



Reporting Serious Injury Manitoba Advocate for Children and Youth (MACY) Administrative Procedure 8.05

8.0 Safe Schools

Board Governance Policy Cross Reference: 1, 2, 3, 4, 12, 13, 16, 17

Legal Reference: *The Advocate for Children and Youth Act, The Child and Family Services Act, The Adoption Act*

Date Adopted: September 2025

Date Amended:

The Evergreen School Division (“ESD”) Board of Trustees expects that all serious injuries must be reported appropriately.

All ESD employees that provide a “reviewable service” are required to abide by *The Advocate for Children and Youth Act*, C.C.S.M. c. A6.7 (“ACYA”). Employees who become aware of a serious injury involving a child or youth (ages 0-17) based on their professional duties, position or role are required to report appropriately. There is no statute of limitations on reporting under the ACYA. If the individual was under 18 at the time of injury, a report must still be made regardless of how much time has passed.

This reporting obligation applies regardless of where the injury occurred (e.g., outside of school).

This reporting obligation compliments but does not replace the obligation to report to Child Protection Services or serious injury reporting to Education and Early Childhood Learning (EECL). Child reporting remains an obligation by all employees.

DEFINITIONS

Reviewable Service (as per ACYA):

The ACYA defines reviewable services as follows:

- (a) services and programs for children and their families provided under *The Child and Family Services Act* or *The Adoption Act*;
- (b) mental health services for children provided by or on behalf of a public body or a healthcare facility;
- (c) addiction services for children provided by or on behalf of a public body or a healthcare facility;
- (d) youth justice services;
- (e) services for young adults provided under subsection 50(2) of *The Child and Family Services Act* to assist former permanent wards in transition to independence;

- (f) additional designated services that are set-out in the regulations.

Note: This procedure applies to ESD employees delivering reviewable services, generally Student Service Teachers and School Psychologists. Principals, teachers, and other staff generally do not report under this process unless their role explicitly includes provision of reviewable services. If a person is offering/providing a reviewable service, then it is not based on title, and procedure applies.

Serious Injury:

As defined under the ACYA, a serious injury is one that:

- Is life-threatening; or
- Requires hospital admission or care 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 harm, or is reasonably expected to cause long term psychological impact.

Note: Reasonably expected does not require confirmation through medical documentation; staff should apply professional judgement.

REPORTING PROCEDURE

Step 1: Awareness of Serious Injury

When an employee delivering a reviewable service becomes aware of a possible serious injury that meets the ACYA definition:

- Complete 8.05A MACY Serious Injury Reporting Form to the best of their ability-as soon as possible.
- Avoid speculation. Share known information only.

Note: Medical records or confirmation of impact is not required.

Step 2: Consult if Unsure

If uncertain whether the injury meets the definition, or the service qualifies as reviewable:

- Consult your Division's Director of Programs and Student Services or designate. The Director of Programs and Student Services may also consult directly with MACY.

Step 3: Report Submission

- Password protect the completed form
- Email the completed form to the Director of Programs and Student Services, Division Student Services Administrative Assistant and the Superintendent or designates.
- In a separate email, provide the password to the Director of Programs and Student Services or designate.
- No other copies are to be made and under no circumstances is it to be placed in a student's cumulative records or Pupil Support File.

- The Director of Programs and Student Services is the Division designate for submitting the completed 8.05A Serious Injury Reporting Form directly to MACY.

COMMUNICATION WITH GUARDIAN/STUDENTS

There is no legal obligation to inform the child or guardian of the report. MACY will not disclose who submitted the report. MACY may contact the child but are not required to.