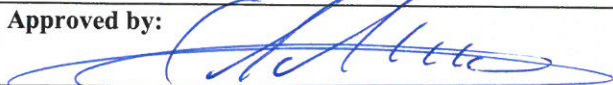




FNIHB-AB Nursing Policy

Section: **Regional Nursing** Policy Number: In Progress
 Subject: **Mandatory Reporting of Child Welfare** Issued: Date
 Distribution: **All Nursing Facilities** Revised:

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| Approved by:  | Effective Date: |
| Director of Nursing, Alberta Region | 25 AUG 2017 |
| Date: | |
| Shawn Grono | |

1. POLICY:

This policy describes the responsibility of health care professionals with regards to the safety and well-being of children.

All regulated health care staff employed by the First Nations and Inuit Health Branch –Alberta Region (FNIHB-AB) will respond to child welfare concerns as mandated under the *Child, Youth and Family Enhancement Act (CYFEA)*:

4(1) *“Any person who has reasonable and probable grounds to believe that a child is in need of intervention shall forthwith report the matter to a director*.”*

1.1 All FNIHB-AB regulated health care staff are mandated, through the *Child, Youth and Family Enhancement Act* to report to a case worker at Child and Family Services Authority office or First Nations Child and Family Services office, any suspicion that there has been or there presently is a substantial risk that a child may be experiencing abuse or neglect or might need intervention. The mandatory reporting applies to any child under the age of 18.

1.2 Based on CYFEA section 4 (6) *“Any person who fails to comply with subsection (1) is guilty of an offence and liable to a fine of not more than \$2000 and in default of payment to imprisonment for a term of not more than 6 months.”*

2. PRINCIPLES:

2.1 The guiding principle surrounding the CYFEA is upholding the safety and well-being of children. The question to ask is “Are there reasonable and probable grounds to believe a child is at risk?” Wherever there is doubt, you must discuss your concerns with a child welfare case worker even if there are no concrete signs or physical evidence of abuse or neglect. The child welfare worker can help determine whether a report is necessary.

2.2 FNIHB promotes holistic perspectives that help protect and promote the health, safety and well-being of First Nations and Inuit. Children are entitled to protection from abuse and harm.



- 2.3 The name of a person who reports pursuant to the *Child, Youth and Family Enhancement Act* shall not be disclosed or communicated to any person without the consent in writing of the Minister of Children's Service.
- 2.4 The Child, Youth and Family Enhancement Act provides that when any person makes a report to Child and Family Services, no action can be taken against the person unless the reporting was done maliciously or without reasonable or probable grounds.

3. DEFINITIONS:

- 3.1 **Abuse:** Refers to any act of maltreatment of a child by a parent or guardian which results in injury or harm. The four main types of abuse are: 1) neglect 2) emotional injury 3) physical abuse 4) sexual abuse.
- 3.2 **Child:** Refers to a person under the age of 18 years and includes a youth unless specifically stated otherwise.
- 3.3 **A child in need of intervention:** As defined by the *Child, Youth and Family Enhancement Act*, a child is in need of intervention if there are reasonable and probable grounds to believe that the survival, security or development of the child is endangered.
- 3.4 **Director:** As defined in the CYFA, a director is designated as a case worker from a Child and Family Services delegated authority.
- 3.5 **Nurse:** Refers to Registered Nurse, Nurse Practitioner, and Licensed Practical Nurse.
- 3.6 **Reasonable grounds:** refers to the information that an average person, using normal and honest judgment, would need in order to decide to report.

4. RELATED POLICIES:

Child, Youth and Family Enhancement Act

5. REFERENCES:

Canadian Nurses Association (2008) *Code of Ethics for Registered Nurses*. Ottawa, ON.
Child, Youth and Family Enhancement Act
Government of Alberta (2005). *Responding to Child Abuse: A Handbook*, Queens Printer, Edmonton.
Government of Canada (2012), *The First Nations and Inuit Health Branch Strategic Plan: A Shared Path to Improved Health*