



Town of  
**Saint Andrews**  
New Brunswick, Canada

**POLICY P-23-03**  
**THE TOWN OF SAINT ANDREWS CHILDREN AND VULNERABLE PERSONS**  
**POLICY**  
**DECEMBER 2023**

## 1. INTRODUCTION

The Town of Saint Andrews is fully committed to safeguarding the welfare of all children and vulnerable persons accessing the Town's programs, activities, and events. We all share a responsibility to protect children and vulnerable persons from harm. The Town of Saint Andrews recognizes its responsibility to promote safe environments and practices and to protect children and vulnerable persons from abuse and exploitation.

## 2. POLICY STATEMENT

The Town of Saint Andrews recognizes its responsibility to promote safe practices and to protect children and vulnerable persons from abuse and exploitation.

The Town of Saint Andrews will immediately refer any concerns that a child or vulnerable persons might be abused or at risk of harm to the appropriate child or adult protection authority. In New Brunswick, children and vulnerable adults are protected under the Family Services Act. The Department of Social Development has two authorities dedicated to the protection of children and vulnerable persons: Child Protection Services and Adult Protection Services.

This policy applies to all Town of Saint Andrews personnel, including:

- Staff employed by the Town of Saint Andrews in either paid or unpaid roles.
- Council members
- Participants who join our programs/activities/events
- Project partners and third-party operators who partner with the Town of Saint Andrews

To fulfill the above policy statement, the Town of Saint Andrews is committed to:

- Provide safe environments for children and vulnerable persons.
- Identifying any child or vulnerable person who is suffering, or likely to suffer harm.
- Take appropriate action to see that such children and vulnerable people are kept safe.
- Reviewing and evaluating the implementation of this policy regularly for effectiveness.

## 3. DEFINITIONS

The following terms are used in this policy:

- A **Child** is defined as someone who is under the age of 16 years or disabled children under the age of 19 years.
- A **Vulnerable Person** is defined as a person who due to a medical, mental health or physical condition (diagnosed or undiagnosed), age, and someone who is or may not be able to take care of themselves or is unable to protect themselves against significant harm or exploitation.
- **Child Abuse** can be of a physical, emotional, or sexual nature or neglect. It may consist of just one incident, or it may happen repeatedly. Vulnerable persons also may be at risk of abuse or neglect.
- **Duty of Care** is a legal principle that identifies the obligations of individuals and organizations to take reasonable measures to care for and protect their participants.
- **Duty to Report** is defined under the Family Services Act which sets out what must be reported to a child protection authority or agency. A report must be made immediately if a child is or appears to be suffering from abuse or is at risk of harm. The **Duty to Report** applies to the public and includes special reporting responsibilities for professionals whose work involves children or vulnerable adults.
- **Child in Need of Protection** is defined as a child who is or who appears to be suffering from abuse, neglect, or risk of harm. Anyone who has reasonable grounds to suspect that a child is or may need protection must promptly report the suspicion to a child protection authority (i.e. Child Protection Services).
- **Risk of Harm** is the risk that a child is likely to be physically, sexually, or emotionally abused or neglected.
- **Reasonable Grounds** refers to the information that an average person, using normal and honest judgment, would need to decide to report. It is not the person's responsibility to prove or have proof of abuse; investigation is the role of child protection authorities.
- **Police Records Check (PRC)** is a search of the records held in the information database of a police agency. It may include a check of national, local, and regional police records. Basic types include a Police Criminal Record Check, Police Information Check or Police Vulnerable Sector Check. At the end of the process, a report is issued.
- **Position of Trust** or authority is created when an individual's relationship with someone else has any of the following characteristics: decision-making power; unsupervised access; closeness inherent in the relationship; personal nature of the activity itself.

- **Staff** means salaried, regular, hourly, seasonal, contract, and supply staff.
- **Volunteers** include program volunteers, policy (Board/Committees/Regional Council) volunteers, philanthropy/fundraising volunteers, and student placements.

## 4. ROLES AND RESPONSIBILITIES

The Town of Saint Andrews is committed to promoting safe practices to protect children and vulnerable persons from harm or abuse. While primary responsibility for the protection of children and vulnerable persons from abuse rests with Child Protection Services and Adult Protection Services with the Department of Social Development, all town **staff** and **volunteers** who come into contact with children and vulnerable persons have a duty to help protect them from abuse or risk of abuse.

