

CANADA'S ROYAL WINNIPEG BALLET



**CHILD PROTECTION
POLICIES AND PROCEDURES
MANUAL**

CREATED JANUARY 2019

UPDATED DECEMBER 2021

VERSION 2.0

TABLE OF CONTENTS

INTRODUCTION	3
PART 1 – POLICY	4
1. POLICY STATEMENT	4
2. SCOPE	4
3. DEVELOPMENT FRAMEWORK	4
4. CONFIDENTIALITY	5
5. NO RETALIATION	5
6. RISK ASSESSMENT.....	5
PART 2 – PROCEDURES.....	6
1. GUIDELINES TO LIMIT POTENTIAL ABUSE.....	6
2. ABUSE INDICATORS	8
2.1 Emotional Indicators	8
2.2 Physical Indicators	8
2.3 Sexual Indicators.....	8
3. POSITION OF AUTHORITY.....	9
4. GROOMING.....	9
5. EXAMPLES OF CONCERNING ADULT BEHAVIOUR.....	10
6. REPORTING GUIDELINES	11
6.1 Responsibility to Report	11
6.2 Past Abuse	11
6.3 Failure to Report.....	11
6.4 Reporting Procedures	12
7. STAFF MEMBER OR AFFILIATE ALLEGATIONS	13
8. CHILD ALLEGATIONS	13
9. POSSIBLE OUTCOMES OF CFS AND/OR POLICE INVESTIGATION.....	14
9.1 CFS and/or Police Investigations	14
9.2 RWB Investigations.....	14
10. DOCUMENTATION AND RECORD KEEPING.....	15
11. COMMUNICATION.....	15
12. FALSE ALLEGATIONS.....	16
13. ASSISTING VICTIMS OF ABUSE.....	16

14. TRAINING AND EDUCATION	16
15. REFERENCES.....	17
DEFINITIONS	18
The Act	18
Affiliate.....	18
Child	18
Child and Family Services (CFS)	18
Child in Need of Protection	18
Forms of Abuse	18
Abuse.....	18
Emotional Abuse	19
Physical Abuse	19
Sexual Abuse	19
Age of Consent	19
Inappropriate Behaviour.....	19
CODE OF CONDUCT – CHILD PROTECTION	20

INTRODUCTION

Individuals working with children are in a unique position to provide both preventative and intervention services. This role is particularly critical in the area of child protection. Knowledge of indicators of a child that is in need of protection, including child abuse, reporting guidelines and methods for the provision of support are needed by staff working at the Royal Winnipeg Ballet (RWB) and affiliates who access the RWB properties.

This manual is intended to set out guidelines, practices and procedures of the organization to minimize the risk of abuse, in all forms, to children enrolled in RWB programs, participating in performances and activities, and living in the Residence.

The guidelines, practices and procedures outlined in this manual operate in conjunction with the School Advisory Committee and Crisis Management Team Protocols manual.

The contents of this manual refer to current provincial and federal legislation. This manual will be reviewed annually by the School Advisory Committee, in conjunction with Human Resources, and revised accordingly with any changing legislation.

PART 1 – POLICY

1. POLICY STATEMENT

Canada's Royal Winnipeg Ballet (RWB) is committed to the safety, security and well-being of students within its care and control. Claims of inappropriate behaviour and abuse are taken seriously and the RWB will report any suspicions, witnessed incidents or disclosures of abuse to the Child and Family Service agency and/or the Police, in accordance with the Child and Family Services Act.

Students in the care and control of the RWB shall be provided with a safe and secure environment, free from inappropriate behaviour and abuse. Key principles of Child Protection at the RWB include:

- The safety, security and well-being of children and their best interests are fundamental responsibilities of staff and affiliates.
- Children have a right to a continuous learning environment in which they can flourish.
- Children shall be provided with a safe, nurturing and respectful learning environment, free from any inappropriate behaviour or abuse.
- Children are entitled to be informed of their rights.
- Children are provided with preventive and supportive services.
- Interactions with children are transparent.

2. SCOPE

This Policy applies to RWB staff and affiliates which includes Company dancers, volunteers, select contractors, and parents who access the RWB facility and/or access venues external of the RWB. This Policy shall further extend to children who are conducting themselves in a manner contradictory to the RWB School Codes of Conduct or are exhibiting inappropriate behaviours toward other children.

3. DEVELOPMENT FRAMEWORK

The RWB has based policies and procedures on:

- A shared understanding** by staff and affiliates of what constitutes child abuse, in all forms, and how to recognize, respond to and prevent it.
- Staff and affiliate training** to equip staff and affiliates to recognize situations of potential child abuse and inappropriate behaviour and know the response that is expected of them in these situations.
- Clear lines of communication, authority and decision-making** to ensure staff and affiliates have well-defined procedures and a consistent approach for handling any child protection issues.
- Regular review** of the effectiveness of policies and procedures whereby the RWB assesses if any adjustments, additions or improvements are required.
- Openness** about the work at the RWB and how it is conducted. The RWB maintains an environment where child abuse/inappropriate behaviour and protection matters can be raised and addressed.
- Equity and fairness** ensuring that all concerns at all levels of authority are addressed through a consistent and transparent process.
- Dignity and respect** by keeping personal information confidential, and only sharing it when required.
- Coordination** with other organizations that can assist with child protection matters. This can include Child and Family Services, Winnipeg Police and legal counsel.

