Code of Conduct – Child Safeguarding and Protection

(Appendix A to the Child Safeguarding and Protection Policy)

**General Conduct**

Learners/staff/faculty members of the Rady Faculty of Health Sciences (“RFHS”) shall:

- Treat all children with respect and dignity.
- Establish, respect and maintain appropriate boundaries with all children involved in initiatives, projects, activities or programs delivered by the RFHS.
- Always adhere to the RFHS’s policies and procedures in dealing with children.
- Treat seriously all disclosures, allegations or suspicions of unlawful behaviour or other inappropriate behaviour involving a child.
- Report all disclosures, allegations or suspicions of inappropriate or unlawful behaviour as set forth in this Code of Conduct and pursuant to the Child Safeguarding and Protection Policy (the “Policy”).

Learners/staff/faculty members of the RFHS must not:

- 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 a reasonable observer to be violating reasonable boundaries.
- 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 reasonable boundaries.
- Engage in any behaviour that goes against (or appears to go against) the RFHS’s mandate, Policy or this Code of Conduct, regardless of whether they are serving the RFHS at that moment.
- Conduct their own investigation into allegations or suspicions of inappropriate behaviour – it is a learner/staff/faculty members’ duty to report the matter to the Child and Family Service (“CFS”) Agency and to the Dean’s office, RFHS, not to investigate.

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1 Adapted, with permission, from the Code of Conduct to Protect Children, Children’s Hospital Research Institute of Manitoba
**Ranges of Inappropriate to Unlawful Behaviour**

It is important for all learners/staff/faculty members to understand that behaviours, as they relate to the safety and protection of children, fall on a continuum.

On one end of the continuum are those behaviours that are **unlawful**. Unlawful behaviours are those behaviours that are considered child abuse and where a child may be In Need of Protection, i.e. the life, health or emotional well-being of the child is endangered by the act or omission of a person.

At the other end of the continuum are those behaviours that are **inappropriate** but are of such a nature that it is believed they can be addressed and corrected through additional training, supervision and monitoring. Inappropriate behaviour could range from one-time behaviours to multiple instances and could include behaviour that is repeated even after it has been brought to the attention of the individual. It includes such things as telling inappropriate jokes to or in earshot of a child, confiding in a child with personal stories and having unauthorized contact with a child outside of work/learning duties.

In the middle of the continuum are those behaviours that may either be unlawful or inappropriate, depending on the overall circumstances. Or, it may be behaviour that is initially seen as behaviour that could be corrected through additional training, supervision and monitoring, but upon following up and learning more information, it is determined the behaviour is more serious and warrants further investigation.

Consider the following example:

A report is submitted internally about a learner/staff/faculty member exchanging unauthorized emails with a child outside of their work/learning duties. The initial information indicates that the emails are of a general nature. After the RFHS follows up, it learns that some of the emails were sexual in nature, and it learns that the individual has exhibited other inappropriate behaviour that had not been reported previously. Each instance of inappropriate behaviour, if considered separately and without context of the other behaviours, might be characterized as something in the nature of “poor judgment” that is capable of correction. However, once all behaviours are considered in context with each other, it may be sufficient to warrant a report being made to the CFS Agency, law enforcement or the licensing body for the individual.

**Unlawful behaviour needs to be reported to the CFS Agency and to the RFHS in accordance with the Policy.** For a list of CFS designated intake agencies, go to [http://www.manitoba.ca/fs/childfam/dia_intake.html](http://www.manitoba.ca/fs/childfam/dia_intake.html) Depending on the nature of the concern, reporting to criminal enforcement agencies may also be required.

**Inappropriate behaviour needs to be brought to the attention of the RFHS so it can be followed up formally and internally, in accordance with the Policy.** The RFHS will determine how it will be addressed in consultation with other University units as applicable.
What Constitutes Inappropriate Behaviour

Inappropriate behaviour will not be tolerated, especially as it relates to the well-being of the children involved in activities or programs delivered by the RFHS.

Inappropriate behaviour falls on a continuum, as noted in the section above.

