



Child Protection Policy

Policy Statement

Canada Learning Code has zero tolerance for violence, abuse or harassment of any kind, and will be proactive in the prevention of violence, harassment and abuse to keep our youth learners safe. Protecting learners from all forms of abuse and neglect, whether emotional, physical or sexual, is an important element of safety. Canada Learning Code will promote awareness of all forms of abuse and neglect by providing educational materials and training for employees, volunteers and learners. Canada Learning Code expects every employee and volunteer to take all reasonable steps to safeguard the welfare of its learners and protect them from any form of maltreatment.

Application

This policy applies to employees, volunteers, learners, independent contractors and anyone visiting a CLC office or event. Everyone is expected to uphold this policy and work together to prevent youth violence, abuse and harassment.

While youth protection is the responsibility of all adults involved in our programs, compliance with abuse and harassment prevention policy depends on the vigilance of our headquarters (HQ).

The Human Resources team raises awareness of abuse and harassment prevention and creates effective prevention and reporting policies including:

- Ensure that all allegations are reported to the proper authorities.
- Ensure that programs comply with policies
- Establish risk management procedures, including policies and procedures for abuse prevention
- Maintain records of all allegations made

- Ensure proper handling of allegations, according to local laws and chapter policy, and protection of the interests of all involved.
- Review and maintain an archive of all screened volunteers, including applications and the results of criminal background checks and reference checks
- Ensure the conducting of background checks on program volunteers who will have unsupervised access to youth

Definitions

Child Abuse

Child abuse is any form of physical, emotional and/or sexual mistreatment or lack of care which causes physical injury or emotional damage to a child. A common characteristic of all forms of abuse against children and youth is an abuse of power or authority and/or breach of trust. Across Canada a person is considered a child up to the age of 16 to 19 years depending on provincial/territorial legislation [as indicated in the table below](#)

Province	Definition of Minor Child	Definition of Minor for Child Protection Purposes
British Columbia	Person under 19 years	Same
Alberta	Person under 18 years	Same
Saskatchewan	Unmarried person under 16 years	Same
Manitoba	Person under 18 years	Same
Ontario	Person under 18 years	"Child" means a person under the age of 16
Quebec	Person under 18 years	Same
Nova Scotia	Person under 19 years	"Child" means a person under the age of 16
New Brunswick	Person under 19 years	"Child" means a person under the age of 16

Newfoundland	Person under 16 years (youth defined as person who is 16 years or older, but under the age of 18)	Same
Prince Edward Island	Person under 18 years	Same
Northwest Territories	Person under 19 years	"Child" means a person under the age of 16
Yukon	Person under 19 years	"Child" means a person under the age of 16
Nunavut	Person under 19 years	"Child" means a person under the age of 16

Emotional or Verbal Abuse

Incidents in which an adult uses fear, humiliation, or verbal assaults to control the behavior of a young person in their care. Examples include rejecting the young person, preventing them from developing normal social relationships, and making derogatory statements about the youth's race, religion, or personal appearance.

Physical Abuse

Mistreatment of a young person by use of physical contact intended to cause pain, injury, or other physical suffering or harm.

Neglect

Failure to provide (for no apparent financial reason) adequate food, clothing, shelter, or medical care necessary for a youth's well-being.

Sexual Abuse

Engaging in implicit or explicit sexual acts with a young person or forcing or encouraging a young person to engage in implicit or explicit sexual acts alone or with another person of any age of the same or opposite sex. Among the examples of sexual abuse are non-touching offenses, such as indecent exposure or showing a young person sexual or pornographic material. This definition applies to any participant in youth programs.

Misconceptions About Abuse and Harassment

- Sexual abuse is about sexuality. In fact, most sexual abuse and harassment is about power and control.
- Only girls are at risk. Although the majority of victims are girls, boys are also at risk. Some studies have shown that as many as one in six boys under age 16 has experienced unwanted direct sexual contact with an older person.
- Only men are abusers.
- Girls are only at risk from men, and boys are only at risk from women.
- Sexual abuse is always overt.
- Most abusers are unknown to their victims. Most abusers are known and trusted by their victims.