4. CONFIDENTIALITY

All records of abuse reports, and subsequent investigations, are confidential and will not be disclosed to anyone except to the extent required by law or in the course of an investigation.

Neither the name of the person reporting the facts nor the circumstances surrounding them will be disclosed to anyone whatsoever, unless such disclosure is necessary for an investigation or disciplinary action. Should disclosure be necessary, the dissemination of information will be limited to those that need to know and will follow appropriate protocols.

Furthermore, no one representing the RWB shall speak with the public or the media with respect to a disclosure, allegation or suspicion of abuse unless, and only to the extent, authorized by the organization. Breaches of confidentiality are taken seriously and will be subject to disciplinary action, up to and including termination of employment.

5. NO RETALIATION

The RWB does not tolerate any acts of retaliation against any person who, in good faith, reports information to the RWB, Police, or Child and Family Services, or who gives evidence in legal proceedings regarding child abuse.

Zero tolerance of retaliation ensures that the RWB and its employees will not retaliate against any person, whether by act or omission, or threaten to do so because of anything that has been reported regarding abuse. For the purposes of no retaliation, "retaliation" includes, but is not limited to:

- Disciplining or dismissing a staff member;
- Imposing a penalty upon any person, intimidating, coercing or harassing any person;
- Barring a client, having their child removed from care at the RWB, threatened with expulsion, or in any way subjected to discriminatory treatment (e.g. any change or discontinuation of any service to or care of a child or the threat of any such change or discontinuation). Threatening a child, family member of a client, or guardian of a child with the possibility of retaliation.

6. RISK ASSESSMENT

An annual risk assessment shall be conducted of the environment to identify any issues related to potential abuse that may impact the operation of the organization and will institute measures to control any identified risks to child abuse. This information will be provided to all relevant stakeholders.

PART 2 – PROCEDURES

1. GUIDELINES TO LIMIT POTENTIAL ABUSE

The RWB has various practices in place in its daily operations to limit the potential for abuse and inappropriate behaviour. Examples include, but are not limited to:

- A. One-on-one child interactions are discouraged, unless required under the scope of job duties or at the request of a child. Examples of one-on-one interactions may include, but are not limited to:
 - Rehearsals
 - Transport to an appointment
 - Consultations with children related to medical matters, financial matters, or personal information

Accommodations will always be made should a child request that another person be present or accompany them. Private meetings will be logged.

- B. All doors to studios have windows so that the individuals or activities are observable even when doors need to be closed as per building requirements;
- C. Should a studio door not include a window, doors must remain open at all times;
- D. Individual dance instruction sessions are formally scheduled, or another staff member must be present during the session;
- E. Appropriate standards of professional conduct and boundaries are maintained as set by the RWB Code of Conduct – Child Protection;
- F. Training is provided during the orientation and onboarding process of new employees;
- G. Ongoing training is provided as it relates to Child Abuse or Protection;
- H. Staff directly working with and/or required to supervise children are supervised until copies of completed Criminal Record with Vulnerable Sector and Child Abuse Registry checks, where applicable, are on file with the RWB;
- I. Ensuring all practices reflect care and concern for the child's well-being and dignity;
- J. Children are advised, in advance, that if they feel uncomfortable in their dealings with any staff or other children, to discuss their concerns with a trusted adult within the RWB;
- K. Children are prepared, in advance, of what to expect in class and their dealings with various staff such as teachers, physiotherapists, wardrobe staff;
- L. When possible, children are taught about personal boundaries and inappropriate behaviour, and the importance of reporting when they witness or experience behaviour that makes them uncomfortable.
- M. Guidelines are established regarding the conduct and interactions of photographers and videographers with children; specifically all photographers and videographers are required to do the following as per their Independent Contractor Agreements with the RWB (aka the Company):
 - Provide the Company with a clear Criminal Record Check and a Child Abuse Registry Check;
 - Be accompanied at all times while in RWB buildings, performance venues, or any other extension of the campus by a member of the RWB staff;

- Always have a RWB staff member present when taking photos and/or videos of minors and all School students;
- Wear an identification badge at all times that shall indicate they are an official RWB Photographer and/or Videographer;
- Not reproduce, in any manner, publish or sell the content produced without obtaining an expressed written permission agreement by the Company; and
- All photography and videography sessions must be formally scheduled.

N. Student Care Counsellors are employed for Professional Division students;

O. Professional Division children are provided with direct access to a medical support team within the RWB.

2. ABUSE INDICATORS

Becoming knowledgeable and informed about potential abuse indicators assist staff and RWB affiliates in observing the behaviour of children, recognizing certain signs or symptoms, and understanding the dynamics contributing to the underlying behaviour of a child. The following lists provide common indicators for each form of abuse; however, it is important to note that these are not exhaustive lists. The indicators are to be used to assist staff and affiliates in exercising their own judgement should it be suspected that a child may be in need of protection.

