

Complementary Information to the Multi-Sectoral Agreement Concerning Children Who Are Victims of Sexual Abuse, Physical Abuse, or Serious Neglect

Information for School Staff

The *Multi-Sectoral Agreement Concerning Children Who Are Victims of Sexual Abuse, Physical Abuse, or Serious Neglect*¹ sets out the commitment between the signatory government ministries and organizations, including the Ministère de l'Éducation, to take concerted action to ensure better protection for children who are victims of abuse or serious neglect when there are reasonable grounds to believe that their safety or their development has been compromised and that a crime has been committed against them.

Objectives of the multi-sectoral agreement

1. Ensuring better protection for children, focused on their best interests
2. Ensuring that targeted situations are processed as a priority
3. Intervening in a concerted and effective manner
4. Limiting the number of times children who are victims must repeat their first-hand accounts
5. Specifying the socio-judicial intervention procedure, and the roles and responsibilities of each partner in the various types of situations
6. Fostering on-going communication of information between the various partners in accordance with confidentiality requirements

The multi-sectoral agreement establishes a socio-judicial intervention procedure for partners and collaborating organizations. In situations covered by the multi-sectoral agreement, educational institutions are called upon to participate in this procedure, as needed. The application of the socio-judicial procedure begins when a report is made to the Director of Youth Protection (DYP) or when a situation is brought to the attention of a police force.

Rights and Obligations

- **Reporting is an obligation** under the *Youth Protection Act* (the Act).
- School staff, in the performance of their duties, have an obligation to report all situations described in the Act.
- The Act protects any person from prosecution when that person, acting in good faith, makes a report or assists a child.
- **The identity of the person who has made the report cannot be revealed without their consent.**
- **Every adult is required to assist and report without delay to the DYP** any situation of sexual abuse, physical abuse or serious neglect pertaining to a child and must not assume that another person has already taken steps to ensure the child's protection.
- Disclosing information to the police does not necessarily mean that there will be a prosecution or criminal conviction.

¹ The terms "assault" and "violence" are generally used in Ministère de l'Éducation publications. This document, which supplements the multi-sectoral agreement, uses the term "abuse" in accordance with the definitions in the *Multi-Sectoral Agreement Concerning Children Who Are Victims of Sexual Abuse, Physical Abuse, or Serious Neglect: Practice Guide*.

Role of School Staff

School and administrative staff have a responsibility to provide a healthy and secure learning environment that allows all students to develop their full potential, free from any form of bullying or violence. A person working in a school environment:

- **must take seriously any allegation or information** suggesting that a child could be a victim of sexual abuse, physical abuse or serious neglect and **immediately report the situation to the DYP**. If there is any doubt about the need to make a report, the person must consult the DYP, who will determine whether a report is appropriate.
- **must not attempt in any way to verify the alleged facts** with the child or the person who is suspected, in order to avoid hindering the police investigation or the DYP assessment.
- must keep confidential any information about the child's situation and provide the child with any necessary assistance and support while awaiting intervention by the DYP or the police.
- may keep confidential the fact that they are reporting the situation to the DYP. The person may also, in confidence, inform the school's administration. In addition to following up with the person responsible for their organization's socio-judicial procedure, this person may have additional information to support the allegation.

