

Dufferin Child and Family Services

“Dufferin Child and Family Services, an integrated children's agency, strives to advocate for and provide coordinated, quality services for children, families and individuals. Our primary service focus is on children most in need of counselling, support and protection from abuse and neglect, while supporting families in their central role of caring for and nurturing children.”

Address:	655 Riddell Road Orangeville, ON L9W 3H7
Area served:	County of Dufferin
Accessibility:	Walk-in service provided. Wheelchair accessible.
Hours:	Business hours: 8:30 am – 5:00 pm M, Th, F 8:30 am – 8:30 pm Tues.,Wed. Child protection after hours: 24 hours/day, 365 days/year
Telephone:	(519) 941-1530
Fax:	(519) 941-1525

Services

Dufferin Child and Family Services (DCAFS), Child Protection, provides the following services:

- Legislated by the Child and Family Services Act to complete investigations in circumstances of child abuse and neglect when children are under 16 years of age, including children exposed to domestic violence. The goal is to ensure the protection of children while also supporting the natural family – whenever possible keeping children and parents together.
- Counselling support and alternative placements, such as foster care or treatment foster care when necessary. Such placements provide temporary homes that are safe and stable in a caring environment. The goal is to try to reunite the child with his or her family; however, this may not always be possible.
- Adoption services for children who have become permanent wards of the agency and who are able to benefit from permanent placement with a family.

Dufferin Child and Family Services (DCAFS), Child Protection, will provide the following accountability measures:

1. Confidentiality

In general, Child Protection is not able to share information about a person without their consent, except in certain narrowly defined circumstances.

2. Complaints resolution

The first recourse for concerns regarding the quality, service, decision or conduct of Dufferin Child and Family Services is to ask to speak with the staff member's immediate supervisor/manager by phone or in person.

At any point, however, a person seeking or receiving a Child Protection Service from Dufferin Child and Family services has the right, under provisions of the Child and Family Services Act, to formally make a complaint. Complaints may be directed to an Internal Complaints Review Panel established by the agency.

A person seeking or receiving a Child Protection Service from Dufferin Child and Family Services has a further legal right to seek a review of their complaint from the Child and Family Review Board, established by the Minister under the Child and Family Services Act.

Steps to initiate either a complaint to the Internal Complaints Review Panel or the Child and Family Review Board, can be obtained from Dufferin Child and Family Services.

Responsibilities Re: DART Agencies

Child Abuse Investigation Particularly in Circumstances of Domestic Violence

Children exposed to domestic violence are at risk on two accounts – the harmful consequences of being a witness as well as the frequent co-occurrence of domestic violence and child abuse.

The paramount purpose of the Child and Family Services Act (CFSA) is to promote the best interests and wellbeing of children and protect them from maltreatment, including the effects of domestic violence. Under the Child and Family Services Act, Dufferin Child and Family Services (DCAFS) has the primary responsibility in County of Dufferin to investigate allegations or evidence that children under the age of 16 are in need of protection.

As front-line service providers, Dufferin/Caledon DART agencies have a major role to play in identifying the maltreatment of children, particularly in circumstances of domestic violence. In addition, many DART agencies have partnered with DCAFS, Child Protection, in shared protocols to clarify and coordinate reporting, investigative and legal procedures.

- The Dufferin County Child Maltreatment Investigation Protocol was updated in 2005 from the previous Child Abuse Protocol of 1995 to reflect changes that occurred during this period and coordinate the procedures of different sectors. Aside from DCAFS, Child Protection, signatories include the Crown Attorney, Dufferin OPP, Orangeville Police Service, Shelburne Police Service¹ and Headwaters Health Care Centre.
- The Collaboration Agreement for the Children's Aid Societies and Violence Against Women Agencies of County of Dufferin was developed in 2003 to collaborate in areas where their

¹ Hereafter called "Police."

work intersects. In addition to DCAFS, Child Protection, signatories include Family Transition Place and Catholic Family Services Peel Dufferin.²

Definition of Maltreatment³

Maltreatment will be defined as:

1. Physical harm
 - Physical assault of a child without injury.
 - Non-accidental use of physical force, resulting in physical injury or death.
2. Sexual harm
 - An assault or touching or invitation to touching, in circumstances which violate the sexual integrity of the child victim.
3. Severe neglect
 - The situation or conditions where there is inadequate care and nurturance of a child that could seriously impair her/his emotional or physical health and development.
4. Emotional harm
 - A pattern of negative caregiver behaviours or repeated destructive interpersonal interaction by the caregiver to the child. **Children who witness/are exposed to domestic violence can suffer from emotional harm.**

Duty to Report⁴

1. Duty to Report

Section 72 (1) of the Child and Family Services Act places an expectation on professionals and the public to report a child in need of protection:

"Despite the provisions of any other Act, if a person, including a person who performs professional or official duties with respect to children, has reasonable grounds to suspect one of the following, the person shall forthwith report the suspicions and the information on which it is based to a Society."