2.1 EMOTIONAL INDICATORS

- Has evidence of self-harm
- Experiences chronic injuries or illnesses
- Displays chronic crying or detached/flat affect
- Shows age-inappropriate behaviour (acts older or younger than their age)
- Has unusually poor social relationships with peers or adults
- Appears overly compliant, passive, undemanding, shy or has episodes of very angry, aggressive behaviour
- Is excessively neat and has an unusual concern for cleanliness
- Demonstrates extreme attention-seeking behaviours
- Fears failure, has overly high standards or is reluctant to play
- Becomes unusually anxious
- Has apparent cognitive or emotional developmental lag
- Experiences severe depression leading to suicidal thoughts and even suicidal attempts

2.2 PHYSICAL INDICATORS

- Has injuries or marks that are unexplained or inadequately explained, including bruises, welts, burns or fractures, especially on lips, gums, mouth, eyes, back, buttocks or back of legs
- Demonstrates aggressive, defiant behaviour or acts out
- Seems anxious or apprehensive of physical contact
- Becomes defensive at having to explain an injury
- Expresses suicidal thoughts or shows self-destructive behaviour
- Wears clothing to cover injuries
- Behaves in either a very demanding, aggressive, disruptive manner or is very withdrawn or compliant
- Seems afraid of a caregiver or other responsible adult, cowers and demonstrates fear of those in authority
- Is afraid to go home or be in certain environments
- Silently or fearfully watches adults

2.3 SEXUAL INDICATORS

- Has unexplained or persistent pain, or itching in the genital area or throat
- Has evidence of genital odour or discharge, bruising, bleeding or swelling of genital, rectal or anal areas
- Exhibits difficulty walking or sitting
- Displays age-inappropriate behaviours, pseudo-maturity or regressive behaviours
- Displays concerning sexual behaviour (excessive masturbation, sexual play, exposing self, exposing others)
- Is reluctant to participate in physical activities or resists undressing or being undressed
- Shows fear in closed spaces
- Is angry, hostile or highly irritable
- Expresses premature or inappropriate understanding of sexual behaviour
- Is excessively curious about sexual matters or genitalia of others or self

3. POSITION OF AUTHORITY

Child abuse most commonly occurs from a position of authority and/or trust someone has over a child. Children often know their abuser and may be fearful of speaking about their abuse due to the power their abuser has over them.

A position of authority means having some "power" over a young person in which there is some exercise of power, influence or control. It does not mean a legal authority or any legal rights over the young person. Examples of a position of authority could be a coach, teacher, counsellor, or babysitter.

A position of trust is being in a role where there is a sense of trust, security or protection given to the young person as a result of the relationship. This is generally tied into the level of influence or persuasion the individual has over the young person. It is important to consider the context of the relationship, the roles of both parties and any difference in status between the parties.

Essentially, when interacting with children, any person to whom they look to for guidance, direction or protection would fall into the category of authority and/or trust.

4. GROOMING

"Grooming" refers to a technique used by an adult or youth to gain the trust of a child and the adults around the child. This technique is used by individuals with a sexual interest in children with the goal of having the child see the individual as a caring adult who they can trust and whose direction they should follow. The individual may also build rapport with the adults around the child so that the individual's relationship with the child is welcomed and encouraged.

Grooming is often a slow and gradual process of building trust and comfort with a child and the adults around the child that later escalates into inappropriate, abusive or unlawful behaviour.

The purpose of grooming is to:

- Manipulate the perceptions of the child and the individuals around them
- Build trust with the child and the adults around them
- Gain prolonged access to the child
- Break boundaries with a child and normalize inappropriate behaviour
- Reduce the likelihood of a child disclosing sexual abuse, and/or the likelihood that the child would be believed if they do disclose abuse
- Coerce the child into believing that they instigated the activity and are in control of it

Grooming may also take place with a group of children sharing similar characteristics: for example, a group of male children of a particular age or a group of blond haired and blue eyed female children.

5. EXAMPLES OF CONCERNING ADULT BEHAVIOUR

The following are examples of behaviours by adults towards children that may be of concern. Not all of these behaviours necessarily constitute an attempt to be sexually gratified by a child. However, these actions can indicate poor and potentially harmful boundaries and/or grooming behaviors.

It is important that staff and affiliates watch for any of the following behaviours of adults who interact with children by paying attention to the frequency, intensity and any combination of behaviours:

- Deliberately walking in on a child who is changing or using the washroom
- Asking or having a child watch the adult change or use the washroom
- ‘Accidentally’ touching genitalia
- Activities that involve the removal of clothing (massage, swimming, etc.)
- Wrestling or roughhousing
- Telling a child sexually explicit jokes
- Telling a child highly personal information of questionable appropriateness for the child’s age
- Asking a child to keep secrets
- Arranging to meet a child outside of regular school hours or outside the regular learning environment
- Teasing a child about breast or genital development
- Discussing sexually explicit information while pretending to teach a child sex education
- Bathing a child or showering with a child
- Showing the child sexually explicit images or pornography
- Looking at or taking pictures of children in underwear, bathing suits, dancewear, etc.
- Making sexual comments or sharing inappropriate stories of sexual activity
- Using physical restraint

6. REPORTING GUIDELINES

RWB staff see and/or interact with children daily and, as such, are often in a position to observe inappropriate behaviour, abuse, and other protection concerns, and to note early warning signs. Children may feel comfortable and trust to disclose incidents of inappropriate behaviour and/or abuse to RWB staff.

