

CHILD IN NEED OF PROTECTIVE SERVICES AND PROTECTION OF PRIVACY

Background

Division administrators have a responsibility to act in accordance with the "in loco parentis" status required of them through the School Act except in those instances where the Child Welfare Act mandates they do not have this status. The Superintendent expects school administrators to require Child Welfare personnel to clearly identify themselves and to confirm they have the authority of the Child Welfare Act behind them when they require either personal information about a student or access to the student.

Procedures

Intake/Investigation Protocol between Alberta Children & Family Services and Northern Lights School Division No. 69

In keeping with the FOIP Act a protocol is needed to ensure the timely information sharing between schools in the Northern Lights School Division and District Offices of Alberta Child and Family Services. In releasing a student's personal information school staff need to be confident they are releasing information in compliance with the FOIP Act. In order to respond to suspected child abuse Child Welfare Staff need quick access regarding the whereabouts of children. It is important to note this protocol supplements the provincial protocol that speaks to specifics about interviewing children at school.

Basic Premise:

The Child Welfare Act indicates an adult (including a school staff person) can and must disclose information if they have "reasonable and probable grounds to believe that a child is in need of protective services. The Freedom of Information and Privacy Act, Section 40, allows a public body to disclose personal information without consent from the individual in order to follow this Child Welfare requirement.

Responsibilities:

1. ACFS District offices will provide to the schools a listing of all child protection staff who may be calling, by phone, or visiting, in person, one of the schools in their area. This listing will include the names and employee identification numbers of the ACFS staff. An updated list will be provided to the schools when staffing changes occur.
2. Prior to: a) the release of personal information about a student or b) allowing access to a student, the Child Welfare employee requesting the information or access must present photo identification to the Principal or Principal designate of the school.
3. In the case of a telephone request, that is, to confirm whether or not a student is registered at and attending the identified school, the school will ask the child welfare person to state his or her name and employee identification number. If there is doubt as to the credibility or identity of the caller, school personnel will call the child welfare office to confirm the child welfare worker's identity prior to confirming any personal information about the student
4. When, by phone, the student is confirmed as registered and attending the identified school, school personnel will respond to the inquiry with the understanding that the Child Welfare Worker will complete the "Law Enforcement Disclosure Request Form"

or "Child Welfare Disclosure Request Form (appendix 3) and within 3 days mail this signed form to the principal.

1. In the situation where a student is not registered at a school and this is passed along to the child welfare worker, there is no release of personal information and therefore, no requirement for a signed disclosure form.
2. In the event the signed form, as stated in point four, is not received within a week, further requests for disclosure of information via the telephone will not be honoured without the form being filled in *prior* to disclosure of personal information about a student.
3. If personal contact including an interview or investigation with a student at the school site is required, the child welfare worker will sign a personal information disclosure request form and give it to the Principal or Principal designate *prior* to meeting with the student.
4. Facsimile machines shall not be used by either school personnel or Child Welfare staff to request personal information or to exchange personal information about a student.
5. This personal information disclosure request form, in accordance with the student records procedure, shall not become a part of the student's file.

Reference: Section 18, 20, 45, 60, 61, School Act
Child Welfare Act
Section 40, Freedom of Information and Protection of Privacy Act