FNIHB-AB Nursing Policy

Section: **Regional Nursing** Policy Number: In Progress

Subject: **Mandatory Reporting of Child Welfare** Issued: Date
Revised:

Distribution: **All Nursing Facilities**

Approved by:	**Effective Date:**
	25 AUG 2017
Director of Nursing, Alberta Region **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*