6.1 RESPONSIBILITY TO REPORT

Adults often worry that they may be overreacting and misreading a situation, and this may cause them to minimize concerning behaviour they witness or hear about, particularly if the situation involves a child/child interaction. There is also often a fear of damaging a working relationship by raising a concern about a work colleague. It can be hard to believe that a colleague, a youth, or someone met through work duties could harm a child, and it can be tempting to downplay a transgression in the hopes it will not be repeated. These behaviours cannot be ignored, and any concerns are to be immediately raised as per Reporting Procedures.

In Manitoba, regulations under the Child and Family Services Act state:

“Where a person has information that leads the person reasonably to believe that a child is or might be in need of protection, the person shall forthwith report the information to an agency or to a parent or guardian of the child.” Refer to page 18 for the definition of a Child in Need of Protection.

The RWB takes all claims of inappropriate behaviour and abuse seriously and will report any suspected, witnessed or disclosed incidents of abuse to the Child and Family Service agency and/or the Police, in accordance with the Child and Family Services Act.

Investigations of suspected, witnessed or disclosed incidents of abuse shall be conducted by the Child and Family Service agency and/or Police. The RWB shall not interfere with any investigations and shall comply with, and support, any requests during the investigation process.

Remember, it is not the responsibility of RWB staff and affiliates to prove that a child is in need of protection. The responsibility is to report any suspicions, concerns or information that leads the person **reasonably to believe** that a child is or might be in need of protection. It is important to remember that staff members and affiliates should not be discussing their suspicions with the child.

6.2 PAST ABUSE

Sometimes, disclosures are received from children where abuse happened years ago. This situation is handled the same way as an allegation that is received in the present. The Child and Family Service agency will determine whether it should investigate and whether any children are or may be currently at risk. Adults dealing with past abuse are strongly encouraged to give a statement to the Police, who will determine if a possible criminal offence occurred.

6.3 FAILURE TO REPORT

Failure to report by any professional or staff member and affiliates can result in four serious consequences:

1. The child will not receive the protection required and/or may sustain further abuse.
2. The abusive situation is likely to continue to deteriorate, putting the child (and any siblings) at further risk.
3. The professional/staff member and affiliates could face both legal and professional/occupational penalties
4. The professional/staff member and affiliates may face criminal justice repercussions, as it is a legislated requirement in Manitoba for professionals, service providers and members of the general public to report child protection concerns.

6.4 REPORTING PROCEDURES

The following procedures outline the process for reporting suspicions, witnessed incidents, and disclosures of inappropriate behaviour and/or abuse.

1. If the child is in immediate danger, call the Police.
2. Take all reasonable steps to ensure the immediate safety of the child. Attempt to stop or interrupt the behaviour or situation causing concern, to the extent in which it does not unreasonably jeopardize the safety of anyone, especially the child. Steps taken will vary depending upon the situation and the safety concerns that may be applicable.
3. If the identity of the child or other person(s) involved is unknown, make note of any identifiable features or other information that may help to identify them.
4. If information leads you reasonably to believe that the child is or might be in need of protection, place a report directly with a Child and Family Services agency and/or with the Police. Provide the name and contact information of the Division Principal to the intake worker for follow-up.
5. Complete the RWB Child Incident Report Form (see Appendix C) and submit it to a Supervisor or Human Resources immediately.
 - a) If it is a witnessed incident, note any steps taken to stop or interrupt the abuse.
 - b) If a disclosure, objectively document what was said, using the own words of the child. See Appendix B for Disclosure Advice Guidelines.
6. The Supervisor or People Services will immediately notify the School Advisory Committee (SAC); comprised of the School Director, Director of School Operations, Division Principal, Student Care Counsellors, and Head Residence Advisor; upon receipt of the RWB Child Incident Report Form.
 - a) If the allegation is against a member of the SAC, the Artistic Director/CEO will appoint an alternate member.
 - b) If a member of the SAC is in conflict with the nature of the situation, they will recuse themselves and the Artistic Director/CEO will appoint an alternate member.
7. The SAC will convene, within a maximum of 24 hours, to objectively review the situation brought forward and will enact the School Advisory Committee and Crisis Management Team Protocols (SCMT).
 - If information leads the SAC reasonably to believe that the child is or might be in need of protection, a report will be placed with a Child and Family Services agency and/or Police. The individual who brought the situation forward may be asked to sit in on the phone call. Should support be required when placing the call, the individual may seek support from a Supervisor, People Services, or a member of the SAC.