2. Ongoing Duty to Report

Section 72 (2) of the Child and Family Services Act states:

"A person who has additional, reasonable grounds to suspect one of the matters set out in subsection (1) shall make a further report under subsection (1) even if he or she has made previous reports with respect to the same child."

² This Collaboration Agreement applies to the residents of Dufferin County only. Peel Children's Aid Society, which serves the residents of Caledon, has led the development of a comparable agreement tailored to the Peel population called The Collaboration Agreement for the Children's Aid Societies and Violence Against Women Agencies of Regional Municipality of Peel, 2003.

³ Information in this document, except that which is specified as the Child and Family Services Act, was adapted from the Dufferin County Child Maltreatment Investigation Protocol, 2005.

⁴ Child and Family Services Act, Revised Statutes of Ontario. September 1, 2000, Chapter C.11, Section 72.

3. Person Must Report Directly

Section 72 (3) of the Child & Family Services Act states:

“A person who has a duty to report a matter under subsection (1) or (2) shall make the report directly to the Society and shall not rely on any other person to report on his or her behalf.”

Definition of a Child in Need of Protection⁵

Section 37 (2) of the Child & Family Services Act states that a child is in need of protection where:

- a) The child has suffered physical harm, inflicted by the person having charge of the child or caused by or resulting from that person's,
 - (i) failure to adequately care for, provide for, supervise or protect the child, or
 - (ii) pattern of neglect in caring for, providing for, supervising or protecting the child;
- b) There is a risk that the child is likely to suffer physical harm inflicted by the person having charge of the child or caused by or resulting from that person's,
 - (i) failure to adequately care for, provide for, supervise or protect the child, or
 - (ii) pattern of neglect in caring for, providing for, supervising or protecting the child;
- c) The child has been sexually molested or sexually exploited, by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child;
- d) There is a risk that the child is likely to be sexually molested or sexually exploited as described in clause (c);
- e) The child requires medical treatment to cure, prevent or alleviate physical harm or suffering and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, the treatment;
- f) The child has suffered emotional harm, demonstrated by serious,
 - (i) anxiety
 - (ii) depression
 - (iii) withdrawal
 - (iv) self-destructive or aggressive behaviour, or
 - (v) delayed development

and there are reasonable grounds to believe that the emotional harm suffered by the child results from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child;

⁵ *Ibid.*, Section 37.

The child has suffered emotional harm of the kind described in subclause (f) (i), (ii), (iii), (iv) or (v) and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to remedy or alleviate the harm;

- g) There is a risk that the child is likely to suffer emotional harm of the kind described in subclause (f) (i), (ii), (iii), (iv) or (v) resulting from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child.

There is a risk that the child is likely to suffer emotional harm of the kind described in subclause (f) (i) (ii), (iii), (iv) or (v) and that the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to prevent the harm;

- h) The child suffers from a mental, emotional or developmental condition that, if not remedied, could seriously impair the child's development and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable to consent to, treatment to remedy or alleviate the condition;
- i) The child has been abandoned, the child's parent has died or is unavailable to exercise his or her custodial rights over the child and has not made adequate provision for the child's care and custody, or the child is in a residential placement and the parent refuses or is unable or unwilling to resume the child's care and custody.
- j) The child is less than 12 years old and has killed or seriously injured another person or caused serious damage to another person's property, services or treatment are necessary to prevent a recurrence and the child's parent or the person having charge of the child does not provide, or refuses to provide, or is unavailable or unable to consent to, those services or treatment.
- k) The child is less than 12 years old and has on more than one occasion injured another person or caused loss or damage to another person's property, with the encouragement of the person having charge of the child or because of that person's failure or inability to supervise the child adequately; or
- l) The child's parent is unable to care for the child and the child is brought before the court with the parent's consent and, where the child is twelve years of age or older, with the child's consent, to be dealt with under this Part.

