, emotional abuse, and physical abuse.

A child is in need of protection when the child has been, or is likely to be, physically harmed, sexually abused or exploited by the child's parent, or by another person and the child's parent is unwilling or unable to protect the child. Also included in the definition is physical harm because of neglect, emotional harm, deprivation of necessary health care, and abandonment. It should be noted that a child is in need of protection only in relation to its parents and not any other person, such as employees or volunteers from various day care or social service agencies.

However, under the Act there is a duty on every person who has reason to believe that a child may be abused, neglected, or is for any other reason in need of protection, to report the abuse to an official designated under the Act. This is an explicit duty and extends to everyone who may come in contact with the child, whether a day care worker,



bus driver, teacher, coach, or social worker. The report of suspected abuse is investigated by social workers, who will take the most appropriate action that is least disruptive for the child.

Implications for Screening

The statute does not explicitly require the screening of staff or volunteers in positions of trust. Nevertheless, given the purpose of the Act – the protection of children from harm or the threat of harm – the implicit duty to screen seems clear. Reference should be made to the Social Workers' Act and the Criminal Records Review Act, which provide separate procedures for screening and would impact persons under the jurisdiction of the Child, Family and Community Service Act.

Community Care Facility Act

R.S.B.C. 1996, c. 60

Note: Bill 73: The Community Care and Assisted Living Act received Royal Assent on November 26, 2002 and is expected to come into force in the spring of 2003, replacing the current Community Care Facility Act. The new legislation consists of two sections: one dealing with community care and child care facilities, and the other dealing with assisted living residences. It is not clear how Bill 73 will alter the content below.

Purpose of the Legislation

The statute defines under what circumstances a care facility may be operated and licensed (for example, a day care centre, a residence for seniors, a group home).

A "community care facility" is any facility that provides care, supervision, social or educational training or physical or mental rehabilitative therapy, with or without charge. It includes both adult care and residential child care but does not include a school under the School Act, any portion of a facility under the Hospital Act, a home

approved as a foster home under the Family, Child and Community Service Act, a home designated as a youth custody centre under the Correction Act, an approved home under the Mental Health Act, or a home providing day care for a sibling group only.

Implications for Screening

The statute provides that regulations may be made prescribing the training, experience and other qualifications required for operators and directors of different classes of community care facilities. The Adult Care Regulations and Child Care Licensing Regulation (below) specify requirements designed to meet the needs of the adults and children being served. Only the Child Care Licensing Regulation requires that police records checks be used as a method of screening applicants.

Adult Care Regulations B.C. Reg. 536/80

The Adult Care Regulations do not require police or other reference checks for employees or volunteers working in community care facilities. However, the Regulations ensure that licensees check the suitability of their employees to care for vulnerable adults. The Regulations require that a licensee of a care facility ensure that each of its employees has a personality and temperament that respects the dignity and maintains the individuality of residents, and is competent to carry out assigned duties.

Child Care Licensing Regulation B.C. Reg. 319/89

An operator of a licensed child care facility must not employ any person in the facility unless that person has provided a criminal records check under the Criminal Records Review Act, as well as character references to attest to the applicant's good character and suitability for employment in the facility. The Regulation clearly states that "employ" includes the services of the voluntary worker providing voluntary services.

As well, an operator must not permit any person over the age of 12, other than a child or a parent of a child enrolled at the facility, to be present on



the child care premises, unless that person is of good character and has completed a criminal records check under the Criminal Records Review Act. Under the Regulations there is no distinction between paid and unpaid workers - every person must be screened.

Criminal Records Review Act

R.S.B.C. 1996, c. 86

Purpose of the Legislation

The purpose of this Act is to help prevent the physical and sexual abuse of children by requiring all paid staff working with children, in particular those with unsupervised access to children, to undergo criminal records checks. It establishes a mandatory, uniform and consistent system for conducting these checks.

This Act is concerned with employees who work with children. An employee is an individual who works for an employer and includes an independent contractor, but does not include a volunteer. A child is defined as an individual under the age of 19 and this legislation applies to those working with children directly and having, or potentially having, unsupervised access to children in the ordinary course of employment or in the practice of an occupation.

The legislation applies to all current and new employees and contractors in organizations that are licensed by, registered with or receive operating funds from the province. This Act affects teachers, doctors, dentists, chiropractors, child care workers, nurses, school and hospital staff, including secretaries and cleaners, as well as people who work in the recreation and sport sector such as coaches, program leaders, facility operators, and playground supervisors.

Under the Act, employers have a duty to ensure that every individual who is hired for employment

involving work with children, and every employee who works with children, undergoes a criminal records check. An employer must not require an applicant to authorize a criminal records check unless the employer has offered employment to the applicant. Existing employees who work with children must provide a criminal records check, and if it is not provided, the employee must not work with children until such time as the criminal records check is provided.

If an employee who works with children is charged with or convicted of a relevant offence subsequent to a criminal records check, the employee must promptly report the charge or conviction to his or her employer and provide to the employer a criminal records check authorization for a further criminal records check.

In addition, the Act applies to governing bodies that regulate professions such as chiropractors, dentists, health professionals, medical practitioners, naturopaths, emergency medical assistants, nurses, optometrists, podiatrists, psychologists, social workers, and teachers. Such governing bodies must ensure that every member of the governing body is registered and all who apply for registration undergo a criminal records check. The governing body must not register an applicant unless the applicant has provided a criminal records check authorization. Existing registered members must provide a criminal records check authorization and if they do not, the member must not work with children until such time as a criminal records check authorization is provided.

The legislation also applies to family child care providers who operate without a license but who are registered under a prescribed program (defined as a facility, other than a facility under the Community Care Facility Act, that offers child care to one or two children not related by blood or marriage to the operator of the facility). All



individuals who request registration as a child care provider must undergo a criminal records check or they cannot be registered. Existing child care providers must also provide a criminal records check authorization and if they do not, they must cease working with children and their registration may be revoked.

A Registrar processes the request for a police records check and reviews the report. Records that have an outstanding charge relating to a relevant offence must be referred to a Deputy Registrar to determine whether the conviction or outstanding charge indicates that the individual would pose a threat of physical or sexual abuse to children. If an individual is identified as posing a risk, the employer must not hire the person to work with children. Individuals may request a reconsideration of a Deputy Registrar's decision.

Relevant offences under the Criminal Code include, but are not limited to: sexual interference, sexual exploitation, incest, bestiality, child pornography, indecent acts, exposure, abandoning a child, criminal negligence causing bodily harm or death, manslaughter, murder, attempt to commit murder, administering noxious things, uttering threats, assault, sexual assault, kidnapping/ forcible confinement. In total, over fifty different offences will be considered as being relevant. As well, outstanding charges or convictions for trafficking in controlled drugs and restricted drugs are identified as a relevant offence.

Implications for Screening

This is sweeping legislation that cuts across all ministries and government sectors. It imposes an explicit duty to screen on all employers whose staff interacts with children. Employers are unable to hire individuals to work with children who refuse to comply with the criminal records check authorization. Likewise, current employees who refuse to undergo the check will be prohibited from working with children. What is unclear is whether

current employees will necessarily be fired if a relevant offence is found on their criminal record.

Currently, the legislation applies only to employees and contractors working with children. It does not extend to volunteers working with children, or employees and volunteers working with other vulnerable groups. There has been discussion about broadening the Act to volunteers, but it is acknowledged that this could only be done at enormous cost to the government, as the government assumes all costs associated with these police checks.

Freedom of Information, Protection of Privacy Act

R.S.B.C. 1996, c. 165

Refer to Section 4(c) for a discussion of this legislation and its implications for screening.

Health Professions Act

R.S.B.C. 1996, c. 183

Refer to Section 4(h) for a discussion of this legislation and its implications for screening. All individuals applying for registration in a health profession in B.C. must authorize a criminal records check under the Criminal Records Review Act.

Human Rights Code

R.S.B.C. 1996, c. 210

Refer to Section 4(f) for a discussion of this legislation and its implications for screening. Included in this Code's list of prohibited grounds is discrimination on the basis of a conviction for a criminal or summary conviction offence that is unrelated to the employment of the individual.

Name Act

R.S.B.C. 1996, c. 328

Refer to Section 4(d) for a discussion of this legislation and its implications for screening. In B.C., changing a name is relatively simple, but the process includes a criminal records check to deal with individuals changing their names to avoid detection by authorities.

Occupiers' Liability Act

R.S.B.C. 1996, c. 337

Refer to Section 4(b) for a discussion of this legislation and its implications for screening.

Social Workers' Act

R.S.B.C. 1996, c. 432

This statute regulates the profession of social work and sets out the requirements for registration of social work professionals. All social workers, regardless of which Act they are legislated to work under, must undergo a criminal records check before they work with children, as mandated by their own professional body.

Society Act

R.S.B.C. 1996, c. 433

Refer to Section 4(a) for a discussion of this legislation and its implications for screening.

7. MANITOBA

Change of Name Act

C.C.S.M c. C50

Refer to Section 4(d) for a discussion of this legislation and its implications for screening. With the exception of a name change being published in the Manitoba Gazette, there are no other controls or restrictions on name changes in this province.

Child and Family Services Act

C.C.S.M c. C80

Note: On June 10, 2002, proposed legislation to restructure the Child and Family Services System received First Reading in The Legislative Assembly. The legislative changes were put forward by the Aboriginal Justice Inquiry – Child Welfare Initiative. The most significant change in the legislation will be the establishment of four Child and Family Services Authorities, where each authority will oversee the provision of child and family and adoption services to their respective constituents. It is not clear when this legislation will come into effect.

Purpose of the Legislation

Manitoba's legislation provides for services to protect children and help parents care for their children.

The fundamental principles of the legislation state that the best interests of the child are of paramount importance, and that parents have the primary responsibility to ensure the wellbeing of their children. A child is defined under the Act as a person under the age of majority, and is in need of protection when the life, health or emotional well-being of the child is endangered by the act or omission of a person. This can include situations where the child is without adequate care, supervision or control; is in the care of a person who is unable or unwilling to provide adequate care, supervision or control of the child, or whose conduct endangers the life, health or emotional well-being of the child; is abused or is in danger of being abused; and is subjected to aggression or sexual harassment that endangers the life, health or emotional well-being of the child.

Abuse of a child means an act or omission by any person that results in physical injury to the child, emotional disability of a permanent nature in the



child, or sexual exploitation of the child. This applies to parents, guardians and also to others who have care, custody, control or charge of a child, such as employees or volunteers involved in offering programs, activities, and services.

The Act requires any person who reasonably believes that a child is in need of protection to report such information to an agency, parent or guardian of the child. Where someone suspects that the child's parent or guardian is the cause of the child being in need of protection, that individual is required to report the information to an agency.

Regarding regulated professions, if the Director of Child and Family Services (who administers and enforces the Act) has reasonable grounds to believe that a member of a regulated profession has caused a child to be in need of protection or has failed to report suspected child abuse, the Director may report the member to his or her professional college for investigation and disciplinary proceedings.

Where a peace officer charges a person with an offence under the Criminal Code or under this Act, and the offence is based on alleged acts or omissions by the accused person in relation to a child, and the employment of the accused person involves the care, custody or control of children, or permits unsupervised access to children, the peace officer shall immediately advise the employer, manager or supervisor at the place of employment that the accused has been charged.