**4.1 The Town of Saint Andrews Senior Management, Managers, and Supervisors** have additional responsibilities for maintaining safe environments in all facilities and program areas by:

- Ensuring that all staff and volunteers have read, understood, and signed the Town of Saint Andrews Child and Vulnerable Persons Policy Sign-Off form.
- Ensuring that all staff and volunteers who have significant contact with children and vulnerable persons are oriented to child protection policies and procedures **before** they begin their work with children or vulnerable persons.
- Establishing a reporting protocol that complies with provincial child protection legislation.
- Ensuring recruitment and screening including police check and vulnerable sector checks procedures are implemented.
- Ensuring programs are developmentally appropriate and well planned in advance.
- Respond promptly to any complaints, reports, or allegations against staff or volunteers.

**4.2 The Town of Saint Andrews Staff and Volunteers** are expected to abide by this Policy which includes:

- Participating in mandatory, ongoing, and re-fresher training in protecting children and vulnerable persons, duty to report, and reporting process.
- Producing acceptable police records/re-check clearance letters.
- Reporting **immediately** any suspicion of abuse to the appropriate protection agency; Notifying their supervisor or staff contact that a report has been made to a child/adult protection authority while at the same time ensuring that details of the report remain confidential by not disclosing details of the report.

- Contacting police services if a staff or volunteer suspects that a child or vulnerable person's safety is at risk.

### **5. CODE OF CONDUCT FOR THE PROTECTION OF CHILDREN AND VULNERABLE PERSONS**

The Town of Saint Andrews supports and requires all staff and volunteers to observe the following code of conduct, including verbal and non-verbal actions when involved in activities with children and vulnerable persons. Staff and volunteers are required to follow this Code of Conduct which describes good practices and includes practices to be avoided or never sanctioned. The practices outlined below clarify what is and is not acceptable behaviour when working with children and vulnerable persons. By defining what is and is not acceptable behaviour, good practice can be promoted, and the potential for abuse or allegations of abuse minimized.

#### **5.1 Good Practice when interacting with children:**

- Treat all children with respect, dignity, and fairness.
- Make requests in clear terms geared to the child's level. Offer choices if you can.
- Give encouragement, in words or as a smile.
- Ensure the number of adult staff is appropriate to safely conduct and supervise program/activity. This includes but is not limited to, meeting appropriate ratios. Additional staff may be required to keep children safe depending on program activities, group needs, or facility.
- Involve parents whenever possible and reasonable.
- Ensure that the child is not left alone. Contact the parent or guardian if a child is or appears to be under 10 years old and is without adult supervision.

#### **5.2 Good Practice when interacting with vulnerable persons:**

- Treat all people with respect, dignity, and fairness.
- Consider the needs, interests, and wishes of vulnerable persons.
- Presume mental capacity and participation in decision-making.
- Respect the privacy of the persons.

#### **5.3 Practice to be Avoided or Never Sanctioned/Prohibited:**

- When working with a child, avoid being alone or in private or unobserved situations.
- Avoid having 'favourites' when working with children. This could lead to resentment and jealousy by other children and could be misinterpreted by others.
- Do not use your size or authority to intimidate.

- Do not make comments of an improper nature.
- Never verbally or emotionally abuse a child or vulnerable person.
- Never physically harm or engage in suggestive touching of a child or vulnerable person.
- Never exploit financially or in any other way a child or vulnerable person.
- Never invite or allow a child or vulnerable person to visit or stay with you at your home.

### **6. DUTY TO REPORT PROCEDURE FOR SUSPECTED ABUSE AND NEGLECT OF A CHILD OR VULNERABLE PERSON**

In the event that a child or vulnerable person discloses or there are grounds to suspect abuse, the Town of Saint Andrews staff and volunteers will take prompt and **immediate** action. The Town of Saint Andrews staff and volunteers are mandated by provincial law to report any suspected cases of abuse or neglect of any child or vulnerable person to the appropriate authorities for investigation.