Behaviour considered inappropriate is that which may be seen by a reasonable observer to be violating reasonable boundaries, and includes, but is not limited to, the following:

1. Communication that goes beyond the learner/staff/faculty member’s responsibilities with the child and/or does not occur within the context of their duties and responsibilities. For example:

   - Making personal phone calls to a child and/or one or more members of the child’s family
   - Having personal electronic or cell phone exchanges with a child and/or one or more members of the child’s family (email, text message, instant message, online chats, social networking (including “friending”), etc.), regardless of who initiated the exchange
   - Writing personal letters to a child or one or more members of the child’s family
   - Excessive communication (online or offline) with a child or the child’s family

As a faculty member, staff member or learner, you must report all communication with a child or his/her family that occurs outside the workplace/learning site. This enables the RFHS to ensure any such communication is appropriate and within reasonable boundaries, and will help to identify any problematic situations.

2. Spending time with a child or the child’s family outside of designated work/learning times and activities, especially if this is not known to your supervisor and the child’s parents.

3. Favoring 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).

   *Note: 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 RFHS.
4. 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 you may have taken of a child to the Internet or any personal storage device. Pictures taken in a work/learning related setting, with prior written consent from the parent/guardian, and in circumstances in which the parent/guardian and your supervisor is aware that pictures are being taken may be permissible provided the RFHS has approved the activity in advance and has put procedures in place to ensure the pictures will be stored in a location only accessible to those with a need to access and removed when no longer required for the purpose for which they were taken.

5. Offering or providing rides to a child in your personal vehicle, or in the RFHS’s vehicle, except when your supervisor is aware of and has approved it and express parental consent has been granted, or in emergency situations.

In addition to the foregoing, the following behaviour is considered serious and may trigger a report to child welfare in addition to any other internal disciplinary procedures:

6. Telling sexual jokes to a child or making comments to a child that are in any way suggestive, explicit or personal. Showing a child material that is sexual in nature, including signs, cartoons, graphic novels, calendars, literature, photographs, and screen savers, 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.

7. Physically or emotionally harming a child.

8. Intimidating or threatening a child.


Whether or not a particular behaviour or action constitutes inappropriate behaviour will be a matter determined by the RFHS having regard to all of the circumstances, including past behaviour, and allegations or suspicions related to such behaviour.
What Constitutes Unlawful Behaviour

All learners/staff/faculty members have a legal duty to report unlawful behaviour, including child abuse and children who may be in need of protection, to a CFS Agency. Reporting to a criminal enforcement agency may also be required. The duty to report applies even when the individual has acquired the information through the discharge of professional duties or within a confidential relationship such as a physician-patient relationship. Please reference the Policy for the reporting obligations.

This Code of Conduct is intended to assist learners/staff/faculty members with understanding what constitutes unlawful behaviour and when to report it.

Child abuse is a serious problem that knows no social, economic, religious, cultural, racial or ethnic barriers. Knowing about the various forms of child abuse is critical to ensuring the safety and well-being of children. The Child and Family Services Act of Manitoba (“CFS Act”) points to three recognized forms of child abuse:

(a) physical abuse (a deliberate or intentional assault or act by a person that results in, or is likely to result in, physical injury or harm);
(b) emotional abuse defined as emotional disability of a permanent nature;
(c) sexual abuse including sexual exploitation (when a child is used for the sexual gratification of another person with or without the child’s consent).

Possible Indicators of Physical Abuse

Physical injuries may result from physical punishment, and may include injuries sustained from spanking, burning, beatings, kicking, punching and slapping, for example. Some children, such as premature infants or children with disabilities, are more vulnerable to experiencing abuse than their counterparts.

Usually, signs of physical abuse are the most readily observable. The list below lists common indicators of physical abuse. It is not unusual for children to incur injuries to knees, elbows, forearms or bony parts of their bodies, while playing and being active. However, the soft tissue areas such as the cheeks, buttocks and thighs are normally not injured under these circumstances. Possible indicators of physical abuse include:

- unexplained bruises or welts
- number of scars in a regular patterns
- bruises of varying colours in the shape of an object
- bald spots or missing hair or teeth
- unexplained burns, fractures, sprains, dislocations or head injuries;
- inflamed tissues suggesting scalding
- facial injuries in infants and preschoolers that are not consistent with the child’s age and development.