Signs of Abuse and Harassment

Adult leads, mentors, and volunteers should be aware of the following physical and behavioral changes that may be warning signs of abuse:

- Any physical signs of abuse, such as a repeated pattern of injury or an accident for which the explanation doesn't fit the injury
- Changes of behavior, extreme mood swings, withdrawal, fearfulness, or excessive crying
- Fear of certain places, people, or activities; reluctance to be left alone with a particular person
- High levels of anxiety
- Distorted body image, including or resulting in eating disorders, self mutilation, or other related behaviors
- Diminished self-esteem
- Overly aggressive behavior
- Unwillingness to participate in extracurricular activities; difficulties at school
- Repression
- Poor peer relationships; isolation
- Nightmares or night terrors
- Graphic or age-inappropriate knowledge of sex or sexual behavior
- Suicide attempts or gestures
- Obsessive behaviors
- Self-medicating through drug or alcohol abuse
- Problems with authority or rules

These behaviors should be seen as indicators that abuse or harassment may have taken place, and adult leads, mentors, and volunteers should spend time with the young person to find out what is really going on. Active involvement with youth in your care will enable you to observe changes in behavior, which can be a more accurate indicator of abuse than those on the list above, many of which could also be considered “typical teen behavior.” A normally outgoing and confident young person who becomes withdrawn and quiet may have been abused, and the adults involved with the young person should find out why the behavior has changed. Consider arranging a conversation between the young person and a mental health professional who specializes in working with adolescents.

Duty to Report

Abuse and neglect are community problems requiring urgent attention. Canada Learning Code is committed to helping reduce and prevent the abuse and neglect of our learners. We realize that persons working closely with children and youth have a special awareness of abusive situations. Therefore these people have a particular reporting responsibility to ensure the safety of Canada's young, by knowing their provincial protection acts and following through as required. Every province and territory in Canada, except the Yukon, has mandatory reporting laws regarding the abuse and neglect of children and youth; the Yukon requests that concerns be reported. Consequently, it is the policy of Canada Learning Code that any employee, lead, mentor or volunteer who, has reasonable grounds to suspect that a participant is or may be suffering or may have suffered from emotional, physical abuse and neglect and/or sexual abuse shall immediately report the suspicion and the information on which it is based to the local child protection agency and/or the local police detachment. Across Canada a person is considered a child up to the age of 16 to 19 years depending on provincial legislation.

Reporting an Allegation

Protecting the safety and well-being of learners participating in Youth Programs and activities requires that all allegations of abuse or harassment be taken seriously and handled within these guidelines.

To ensure that such allegations are handled properly, the reporting procedures outlined in the next pages should be followed.

Reporting Policy

Arrange for the safety of the learner. The first adult to receive an allegation of criminal abuse and harassment must immediately report this complaint to the authorities.

Contact a member of SLT when an allegation of abuse and harassment is made.

Report every allegation of criminal abuse and harassment to the proper authorities (child protection, social services, or local law enforcement agencies) for investigation.

Notify the youth protection officer.

After an allegation has been made and law enforcement or a child protective agency is conducting an investigation, Program Leads involved should take the following actions:

- Remove any adult against whom an allegation of sexual abuse or harassment has been made from any contact with youth until the matter is resolved.
- Cooperate fully with law enforcement and child protection agencies and not interfere with the investigation.

Most leads, mentors, and volunteers involved in youth programs are not trained professionals with expertise in determining the seriousness or legal implications of an allegation; therefore, they should not decide whether an allegation constitutes abuse or harassment until they have consulted with youth protection service agencies, law enforcement professionals, or a youth protection officer trained in handling allegations of abuse or harassment toward young people.

Canada Learning Code will terminate the participation of any participant who admits to, is convicted of, or is otherwise found to have engaged in sexual abuse or harassment.

If an investigation into a claim of sexual abuse or harassment is inconclusive, additional safeguards still must be put in place to protect both the person named in the allegation and any youth with whom that individual may have future contact. Subsequent claims of sexual abuse or harassment will prohibit the adult from working with youth. A person later cleared of charges may apply to be reinstated to

participate in Youth Programs. Reinstatement is not a right, however, and no guarantee is made that the participant will be reinstated to their former position.

When Law Enforcement is Not Involved

At times, a youth may report being uncomfortable with conduct that does not constitute reportable harassment under local law. Keep in mind that any unwelcome behavior of a sexual nature between a youth and a lead, mentor, or volunteer, even if the student is legally of age, is inappropriate. Program Leads must maintain specific procedures for addressing allegations that do not constitute reportable harassment under local laws. First, Program Leads should put a stop to the inappropriate behavior and take steps to prevent it from occurring in the future. In addition, document all accusations, the steps taken to resolve them so that behavior patterns can be tracked, and the perspectives of all parties involved in the incident. Based on this information, develop policies for addressing patterns of problematic behavior that may emerge.