7. STAFF MEMBER OR AFFILIATE ALLEGATIONS

If suspicions or allegations of inappropriate behaviour or abuse are brought forward:

1. If any child cannot be reasonably protected, the alleged staff member may be placed on a paid administrative leave or the relationship of the affiliate may be suspended pending an investigation:
 - a) Should there be no direct contact with any child, no opportunity to be alone with any child and if the SAC, in consultation with the investigating CFS agency (if applicable) has determined that all children in the RWB can reasonably be protected, then the staff member may not be placed on an administrative leave or the relationship of the affiliate may not be suspended.
 - b) If the staff member is not placed on an administrative leave, or the relationship of the affiliate is not suspended, a plan of protection regarding the alleged will be implemented, once developed in consultation with the investigating CFS Agency.
2. Depending upon the situation and the outcome of any investigation, staff members and affiliates may be subjected to:
 - a) An investigation by a CFS Agency and/or the Police
 - b) Criminal charges and/or civil actions
 - c) An investigation conducted by the RWB
 - d) Name placed on the Child Abuse Registry
3. If an external investigation or an investigation conducted by the RWB concludes that a staff member or affiliate of the RWB has caused a child to be in need of protection, the relationship status of the alleged staff member or affiliate will be determined and may result in termination of services, the relationship or employment for cause.

8. CHILD ALLEGATIONS

If suspicions or an allegation of inappropriate behaviour or abuse is brought forward:

1. If any child cannot be reasonably protected, the child or youth who is subject to the allegation may be suspended from programming pending an investigation:
 - a) If the child is not suspended, a plan of protection regarding the child or youth who is subject to the allegation will be implemented, once developed in consultation with the investigating CFS Agency.
2. Children and youth may be subjected to:
 - a) An investigation by a CFS Agency and/or the Police
 - b) Criminal charges and/or civil action
 - c) An investigation conducted by the RWB
 - d) Name placed on the Child Abuse Registry
3. If an external investigation or an investigation conducted by the RWB concludes that a child of the RWB has caused another child to be in need of protection, the enrollment status of the alleged child will be determined and may result in expulsion from RWB programming.

9. POSSIBLE OUTCOMES OF INVESTIGATIONS

9.1 CHILD AND FAMILY SERVICES AND/OR POLICE INVESTIGATIONS

It is the responsibility of CFS and/or Police to conduct investigations of potential child abuse. As such, there are various possible outcomes once the investigation is concluded.

1. Child abuse is substantiated:

- a) The staff member will be terminated with cause from their position without notice, the relationship/service of the affiliate will be terminated, or the child will be expelled from RWB programming; and
- b) The organization will seek legal counsel to ensure termination or expulsion is handled appropriately.

2. Child abuse is unsubstantiated:

- a) The alleged will be fully reinstated to their employment position, service status, or to their educational program; and
- b) All those notified internally of the investigation will be informed that the alleged has been cleared of all allegations.

3. Investigation is inconclusive:

- a) The organization will seek legal counsel. Depending on the circumstances, considerations may be given to a RWB investigation and/or staff or affiliate termination, or child expulsion.

9.2 RWB INVESTIGATIONS

The RWB may choose to conduct an internal investigation of information brought forward regarding a child who may be in need of protection, as per the School Advisory Committee and Crisis Management Team Protocols.

After appropriate follow-up, and it is concluded that the:

1. Allegations are substantiated:

- a) The organization will seek legal counsel. Depending on the circumstances, considerations may be given to disciplinary actions, up to and including staff or affiliate termination or child expulsion; and
- b) A review period will be set, as appropriate to the situation.

2. Allegations against the alleged are unsubstantiated:

- a) The alleged will be informed;
- b) Follow up will occur with the staff member, affiliate, or child who made the unsubstantiated allegation; and
- c) Individuals with knowledge of the situation will be informed that all allegations against the alleged are unsubstantiated.

3. Allegations are inconclusive:

- a) The organization will seek legal counsel. Depending on the circumstances, appropriate action will be taken; and
- b) A review period will be set, as appropriate to the situation.

10. DOCUMENTATION AND RECORD KEEPING

RWB staff and affiliates are to objectively document any suspicions, witnessed incidents or disclosures that a child may be in need of protection on the Child Incident Report Form (Appendix C). Recorded information will be kept on file as appropriate.

Employee or affiliate specific investigation documentation will be kept with Human Resources. Child specific investigation documentation will be kept within the School Advisory Committee file.

A generic letter shall be placed in the personnel file of the staff member, or the child file, that outlines the situation, how it was handled, the outcome and any additional follow-up. A generic letter shall be kept on file with Human Resources of matters involving affiliates.

11. COMMUNICATION

All information regarding disclosures, allegations and related concerns, as well as any disciplinary action taken as a result thereof, is confidential. **Circulation of any such information, whether correct or incorrect, can have serious consequences for all parties involved, and can result in legal liability for the organization and for the individual who came forward or who circulated the information.** The RWB shall carefully manage all communication during a formal Child and Family Services and/or Police investigation, as well as during internal follow-up protocols to reduce unnecessary exposure, trauma and misrepresentations. Staff will be informed on a need-to-know basis.