Possible Indicators of Emotional Abuse
Emotional abuse involves acts where a child experiences persistent rejection, humiliation, scapegoating, verbal attacks and put-downs by a parent, caregiver or adult. Often, emotional abuse is not limited to one single event but a series of patterns of serious, ongoing, negative attacks on a child’s self-esteem. The following lists some possible emotional abuse indicators:

- bed wetting and/or diarrhea
- frequent psychosomatic complaints, nausea, abdominal pain
- evidence of self-harm
- chronic crying or detached/flat affect
- lack of clean clothes
- poor personal hygiene
- chronic injuries or illnesses

**Possible Indicators of Sexual Abuse**

Physical evidence of sexual abuse is rare, as often the abuse does not include intercourse but fondling or touching instead, which leaves no physical signs. Physical signs of sexual abuse can include unexplained or persistent pain, or itching in the genital area or throat, difficulty going to the bathroom or swallowing, bruises, bleeding or swelling of genital areas, vaginal odor or discharge, stomach aches, headaches, sexually transmitted diseases, difficulty walking or sitting, and bruising or injuries to the body.

Behavioural signs of sexual abuse can include:

- signs of depression or suicidal thoughts
- self-mutilating
- being angry, hostile or highly irritable
- being overly anxious or phobic
- exhibiting fears or compulsive behaviours
- urinating or defecating in clothes
- over or under eating
- displaying age-inappropriate behaviours
- regressive behaviours
- withdrawing
- having difficulties concentrating or focusing
- exhibiting sleep disturbances
- having poor peer relationships, self-image, overall self-care
- using language or making drawings that are sexually explicit
- being reluctant to participate in physical activities or to undress or take showers
- using seductive behaviour to being sexually intrusive
- expressing premature or inappropriate understanding of sexual behaviour
- showing an advanced knowledge of birth control
- being excessively curious about sexual matters or genitalia of others or self
- forcing or coercing other children to engage in sexual play
- having unexplained gifts, new clothes or money
- wearing clothing that is not age appropriate
- exhibiting secretive behaviour
Guidelines when talking with a Child who may have Experienced Child Abuse

The following are some guidelines to follow as you talk with a child who may have experienced child abuse:

- Be sensitive. When talking to the child, be sensitive to his or her needs. Your primary role is to support the child, gather basic information and report it to a CFS agency immediately.
- Stay calm and listen. An abused or neglected child needs to know that you are composed and available to help. If you react with shock, outrage or fear, you might inhibit the child and make him or her feel more anxious or ashamed. A calm response supports the child by allowing him/her to tell you what has happened, and provides some reassurance that what the child is experiencing can be talked about and worked through together.
- Go slowly. It is normal to feel inadequate or unsure about what to do or say when a child tells you about abuse or neglect. Do not let this discomfort rush you into asking questions. Remember to proceed slowly with open ended, gentle, non-leading questions.
- Get only the essential facts. Limit your discussion to finding out generally what took place. Do not probe the child for details. If you need general information, be sure to ask how, when, who and what questions.
- Be supportive. Reassure the child that he or she has done nothing wrong. Children need support and reassurance when disclosing abuse or neglect.
- Don’t make promises. Tell the child only what you know (e.g. that they are not in trouble and that you will help).
- Tell the child what will happen next. Children who disclose their abuse feel anxious about what people think of them and what will happen next.
- Takes notes. Immediately after the child’s disclosure, write down as much as you can of what the child told you. This will help ensure accuracy when reporting to the appropriate authority.

Acknowledgement

I have read and agree to comply with the Child Safeguarding and Protection Policy and this Code of Conduct. I acknowledge and agree to safeguard and protect the rights of Children, in accordance with the Policy and Code of Conduct.

_________________________________________  ______________________________
Signature of learner/staff/faculty member  Date

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Name (Printed) of learner/staff/faculty member