Determination of Jurisdiction & Investigation Participants

1. DCAFS, Child Protection Services, has the responsibility to investigate the alleged maltreatment of a child by a primary caregiver or a caregiver having charge of the child if the child normally resides within Dufferin County. If the child is currently visiting in Dufferin County, but her/his usual place of residence is elsewhere, the Society holding jurisdiction

over her/his usual place of residence will be contacted. That Society may request assistance from DCAFS.

2. Shelburne Police Service has the responsibility to investigate the alleged maltreatment of a child if the alleged criminal offence occurred within the Town of Shelburne.
3. The Ontario Provincial Police Dufferin Detachment has the responsibility to investigate the alleged maltreatment of a child if the alleged criminal offence occurred within the County of Dufferin, with the exception of the towns of Orangeville and Shelburne.
4. Orangeville Police Service has the responsibility to investigate the alleged maltreatment of a child if the alleged criminal offence occurred within the Town of Orangeville.
5. In the case of domestic violence, Officers will provide a verbal or written referral when a family under investigation has children who are under 16 years of age, whether directly involved or witness to the incident or not.

Receipt of the Report

The Ministry of Children and Youth Services Standards for Child Protection Cases regulates timelines in which a Child Protection Worker must see children of a referral. These timelines range from as soon as possible and within 12 hours of receipt of the referral, to within 48 hours of receipt of the referral to within 7 days of receipt of the referral. The Child Protection Worker in consultation with a Child Protection Manager will determine the timeline that must be followed by the Child Protection Worker, depending on the severity of maltreatment toward the child.

Procedure

1. When a report of alleged maltreatment, either current or historical, is received by DCAFS, the Child Protection Worker will:
 - Obtain and record from the referral person detailed information about the allegations and the relevant parties (i.e., child, family and alleged abuser).
 - Check DCAFS' records regarding the child, family and alleged abuser.
 - Search the Provincial Database to determine whether there is any information on the system about contact between any Society and the child or any member of the child's family or the alleged abuser that may be relevant and record the relevant information concerning the contact.
 - In physical and sexual abuse investigations, search the Child Abuse Register to ascertain if there has been a prior registration. The Worker will contact any child welfare agency, which has previously registered the alleged abuser and record the relevant information.

1. The DCAFS Child Protection Worker will report to the Police all cases of suspected child maltreatment in order to determine if and how a joint investigation should proceed. Although the Police can exercise discretion around their involvement, DCAFS will consult with the Police in all referrals of suspected child maltreatment. Police determination of whether to participate in a joint investigation will be made in accordance with the principles and policies in this Protocol.
2. Upon contacting the Police, the DCAFS Child Protection Worker and the assigned Police Officer (herein referred to as the "Investigative Team") will review the available information and develop an investigative plan. The Investigative Team will negotiate when/where to meet and where to interview the child.
3. If a determination has been made at the time of referral that the child is in a safe setting (such as school or daycare centre), a member of the Investigative Team will contact a staff member of the setting, advise her/him of the investigative plan and ask that the child be kept there until the investigation can commence. All efforts will be made to conduct the interview as soon as possible.
4. The immediate safety of the child must be of primary consideration in any investigation. The potential for the child to be pressured or influenced into not making a disclosure must also be considered.
5. If Police are unavailable and information exists to suggest imminent risk to the child, the DCAFS Child Protection Worker, after consulting with her/his Manager and with the Police, will proceed with the investigation.

Initial Interview of the Child

1. In a joint interview, the Child Protection Worker will ensure protection of the child and the Police Officer(s) will determine if an offence has occurred. The possibility of domestic violence and the threat of harm from the perpetrator will always be considered in the investigative stage.
2. In this first stage, the following principles will be observed to ensure the wellbeing of the child:
 - There will be joint attendance if possible to minimize the number of interviews.
 - The interview will commence with the assumption of the child's ability to be credible. The allegations will be probed, but not through cross-examination.
 - The Investigative Team will proceed on the assumption that the child's report warrants a full investigation, whether or not there is a subsequent denial by the child. Recantation will not be taken as proof that the maltreatment did not occur.
3. When determined necessary by the Child Protection Worker and Police, a videotape/DVD will be used to record the initial and possibly subsequent interviews in an interview room that is conducive to interviewing children.
 - The Police will have charge of owning and preserving the tape - which may be used in criminal or child welfare proceedings - according to their policy.
 - The DCAFS worker will have access to a copy.
 - The Office of the Crown Attorney will - in accordance with Crown policy and law - determine disclosure of the tape to the defense.
4. Photographs will be taken of any injuries.
5. Team members will take detailed and contemporaneous notes throughout the investigation.

