INTERLAKE SCHOOL DIVISION

Preparing Today's Learner for Tomorrow

Administrative Procedure 3015

Reporting Serious Injuries to the Manitoba Advocate for Children and Youth (MACY)

Board Governance Policy Cross Reference: 1, 12, 13

Administrative Procedures Cross Reference:

Accidents – Students

Addictions Counselling Services

Child Protection and Child Abuse

Clinician Referral Procedure

Guidance and Counselling

Serious School Incident Reporting

Tragic Event/Crisis Response

Form Cross Reference:

Reporting Serious Injury to MACY

Legal/Regulatory Reference:

The Advocate for Children and Youth Act, C.C.S.M. c. A6.7

The Child and Family Services Act

The Freedom of Information and Protection of Privacy Act (FIPPA)

The Public Schools Act

The Interlake School Division (ISD) recognizes its responsibility to provide safe, caring, and supportive learning environments for students.

ISD is committed to ensuring serious injuries involving students who are receiving certain designated services are appropriately identified, documented, reviewed, and reported to the Manitoba Advocate for Children and Youth (MACY) in accordance with section 21 of The Advocate for Children and Youth Act.

A such, the ISD has established requirements for determining when a serious injury requires reporting to MACY and outlines responsibilities for completing required notifications and documentation.

This Administrative Procedure applies when a child or young adult (ages 0–17, or a young adult receiving transitional support under subsection 50(2) of The Child and Family Services Act) experiences a serious injury, and the child or their family was receiving one of the following services at the time of the injury or within the year before it:

- child and family services or adoption services under provincial legislation;
- publicly funded mental health services for children;
- publicly funded addictions services for children;
- youth justice services; or
- transitional support services for young adults formerly in permanent care.

Within ISD, these services are ordinarily delivered by Student Services staff and clinicians (see Addictions Counselling Services , Clinician Referral Procedure , Guidance and Counselling), rather than by school staff generally.

This protocol is intended to complement, and not replace, existing requirements related to student accidents, serious school incidents , child protection, and tragic event/crisis response. A serious injury that does not involve one of the services listed above is addressed under those procedures rather than through a MACY report.

A. Serious Injury

As defined in The Advocate for Children and Youth Act, a serious injury is one that:

- is life-threatening;
- requires admission to, or care at, a hospital or other health care facility and is reasonably expected to cause serious or long-term physical or psychological impairment; or
- is the result of a sexual assault that causes serious physical harm, or is reasonably expected to cause long-term psychological impairment.

Professional judgement, rather than a confirmed medical diagnosis, is sufficient to determine whether an injury is reasonably expected to meet this threshold. There is no time limit on this reporting obligation: a report must still be made if the person was under 18 at the time of the injury, regardless of how much time has since passed.

B. Become Aware

Refers to a staff member learning of a serious injury to a child or young adult through the course of their professional duties, position, or role, regardless of where or when the injury occurred.

C. Employees

Employees are responsible for:

1. ensuring the immediate safety and well-being of students in accordance with ISD procedures;
2. reporting student injuries to the Principal or designate in accordance with Accidents – Students;
3. providing accurate and factual information regarding the circumstances surrounding the injury; and
4. completing required documentation related to the incident.

D. Staff Providing an Applicable Service

A staff member who is directly providing one of the services listed in Section 2.0 to the student or family, and who becomes aware of a serious injury, is responsible for:

1. notifying the Principal or designate and the Superintendent's Department promptly; and
2. providing the information needed to complete the Reporting Serious Injury to MACY.

E. Principals

Principals are responsible for:

1. reviewing student injury incidents to determine whether the student or family may be receiving an applicable service and whether the incident may meet the criteria for reporting to MACY;
2. notifying the Superintendent's Department when a student injury may meet the criteria for reporting to MACY;
3. ensuring the Reporting Serious Injury to MACY is completed when required;
4. ensuring relevant documentation is collected and retained in accordance with ISD procedures and applicable legislation; and
5. ensuring communication with parents/guardians occurs as appropriate.

F. Superintendent's Department

The Superintendent's Department is responsible for:

1. supporting Principals and Student Services staff in determining whether a serious injury meets the criteria for reporting to MACY, including consulting MACY directly where there is uncertainty;
2. reviewing submitted information and documentation;
3. completing and submitting the required report to MACY where reporting criteria are met;
4. maintaining oversight of serious injury reporting processes; and
5. coordinating additional follow-up or supports as required.

G. Reporting Process

When a student experiences a serious injury:

1. The injury shall be addressed in accordance with AP 3010 – Accidents – Students and any applicable emergency response procedures.

2. The Principal, or the staff member providing an applicable service, shall determine whether the student or family may be receiving one of the services listed in Section 2.0, and shall notify the Superintendent's Department where this may be the case.
3. The Superintendent's Department shall determine whether the injury meets the definition of serious injury and whether reporting to MACY is required.
4. Where reporting is required, the completed Reporting Serious Injury to MACY shall be used to gather the necessary information, and the Superintendent's Department or designate shall submit the report to MACY using MACY's designated reporting method.
5. Documentation related to the incident shall be maintained in accordance with ISD procedures and applicable legislation.

A report to MACY does not require medical records or a formal diagnosis, and should be made as soon as possible after becoming aware of the injury.

H. Documentation and Confidentiality

Information collected as part of the serious injury reporting process shall be factual, complete, and limited to information required to fulfill reporting obligations.

All records shall be managed in accordance with applicable privacy legislation and ISD procedures. Records related to a MACY report shall not be placed in a student's cumulative record or Pupil Support File.

Information shall only be shared with individuals who require access to support student safety, fulfill reporting obligations, or complete required follow-up.