Attitudes to Adopt When a Child Discloses a Situation

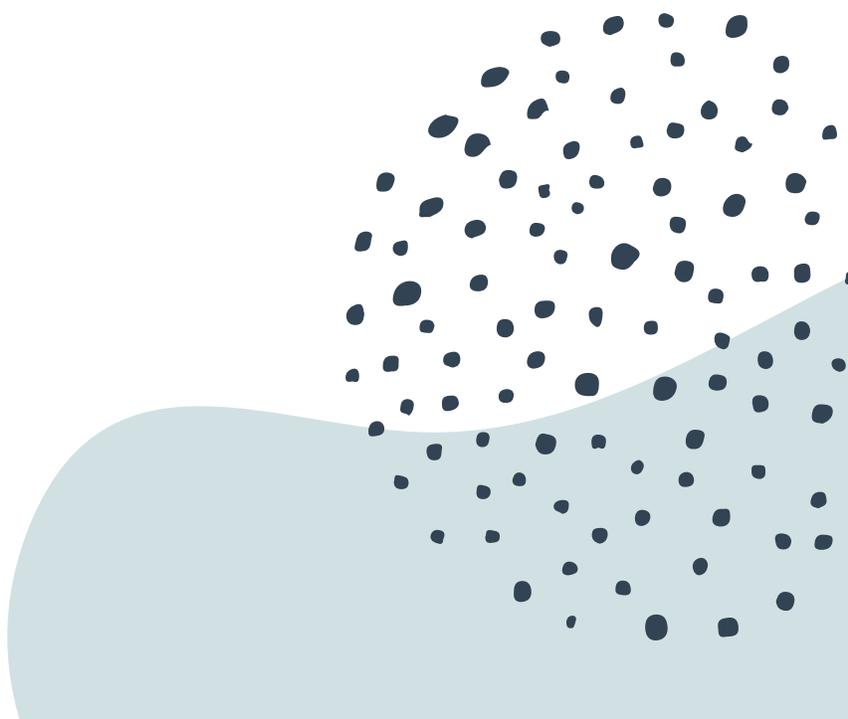
1. Remain calm.
2. A confession or disclosure of information from a child **must be taken seriously**.
3. Let the child tell the story in their own words, with due respect for what they are comfortable saying. Write down what they say as is and avoid questioning them.
4. **Listen, be open and avoid all judgment** of the child or the person suspected to have committed abuse or neglect.
5. **Reassure the child** that they were right to tell you about the situation and thank them for trusting you.
6. **Inform the child that you must share the information with a trustworthy adult in order to help them.**

Information to Share With the DYP When Making a Report

School staff, including staff who are bound by professional secrecy, are legally authorized to communicate confidential information when reporting to the DYP. They must share all the relevant information they have, including:

- the identity of the child
- the identity of the child's parents
- the identity of the person suspected to have committed abuse or serious neglect
- the contact information for these persons
- any relevant information related to the situation that may compromise the child's safety or development and any information aimed at ensuring the child's safety

At this stage, it is important not to question the child, while still paying attention to any other information related to the report. If necessary, **the DYP should be contacted again**.



Details for School Administrators

Among their roles and responsibilities, school administrators must implement and coordinate multiple actions aimed at ensuring the quality of the school climate so that students and staff can develop in a positive, healthy, safe and caring environment. Under the multi-sectoral agreement, school administrators may be required to co-operate, particularly in the event of abuse or serious neglect in an institutional context.

Institutional Context

Under the multi-sectoral agreement, an institutional situation, as it pertains to the education network, is defined as one that occurs in a school setting and involves an adult or a student in a position of authority or trust (e.g. school staff member, coach, assistant coach under 18 years of age) over another student.

If such a situation arises, school administrators, subject to the reporting obligations set out in the Act, must immediately contact the person in their institution who is responsible for applying the socio-judicial procedure set out in the multi-sectoral agreement.

In general, the school must collaborate when a situation warrants it. More specifically, the person designated by the educational institution to apply the socio-judicial procedure will be responsible for collaborating and communicating with the partners and the school administrators, if necessary.

Socio-Judicial Intervention Procedure

The socio-judicial intervention procedure to be followed in situations covered under the multi-sectoral agreement states in detail the roles and responsibilities of each of the partners and collaborating organizations involved. It allows each partner to obtain all the information available and necessary to make informed decisions. The socio-judicial procedure involves five steps:

- 1. Reporting** the situation to the DYP, which may lead to the socio-judicial procedure being set in motion. In this case, the intervention team is composed of a representative of each partner (the DYP, the police and the Director of Criminal and Penal Prosecutions) and, when necessary, of a person representing the school in which the alleged institutional abuse or neglect occurred, i.e. the person designated by their school and responsible for applying the socio-judicial procedure.
- 2. Liaison and planning.** This step makes it possible to start the collaboration and co-operation processes that involve all the collaborating partners and organizations in order to protect the child and respond adequately to their need for assistance.
- 3. Investigation and assessment.** This step makes it possible to verify the allegations and gather elements of proof. The person responsible for the police investigation and the DYP caseworker who is conducting the assessment must coordinate with the partners who are to conduct an administrative investigation before the latter can proceed.
- 4. Decision-making** based on information collected. In the case of an institutional situation, the school is asked to contribute to discussions, regarding both the choice of protective or assistance measures that can be taken with respect to the child who is the victim and any administrative or disciplinary measures that could be taken against the person suspected to have committed the abuse or neglect.
- 5. Action and feedback** with respect to the interventions of each partner according to their areas of responsibility. Providing information at this step ensures consistency between the actions to be taken and any follow-up.