#### **6.1 General Procedure:**

- Staff and volunteers of the Town of Saint Andrews will take allegations of abuse seriously.
- The Town of Saint Andrews will ensure that staff and volunteers working with children and vulnerable people are familiar with their duty to report and the procedure for reporting suspected abuse or neglect of a child.
- The Town of Saint Andrews staff and volunteers shall follow duty to report suspected abuse procedures.
- The first priority will be to ensure that no person is exposed to unnecessary risk by taking measures as advised by Child or Adult Protection Services.
- In the event the reported incident involves an allegation against a staff or volunteer, the procedure for responding to an allegation against the Town of Saint Andrews will be followed. See section 8 below for more information.
- A report will be completed in accordance with relevant provincial child or adult protection reporting requirements, and the Association will cooperate with any legal authority involved.
- All information related to a disclosure or allegation of abuse will be treated confidentially. Documentation regarding a report to a child or adult protection authority must not be circulated internally nor given to anyone unless a warrant or subpoena is provided.

## 7. RECRUITING, SCREENING AND TRAINING STAFF AND VOLUNTEERS

The Town of Saint Andrews offers a range of programs to a variety of age groups including children and vulnerable persons.

Proper screening of potential employees and volunteers is essential for matching people with the roles or positions, for ensuring the quality of programs, for maintaining safe environments, and for reducing or eliminating the risk of harm to children and vulnerable persons.

The following general procedures shall apply when recruiting and screening potential staff and volunteers.

- All forms of advertising used to recruit and select staff and volunteers that work with children and vulnerable persons will include a statement that the Town of Saint Andrews offers of employment (or volunteer assignment) are contingent upon the successful completion of a Criminal Record Check and Vulnerable Sector Check.
- All applicants applying to work with children or vulnerable persons will be required to provide a detailed resume to obtain relevant details for the position including prior work experience with children or vulnerable persons.
- Formal interviews in person, telephone, or virtual are conducted, with questions designed to determine suitability for working with children or vulnerable persons for all positions of trust. A minimum of 2 people will sit in for each staff interview.
- A minimum of two reference checks will be completed **before** a staff or volunteer position is offered.
- An acceptable Criminal Record Check is obtained for all staff and volunteers **before starting or on the first day of work**.
- Vulnerable sector screening will be completed for all staff and volunteers, pending approval of local Police or RCMP.
- The Town of Saint Andrews will retain the original copy of all Criminal Records and Vulnerable Sector Checks to ensure the integrity of the document.
- During orientation, new staff and volunteers will be made aware of policies regarding the protection of children and vulnerable persons and the duty to report suspected abuse.

## 8. MANAGING AN ALLEGATION, COMPLAINT OR CLAIM OF ABUSE AGAINST THE

In the event of an allegation, complaint, or claim of abuse against a staff or volunteer of the Town of Saint Andrews, the following procedures shall apply.

## 8.1 Reporting an Allegation of Abuse to a Protection Authority

If a staff or volunteer suspects or receives an allegation or complaint of abuse about another staff member or volunteer, they will follow the procedure for reporting an allegation or suspicion of abuse to the appropriate child or adult protection authority.

The staff or volunteer will notify their supervisor or manager **after** a call to the protection authority has been made. This notification should not include details of the incident, only the name of the staff or volunteer, and child, children, or vulnerable person involved. The senior staff will notify the CAO to ensure that the insurer is notified promptly of the allegation or complaint of abuse against the town.

## 8.2 Information Management

- Staff and volunteers will follow the documentation and information handling procedures required under relevant child protection legislation Child Victims of Abuse or Neglect Protocols.
- A report will be completed in accordance with relevant provincial child protection reporting requirements, and the town will cooperate to the extent of the law with any legal authority involved.
- All information related to disclosure, or an allegation of abuse will be treated confidentially.
- Documentation regarding a report to a child protection authority must not be circulated internally nor given to anyone unless a warrant or subpoena is provided.
- All records related to the allegation or complaint will be retained indefinitely, in a secure envelope and in a locked cabinet until such time as determined by the authorities.

## 8.3 Insurance

Any allegation or complaint of abuse involving a staff member or volunteer must be reported promptly to the insurer, by the **Chief Administrative Officer**. Providing the insurer with prompt notice protects the town's ability to trigger abuse coverage under their insurance policies, in the event a legal demand or claim arises in the future. Liability insurance policies should be kept indefinitely by the Town of Saint Andrews and stored in an accessible and secure location. Retention of insurance policies is important given the historical, long-term nature that characterizes abuse claims.