Child Abuse Registry

The Act requires the director to establish and maintain a child abuse registry and establish a child abuse committee to review cases of suspected child abuse. Where a child abuse committee suspects a person of having abused a child, the committee shall give to the person who is suspected an opportunity to provide information to

it, and shall form an opinion whether the person abused the child and whether the name of the person should be entered in the registry.

Names are entered under three circumstances: following a conviction for abuse, as a result of a finding in a court that a child is in need of protection on the basis of abuse, or on the recommendation of the Child Abuse Committee. Names added to the Registry stay there for ten years or until the abused child turns 18, whichever is later.

An agency, upon application, shall be given access to the registry where the director is satisfied that the access is reasonably required to assist the agency in investigating whether a child is in need of protection, or in screening any person who provides work for or services to the agency, whether that person is an employee, foster parent, homemaker, parent aide, volunteer, student trainee or any person who applies to provide work for or services to the agency.

As well, if requested by an employer or other person (applicant), the director shall disclose to the applicant whether the name of a person is entered in the registry. However, the director must be satisfied that the information is reasonably required to assist the applicant in screening the person whose work, whether paid or unpaid, involves the care, custody, control or charge of a child, or permits access to a child.

Implications for Screening

Under the Act, the definition of abuse includes an act or omission on the part of any person and this could reasonably include all employees and volunteer workers of an organization. Although the Child and Family Services Act does not require the screening of employees and volunteers under the Act, it provides access to the Child Abuse Registry by any organization where individuals, employees or volunteers are involved with children. This



enables organizations to obtain access to records for the purposes of screening any person who may have access to children through the provision of work or the offering of services.

Community Child Day Care Standards Act

C.C.S.M. c. C158

Purpose of the Legislation

This statute licenses and monitors the standards for child care centres and family day care homes. The Act states that every person providing day care shall at all times provide an environment that is conducive to the health, safety, and well-being of the children. The Act does not cover irregular babysitting arrangements, public schools, hospitals, or religious congregations during religious services.

The Act states that where a director has reasonable grounds to believe that any person associated with the operation of the proposed facility is not suitable to provide day care; the director may refuse to issue a license to the applicant or organization. As well, where the director is satisfied that a licensee has contravened or failed to comply with any provisions of the Act or the regulations (with respect to screening, see below), the director may suspend or revoke the license in respect of that facility.

Implications for Screening

Under the Act, regulations may be made regarding the qualifications, duties and responsibilities of licensees and of the staff of facilities operated by licensees.

Child Day Care Regulation 62/86

With respect to staff qualifications, this regulation specifies that every applicant for employment in a day care centre, or any person volunteering in a nursery school, must provide the director with access to information about the person's criminal

record and access to the child abuse registry under the Child and Family Services Act. The applicant must consent to the disclosure of such information to the organization as well.

An organization shall not leave a person (applicant or volunteer) alone with children until receiving confirmation that the information about the person from their criminal record and child abuse registry is satisfactory. These requirements under the regulation apply to full time and school age day care centres, nursery schools, and occasional day care centres.

With respect to family day care homes and group day care homes, an application for a licence to provide day care shall include: written authorization from the applicant granting the director access to information: information about the applicant's criminal record; information about the applicant and any of his or her children residing in the applicant's home, obtained from the child abuse registry; and written authorization from any adult person in the applicant's home granting the director access to information about the person's criminal record and information obtained from the child abuse registry.

The Community Child Day Care Standards Act requires a police records check for any person who applies to work or volunteer in a child care centre. If the child care centre is within a family home, all individuals within that home must be screened including the applicant, his or her children, and any other adult person in the home. In addition, the director may suspend or revoke the license in respect of a child care facility if the organization does not comply with the screening requirements.

Corporations Act

C.C.S.M. c. C225

Refer to Section 4(a) for a discussion of this



legislation and its implications for screening.

Freedom of Information Act

C.C.S.M. c. F175

Refer to Section 4(c) for a discussion of this legislation and its implications for screening.

Human Rights Code

C.C.S.M. c. H175

Refer to Section 4(f) for a discussion of this legislation and its implications for screening. In Manitoba, there is no prohibition of discrimination on the basis of a criminal conviction.

Occupiers' Liability Act

C.C.S.M. c. O8

Refer to Section 4(b) for a discussion of this legislation and its implications for screening.

Vulnerable Persons Living with a Disability Act

C.C.S.M. c. V90

Purpose of the Legislation

The purpose of this statute is to enhance and encourage a vulnerable person's independence and self-determination. This legislation strives to support adults living with a mental disability to safely live and participate in the community. The Act recognizes the right of a person living with a mental disability to be considered competent to make his or her own decisions unless it is demonstrated otherwise. Support services may be provided for vulnerable persons including residential services, counseling, day services, vocational training and life-skills programs.

A "vulnerable person" under the Act includes an adult living with a mental disability, who is in need of assistance to meet his or her basic needs with regard to personal care or management of his or her property.

"Service provider" means a person who provides care, support services or related assistance for a vulnerable person in the course of professional, official or employment duties; as a student in a training placement; as a volunteer; or as an owner, operator or manager of a facility or business which provides such care, support services or related assistance, for a vulnerable person in the course of employment duties. There is no distinction between paid and unpaid workers in terms of a service provider.

Implications for Screening

The legislation provides for the protection of a vulnerable person from abuse or neglect. A service provider, substitute decision-maker or committee who believes on reasonable grounds that the vulnerable person is or is likely to be abused or neglected shall immediately report such information to the executive director who shall commence an investigation.

Abuse means mistreatment, whether physical, sexual, mental, emotional, financial, that is reasonably likely to cause death or serious physical or psychological harm to a vulnerable person, or significant loss to his or her property. Neglect means an act or omission that is reasonably likely to cause death or serious physical or psychological harm to a vulnerable person, or significant loss to his or her property.

Although the Act does not impose any explicit duty on service providers to screen their employees or volunteers; all employees, volunteers, and students have a duty to report abuse or neglect if they have a reasonable grounds to believe such abuse exists.

8. NEW BRUNSWICK Business Corporations Act



S.N.B. 1981, c. B-9.1

Companies Act

S.N.B. c. C-13

Refer to Section 4(a) for a discussion of this legislation and its implications for screening.

Change of Name Act

S.N.B. 1987, c. C-2.001

Refer to Section 4(d) for a discussion of this legislation and its implications for screening. An application to change a name in New Brunswick requires disclosure of any criminal conviction and of any current legal actions in the New Brunswick courts.

Family Services Act

S.N.B. 1980, c. F-2.2

Purpose of the Legislation

The legislation, which is administered by the Department of Family and Community Services, addresses the breadth of social services in relation to families, in addition to the areas of child and adult protection.

With respect to child protection, any person who has information causing him or her to suspect that a child has been abandoned, deserted, physically or emotionally neglected, physically or sexually ill-treated or otherwise abused must inform the Minister of the situation without delay.

The security or development of a child may be in danger when, among other things, the child is without adequate care, supervision or control; the child is living in unfit or improper circumstances; the child is in the care of a person who is unable or unwilling to provide adequate care, supervision or control of the child; the child is in the care of a person whose conduct endangers the life, health or emotional well-being of the child; the child is

physically or sexually abused, physically or emotionally neglected, sexually exploited or in danger of such treatment; and the child is in the care of a person who neglects or refuses to provide or obtain proper medical, surgical or other remedial care or treatment necessary for the health or well-being of the child or refuses to permit such care or treatment to be supplied to the child.

With respect to adult protection, where the Minister has reason to believe that a person is a neglected adult or an abused adult, the Minister shall begin an investigation. There is no mandatory duty to report abuse or neglect with respect to adults, as there is with children. However, the list used above for children whose security and development may be in danger is the same list used for adults whose security and development may be in danger.

Under the legislation, the Minister may enter into contracts for the provision of social services to any person, any family, any group of persons, any group of families or any community, and determine the need for community placement resources. Community placement resources can include a social service facility providing services to children or adults, and includes a foster home, a group home, a special care home, a sheltered workshop, a home in which family day care services are provided, and a day care centre. In effect, the legislation applies to all of these facilities but in addition, the Minister may designate any facility as a community placement resource for the purpose of this Act.

The Minister, for the purpose of providing social services, may enter into contracts with agencies that place both paid and unpaid staff in positions of trust with children and other vulnerable individuals. The parameters of the Act are broad and encompass any organization that contracts with the Department of Family and Community



Services to provide social services to children and vulnerable adults.

Implications for Screening

The Community Placement Residential Facilities Regulation 83-77, under the Family Services Act, requires that an operator of a community placement residential facility conduct a criminal records check on each staff member or prospective staff member. The regulations define a community placement residential facility as a home (fewer than three residents), a residence (more than three fewer than ten residents) and a residential centre (ten or more residents).

In addition, each operator must conduct a check with the Department of Family and Community Services on each staff member or prospective staff member. Such a check would reveal whether there had been a court finding, or a finding by the Minister (as a result of an investigation) that a person had endangered a child or adult's security or development. With respect to the above check the Minister is concerned only with the child or adult's security and development when the child or adult is physically or sexually abused, physically or emotionally neglected, sexually exploited or in danger of such treatment.

An operator shall ensure that a check is conducted before the person becomes a staff member, shall ensure that a check is conducted on every staff member not later than five years after any previous check, and that a check is conducted sooner if the operator reasonably believes one is required.

An operator shall not employ a person as a staff member if the person has been convicted of an offence under any section of the Criminal Code listed in Schedule A or has been identified as falling within the scope of a check with the Department of Family and Community Services. Schedule A includes, among other things, offences such as sexual interference, invitation to sexual

touching, sexual exploitation, child pornography, indecent acts, criminal negligence, murder, manslaughter, assault, sexual assault, and kidnapping.

For the purposes of the regulation, a staff member means a person who is employed to work in a community placement residential facility and includes an operator who is a primary staff member as well as volunteers. The regulations also impose basic competency requirements for both paid and unpaid staff.

The above provisions with respect to screening can also be found in the Day Care Regulation 83-85 and the Children in Care Services Regulation 91-170.

Human Rights Act

S.N.B. 1971 c. H-11

Refer to Section 4(f) for a discussion of this legislation and its implications for screening. The New Brunswick Human Rights Act does not prohibit discrimination on the basis of criminal record.

Right to Information Act

S.N.B. 1978, c. R-10.3

Refer to Section 4(c) for a discussion of this legislation and its implications for screening.

9. NEWFOUNDLAND AND LABRADOR

Change of Name Act

R.S.N.L. 1990, c. C-8

Refer to Section 4(d) for a discussion of this legislation and its implications for screening. With the exception of a name change being published in the provincial Gazette, there are no other controls or restrictions on name changes.



Child, Youth and Family Services Act

S.N.L. 1998, c. C-12.1

Purpose of the Legislation

This new piece of legislation came into force on January 5, 2000 and aims to implement programs and community services that are child-centred with a goal of prevention and early intervention. The Act makes it clear that every child is entitled to be assured of personal safety, health and well-being; the paramount consideration in any decision made under the Act shall be the best interests of the child; and the family is the basic unit of society responsible for the safety, health and well-being of the child.

The Department of Health and Community Services investigates incidents of abuse and ill-treatment of children and seeks appropriate measures to ensure the best interests of children are maintained. A child is defined as a person actually or apparently under the age of 16 years.

A child is in need of protection when the child is, or is at risk of, being physically harmed by the action or lack of appropriate action by the child's parent; being sexually abused or exploited by the child's parent; and being emotionally harmed by the parent's conduct. The definition also includes abuse by any other person but only when the child's parent does not protect the child. It should be noted that a child is in need of protection only in relation to its parents and not any other person, such as employees or volunteers from various day care or community-based agencies.