Staff, affiliates, or children who have knowledge of a disclosure, allegation and/or any related concerns, may have the following shared with them by a member of the SAC, SCMT or People Services:

- A. Reassurance that standard organizational procedures are being followed and reiteration of the expectation for confidentiality. Assurance that it is understood that **any information that is part of a Child and Family Services and/or Police investigation is confidential and is not to be discussed. Leaking information/details can compromise an investigation.**
- B. Reminded to be mindful not to risk defamation of character by talking about the alleged, or the child, or making public assumptions or judgments about anyone involved.
- C. Reassurance that a fair process is ensuing.
- D. Informed that support is available to discuss the situation in confidence.

When a report has been made to CFS and/or the Police, the RWB shall consult with the agency about how to support the child and communicate with the family.

12. FALSE ALLEGATIONS

The guidelines and procedures of this manual must never be used to create fraudulent or malicious complaints. The effects of an unfounded/frivolous allegation can be devastating and may cause both the alleged person and the RWB significant damage. A false allegation can also result in criminal and/or civil proceedings, imprisonment, loss of employment or removal from RWB programming.

If it is determined that any staff member, affiliate or child has knowingly made false statements regarding an allegation related to abuse, immediate action will be taken. As with any case of dishonesty, disciplinary action may include immediate dismissal or removal without further notice.

In a situation where it has been conclusively determined through investigation or follow-up that the abuse alleged against a staff member, affiliate, or child is unsubstantiated or false, the staff member, affiliate or child will be fully reinstated if on suspension. Furthermore, the RWB will:

1. Ensure the alleged staff member, affiliate or child is made aware of the outcome of the investigation, if one was conducted by CFS and/or the Police.
2. Discuss with the staff member, affiliate or child what information can be provided to those who were aware of the allegations and determine what the staff member, affiliate or child is comfortable having shared.
3. Provided there are no legal or other barriers to disclosure, inform staff who are aware of the allegations that the allegations were determined to be unsubstantiated.
4. Reiterate the expectation of confidentiality and that the matter has been closed.
 - a) If the allegation was brought forward by a staff member or affiliate, follow up with the staff member or affiliate who made the unsubstantiated allegation.
 - b) If the allegation was brought forward by the child, consult with CFS, if needed, to determine next steps or how to move forward. While false allegations from a child are uncommon, if they do occur, they can be a sign of a child in distress and should be followed up on.
 - c) If there is information to suggest the allegation was made maliciously by a staff member, affiliate or child, disciplinary action may be necessary, up to and including termination of employment or services, or expulsion of a child.

13. ASSISTING VICTIMS OF ABUSE

The RWB will:

- A. Work with victims of abuse to address their concerns and ensure their ongoing safety.
- B. Work to ensure that persons identified as posing a threat are not permitted on the RWB premises.
- C. Provide chaperons, where necessary, for interactions where there is a reasonable fear of abuse.
- D. Offer the Employee Assistance Program (EAP) to staff who have received a disclosure.
- E. Provide options for the counselling of victims of abuse.
 - a) This also includes individuals who had a false allegation brought against them.

14. TRAINING AND EDUCATION

The RWB will make every effort to eliminate abuse through the implementation of continuous quality improvements and risk management programs, with an annual evaluation of the effectiveness of the Policy and accompanying procedures. Training will be provided for staff, affiliates and students regarding abuse.

15. REFERENCES

- Canadian Centre for Child Protection
- Child and Family Services Act
- Provincial Advisory Committee on Child Abuse
- Reporting of Child Protection and Child Abuse – Handbook and Protocols for Manitoba Service Providers
- Website: Government of Manitoba – Child and Family Services (CFS)

DEFINITIONS

ACT

Refers to *The Child and Family Services Act* of Manitoba.

AFFILIATE

For the purposes of this manual, affiliate shall mean to include Company Dancers, volunteers and select contractors.

CHILD

A person under the age of 18, including adolescents/youth.

CHILD AND FAMILY SERVICES (CFS)

Child and Family Services (CFS) helps to ensure that families and communities provide for the safety and well-being of children. The most important, relevant provincial laws in place are *The Child and Family Services Act*, *The Adoption Act* and *The Child and Family Services Authorities Act*.

CHILD IN NEED OF PROTECTION

As defined in the Act, a child is in need of protection where the life, health or emotional well-being of the child is endangered by the act or omission of a person. As outlined in the Act, a child is in need of protection where the child:

- a) is without adequate care, supervision or control;
- b) is in the care, custody, control or charge of a person
 - i. who is unable or unwilling to provide adequate care, supervision or control of the child, or
 - ii. whose conduct endangers or might endanger the life, health or emotional well-being of the child, or
 - iii. who neglects or refuses to provide or obtain proper medical or other remedial care or treatment necessary for the health or well-being of the child or who refuses to permit such care or treatment to be provided to the child when the care or treatment is recommended by a duly qualified medical practitioner;
- c) is abused or is in danger of being abused, including where the child is likely to suffer harm or injury due to child pornography;
- d) is beyond the control of a person who has the care, custody, control or charge of the child;
- e) is likely to suffer harm or injury due to the behaviour, condition, domestic environment or associations of the child or of a person having care, custody, control or charge of the child;
- f) is subjected to aggression or sexual harassment that endangers the life, health or emotional well-being of the child;
- g) being under the age of 12 years, is left unattended and without reasonable provision being made for the supervision and safety of the child; or
- h) is the subject, or is about to become the subject, of an unlawful adoption under *The Adoption Act* or of a sale under section 84 of the *Manitoba Child and Family Services Act*.