## 8.4 Crisis Communications

The Town of Saint Andrews shall follow its escalation protocols as part of its proactive emergency response and crisis communication procedures that ensure the following:

- The Senior Management Team is responsible for responding to escalated or critical incidents understand their role in managing major or crisis events.



- Supervisors and staff have easy access to escalation and crisis management policies or protocols.
- Orientation includes review of protocols so that new staff and volunteers understand their role in an emergency or crisis situation.

## 9. CONTACTS AND OTHER RESOURCES

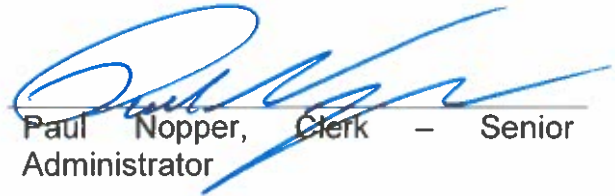
For more information about this policy, staff may speak with their manager or supervisor. The following sources also provide additional information about child protection:

- Resources available online through **Canadian Centre for Child Protection** at [www.protectchildren.ca](http://www.protectchildren.ca); and **Boost Child Abuse Prevention** at [www.boostforkids.org](http://www.boostforkids.org).

Date of Council Approval: Monday, December 11, 2023



Brad Henderson, Mayor



Paul Nopper, Clerk – Senior Administrator





**CHILD AND VULNERABLE PERSONS POLICY SIGN-OFF**

My signature below indicates that I have received, read, and understood the presented Child and Vulnerable Persons Policy. I understand my legal duty to report under the Family Services Act and Child Victims of Abuse and Neglect Protocols of New Brunswick. I understand my personal responsibility and the actions required by me. My supervisor was available and willing to answer any questions I had after reviewing the document.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## APPENDIX "A"

### DUTY TO REPORT SUSPECTED ABUSE PROCEDURE

*All residents of New Brunswick have a DUTY to report suspicions that a child, senior, or vulnerable person may be at risk of abuse or neglect. It is mandatory to report suspected child abuse and neglect of children under the age of sixteen (16), vulnerable persons, and seniors.*

A vulnerable person is defined as a person who by reason of mental illness, developmental disability or delay, other disability, age, illness, or emotional disturbance is or may be unable to take care of himself or herself or unable to protect himself or herself against significant harm or exploitation.

In the event that a child under the age of 16, a vulnerable person, or a senior discloses to a staff member or volunteer, or a staff, volunteer or student placement suspects child abuse or adult abuse, the procedures outlined below must be followed. Supervisors shall ensure that staff, program volunteers, and student placements are aware of their duty to report suspected child abuse to a Child Protection Agency.

#### 1. SUSPECT CHILD, SENIOR, OR VULNERABLE PERSON ABUSE

If you suspect child abuse or adult abuse, you are required to call immediately Child Protections Services or Adult Protection Services at **1-866-441-4340**. The person who suspects the abuse must call him/herself – no one else can help you decide if a report should be made or make the report for you.

- Inform your supervisor or manager of the intention to call Child/Adult Protection Services. They will provide you with support to ensure that you have the privacy and staff coverage required to immediately make the call. You may identify the child/vulnerable person to your supervisor or manager but do not discuss details of the suspicion or any information that has been disclosed to you. Your supervisor should provide support, however, in the event that they do not support you in making the call, you must follow through on your legal responsibility and call Child/Adult Protection Services.
- If your supervisor or manager is not available, you must proceed with the report to the protection agency.

***No staff or volunteer shall advise someone not to report suspicions of child abuse, or adult abuse, nor try to stop the person from reporting or consulting with Child/Adult Protection Services.***

- If you have doubts or concerns about making a report of suspected abuse, call Child/Adult Protection Services and discuss the situation with the on-call Social Worker. Do not discuss your suspicions with anyone else until you have consulted with a child /adult protection worker.

- Reports of suspected abuse or neglect can be made 24 hours a day, 7 days a week. After regular business hours, you will probably have to leave a message with your phone number. An after-hours social worker should call you back soon after. **If you feel a child, senior, or vulnerable person is in immediate danger, do not wait to be called back. Phone the police.**
- Leaving a message with the protection agency is not enough – you must talk to a protection worker to make a complete report. If this is your first time calling Child/Adult Protection Services, let the worker know that you are unfamiliar with the process.