However, under the Act there is a duty on every person who has information that a child is or may be in need of protective intervention, to immediately report the matter to a director, social worker or a peace officer. This is an explicit duty and extends to everyone who may come in contact with the child, such as a day care worker, health care professional, volunteer, teacher, social

worker, counselor, or recreational worker.

Implications for Screening

Although there are no specific screening requirements for organizations whose employees and volunteers work directly with children, the Act does impose a duty on every resident of the province to ensure the safety of all children.

Child Care Services Act

S.N.L. 1998, c. C-11.1

Purpose of the Legislation

This Act establishes licensing requirements for child care organizations that provide direct services to children. A child is defined as a person under the age of 13 years, and child care means the care and supervision of a child by a person other than the child's parent, the child's guardian, the child's relative, the child's caregiver, or a person employed by the parent, guardian, relative or caregiver to care for the child in the child's home.

A person shall not operate or provide a child care service without having obtained a license from a director. A director may issue a license to a person to operate a child care service where the director is satisfied that the person intends to operate the child care service from premises which comply with health, safety and other standards required by this Act or the regulations, and has provided documents or other information required by the regulations. Pursuant to the Child Care Services Regulations (37/99), a licensee shall be in possession of a current certificate of conduct (obtained from the R.C.M.P.) for operators, staff and volunteers of a child care centre.

This conduct check does not apply to volunteers or employees when the children are not in attendance at that child care service. As well, the conduct check does not apply to a parent or guardian of a child who is present at a child care service (unless



that parent or guardian is considered to be a part of a required “adult to child ratio” prescribed under the regulations).

A director may refuse to issue or renew, suspend or cancel a license where he or she reasonably believes that the applicant does not meet the requirements for obtaining a license or where the child care service that is the subject of the application would not be operated in accordance with this Act and the regulations.

Implications for Screening

In order for a person to obtain a license for a child care organization he or she must have a current certificate of conduct from the R.C.M.P. for all staff including volunteers. How a conduct check is defined remains unclear. It is not clear what is involved in a conduct check, how the check is administered, or what happens in the event of misconduct. As well, the regulations do not indicate whether a licensee will be unable to hire an employee or a volunteer in the event of a misconduct found on their record. What is clear, however, is that the director has discretion to refuse to issue, suspend or cancel a license if he or she reasonably believes that the child care service is not operated in accordance with the Act and/or the regulations.

Freedom of Information Act

R.S.N.L. 1990, c. F-25

Refer to Section 4(c) for a discussion of this legislation and its implications for screening. This statute will shortly be replaced with the **Access to Information and Protection of Privacy Act** (S.N.L. 2002, c. A-1.1) that has not yet been proclaimed.

Homes for Special Care Act

R.S.N.L. 1990, c. H-5

Purpose of the Legislation

Revision 2:1, 12/31/2008 by ICFC

Revision 3.1, 12/01/2012 by FGCC

This statute regulates residential services and facilities for mentally and physically disabled adults, as well as nursing homes for the elderly. These facilities are operated independently of government, and although their employees must meet certain qualifications, they are under no legal obligation to carry out screening.

Implications for Screening

This statute does establish a residents’ “bill of rights”. Of relevance to screening are the rights of residents to be treated with courtesy and respect, to be properly cared for and to live in a clean and safe environment. While the statute makes no reference to screening, organizations providing residential care nonetheless have a legal duty to take all reasonable steps to ensure that the stated rights of residents are respected.

Human Rights Code

R.S.N.L. 1990, c. H-14

Refer to Section 4(f) for a discussion of this legislation and its implications for screening. In Newfoundland and Labrador, a record of criminal conviction is not a prohibited ground of discrimination.

Neglected Adults’ Welfare Act

R.S.N.L. 1990, c. N-3

Purpose of the Legislation

This legislation is founded on the principle that all adults have the right to adequate care and protection from neglect. If an adult cannot provide adequate care for him or herself, the Department of Social Services has the authority to intervene on the adult’s behalf.

An adult is defined as a person who is not a child within the meaning of the Child, Youth and Family Services Act. A neglected adult is an adult who is not suitable to be in a treatment facility under the



Mental Health Act, is not receiving proper care and attention, and refuses, delays or is unable to make provision for proper care and attention to him or herself.

Every person who has information that leads him or her to believe that an adult is a neglected adult has a mandatory duty to report such information to a director or a social worker.

Implications for Screening

Nothing in the Act explicitly imposes a responsibility or duty on organizations to screen applicants who work with vulnerable or neglected adults.

However, there is a duty on all individuals and organizations (employees and volunteers) to recognize neglected adults and to protect them from such neglect.

Victims of Crime Services Act

R.S.N.L. 1990, c. V-5

Refer to Section 4(g) for a discussion of this legislation and its implications for screening.

10. NORTHWEST TERRITORIES

Business Corporations Act

S.N.W.T. 1996, c. 19

Societies Act

R.S.N.W.T. 1988, c. S-11

Refer to Section 4(a) for a discussion of this legislation and its implications for screening.

Change of Name Act

R.S.N.W.T. 1988, c. C-3

Refer to Section 4(d) for a discussion of this legislation and its implications for screening. Any application to change a name in the N.W.T. involves a criminal records check.

Child and Family Services Act

S.N.W.T. 1997, c. 13

Purpose of the Legislation

The paramount objective of this Act is to promote the best interests, protection and well-being of children and to establish a framework for working with communities to develop plans to protect children.

A child is defined as a person who is or appears to be under the age of 16 years. A child is in need of protection where the child has suffered physical harm; been sexually molested or sexually exploited; or has suffered emotional harm by the child's parent or caused by the parent's inability to care and provide for or supervise and protect the child adequately. A child is also in need of protection when the child suffers from neglect; is exposed to repeated domestic violence; or there is risk that the child's health, emotional or mental well-being will be harmed.

The Act requires that a person who has information on a child in need of protection shall report the matter to a child protection worker, a peace officer, or an authorized person. This includes all employees and volunteers who may come in contact with a child, including teachers, bus drivers, nurses, social workers, doctors and counselors.

Implications for Screening

A person to whom a report is made shall investigate the child's need for protection and a "plan of care committee" shall be formed to develop a plan of care in respect of the child. This committee shall be composed of at least one person who has lawful custody of the child; the



child (where over 12 years); one member of the Child and Family Services Committee; and one Child Protection Worker. A person who is to be a member of a plan of care committee is ineligible to sit as a member of the committee if he or she is a subject of a report or investigation under the Act; has been charged under the Criminal Code in relation to matters involving the child; has been convicted of an offence under the Criminal Code in relation to matters involving the child; or is subject to an order restraining him or her from having contact with the child.

It seems that this provision has been put in place to avoid having the person who perpetrated the abuse against the child to be part of the child's plan of care committee. Although the Act does address a type of screening, it is only in relation to the plan of care committee and does not extend to those employees and volunteers working directly with children.

Child Day Care Act

R.S.N.W.T. 1988, c. C-5

Purpose of the Legislation

The legislation sets out the legislative framework for organizations that provide licensed day care services. A child is defined as a person who is or appears to be under the age of 12 years. A child care facility is defined as an establishment where care, instruction or supervision is provided to five or more children by a person who is not a relative of a majority of the children. The Act does not apply where care is provided under a casual arrangement; by a school under the Education Act; by a hospital; by a religious congregation during religious services; or by a charitable organization during the conduct of a recreational program.

A person who wishes to operate a child day care facility must apply to the director for a license in accordance with the regulations. A person who is the holder of a license is an operator. No operator

shall employ a person who does not meet the prescribed qualifications to provide care, instruction or supervision to the children attending the child day care facility. Where the director believes on reasonable and probable grounds that the operator of a child day care facility or an employee or agent of the operator has contravened the Act, the director may suspend the license of the operator.

Implications for Screening

The Child Day Care Standards Regulation (R.R.N.W.T. 1990, c. C-3), requires every operator to require from every successful applicant for employment (casual or temporary staff) and every volunteer, a signed authorization granting the director access to information about that person's criminal record and permitting the director to convey that information to the operator. Where information obtained by the director shows that the person has been convicted of an offence respecting a child, the director shall inform and consult with the operator as to whether the person should be hired as a staff person or permitted to work as a volunteer for the child day care facility.

Under this statute there is no distinction between employees and volunteers – all persons who intend to work within a child day care facility must be screened. As the regulation suggests, rejection of an applicant on the basis of a criminal record is not automatic. Factors that may be taken into consideration are the nature of the offence, whether a pardon has been granted for the offence, and the type of responsibility assigned to the individual.

Fair Practices Act

R.S.N.W.T. 1988, c. F-2

Although bearing an unusual name, this is the equivalent of a human rights code in the N.W.T. Refer to Section 4(f) for a discussion of this legislation and its implications for screening.



A criminal conviction for which a pardon has been granted is included as a prohibited ground of discrimination.

11. NOVA SCOTIA

Adult Protection Act

R.S.N.S. 1989, c. 2

Purpose of the Legislation

The Act provides a means whereby all persons in Nova Scotia who are sixteen (16) years of age and over, and who lack the physical or mental ability to care and fend adequately for themselves can be protected from abuse and neglect through the provision of services.

An adult in need of protection means an adult who, in the premises where he or she resides, is a victim of physical abuse, sexual abuse, mental cruelty or a combination thereof, is incapable of protecting him or herself by reason of physical disability or mental infirmity, and refuses, delays or is unable to make provision for his or her protection. The definition also includes an adult who is not receiving adequate care and attention, is incapable of caring adequately for him or herself by reason of physical disability or mental infirmity, and refuses, delays or is unable to make provision for his or her adequate care and attention.

Every person who has information indicating that an adult is in need of protection has a positive duty to report such information to the Minister.

Implications for Screening

Nothing in the Act explicitly requires agencies to screen those people who work directly with vulnerable adults. However, there ultimately remains a duty on all individuals, whether employees or volunteers, to recognize and report the abuse and neglect of adults.

Change of Name Act

R.S.N.S. 1989, c. 66

Refer to Section 4(d) for a discussion of this legislation and its implications for screening. Name changes are published in the provincial Gazette but apart from this there are few restrictions or controls related to criminal records checks.

Children and Family Services Act

S.N.S. 1990, c. 5

Purpose of the Legislation

The legislation aims to protect children from harm, promote the integrity of the family and assure the best interests of children. It grants authority to the Department of Community Services to take protective measures to address incidents of abuse and maltreatment of children and to take steps to protect the child from further abuse. In all proceedings, the paramount consideration is the best interests of the child.

The legislation defines a child as a person under the age of 16 years. A child is in need of protection where the child has suffered physical harm, been sexually abused, or suffered emotional harm, by a parent or guardian, or by another person where a parent or guardian of the child knows of the abuse and fails to protect the child. This definition also includes neglect, abandonment, and situations where the child has suffered physical or emotional harm caused by being exposed to repeated bouts of domestic violence.

The legislation dictates that every person who has information indicating that a child is in need of protection shall report that information to an agency. This includes every person who may come in contact with the child and includes doctors, nurses, dentists, teachers, principals, social workers, counselors, and volunteers or employees of day care facilities.



The Act applies to any organization and its operators that must be licensed by the Minister to provide child-caring facilities, child care services and foster homes. No person shall conduct, maintain, operate or manage such a facility that is not approved or licensed by the Minister. This includes Children's Aid societies, day care centres, group homes for children and residential facilities that provide services to children.