FORMS OF ABUSE

ABUSE

The legal definition of child abuse, as per the Act, is the act or omission by any person where the act or omission results in:

- a) emotional disability of a permanent nature in the child or is likely to result in such disability;
- b) physical injury to the child; or
- c) sexual exploitation of the child with or without the child's consent.

EMOTIONAL ABUSE

Emotional abuse is a chronic pattern of acts or omissions towards a child that causes negative effects on their emotional development. This could be a series of repetitive behaviours, a persistent failure to meet a child's emotional needs, or a single incident of high intensity emotional abuse/trauma. It could include persistent rejection, humiliation, belittling and denigration, rigid and/or unrealistic expectations accompanied by threats if not met, threatening or perpetuating violence against a child's loved ones or objects, witnessing domestic violence, ridiculing for showing normal emotions, threats, insults, scapegoating, and/or verbal attacks and put-downs.

PHYSICAL ABUSE

Physical abuse is the use of physical force against a child in such a way that the child is either injured or at risk of being injured.

SEXUAL ABUSE

Sexual abuse, including sexual exploitation is when a child is used for the sexual gratification of another person with or without the child's consent. Sexual abuse of a child may occur through behaviours that do not involve actual physical contact.

- **AGE OF CONSENT:** The age of consent to sexual activity is sixteen (16) years of age. This is the age that criminal law recognizes the legal capacity of a young person to agree freely (without pressure, manipulation or threat) to sexual activity. However, the age of consent is eighteen (18) years where the sexual activity exploits the young person, such as when it involves prostitution, pornography or occurs in a relationship of authority, trust or dependence (e.g., with a teacher, coach or babysitter). Sexual activity can also be considered exploitative based on the nature and circumstances of the relationship, such as the young person's age, the age difference between the young person and their partner, how the relationship developed (quickly, secretly, over the Internet) and how the partner may have controlled or influenced the young person.

INAPPROPRIATE BEHAVIOUR

Inappropriate behaviour refers to any behaviour towards a child that may be seen by a reasonable observer to be a violation of the child's physical or emotional boundaries and/or is in conflict with the duties of the individual towards the child, grooming behaviour, unauthorized contact with a child, and any other behaviour that is deemed to be inappropriate as outlined in the Code of Conduct – Child Protection.

CODE OF CONDUCT – CHILD PROTECTION

1. PURPOSE

The Royal Winnipeg Ballet has developed a Code of Conduct – Child Protection to guide staff and children on appropriate interactions and behaviour. The safety, rights and well-being of children that are served are at the core of the daily operations of the RWB, and as such, the RWB has zero tolerance for any acts of abuse and will report any such incidents to the authorities, as appropriate. The RWB nurtures supportive relationships with, and between, children while balancing and encouraging appropriate boundaries.

The Code of Conduct – Child Protection will further guide staff in developing healthy relationships with, and between, the children enrolled in RWB programs, participating in performances and activities, and living in Student Boarding. Providing staff with the guidelines against which they can measure their own behaviour and the behaviour of those around them, empower staff to identify and address behaviours of concern early to help better protect children.

2. ADULT/CHILD INTERACTIONS

Staff are to:

- Treat all children with respect and dignity.
- Establish, respect and maintain appropriate boundaries with all children enrolled in RWB programs, participating in performances and activities, and living in Student Boarding.
- Monitor their own behaviour towards children and be aware of the behaviour of others around them to ensure the behaviour is appropriate, respectful and will be observed as such by others.
- Always adhere to the policies and procedures of the organization in dealing with children.
- Treat all disclosures, allegations or suspicions of abuse or inappropriate behaviour involving a child seriously.

Staff are not to:

- Engage in any sort of physical contact with a child that may make the child, or a reasonable observer feel uncomfortable, or that may be seen by the child or a reasonable observer to be violating personal boundaries.
 - Physical contact during the course of dance instruction is acceptable as long as it does not breach the personal boundaries of a child.
- Engage in any communication with a child within or outside of work that may make the child uncomfortable or that may be seen by a reasonable observer to be violating personal boundaries.
- Conduct their own investigation into allegations or suspicions of inappropriate behavior

3. RESPONSIBILITIES

Staff are responsible to:

- Assist the RWB to eliminate the threat of abuse
- Prevent acts of abuse
- Immediately report any suspicions or incidents of abuse and/or violation of this policy to a member of Management

Management is responsible to:

- Create and maintain a safe and healthy workplace free from abuse
- Ensure Criminal Background with Vulnerable Sector Check and Child Abuse Registry Check are obtained, on file and adhered to the guidelines of the Background Check policy. This shall be done in conjunction with People Services
- Be sensitive to the climate in the organization, regulate interactions between children and staff, volunteers and/or contractors and address potential problems before they become serious
- Take prompt action should this policy be violated

3.1 CONSIDERATIONS

The following should be considered before engaging in any behavior or activity with a child to help determine appropriateness and whether the:

- Activity being engaged in with a child is known to, and approved by, a supervisor and/or the parents of the child. All interactions with a child should be transparent.
- Activity or behaviour being engaged in would raise concerns in the mind of a reasonable observer.
- Activity or behaviour is not directly and objectively related to job function.
- Organization may be detrimentally affected by the activity or behaviour.
- Activity or behaviour may be reasonably regarded as posing a risk to the child.
- Activity or behaviour may contribute to a child's undue distress.
- Activity or behaviour may appear inappropriate to the organization, the child's family, or the public.