### **When placing a call to a protection agency:**

Provide your full name, your position, the name of the Organization (i.e. Town of Saint Andrews, Youth Centre), and a number where they can reach you, along with the full details to the best of your knowledge of your suspicion(s). Be factual, provide the information that you observed or that was disclosed to you. Do not give a personal opinion. Ask for the name and phone number of the Social Worker or manager you spoke with at the Child/Adult Protection Services.

If any further suspicion of abuse or new information with respect to a child, senior, or vulnerable person occurs, then you must make another report to the child/adult protection agency, regardless of any previous reports.

## **2. SEEKING MEDICAL ATTENTION**

If the child, senior, or vulnerable person has sustained injuries, seek **immediate** medical attention.

If injury is suspected to have been caused by abuse or family violence, **do not** inform the parent/family member of the intention to seek medical care for the child, senior or vulnerable person until you have spoken with a protection worker and have been given clear direction to do so.

If you think the child, senior or vulnerable person is in immediate danger, **call the Police**. Immediately after calling the police, contact Child or Adult Protection Services.

## **3. AVOID DISCUSSING WITH A PARENT/GUARDIAN/FAMILY MEMBER**

Staff and volunteers who suspect abuse or family violence are **not** to disclose their suspicion or intention to call Child/Adult Protection services with the parent/guardian/family member. Disclosing could jeopardize the child, senior, or vulnerable adult or contaminate the investigation. Therefore, **do not** talk with the parent/guardian/family member about your report or suspicion unless you have been directed to do so by a child protection worker.

After consulting with Child/Adult Protection Services and if permitted by the official to notify the parent /guardian/family member, a supervisor or his/her designate will advise

the parent of both the concern for the child, senior or vulnerable adult, and legal obligation to Report Suspicion of Abuse.

**Remember:** A protection Social Worker will guide staff through this process if considered appropriate by Child/Adult Protection Services to speak with the parent or guardian.

#### 4. DOCUMENTATION GUIDELINES

- Documentation must be legible and written by hand by the person who reported the suspected abuse - do not type on a computer. Write with a ballpoint pen, not a marker or felt tip that might smudge or leak.
- Be factual, based on your observations. Do not include or document your personal thoughts about how it might have happened. Include direct observations and indicators to support your statements. You may include what someone else has told you, if it is relevant, and you have recorded who told you the information.
- **Description Details** – Use the *Suspected Child Abuse Reporting Form* (Appendix I). The child abuse reporting form outlines what you need to include when documenting suspected child abuse and your call to a child protection authority. *\*\*If a reporting form is unavailable or you are unable to access a child abuse reporting form at any time, it is very important that you still make a report by calling Child or Adult Protection Services immediately. Then document the report by hand, using a blank sheet of paper, and place the report in a sealed envelope per e) and f) below.*
- Do not make a rough copy and then re-write 'in good'. Your original document is required. If you make a mistake, do not use whiteout. Simply cross it out with a single line.
- Make sure documentation is complete. Sign and date the report. Place the report in a sealed envelope marked CONFIDENTIAL. Ensure that the child or vulnerable adult's full name, date of report, program location, your name, and signature are all displayed clearly on the outside of the envelope.
- Give the sealed envelope to your supervisor who will ensure the envelope is promptly delivered to your manager.

#### 5. IF A STAFF OR VOLUNTEER IS SUSPECTED OF ABUSE

If a staff or volunteer suspects another staff or volunteer of abusing a child, senior or vulnerable adult who participates in a program, he/she will inform their manager of the intention to immediately call Child/Adult Protection Services.

If it is a parent who is making the allegation against staff or volunteer, staff shall inform the parent of the parent's Duty to Report suspected abuse to Child/Adult Protection Services. The supervisor also has a responsibility to call the protection agency. If the

person suspected of abuse is the supervisor, the parent/family should make the call to the protection agency.

A staff or volunteer making the allegation will complete the required documentation as outlined in 4 above.

The person who is suspected of abuse will not be told by anyone about the suspicion, or the intention to report. Only under the direction and consultation with a protection worker is the information to be disclosed by a manager with the alleged person.

The senior staff will notify the CAO to ensure that the insurer is notified promptly of the allegation or complaint of abuse against the Town of Saint Andrews.

### **6. CONFIDENTIALITY**

All information related to disclosure, or an allegation of abuse will be treated confidentially to the extent possible.