Implications for Screening

The legislation incorporates a Child Abuse Register that is designed to serve as a database where the names of individuals who have been convicted of an offence against a child under the Criminal Code are maintained. These offences include, in part, sexual interference, invitation to sexual touching, sexual exploitation, causing death by criminal negligence, murder, manslaughter, attempted murder, assault, indecent exposure, abandoning child, aggravated assault, sexual assault, and kidnapping.

Information in the Child Abuse Register is confidential. Upon the receipt of a request in writing from a person or organization (looking to search the register) and with the written consent of the person to whom the request is related, the Minister may disclose information concerning a person applying to adopt a child or to be a foster parent, or a person (including a volunteer) who would be caring for or working with children.

Under the Children and Family Services Regulation, N.S. Reg. 183/91, the following persons may have access to the confidential information in the Child Abuse Register upon consent: any government department, board or agency that provides services to children; any corporation, society, agency or business that provides services to children; or any agency, child care service, child care facility, or child-placing agency under the Act.

Day Care Act

R.S.N.S. 1989, c. 120

Homes for Special Care Act

R.S.N.S. 1989, c. 203

These statutes provide for the licensing and operation of day cares, nursing homes and other residential care facilities. Operators must meet a variety of standards set out in this legislation, and while employees in day cares must have their names run through the Child Abuse Registry, there is no such duty to conduct a records check on employees in nursing homes or residential facilities.

Freedom of Information, Protection of Privacy Act

S.N.S. 1993, c. 5

Refer to Section 4(c) for a discussion of this legislation and its implications for screening.

Human Rights Act

R.S.N.S. 1989, c. 214

Refer to Section 4(f) for a discussion of this legislation and its implications for screening. In Nova Scotia, a record of criminal conviction is not a prohibited ground of discrimination.

Victims Rights and Services Act

S.N.S. 1989, c. 14

Refer to Section 4(g) for a discussion of this legislation and its implications for screening.

Volunteer Services Act

R.S.N.S. 1989, c. 497

Purpose of the Legislation

This legislation aims to protect from liability those individuals who voluntarily render services or



assistance, should his or her actions result in injury or death in the course of such services or assistance.

A volunteer is defined as any individual, not in receipt of fees, wages or salary for the services or assistance, who renders services or assistance, whether or not that individual has special training to render the service or assistance and whether or not the service or assistance is rendered by the individual alone or in conjunction with others and includes an individual, corporation or organization that donates or distributes, for free, food or sundries to those in need.

Where, in respect of a person who is ill, injured or unconscious as a result of an accident or other emergency, a volunteer renders services or assistance at any place, the volunteer is not liable for damages for injuries to or the death of that person alleged to have been caused by an act or omission on the part of the volunteer while rendering services or assistance, unless it is established that the injuries were caused by gross negligence on the part of the volunteer. No proceeding shall be commenced against a volunteer that is not based upon his or her alleged gross negligence.

Implications for Screening

This Act is mentioned here, as it is fairly unique in Canada. Although the legislation does not require the screening of individuals who apply to work in positions of trust with vulnerable people, it does provide some protection against liability for volunteers whose actions may result in harm to such persons.

12. PRINCE EDWARD ISLAND

Adult Protection Act

R.S.P.E.I. 1988, c. A-5

Revision 2:1, 12/31/2008 by ICFC

Revision 3.1, 12/01/2012 by FGCC

Purpose of the Legislation

This statute provides provincial assistance and intervention to protect an adult, who is unable to protect him or herself, against neglect or abuse that could otherwise cause serious harm to that adult. The guiding principles of the legislation state that society has an obligation to afford its members, regardless of individual abilities or conditions, the opportunity to have security and necessities of life, and that adults afflicted with a disability that impairs their capacity deserve necessary treatment, care and attention that is most effective and least intrusive in nature.

Support and assistance is provided to adults who have attained the age of majority. An adult is in need of protection where intervention is required to preserve the essential security and well-being of the adult who is a victim of abuse or neglect, is incapable of fending for him or herself including the inability to provide necessary care, aid or attention, and refuses, delays or fails to arrange for necessary care, aid or attention.

Any person who has reasonable grounds for believing that an adult is in serious risk of being in need of assistance or protection may report such belief to an authorized person under the Ministry of Health and Social Services.

Implications for Screening

There is no requirement that organizations screen those employees or volunteers who work directly with vulnerable individuals. The legislation does place a duty on every individual who comes in contact with a vulnerable adult to report the suspicion of abuse or neglect but this duty is not mandatory.

Change of Name Act

S.P.E.I. 1997, c. 59

Refer to Section 4(d) for a discussion of this legislation and its implications for screening. Apart



from publication of the name change in the Royal Gazette, there are no restrictions on changing names and no need for a police records check.

Child Care Facilities Act

R.S.P.E.I. 1988, c. C-5

Purpose of the Legislation

This statute regulates the licensing of child care facilities, which includes any place where child care is offered at any time to more than six children, more than five children all less than six years of age, or more than three children all less than two years in age. The Act does not apply to child care among family members, services regulated by the School Act, or child care provided by hospitals, churches or during children's camps or recreational programs.

The object of the Act is to assure safe and good quality child care through the regulation of day care facilities by the Child Care Facilities Board. The functions of the Board include (but are not limited to) the licensing of child care facilities, the monitoring of the operation of facilities and ensuring adherence to prescribed standards. Any person seeking to operate a child care facility must apply to the Board for a licence. If, at any time, the Board has reasonable grounds to believe that a facility is not operating within prescribed standards, the Board may revoke, suspend or place conditions on a licence.

Implications for Screening

The legislation does not require screening of any individual who applies for a license, the supervisor of a child care facility, nor the employees or volunteers who work directly with children at the care facility. Although the Board has the power to shut down a child care facility, it can only do so within its prescribed grounds relating to safe and quality child care – which does not include screening.

Child Protection Act

R.S.P.E.I. 2000, c. 3

This is new legislation in Prince Edward Island that, although introduced in 2000, has been extensively revised and has not yet been proclaimed into law. It is unknown what impact it will have on screening requirements, if any.

Community Care Facilities and Nursing Homes Act

R.S.P.E.I. 1988, c. C-13

Purpose of the Legislation

This statute regulates the licensing of community care facilities and nursing homes within Prince Edward Island. A community care facility is an establishment that provides care services for compensation to five or more residents who are not members of the operator's immediate family. A nursing home is defined as an establishment that provides continual residential accommodation with meals, housekeeping and nursing services for compensation, for five or more residents. The above definitions do not include a group home, residential school, hospital, correctional facility, addiction treatment facility, or a regional residential or nursing home.

The Act establishes the Community Care Facilities Board whose primary objective is to ensure the provision of accommodation, care services and nursing services that are safe, of good quality and appropriate to the needs of the residents.

The functions of the Board include (but are not limited to) licensing community care facilities and nursing homes; advising on standards for community care facilities and nursing homes and the care and services provided in them; and monitoring the operation of community care facilities and nursing homes and ensuring adherence to prescribed standards.



A person or organization seeking to operate a care facility or nursing home must apply to the Board for a license. Where the Board reasonably believes the facility is not operating within the prescribed standards, it may revoke, suspend or place conditions on any license.

Implications for Screening

The regulations of the Act allow the Board to refuse, cancel or restrict the license of a facility if a manager or staff person has been convicted of an offence that presents a risk to the safety or welfare of residents. There are currently no specific regulations regarding screening, thus operators are free to determine their own screening measures.

Family and Child Services Act

R.S.P.E.I. 1988, c. F-2

Purpose of the Legislation

The goal of the Act is the protection of children from physical, mental, emotional or sexual mistreatment. In the administration of the Act, the best interests of the child shall be the paramount consideration.

A child is defined in the legislation as a person actually or apparently under the age of majority. The definition of a child in need of protection includes, in part, a child who is not receiving proper care, education, supervision, guidance or control; whose parent is unable or unwilling to care for the child; who has been physically abused, neglected or sexually exploited; whose emotional or mental health or development is endangered; and who is living in a situation of severe domestic violence.

The Act provides that every person who has knowledge to suspect that a child has been abandoned, deserted or abused must immediately report such circumstances to a director, peace officer, or child care worker.

Implications for Screening

The Act does not require screening for any individual, employee or volunteer, who works directly with children. There is, however, a mandatory duty on every person to recognize child abuse and report such abuse to the appropriate authority.

Freedom of Information, Protection of Privacy Act

S.P.E.I. 2001, c. 37

New in Prince Edward Island since the last publication of the [The Screening Handbook](#), refer to Section 4(c) for a discussion of this legislation and its implications for screening.

Human Rights Act

R.S.P.E.I. 1988, c. H-12

Refer to Section 4(f) for a discussion of this legislation and its implications for screening. Recent amendments have added sexual orientation and criminal records as prohibited grounds of discrimination.

Occupiers' Liability Act

R.S.P.E.I. 1988, c. O-2

Refer to Section 4(b) for a discussion of this legislation and its implications for screening.

Victims of Crime Act

R.S.P.E.I. 1988, c. V-3.1

Refer to Section 4(g) for a discussion of this legislation and its implications for screening.

Volunteers' Liability Act

R.S.P.E.I. 1988, c. Q-1

Purpose of the Legislation



This legislation aims to protect from liability those individuals who voluntarily render services or assistance, should his or her actions result in harm or in damage to property.

A volunteer is defined as any individual, not in receipt of fees, wages or salary for the services or assistance, who renders services or assistance, whether or not that individual has special training to render the service or assistance and whether or not the service or assistance is rendered by the individual alone or in conjunction with others.

Where, in respect of a person who is ill, injured or unconscious as a result of an accident or other emergency, a volunteer renders services or assistance, the volunteer is not liable for harm to that person alleged to have been caused by an act or omission on the part of the volunteer, unless it is established that the injuries were caused by the volunteer's gross negligence. No proceeding shall be commenced against a volunteer that is not based upon his or her alleged gross negligence. A similar limit on liability is imposed where the volunteer renders service or assistance to protect or preserve property, and that property is nonetheless damaged.

Implications for Screening

This Act is mentioned here, as it is fairly unique in Canada. Although the legislation does not require the screening of individuals who apply to work in positions of trust with vulnerable people, it does provide some protection against liability for volunteers whose actions may result in harm to such persons.

13. SASKATCHEWAN

Business Corporations Act

S.S. 1978, c. B-10

Companies Act

S.S. 1978, c. C-23

Non-profit Corporations Act

S.S. 1995, c. N-4.2

Refer to Section 4(a) for a discussion of this legislation and its implications for screening.

Change of Name Act

S.S. 1995, c. C-6.1

Refer to Section 4(d) for a discussion of this legislation and its implications for screening. There are no controls or restrictions on a name change application in Saskatchewan.

Child and Family Services Act

S.S. 1989-90, c. C-7.2

Purpose of the Legislation

The Act promotes the well-being of children in need of protection by offering services that are designed to maintain, support and preserve the family in the least disruptive manner. The purpose of the legislation is to prevent child abuse or neglect, help families stay together, and decide who will care for the abused or neglected child. At all times, the best interests of the child must be considered.

A child is defined as an unmarried person who is under 16 years of age. A child is in need of protection where as a result of an act or omission by the child's parent the child has suffered or is likely to suffer physical harm, emotional impairment, be exposed to a harmful interaction for sexual purposes, or be exposed to severe domestic violence. The definition also refers to circumstances where there is no adult person who is able and willing to provide for the child's needs, and physical or emotional harm to the child has occurred or is likely to occur.