Ask the question "Whose needs are being met by the activity or behaviour?". The answer should always be the child. The purpose of an activity or behaviour should always be to meet the child's needs, not the adult's needs. If a child seems uncomfortable with an activity or behaviour, it is a good indication that the activity/behaviour is unwelcomed and should stop immediately.

4. CHILD/CHILD INTERACTIONS

Children are to:

- Treat each other with respect and dignity.
- Establish, respect and maintain appropriate boundaries with all children enrolled in RWB programs, participating in performances and activities, and living in the Residence.
- Always adhere to the RWB School Codes of Conduct, and policies and procedures.
- Be encouraged to disclose inappropriate behaviour by others as per the Open Communication Policy of the RWB School.

Children are not to:

- Engage in any sort of physical contact with a peer that may make their peer, or a reasonable observer feel uncomfortable, or that may be seen by a reasonable observer to be violating personal boundaries.
 - Physical contact during the course of dance classes is acceptable as long as it does not breach the personal boundaries of a peer
- Engage in any communication with a peer within or outside of school that may make the peer uncomfortable or that may be seen by a reasonable observer to be violating personal boundaries.
- Persist with a behaviour towards another child after that child has already communicated their discomfort with it.
- Conduct their own investigation into allegations or suspicions of inappropriate behavior

4.1 CONSIDERATIONS

The following should be considered to help determine appropriateness and whether the:

- Activity being engaged in is known to, and approved by, staff and/or the parents of the child.
- Activity or behaviour being engaged in would raise concerns in the mind of a reasonable observer.
- Activity or behaviour is not directly and objectively related to the learning process.
- Organization may be detrimentally affected by the activity or behaviour.
- Activity or behaviour may be reasonably regarded as posing a risk to the child.
- Activity or behaviour may contribute to a child's discomfort.
- Activity or behaviour may appear inappropriate to the organization, the child's family, or the public.

If a child seems uncomfortable with an activity or behaviour, it is a good indication that the activity/behaviour is unwelcomed and should stop immediately.

5. INAPPROPRIATE BEHAVIOUR GUIDELINES

Inappropriate behaviour towards the children under the care of the RWB is not tolerated, and all suspicions, witnessed incidents and disclosures will be reported. Behaviour considered inappropriate is that which may be seen by a reasonable observer to be violating personal boundaries of a child includes, but is not limited to:

- A. Communication that goes beyond the responsibilities of staff in relation to the child and/or is not required within the context of their duties and responsibilities. For example:
 - i. Making personal phone calls to a child or a member of their family
 - ii. Having personal electronic or cell phone exchanges with a child and/or a member of their family (email, text message, instant message, online chats, social networking - including “friending”, etc.), regardless of who initiated the exchange
 - iii. Writing personal letters to a child or a member of their family
 - iv. Excessive communication, online or offline, with a child or their family
- B. Spending time with a child or their family outside of designated work times and activities, especially if it is not known to a staff member’s supervisor and the child’s parents. Contact outside of designated work times must be reported to the staff member’s supervisor.
- C. Favouring one or more children to the exclusion of others. For example, paying a lot of attention to, giving or sending personalized gifts*, or allowing privileges that are excessive, unwarranted or inappropriate.

****It is not inappropriate behaviour to give a contextually appropriate thank-you card, birthday card, seasonal card, or other nominal gift to the child, where such a gesture would be considered reasonable under the circumstances, provided that all gestures taken together are not excessive in number and that such exchanges are carried out within a work context, in the presence of other adults and with the full knowledge and consent of the organization.***

- D. Using a personal cell phone, camera or video to take pictures of a child, or allowing any other person to do so, as well as uploading or copying any pictures that may have been taken of a child to the Internet or any personal storage device.
 - i. Pictures taken in a work-related setting, such as in the course of dance instruction or for the purposes of marketing materials, is permissible provided it has been approved in advanced by the organization and/or the child’s parents.
- E. Offering or providing rides to a child in a personal vehicle.
- F. Telling sexual jokes to a child or making comments to a child that are in any way sexually suggestive, explicit, or personal.
- G. Showing a child material that is sexual in nature, displaying or keeping such material in a location where it is reasonably possible that a child may see it, or making such material available to a child.
- H. Physically or emotionally harming a child through acts or omissions.
- I. Intimidating or threatening a child.
- J. Making fun of a child.
- K. Persisting with a behaviour after the child has already communicated their discomfort with it.

6. VIOLATIONS

Violations of the Code of Conduct – Child Protection will be addressed as per the Child Protection Policies and Procedures Manual.