Further Investigation

1. The Investigative Team will interview the following persons as soon as possible.
 - Alternate caregiver to assess her/his capacity to protect the child and to secure information for the criminal investigation.
 - Siblings and other children in the care of the alleged offender, who will be interviewed separately and privately and with consideration for possible risk.
 - Other persons to whom disclosure may have been made, including professionals.
2. If the Child Protection Worker suspects or learns of domestic violence, s/he will provide information and referral to the victim, including legal options, that would hold the perpetrator accountable and increase her/his and the children's safety.

Interview of the Alleged Offender

1. The Police Investigators will interview the alleged offender alone and at the earliest opportunity. Thereafter, the Police Investigators will make the fullest possible disclosure to the DCAFS Child Protection Worker.
2. If the DCAFS Child Protection Worker makes contact with the alleged offender and no Police Investigators are present, care will be taken not to discuss the offence until Police Investigators have been briefed.
3. Except where impractical, contact with the alleged offender will take place at the time and in the manner determined by the Police Investigators. Efforts will be made for this contact to take place as soon as possible within the context of the investigation.
4. The DCAFS Child Protection Worker will avoid discussing the incident with the alleged offender prior to the Police Investigators' interview. Once the Police investigation is complete, the Police will advise the DCAFS Child Protection Worker that s/he may now interview the alleged offender in relation to child maltreatment issues.

Protection of the Child

1. In every child protection investigation, an initial safety decision will be made by the Child Protection Worker in consultation with her/his manager. If it is determined that a child has been or is at risk of being harmed, a plan will be developed to decrease the risk.
2. The following factors of domestic violence will be considered throughout all stages of an investigation and assessment:
 - Physical violence or injury to the child in an incident of domestic violence.
 - Willingness and ability of the domestic violence victim to participate in safety planning for the child.
 - History of the nature and types of domestic violence and use of the child in the abuse.
 - Impact of exposure to abuse on the child.
 - If the child is in need of protection from the domestic violence victim.
 - The perpetrator's current status in regard to the criminal justice system.
 - The perpetrator's history of charges, response to previous orders and conditions, history of stalking and access to weapons.
 - The perpetrator's history of acceptance of responsibility and treatment.

3. If the child protection concerns are verified, the Child Protection Worker will observe the following principles in developing a plan:
 - Attempt to work cooperatively and voluntarily with the alternative caregiver to implement a protection plan.
 - Attempt to coordinate service with other involved providers such as Family Transition Place.
 - Assessment of risk if the alleged offender has access to the child.
 - Consideration of the least disruptive course of action, if the child cannot be protected at home.

External Support in Regard to Domestic violence

1. Where the woman and child are residents of Family Transition Place:
 - The agencies will agree on their respective roles and responsibilities and reinforce them in communication with the mother.
 - If consent is given, the DCAFS Child Protection Worker will share the terms and conditions of court orders, history of allegations, plan of care and any other issues that affect a client's residency in the shelter.
 - If consent is not given, the DCAFS Child Protection Worker will relay when an interview with a child will take place, if a child is to be placed in DCAFS' care, if criminal charges have been laid and if there are court orders with terms and conditions of access.
 - Regardless of consent, both agencies will take action to preserve the safety of child and mother when there is a serious threat of harm.
2. The DCAFS Child Protection Worker will refer clients to needed support and counselling programs.
3. Where charges have been laid:
 - The Crown Attorney's Office will coordinate with the Victim Witness Assistance Program to update the domestic violence victim and child on the court process, prepare the witness and provide other services.
 - Police will ensure that the domestic violence victim is notified of the offender's conditions of bail and other court processes.
 - The DCAFS Child Protection Worker will hold the perpetrator accountable by recommending court ordered participation in PAR or other community programs. Fathers should also be instructed by the court to support their children's participation in programs dealing with exposure to abuse.

**We are committed to collaboration within the
Domestic Assault Review Team.**