Every person who has reasonable grounds to believe that a child is being abused or neglected has a legal duty to report such abuse or neglect to any social services officer or peace officer.

Implications for Screening

The Act is silent on the issue of screening staff or volunteers who work with children. However, since the purpose of the legislation is the well-being and protection of children, an implicit duty on organizations to take reasonable measures to protect children appears logical.

Child Care Act

S.S. 1989-90, c. C-7.3

Purpose of the Legislation

This statute licenses and monitors the standards for child care centres, family child care homes, and group family child care homes. The Act does not apply to persons providing care and supervision in their own home to their immediate children or to a person who provides casual and irregular services. No person shall operate a child care centre, family child care home, or group family child care home unless that person holds a license.

Implications for Screening

The Child Care Regulations 2001 (c. C-7.3 Reg. 2) require that an applicant for a license to operate a home (defined as a family child care home, a group family child care home, or a teen student support family child care home) must provide the results of a criminal records check for the applicant and every adult who resides in the home. This includes the consent of each person to disclose any relevant information contained in the criminal records check. Results of a criminal records check are also required for an assistant working in a group family child care home. Before an employee is hired to work in a child care centre, the licensee of the centre must obtain the results of a criminal records check for that person.

Licensees of homes and centres are required to keep accurate and up-to-date records on their employees which include the results of the employee's criminal records check.

There is nothing in the regulations that requires volunteers to be screened but if a volunteer is to work in a centre or home he or she must be over 16 years of age.

Freedom of Information and Protection of Privacy Act

S.S. 1990-01, c. F-22.01

Local Authority Freedom of Information and Protection of Privacy Act

S.S. 1990-91, c. L-27.1

Refer to Section 4(c) for a discussion of this legislation and its implications for screening.

Human Rights Code

S.S. 1979, c. S-24.1

Refer to Section 4(f) for a discussion of this legislation and its implications for screening. A criminal record is not a prohibited ground of discrimination in Saskatchewan.

Victims of Crime Act

S.S. 1995, c. V-6.011

Refer to Section 4(g) for a discussion of this legislation and its implications for screening.

14. YUKON

Access to Information and Protection of Privacy Act

S.Y. 1995, c. 1



Refer to Section 4(c) for a discussion of this legislation and its implications for screening.

Business Corporations Act

R.S.Y. 1986, c. 15

Societies Act

S.Y. 1987, c. 32

Refer to Section 4(a) for a discussion of this legislation and its implications for screening.

Change of Name Act

S.Y. 1987, c. 25

Refer to Section 4(d) for a discussion of this legislation and its implications for screening. While applicants for a name change in the Yukon must supply information about pending civil or criminal actions, there is no requirement to undergo a police records check.

Child Care Act

S.Y. 1989-90, c. 24

Purpose of the Legislation

The objectives of the Act are to foster the development of quality child care with parental and community involvement; to support a range of child care programming in the Yukon communities; and to recognize and support the aspirations of Yukon First Nations to promote and provide culturally appropriate child care services.

The Act also regulates the licensing of child care programs. A child care centre program is defined as a program that offers or provides child care, other than a preschool program or a school-age program, to four or more children in a place other than a family day home. A family day home program is defined as a program that offers or provides child care other than a preschool or

school-age program in a home.

No person shall provide or offer child care centre programs, school-age programs, or family day home programs unless they have a license. Where a director is satisfied that a holder of a license (a person or organization) has contravened or failed to comply with any provision of the Act or regulations, or believes that a program described in a license is being operated and maintained in a manner that is hazardous to the health, safety, or wellbeing of children, he or she may suspend or revoke the license.

Any person providing a child care program, or a person employed by a person providing a child care program, who has reasonable grounds to believe that a child enrolled in the program may be abused, neglected or otherwise in need of protection within the meaning of the Children's Act shall immediately report the information to the director or a peace officer.

A child is defined under the Act as someone under the age of 12 except in cases where a person has special needs, and then a child is defined as a person aged 16 years or younger.

Implications for Screening

The Child Care Centre Program Regulations (O.I.C. 1995/087) and the School-Age Program Regulations (O.I.C. 1995/087) require that every applicant for a new child care centre or school-age program license must provide written permission to conduct a confidential police records check for a criminal record for the applicant and any worker or resident (over 18 years) of the child care centre or school-age program facility.

As well, the regulations set out specific staff qualifications that include (in addition to educational requirements) confidential police records checks for all workers and approval by the director for employment before they begin working in the program. The director may approve a worker



for employment in the program pending the completion of the police check, and if a police check is complete, either confirm or revoke the approval.

The regulation does not define workers, so it is unclear whether volunteers are included in this screening procedure.

The Family Day Home Program Regulations (O.I.C. 1995/087) also require that every applicant for a new family day home program license provide permission to conduct a confidential police records check for a criminal record for the applicant and any worker or resident (over 18 years) of the family day home program facility.

Children's Act

R.S.Y. 1986, c. 22

Purpose of the Legislation

The purpose of this Act is to provide a framework for the welfare of children in the Yukon. The paramount consideration of the legislation is the best interests of the child. The Act is broad as it encompasses such things as custody, access and guardianship; child abduction; adoption proceedings; and child abuse and neglect.

A child is defined as a person less than 18 years of age, and a child is in need of protection when he or she is abandoned; when the parent or other person is unable or unwilling to provide proper care, supervision or control; when the child is in probable danger of physical or psychological harm; the parent or person involves the child in sexual activity; or when the child is deprived of the necessities of life or health.

A person who has reasonable grounds to believe that a child may be a child in need of protection may report the information to the director or a peace officer. Reporting by the general public is not mandatory in the Yukon.

Implications for Screening

The Act does not explicitly require screening for staff or volunteers in positions of trust with children. Nevertheless, given that the purpose of the Act is the welfare of children, the implicit duty to screen is clear.

Human Rights Act

S.Y. 1987, c. 3

Refer to Section 4(f) for a discussion of this legislation and its implications for screening.

Victim Services Act

S.Y. 1992, c. 15

Compensation for Victims of Crime Act

R.S.Y. 1986, c. 27

Refer to Section 4(g) for a discussion of this legislation and its implications for screening.

Volunteer Canada
330 Gilmour Street, Second Floor
Ottawa, ON K2P 0P6
1 800 670-0401
www.volunteer.ca
Financial support of the Safe Steps
Volunteer Screening Program is
provided by the Solicitor General
Canada and the Department of Justice.

Provincial and Territorial Assistance

Alberta

To report suspected child maltreatment

1-800-387-KIDS (1-800-387-5437)

To contact the ministry

Website:

<http://www.child.alberta.ca/home/534.cfm>

Phone: 780-422-3004 (Monday to Friday 8:15 a.m. - 4:30 p.m.)

Fax: 780-422-3071

For toll free access in Alberta dial 310-0000.

To find local child welfare services

Website:

http://www.child.alberta.ca/home/local_offices.cfm

Advocate

Children's Advocate

802 Peace Hills Trust Tower

10011 - 109 Street

Edmonton, AB T5J 3S8

Fax: 780-644-7227

Website: <http://advocate.gov.ab.ca/>

Tel.: (780) 644-6951 or toll free 1-888-890-2020

Email: LRCY.information@gov.ab.ca

To find out more information on your role in knowing when and what to report:

Website:

<http://www.child.alberta.ca/home/784.cfm>

Related sites and services:

Alberta Centre for Child, Family and

Community Research:

www.research4children.com/

Parentlink Centre:

<http://www.parentlinkalberta.ca/publish/default.htm>

British Columbia

To report suspected child maltreatment

Call local child welfare services (Monday to Friday, 8:30 a.m. to 4:30 p.m.) or after-hours call the Helpline for Children at 310-1234 or call police.

To contact the ministry

In Victoria call 250-387-6121

In Vancouver call 604-660-2421

Elsewhere in BC call 1-800-663-7867

Outside BC call 604-660-2421

Email: EnquiryBC@gems3.gov.bc.ca

To find local child welfare services

Check telephone book blue pages or visit website at

www.mcf.gov.bc.ca/regions/regional_offices.htm

Advocate

Representative for Children and Youth

PO Box 9207

Station Prov Govt

Victoria, BC V8W 9J1

Website: www.rcybc.ca

Tel: 1-800-476-3933 or 250-356-6710

Email: rcy@rcybc.ca

Helplines for Children and Parents

Children can call for help by dialing 0 and



asking the operator for Helpline for Children or call 310-1234 from anywhere in British Columbia.

Parents worried that they might hurt their child can call for help or anyone reporting a child in need of protection (anonymously, if desired), call 1-800-668-6868 (TDD 1-866-660-0505).

Parent Support Services Society of British Columbia

204 - 5623 Imperial St.

Burnaby, BC V5J 1G1

Toll Free: 1-800-665-6880

Phone: 604-669-1616

Fax: 604-669-1636

E-mail: office@parentsupportbc.ca

Website: www.parentsupportbc.ca/

Services are offered in communities around the province in English, Cantonese, Hindi, Punjabi, Spanish, and Filipino. Workshops are also offered for Aboriginal parents and for young parents.

To find out more information on your role in knowing when and what to report:

Website:

http://www.mcf.gov.bc.ca/child_protection/pdf/child_welfare_your_role.pdf

Manitoba

To report suspected child maltreatment

In Winnipeg:

Child and Family Services, All Nations
Coordinated Response Network (ANCR)

835 Portage Avenue

Winnipeg MB R3G 0N6

Phone: 944-4200

Toll-free: 1-888-834-9767

After-hours (emergency calls only): 944-4050

If outside of Winnipeg, intake is handled by the nearest local Agency by geographic area. ANCR is able to provide clarification.

To contact the ministry

Call 204-945-3744 or toll-free 1-866-626-48622 (TDD 204-945-4796).

Email: mgi@gov.mb.ca

Website:

http://www.gov.mb.ca/fs/childfam/child_protection.html

To find local child welfare services

Website: <http://www.gov.mb.ca/fs/misc/loc/cfsagencies.html>

Advocate

Office of the Children's Advocate

Unit 100 - 346 Portage Avenue

Winnipeg, MB R3C 0C3

Phone: (204) 988-7440

Fax: (204) 988-7472

Toll Free: 1-800-263-7146 (Manitoba only)

Website: www.childrensadvocate.mb.ca

New Brunswick

To report suspected child maltreatment

Tel.: 1-800-992-2873 or emergency after-hours
1-800-442-9799

To contact the ministry and find local child welfare services during business hours

Tel.: 1-866-444-8838

To find local child welfare services online:

Website:

<http://app.infoaa.7700.gnb.ca/gnb/Pub/EServices/ListServiceDetails.asp?ServiceID1=9355&ReportType1=All>

Advocate



Child and Youth Advocate

Physical address:

548 York Street
Fredericton, New Brunswick
E3B 3R2
Canada

Mailing address:

P. O. Box 6000
Fredericton, NB
E3B 5H1
Canada

Toll-free: 1-888-465-1100

Website: <http://www.gnb.ca/0073/Child-YouthAdvocate/eng.html>

Email: nbombud@gnb.ca

Newfoundland & Labrador

To report suspected child maltreatment

Child Protection Services (Child Abuse) (709)
570-7819
After hours call (709) 570-7819

**To contact the Department of Health and
Community Services**

Confederation Building, 1st Floor West Block
P.O. Box 8700
St. John's Newfoundland
A1B 4J6

**To report child abuse call Child, Youth and
Family Services or contact your local police:**

Eastern Regional Health Authority
(709) 752-4238
After hours call (709) 752-4619

Central Regional Health Authority
(709) 292-1210
After hours call (709) 292-2500

Western Regional Health Authority
(709) 637-2686
After hours call (709) 632-1577

Labrador- Grenfell Health Authority
(709) 896-9170
After hours call (709) 897-2000

For more information:

<http://www.health.gov.nl.ca/health/cyfs/CYFScampaign.pdf>

Advocate

Office of the Child and Youth Advocate
193 LeMarchant Road,
St. John's, NL A1C 2H5
Telephone: (709) 753-3888
TTY: (709) 753-4366
Toll-free: 1-877-753-3888
Fax: (709) 753-3988
Email: office@childand youthadvocate.nl.ca

Nova Scotia

To report suspected child maltreatment

Tel.: 1-877-424-1177 or after hours 1-866-922-2434

Website:

<http://www.gov.ns.ca/coms/families/abuse/>

If you suspect that a child is being abused or neglected, please contact the child welfare agency in the area where the child lives. It is best if you contact the agency by telephone or in person.