Appendix A

ABUSE AND HARASSMENT ALLEGATION REPORTING GUIDELINES

Canada Learning Code is committed to protecting the safety and well being of all youth program participants and will not tolerate their abuse or harassment. All allegations of abuse or harassment will be taken seriously and must be handled within the following guidelines. The safety and well being of young people must always be the first priority.

Who Should Determine if it is Abuse or Harassment?

Upon hearing allegations, adults should not determine whether the alleged conduct constitutes sexual abuse or sexual harassment. Instead, after ensuring the safety of the learner, the adult should immediately report all allegations to appropriate child protection or law enforcement authorities. This reporting is required by law.

Team members will not be penalized for reporting an incident or participating in a workplace harassment investigation. Penalizing a worker for exercising their rights under the OHSA is prohibited.

Allegation Reporting Guidelines

Any adult to whom a participant reports an allegation of sexual abuse or harassment must follow these reporting guidelines:

Receive the report

Listen attentively and stay calm. Acknowledge that it takes a lot of courage to report abuse or harassment. Be encouraging; do not express shock, horror, or disbelief. Assure privacy, but not confidentiality. Explain that you will have to tell someone about the abuse/harassment in order to make it stop and ensure that it doesn't happen to others.

Get the facts, but don't interrogate. Ask questions that establish facts: who, what, when, where, and how. Reassure the young person that he or she did the right thing in telling you. Avoid asking "why" questions, which may be interpreted as questioning the young person's motives. Remember that your responsibility is to present the story to the proper authorities. Be cautious of leading questions – be sure to ask open-ended questions so that you do not influence any answers.

Be non-judgmental and reassure. Avoid criticizing anything that has happened or anyone who may be involved. It's especially important not to blame or criticize the young person. Emphasize that the situation was not his or her fault and that it was brave and mature to come to you.

Document the allegation. Make a written record of the conversation, including the date and time, as soon after the report as you can. Try to use the young person's words and record only what he or she told you.

Protect the young person

Ensure the safety and well being of the youth program participant by removing him or her from the situation immediately and preventing all contact with the alleged abuser or harasser. Reassure the youth that this is being done for his or her safety and is not a punishment.

Report the allegations to appropriate authorities — child protection or law enforcement

Immediately report all cases of sexual abuse or harassment — first to the appropriate law enforcement authorities for investigation and then to hr@canadalearningcode.ca for follow through.

Avoid gossip and blame

Don't tell anyone about the report other than those required by the guidelines. Canada Learning Code is careful to protect the rights of both the victim and the accused during the investigation. We maintain the privacy (as distinct from confidentiality) of any accused person.

Do not challenge the offender

Don't contact the alleged offender. In cases of abuse, interrogation must be left entirely to law enforcement authorities. In cases of non criminal harassment, the district governor is responsible for follow-through and will contact the alleged offender after the young person has been moved to a safe environment.

Follow-Up Procedures

The Lead or a member of HQ must ensure that the following steps are taken immediately after an abuse allegation is reported.

1. Confirm that the youth program participant has been removed from the situation immediately and has no contact with the alleged abuser or harasser.
2. If law enforcement agencies will not investigate, the review committee will coordinate an independent review of the allegations.
3. Ensure that the abused or harassed receive immediate support services.

4. Contact the youth's parents or legal guardian.
5. Remove alleged abuser or harasser from all contact with any other young participants in programs and activities while investigations are conducted.
6. Cooperate with the police or legal investigation.
7. Inform Canada Learning Code of the allegation within 12 hours and provide follow-up reports of steps taken and the status of investigations.
8. After the authorities have completed their investigation Canada Learning Code must follow through to make sure the situation is being addressed. Specifically, Canada Learning Code will conduct an independent and thorough review of any allegations of sexual abuse or harassment.

Addressing Allegations

When addressing an allegation of abuse or harassment, the most important concern is the safety of youth. Leads, mentors, and volunteers should not speculate or offer personal opinions that could potentially hinder any police or criminal investigations. Leads, mentors, and volunteers must not become involved in investigations.