To find the child welfare agency in your area, please contact the Agency or District Office of the Department of Community Services



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nearest you for more information.

There are twenty child welfare agencies throughout the province: nine are Community Services' district offices and eleven are privately run societies/family and children's services agencies. The Mi'kmaq Family and Children's Services Agency provides services for native families living on reserves.

To contact the Nova Scotia Department of Community Services:

Tel.: 1-877-424-1177 or 902-424-3202

To find local child welfare services

Website:

<http://www.gov.ns.ca/coms/departement/contact/FindLocalOffices.html>

Advocate

Nova Scotia Office of the Ombudsman - Youth Services

5670 Spring Garden Road, Suite 700
PO Box 2152
Halifax. NS B3J 3B7

Direct telephone:

General Line: 902.424.6780, toll free in Nova Scotia 1.800.670.1111

Youth Line: 902.424.7223, toll free in Nova Scotia 1.888.839.6884

Fax: 902.424.6675

Website: www.gov.ns.ca/ombu

E-mail: ombudsman@gov.ns.ca

Northwest Territories

To report suspected child maltreatment

Contact local services. In Yellowknife, call 867-

873-7276 or 867-873-1929 after hours.

Tel.: HELP Line 867-920-2121

To contact the Department of Health and Social Services

Department of Health and Social Services
Government of the Northwest Territories
Box 1320 Yellowknife, NT X1A 2L9

Phone: (867) 873-7046

Fax: (867) 873-7706

Website: <http://www.hlthss.gov.nt.ca/>

Website:

http://www.hlthss.gov.nt.ca/english/social_services/default.htm

Recognizing Indicators of Child Abuse and Neglect

Link to brochure:

<http://www.hlthss.gov.nt.ca/english/publications/publicresult.asp?ID=203>

Advocate

The Northwest Territories does not have a Children's Advocate Office. Concerns should be directed to the appropriate Health and Social Services Authority and, if required, to the Department of Health and Social Services.

Crisis Telephone Line

Call collect from anywhere in the NWT for help with personal problems.

867-872-4133

Toll free 1-877-872-5925

Nunavut

To report suspected child maltreatment:

In Iqaluit: Call Iqaluit Dispatch at (867) 979-5650 and ask to have the on-call social worker contact you.



In all other Nunavut communities: Contact your local social work office, health centre or the local community RCMP.

In areas outside of Nunavut jurisdictions, contact your local CAS or police agency to report.

To contact the Nunavut Department of Health and Social Services:

Government of Nunavut, Health and Social Services

PO Box 1000, Sta. 1000
Iqaluit, NU X0A 0H0
Ph: (867) 975-5700
Fx: (867) 975-5799.

Website: <http://www.gov.nu.ca/health/>

Advocate

The territory of Nunavut does not have a Children's Advocate at the present time. Please contact the Director of Child Welfare, Norman Murray

Tel: (867) 975-5750
Email: nmurray@gov.nu.ca
Fax: (867) 975-5722

or the Child Welfare Specialist

Tel: (867) 975-5715
Email: aojah@gov.nu.ca
Fax: (867) 975-5722

Ontario

To report suspected child maltreatment

Call your local children's aid society listed in the telephone book emergency pages, or your local police. There are 53 local Children's Aid Societies in Ontario. To locate the one for your

area, and the telephone number for it, click on this link:

<http://www.oacas.org/childwelfare/locate.htm>

To contact the Ministry of Children and Youth Services

Telephone Toll Free: 1-866-821-7770
TTY: 1-800-387-5559

Ministry of Children and Youth Services

ServiceOntario INFOline

M-1B114, Macdonald Block

900 Bay Street

Toronto ON M7A 1N3 Canada

Website:

http://www.gov.on.ca/children/english/programs/child/protection/STEL02_179715.html

To find local child welfare services

Call the Ontario Association of Children's Aid Societies at 416-987-7725

Website: <http://www.oacas.org/>

Advocate

Office of the Provincial Advocate for Children and Youth

250 Davisville Avenue, Suite 503, 5th Floor

Toronto, Ontario M4S 1H2

Phone: (416) 325-5669

Toll-free: 1-800-263-2841

Fax: (416) 325-5681 TTY: (416) 325-2648

Email: advocacy@idirect.com

Website:

<http://provincialadvocate.on.ca/main/en/about/aboutus.cfm>

Prince Edward Island

To report suspected child maltreatment

Tel.: 1-800-341-6868 or 911 or call local police or child and family services (below).

Website:



<http://www.gov.pe.ca/infopei/index.php3?number=20625>

To contact the Department of Social Services and Seniors' Child and Family Services

Montague Office:
Tel: (902) 838-0714
Email: jsrobertson@ihis.org

Souris Office:
Tel: (902) 687-7015
Email: sdwilliams@ihis.org

Summerside Office:
Tel: (902) 888-8087
Email: jmmurray@ihis.org

Charlottetown Office:
Tel: (902) 368-5337
Email: jmrobertson@ihis.org

Advocate

Prince Edward Island does not have a Children's Advocate Office. Concerns should be directed to the appropriate office of child and family services.

Quebec

To report suspected child maltreatment

Telephone: 1-866-532-2822 or 1-800-263-2266 (French only)

After hours or emergencies: telephone: 8-1-1

For services in English on the island of Montreal, call Batshaw Youth and Family Centres at (514) 935-6196.

Contact local Centre jeunesse (Child Protection Centre). Website: <http://www.acjq.qc.ca/>

To find out more about the process of filing a report:

<http://publications.msss.gouv.qc.ca/acrobat/f/documentation/2008/08-838-01A.pdf>

To find local child welfare services

Website:
http://www.msss.gouv.qc.ca/en/reseau/info_sante.php

Sexual Assault Assistance:

Website: <http://www.agressionsexuelle.com/>
Crime Victims Assistance Centre (CAVAC):

Telephone: 1-866-532-2822

Website:
<http://www.cavac.qc.ca/english/index.html>

To contact the ministry:

Website:
www.xml.gouv.qc.ca/courriel/index_en.asp?s=38

Monday to Friday, from 8:30 a.m. to 4:30 p.m.

Québec City area: 418-644-4545

Montréal area: 514-644-4545

Elsewhere in Québec : 1-877-644-4545 (toll free)

Deaf and hearing impaired line:

Montréal : 514-873-4626

Elsewhere in Québec : 1-800-361-9596 (toll free)

To find local child welfare services

Contact local Centre jeunesse (Child Protection Centre). Website: <http://www.acjq.qc.ca/>

Advocate

Commission des droits de la personne et des droits de la jeunesse (services in English)
360 Saint-Jacques St. (2nd floor)



Montreal, Quebec H2Y 1P5
Tel.: 514-873-5146 or
1-800-361-6477 outside Quebec
Fax: (514) 873-2373
E-mail: sylvie.godin@cdpdj.qc.ca
Website: <http://www.cdpdj.qc.ca/>

Saskatchewan

To report suspected child maltreatment

Saskatoon - City: (306) 933-6077
Saskatoon - Rural: (306) 933-5069 or
1-800-274-8297
Regina: (306) 787-3760
Kids Help Line: 1-888-668-6868
Police emergency: 911
Little Warriors website:
http://www.littlewarriors.ca/where_to_get_help/map/saskatchewan.html?P=Saskatchewan#moose%20Jaw

For an overview of child protection laws and the role of Child and Family Service agencies in Saskatchewan:

Website:
<http://www.plea.org/freepubs/cps/cps.pdf>

To contact the Child and Family Services

Division of Social Services:

1920 Broad Street,
Regina, SK S4P 3V6
Telephone: (306) 787-7010
Fax: (306) 787-0925
Website:
<http://gtlds.gov.sk.ca/gtlds.cgi?show=Branch&organizationCode=GOV&organizationalUnitCode=SSCFSD#OUFOCUS>

or select

First Nations and Metis Services

Telephone: (306) 787-3949

Revision 2:1, 12/31/2008 by ICFC

Revision 3.1, 12/01/2012 by FGCC

Children's Services

Telephone: (306) 787-2245
Family Support and Child Protection
Telephone: (306) 787-0008

Advocate

Children's Advocate Office
315 25th Street East
Saskatoon, SK S7K 2H6
Tel.: 1-800-322-7221 or
306-933-6700 outside Saskatchewan
Fax: 306-933-8406
Website: www.saskcao.ca
Email: childadvocate@saskcao.ca

Yukon

To report suspected child maltreatment

Tel.: 867-667-3002 or
1-800-661-0408, local 3002 (24 hours)
Website:
http://www.hss.gov.yk.ca/programs/family_children/child_abuse/

To contact the Department of Health and Social Services, Family and Children's Services:

Tel.: 867-667-3002
Website:
http://www.hss.gov.yk.ca/programs/family_children/child_protection/

To find local child welfare services

Tel.: 867-667-3002
Website:
http://www.hss.gov.yk.ca/programs/family_children/child_protection/
Website:
http://www.littlewarriors.ca/where_to_get_help/map/yukon.html?P=Yukon#dawsonCity

Yukon Child & Youth Advocate Office

Tel.: 867-456-5575



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Appendix 6 Cont.

Fax: 867-456-5574

Website: www.ycao.ca

Yukon Ombudsman

Post Office Address:

Box 2703

Whitehorse, Yukon Y1A 2C6

Physical Address:

211 Hawkins Street

Suite 201, Whitehorse

Tel.: 1-800- 661-0408 x 8468 or locally 867-667-8468

Fax: 867-667-8469

Email: email.ombudsman@ombudsman.yk.ca

Website: http://www.ombudsman.yk.ca/ombudsman/omb_index.html

A FACT SHEET FROM THE
DEPARTMENT OF JUSTICE CANADA

CHILD ABUSE

WHAT IS CHILD ABUSE?

The term "child abuse" refers to the violence, mistreatment or neglect that a child or adolescent may experience while in the care of someone they either trust or depend on, such as a parent, sibling, other relative, caregiver or guardian. Abuse may take place anywhere and may occur, for example, within the child's home or that of someone known to the child.

There are many different forms of abuse and a child may be subjected to more than one form:

Physical abuse may consist of just one incident or it may happen repeatedly. It involves deliberately using force against a child in such a way that the child is either injured or is at risk of being injured. Physical abuse includes beating, hitting, shaking, pushing, choking, biting, burning, kicking or assaulting a child with a weapon.¹ It also includes holding a child under water, or any other dangerous or harmful use of force or restraint. Female genital mutilation is another form of physical abuse.

Sexual abuse and exploitation involves using a child for sexual purposes. Examples of child sexual abuse include fondling, inviting a child to touch or be touched sexually, intercourse, rape, incest, sodomy, exhibitionism, or involving a child in prostitution or pornography.²

Neglect is often chronic, and it usually involves repeated incidents. It involves failing to provide what a child needs for his or her physical, psychological or emotional development and well being. For example, neglect includes failing to provide a child with food, clothing, shelter, cleanliness, medical care or protection from harm.³ Emotional neglect includes failing to provide a child with love, safety, and a sense of worth.

Emotional abuse involves harming a child's sense of self. It includes acts (or omissions) that result in, or place a child at risk of, serious behavioural, cognitive, emotional or mental health problems. For example, emotional abuse may include verbal threats, social isolation, intimidation, exploitation, or routinely making unreasonable demands. It also includes terrorizing a child, or exposing them to family violence.

An abuser may use a number of different tactics to gain access to a child, exert power and control over them, and prevent them from telling anyone about the abuse or seeking support. A child who is being abused is usually in a position of dependence on the person who is abusing them. Abuse is a misuse of power and a violation of trust. The abuse may happen once or it may occur in a repeated and escalating pattern over a period of months or years. The abuse may change form over time.



HOW WIDESPREAD IS CHILD ABUSE IN CANADA?

It has been difficult to obtain a complete picture of child abuse in Canada because it often remains hidden. Most provincial and territorial child welfare laws require those (including professionals and members of the public) who suspect that a child is being maltreated to make a report to the appropriate child welfare authority. Yet many cases of child abuse remain undisclosed, either because a child does not, or cannot, tell anyone what has happened to them, or because no one reports the abuse to the authorities.

A child who is being abused may endure the abuse for a long time before telling anyone what is happening. Some victims never tell anyone about what they have experienced.

There are many reasons why abuse may remain hidden. For example, an abuser may manipulate, bribe, coerce or threaten a child (or someone they love) to prevent them from telling anyone about the abuse. Depending on their age and stage of development, a child may not be able to communicate what has happened to them, or they may fear they will not be believed. They may be convinced that the abuse is their fault and, if they tell anyone about it, they will be punished. They may fear that they or the abuser will be removed from the home, or suffer other consequences. They may feel ashamed and want to keep the abuse (and related family problems) secret to avoid being stigmatized or have their sexual identity questioned.

A child who is being abused is usually in a position of dependence on the abuser. The power imbalance between the child and the abuser often increases the burden of disclosure. Children who are sexually abused, for example, may not tell anyone for a long time, or ever. Many children who experienced abuse while living in special needs institutions, child welfare facilities, youth detention facilities, and residential schools for Aboriginal children are only now, as adults, reporting the abuse.

Individuals who witness or suspect that a child is being abused may not report it because they:

- want to avoid the demands of becoming "involved"
- have personal views which condone the use of physical punishment believe that the abuse is not "serious", especially if the child does not have visible or severe injuries
- believe that reporting the abuse to the authorities is not in the child's best interest
- believe that reporting may not solve the problem because, for example, there may be a lack of appropriate services to help the child
- lack knowledge about the signs and symptoms of abuse
- not understand their responsibility to report abuse
- not know that they can report to child welfare agencies, provincial or territorial social services departments or police departments, or
- not know that a report can be made anonymously, and that there are no legal consequences, unless the report is false and is made maliciously.



Although many cases of abuse are still not reported to either police or child welfare authorities, data from police reports and child welfare authorities is still the most important source of information about child abuse. A recent study, the Canadian Incidence Study of Reported Child Abuse and Neglect (CIS) estimated the extent of child abuse in Canada based on data from child welfare authorities.⁴ The CIS is an important milestone in providing a national picture of child abuse. This study collected information about more than 7,000 child welfare investigations conducted across the country during a three-month period in 1998. Based on this data, the CIS estimated that there were 135,573 child maltreatment investigations in Canada in 1998 - a rate of almost 22 investigations for every 1000 children in Canada. Child welfare workers were able to confirm that the abuse had occurred in almost half (45%) of all cases.⁵

The key findings of the CIS include⁶:

Physical abuse: In 1998, about one third (31%) of investigations involved physical abuse as the primary reason for the investigation. Physical abuse was confirmed in about one third (34 %) of these investigations, a rate of 2.25 cases of confirmed physical abuse for every 1,000 children in Canada.

Sexual abuse: One in ten (10%) investigations in 1998 involved sexual abuse as the primary reason for the investigation. Sexual abuse was confirmed in more than one third (38%) of these cases, a rate of 0.86 cases per 1,000 children.

Neglect: Neglect was the primary reason for investigation in 40% of all cases in 1998. Neglect was confirmed in 43% of these cases, a rate of 3.66 cases per 1,000 children.

Emotional maltreatment: In 1998, 19% of all investigations involved emotional maltreatment as the primary reason for the investigation. Emotional maltreatment was confirmed in more than half (54%) of these cases, a rate of 2.20 cases per 1,000 children.

In addition to the CIS findings, the 1999 General Social Survey on Victimization (GSS) provides additional information on the extent to which children are exposed to family violence. The GSS found children in approximately half a million households had either heard or witnessed a parent being assaulted during the five years prior to the survey.⁷

WHAT FACTORS CONTRIBUTE TO CHILD ABUSE?

There is no single, definitive cause of child abuse, and any child - regardless of age, gender, race, ethnicity, cultural identity, socioeconomic status, spirituality, sexual orientation, physical or mental abilities or personality - may be vulnerable to being abused. Child abuse is a complex problem and there are many different contributing factors (individual, familial, social). Many experts believe that child abuse is linked to inequalities among people in our society and the power imbalance between adults and children. A child is usually in a position of dependence on his or her abuser, and has little or no power compared to the abuser.

There is increasing understanding that a child's vulnerability to abuse may be increased by factors such as dislocation⁸, colonization⁹, racism, sexism, homophobia, poverty and social isolation.¹⁰ For



example, in the past, many children sent to institutions experienced abuse. Most of these children were from marginalized groups in our society including, among others, children with disabilities, children from racial and ethnic minorities, Aboriginal children and children living in poverty.¹¹

There are also factors that may increase a child's vulnerability to being abused – or compound the effects of abuse. For example, a child's caregivers may experience barriers that prevent them from acquiring the necessary skills, resources and supports to prevent abuse, or they may lack access to the services and supports they need to address it.

WHAT ARE THE CONSEQUENCES OF CHILD ABUSE?

Child abuse has devastating consequences for victims. Depending on its form(s), duration and severity, abuse may affect every aspect of a child's life; it may have consequences that are psychological, physical, behavioural, academic, sexual, interpersonal, self-perceptual or spiritual.¹² The effects of abuse may appear right away, or surface only in adolescence or adulthood. Further, the effects may differ according to the nature of the response to the abuse, and whether the abuse was disclosed or reported. In some cases, the consequences are fatal.¹³

Girls and boys are affected differently by abuse. Compared to boys, girls are more likely to internalize their response to violence, and experience, for example, suicidal ideation, eating disorders, low self-esteem and psychological disorders. Boys are more likely to externalize their response to violence, displaying, for example, increased aggression, delinquency and spousal abuse. Boys who have been exposed to violence in their homes are more likely to be violent in their adolescent and adult relationships than boys not exposed to violence.¹⁴

PREVENTING AND RESPONDING TO CHILD ABUSE

In Canada, child welfare laws require that all cases of suspected child abuse must be investigated to determine if a child is in need of protection. If a child is determined to be in need of protection, the child welfare authorities may respond by, for example, providing counseling and support for the family, removing the child (temporarily or permanently) from the home, or removing the abuser(s) from the home. Criminal sanctions may also apply in cases of sexual or physical abuse.

Since the 1960s, significant steps have been taken to address child abuse in Canada¹⁵ including, for example:

- the introduction of mandatory reporting laws
- the creation of child abuse registries
- changes to the *Criminal Code* and the *Canada Evidence Act* (see Reforming the law and enhancing its implementation);
- the extension of time limits for laying charges in child sexual abuse cases,
- the establishment of child protection agencies run by First Nations.



Further, since the landmark reports by Badgley (1984)¹⁶ and Rogers (1990)¹⁷, legislation to address child sexual abuse has been created and efforts to address the sexual exploitation of children are ongoing. Following the 1996 report of the Royal Commission on Aboriginal Peoples¹⁸, the federal government acknowledged its role in the occurrence of physical and sexual abuse in residential schools, and implemented a community-based healing strategy for Aboriginal communities (Gathering Strength).¹⁹

Given the extent of child abuse in Canada - as well as the complexity of this issue and its enormous impact - effectively preventing, identifying and responding to child abuse is an enormous but essential task. Addressing this issue requires the ongoing commitment and collaboration of community members, practitioners, and policy makers across Canada. Community supports and services for victims and their families are essential.

The Department of Justice Canada and its partners - including non-governmental organizations, provincial and territorial governments and the private sector – are actively involved in addressing child abuse issues through legal reform, public and professional education, research and support for programs and services. Some of this work is linked to the Department's participation in the federal government's current Family Violence Initiative which focuses on violence against women and children that occurs in the home, while other areas of activity are linked to other initiatives including, for example, the National Children's Agenda, the Aboriginal Justice Strategy, and the National Strategy on Crime Prevention and Community Safety.

Reforming the Law and Enhancing its Implementation

In Canada's child welfare system, the provinces and territories are responsible for providing the care and services necessary to ensure children's welfare and safety. The federal government is responsible for ensuring that, as far as possible, the *Criminal Code* provides protection for children from extreme forms of abuse, neglect and exploitation. For example, child abusers may be charged under the *Criminal Code* for assaulting children.

In recent years, the *Criminal Code* has been amended to create new criminal offences relating to child sexual assault, to specifically include female genital mutilation in the aggravated assault provision, and to amend the provisions on child sex tourism. Currently, Bill C-15 proposes legislation to protect children from sexual exploitation by criminalizing a number of specific actions including luring children on the Internet; transmitting, making available, or exporting child pornography on the Internet; or intentionally accessing child pornography on the Internet. Sentencing provisions are also to be strengthened. Bill C-15 also proposes measures to make it easier to prosecute people involved in child sex tourism.

Federal law also seeks to protect child witnesses. For example, recent amendments to the *Canada Evidence Act*, which define the forms of evidence that may be admitted in court, allow children,



depending on their age and the type of offence involved, to be accompanied by a support person when they testify in court. Further, children can no longer be cross-examined by an accused; they may be allowed to provide testimony outside the courtroom or behind screens; and a videotape may be admitted as evidence, in lieu of a child's in-person testimony.

As part of the Children as Victims Project, the Department of Justice Canada is conducting a comprehensive review and consultation with its provincial/territorial partners and the public to determine the need for further reforms to criminal law and policy, particularly with respect to specific offences against children, children's testimony, and sentencing.

The Project is exploring:

adding new child-specific offences to the *Criminal Code*: other child-specific offences under review include: criminal physical abuse of a child, criminal neglect of a child, criminal emotional abuse of a child, child homicide, and failing to report suspected crimes against children.

ensuring that the *Criminal Code* provisions concerning age of consent are appropriate. The areas under review include raising the general age of consent to sexual activity, and a possible amendment to ensure that a child victim's apparent consent cannot be used as a defence.

ensuring that the *Criminal Code* contains sentencing provisions to better protect children. Possible modifications currently under review include provisions to: specifically emphasize the importance of denunciation and deterrence of crimes against children; provide the courts with additional tools to require longer-term supervision and mandate the availability of treatment for offenders who pose a continuing danger of re-offending against children; recognize the frequency and seriousness of child abuse in the home and at the hands of parents and caretakers; (recognize that in cases involving familial child abuse or breach of trust, it is not unusual for the offender to be "of previous good character" or to lack a prior criminal record, and accordingly the courts should place less emphasis than usual on these factors when sentencing offenders in such cases; and require the courts to emphasize the emotional and psychological harms caused to children in assessing the gravity of the offences and the conduct involved.

improving the experience of child witnesses and facilitating their testimony in criminal proceedings. Potential changes under review include: eliminating the required competency hearing for child witnesses; making the use of testimony outside the courtroom or behind screens more widely available; increasing the use of videotaped evidence; changes to the use of hearsay statements; ensuring that delays in the court process do not jeopardize the availability of support for child witnesses; ensuring that supports are available regardless of the type of offence; and ensuring that children are not questioned in ways that are inappropriate to their age and development during cross-examination.



Some of the Department's other areas of activity which impact on the issue of child abuse include: The Supreme Court of Canada has recently upheld the *Criminal Code of Canada's* possession of child pornography provision.

A Federal/Provincial/Territorial Working Group on Prostitution has been addressing the issue of youth involvement in prostitution through research and consultations in most jurisdictions. The Working Group's report on legislation, policy and practices concerning prostitution-related activities was released in December 1998.

The Department is actively involved in international efforts to prevent trafficking in children and child sexual exploitation.

The family law system and the federal *Divorce Act* are also important tools for addressing the issue of child abuse. The Department is consulting with Canadians to determine how the legal system can improve its response to family violence when parents are separating or divorcing, and what changes (if any) should be made to the federal *Divorce Act* to promote child-centred decision-making in situations of violence to ensure the safety of children and others.

Other Strategies to Prevent and Respond to Child Abuse

In addition to reforming the law and enhancing its implementation, the Department of Justice Canada is involved in many other strategies to prevent and respond to child abuse.

Education

Education involves providing children with knowledge about their rights, and teaching them the skills to identify abuse, ask for help, and avoid being re-victimized. Further, parents and caregivers need information and support to help them care for children in a positive and nurturing manner. The Department supports public legal education programs across Canada that educate the public about family violence, including the prevention, identification and reporting of child abuse.

Professional development and resources

Many different groups of practitioners may have contact with children who are abused. Enhancing the awareness and skills of judges, Crown prosecutors, defence lawyers, police, health care workers, social workers, psychologists, and teachers about child abuse enables effective intervention. The Department works with its partners to support specialized training for justice system and law enforcement personnel in order to build a coordinated multi-sectoral, multi-disciplinary response with other systems.

Research, data collection and information sharing

The Department is involved in a number of national-level research and data collection activities related to child abuse that will help to:

- increase knowledge about child abuse and its impacts throughout different stages of life



- improve information exchange between government agencies
- increase the effectiveness of responses to child abuse, and
- enhance services and supports for children.

Support for program and service delivery

Support and intervention for children and families who have experienced abuse, or who are at risk, are essential. The Grants and Contributions fund supports pilot projects to develop, test and assess models, strategies and tools to improve the criminal justice system's response to child abuse. Through the National Strategy on Crime Prevention and Community Safety, the Department supports community-based prevention and intervention programs that address risk factors for child abuse.

SUGGESTED RESOURCES ON CHILD ABUSE

- Alliance of Five Research Centres on Violence. *Violence Prevention and The Girl Child: Final Report*. Research funded by Status of Women Canada, 1999.
- Canada. Canadian Centre for Justice Statistics. *Family Violence in Canada: A Statistical Profile, 2000*. Ottawa: Statistics Canada; Cat. No. 85-224-XPE, 2000.
- Canada. Canadian Centre for Justice Statistics. *Family Violence in Canada: A Statistical Profile, 2001*. Ottawa: Statistics Canada; Cat. No. 85-224-XPE, 2001.
- Canada. Health Canada. *Canadian Incidence Study of Reported Child Abuse and Neglect - Final Report*. Report prepared by Nico Trocmé, Bruce MacLaurin, Barbara Fallon, Joanne Daciuk, Diane Billingsley, Marc Tourigny, Micheline Mayer, John Wright, Ken Barter, Gale Burford, Joe Hornick, Richard Sullivan and Brad McKenzie. Ottawa: Minister of Public Works and Government Services, 2001.
- Canada. Health Canada. *Child Maltreatment in Canada - Canadian Incidence Study of Reported Child Abuse and Neglect: Selected Results*. Report prepared by Nico Trocmé and David Wolfe. Ottawa: Minister of Public Works and Government Services Canada, 2001.
- Canada. Health Canada. *National Clearinghouse Fact Sheets on Family Violence*(series). Ottawa: Health Canada. Available on Internet: <<http://www.hc-gc.gc.ca/hppb/familyviolence/>>
- Canada. Health Canada. *The Consequences of Child Maltreatment: A Reference Guide for Health Practitioners*. Report prepared by Jeff Latimer. Ottawa: Health Canada, 1998[Online]. Available on Internet: <<http://www.hc-sc.gc.ca/hppb/familyviolence/html/98p057eO.html>>
- Dauvergne, Mia and Holly Johnson. "Children Witnessing Family Violence." *Juristat*. 21, 6. Ottawa: Canadian Centre for Justice Statistics, Statistics Canada; Cat. No. 85-002-XPE, 2001.
- Duffy, Ann and Julianne Momirov. *Family Violence: A Canadian Introduction*. Toronto: James Lorimer & Company Ltd. 1997.
- Greaves, Lorraine and Olena Hankivsky. *Selected Estimates of the Costs of Violence Against Women*. London, Ontario: Centre for Research on Violence Against Women and Children, 1995.
- Law Commission of Canada. *Restoring Dignity: Responding to Child Abuse in Canadian Institutions*. Ottawa: Minister of Public Works and Government Services, 2000.

WHERE TO GET MORE INFORMATION ON CHILD ABUSE

Department of Justice Canada Family Violence Web Site
National Clearinghouse on Family Violence



ENDNOTES

- 1 Assault and unlawful confinement are criminal offences in Canada.
- 2 Child sexual assault and sexual exploitation are criminal offences in Canada.
- 3 Failing to provide the necessities of life, such as food or medical treatment, is a criminal offence in Canada.
- 4 Nico Trocme, Bruce MacLaurin, Barbara Fallon, Joanne Daciuk, Diane Billingsley, Marc Tourigny, Micheline Mayer, John Wright, Ken Barter, Gale Burford, Joe Hornick, Richard Sullivan, Brad McKenzie, *Canadian Incidence Study of Reported Child Abuse and Neglect* (Ottawa: Minister of Public Works and Government Services Canada, 2001): 1, 9-10. According to information in this report, it is difficult to provide information on the full extent of child abuse in Canada, due to, for example: underreporting of cases of abuse generally, and varying definitional categories of abuse and reporting requirements in each jurisdiction. In addition to the numbers of unreported cases of abuse, some cases of child abuse, usually those that do not involve family members, tend to be reported only to the police and not to child welfare authorities.
- 5 Nico Trocme, et al. (op cit): xiv.
- 6 Nico Trocme and David Wolfe, *Child Maltreatment in Canada – Canadian Incidence Study of Reported Child Abuse and Neglect: Selected Results* (Ottawa: Minister of Public Works and Government Services Canada): 11-12.
- 7 Data from the 1999 General Social Survey, as reported in: Mia Dauvergne and Holly Johnson, "Children Witnessing Family Violence," *Juristat*, 21, 6 (Ottawa: Canadian Centre for Justice Statistics, Statistics Canada, Cat. No. 85-002-XPE, 2001): 1.
- 8 "Dislocation" means being removed from one's language, culture, family and community. Dislocation is a situation that has affected Aboriginal children who were sent to residential schools, as well as immigrants and refugees to Canada.
- 9 "Colonization" is "that process of encroachment and subsequent subjugation of Aboriginal peoples since the arrival of Europeans. From the Aboriginal perspective, it refers to loss of lands, resources, and self-direction and to the severe disturbance of cultural ways and values." Source: Emma D. LaRoque, *Violence in Aboriginal Communities* Reprinted from the Book "The Path to Healing" with permission from the Royal Commission on Aboriginal Peoples (Ottawa: Health Canada, 1994): 73.
- 10 See: Alliance of Five Research Centres on Violence, *Violence Prevention and The Girl Child: Final Report* (Research funded by Status of Women Canada, 1999): 4-5. See also: Canada. Health Canada, *The Consequences of Child Maltreatment: A Reference Guide for Health Practitioners* (Ottawa: Health Canada, 1998)[Online]. Available on Internet: <<http://www.hc-sc.gc.ca/hppb/familyviolence/html/98p057eO.html>>
- 11 Law Commission of Canada, *Restoring Dignity - Responding to Child Abuse in Canadian Institutions - Executive Summary* (Ottawa: Minister of Public Works and Government Services, 2000): 1-2.
- 12 For detailed information on these consequences, see: Canada. Health Canada, *The Consequences of Child Maltreatment: A Reference Guide for Health Practitioners* (Ottawa: Health Canada, 1998)[Online]. Available on Internet: <<http://www.hc-sc.gc.ca/hppb/familyviolence/html/98p057eO.html>>
- 13 Children and youth are most likely to be killed by members of their own family. Between 1991 and 1999 most child and youth homicides (88%) were committed by parents. Canada. Canadian Centre for Justice Statistics, *Family Violence in Canada: A Statistical Profile* (Ottawa: Statistics Canada; Cat. No. 85-224-XPE, 2001): 16.
- 14 Alliance of Five Research Centres on Violence, *Violence Prevention and The Girl Child: Final Report* (Research funded by Status of Women Canada, 1999): 5-7.
- 15 Ann Duffy and Julianne Momirov, *Family Violence: A Canadian Introduction* (Toronto: James Lorimer & Company Ltd., 1997): 183, and Canada. Health Canada, *Child Abuse: Reporting and Classification in Health Care Settings* (Ottawa: Health Canada, 1998): 3.
- 16 Committee on Sexual Offences Against Children and Youth, *Sexual Offences Against Children in Canada: Report of the Committee on Sexual Offences Against Children and Youth* [the Badgley Report](Ottawa: Supply and Services Canada, 1984).
- 17 Special Advisor to the Minister on Child Sexual Abuse, *Reaching for Solutions: The Summary* (Ottawa: Minister of Supply and Services Canada, 1992)[On-line]. Available on Internet: <<http://www.hc-sc.gc.ca/hppb/familyviolence/html/1reach.htm>>
- 18 See: Royal Commission on Aboriginal Peoples, *People to People, Nation to Nation: Highlights from the Report of the*



Foursquare Gospel Church of Canada

Royal Commission on Aboriginal Peoples. (Ottawa: Supply and Services Canada, 1996) and Royal Commission on Aboriginal Peoples, *The Path to Healing.* (Ottawa: Supply and Services Canada, 1993).

19 Indian Affairs and Northern Development Canada, *Backgrounder: The Residential School System* [On-line] Available on Internet: <http://www.ainc-inac.gc.ca/gs/schl_e.html>