



Extend-A-Family Waterloo Region

ABUSE PREVENTION AND REPORTING, TRAINING AND EDUCATION POLICY

Purpose:

Situations regarding abuse or disclosure of past abuse require a transparent, confidential, and thoughtful response. This policy and procedure will outline the actions and obligations of Extend-A-Family Waterloo Region regarding prevention, reporting, and response to allegations of abuse for individuals served through our programs or services.

Scope:

This policy applies to all Staff (Staff includes all employees, direct support people, providers and volunteers). The policy includes: definitions of types of abuse, required training for staff, education and awareness training for those persons served and their families, as well as, reporting requirements.

This policy shall apply to instances where abuse is witnessed by staff or volunteers against people supported, or people supported disclose allegations of abuse to staff or volunteers.

Policy:

People supported by Extend-A-Family Waterloo Region (EAFWR) are citizens with all the rights, dignity and prerogatives of citizens of Canada. Staff, volunteers, contractors, or other parties acting on behalf of EAFWR are obligated to report instances of abuse that have been witnessed by them or disclosed to them.

Staff must keep in mind that the individuals served by EAFWR are entitled to the same protection under the law that applies to all citizens of Canada, and EAFWR has a duty to support and defend the rights of those children and adults living with disabilities. The legal requirement mandating reporting of abuse is outlined in the *Child and Family Services Act* when concerning a minor child under 18 years of age, and by *The Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act* in the case of an adult.

EAFWR will not tolerate any form of abuse by its employees or volunteers.

Definitions of Types of Abuse:

Sexual Abuse: is the unwanted touching of a person's sexual body parts. The lack of consent is the defining feature. It is important to note that, because of the power hierarchy, it is impossible for there to be consent between a person with a disability and their care provider.

Physical Abuse: acts of assault or threats of assault, such as hitting, slapping and burning that cause or could cause physical injury or fear of physical injury. An intellectual or physical disability often results in a need for people to be physically close to provide personal assistance. Physical abuse is more terrifying for those who cannot, physically, flee or escape.

Verbal Abuse: demeaning language, name calling or negative verbal depictions of disability or attractiveness are all forms of verbal abuse.

Emotional Abuse: the repeated criticism, insulting, threatening, degrading, humiliating, bullying, infantilizing, intimidation or terrorizing of a person. Emotional abuse is the most difficult to define. Emotional abuse is the misuse of power, in any way, to cause a person to lose respect for self.

Financial Abuse: the misuse or misappropriation of someone's financial assets for personal gain. Staff/volunteers are not to "borrow" money from someone who is under their care as the power imbalance makes it difficult for the person to say "no"

Exploitation: taking advantage of a person's disability to trick or manipulate for personal gain. The persuasion to do things that are illegal or not in the individual's best interest.

Neglect: the failure to provide the necessities of life such as food, clothing, shelter, care or supervision. A person receiving care from EAFWR has the right to expect that their basic needs will be met and that they will be provided with the supervision which is appropriate to their age and developmental and intellectual needs.

Education and Awareness Building for Persons Served and Their Families:

As part of the intake process or upon entering service, and annually thereafter, EAFWR will provide education and awareness building about abuse prevention and reporting to persons with developmental disabilities who are receiving services and supports, and their families, in a language and manner that is appropriate to the capacity of the person.

EAFWR will also provide information about EAFWR's policies on abuse prevention and reporting to all persons being served and their families.

Training for Staff:

EAFWR will provide training on abuse prevention, identification and reporting to all Staff who have direct contact with persons with developmental disabilities who are receiving service and support. This training will occur during orientation and annually thereafter.

All front-line Staff, Supervisors, Program Managers and Executive Director will receive procedural training on abuse that is appropriate to their authority and responsibility to take reasonable steps to prevent abuse and to report abuse when they know, or ought reasonably to know, that a person with a developmental disability or a vulnerable person has experienced or is experiencing abuse.

EAFWR will provide an orientation on the agency's abuse prevention and reporting policies and procedures to all new Board members, and will conduct this orientation annually thereafter.

Reporting Requirements:

All EAFWR Staff are required to report if they suspect, receive an allegation about, or witness any form of abuse of an individual with a developmental disability, or any vulnerable person receiving EAFWR supports. If any Staff receives an allegation, suspects or witnesses any form of abuse of a person with a developmental disability, or any vulnerable person, the following will occur:

- a) Intervene to ensure that the individual's health and well-being is taken care of whenever possible.
- b) If necessary, arrange for immediate first aid or physician's care.
- c) Contact your Direct Supervisor, Manager, or after hours on-call support immediately.
- d) **In consultation with the Supervisor, manager, or on-call support:** take the appropriate steps to contact relevant authorities. In the case of a Child, this may involve reporting to Family and Children's Services. In the case of an adult, this includes police services **if the suspected, alleged or witnessed abuse may constitute a criminal offence.**
- e) Document the facts of the abuse or disclosure within 24 hours and Submit this information to your Supervisor or Manager to complete a Serious Occurrence Report (SOR).

- f) In the cases where a minor child is involved, or at the request of an adult served, the Supervisor or Manager will ensure the disclosure is communicated to parents or guardians within 48 hours.
- g) Contribute additional details to the SOR follow-up as requested by the Supervisor or Manager.
- h) Participate and cooperate with investigations conducted by the *Police* or *Family and Children's Services*, as well as internal investigations as requested.

Considerations Responding to Allegations of Abuse:

Staff are to maintain confidentiality and dignity of the person supported, as well as the accused, when receiving and responding to allegations of abuse. Knowledge and details of abuse allegations must be restricted to staff directly involved in the response.

Investigation following allegations of abuse, including interviewing children, is the responsibility of the *Police* and/or *Family and Children's Services*. EAFWR employees are not to investigate until statements have been collected by the relevant authorities. Care must be taken to ensure that individuals report their own statements and have not been, or do not appear to have been, coached.

EAFWR will cooperate with the relevant authorities during investigations, making records available with the consent of people supported, or upon receipt of warrants and/or court orders. Support to authorities may also include providing general information on developmental disabilities to facilitate clear communication. If support is required to communicate with investigators, and with investigators approval, EAFWR staff may act as an interpreter or assist in arranging a third party to support. EAFWR will ensure that meeting spaces are provided should the individual need to meet with authorities at a safe location.

When there is doubt as to the capacity of an individual to give informed consent, EAFWR will request a capacity assessment.

If a medical examiner is required for the investigation, this shall be carried out whenever possible by a physician/family doctor, who is knowledgeable about abuse or neglect, in a manner that minimises the child's distress. Information about the child's special needs or challenges shall be made available to the physician, and a signed consent for the release of this information should be obtained where applicable.

Actions if the Accused is a Person Supported:

If the alleged abuser is another individual served by EAFWR, the agency shall ensure that:

- Both parties be kept separate from each other,
- That each party receives appropriate support and supervision from EAFWR,
- If the accused is under 18 years of age, they shall be considered a child in need of treatment unless the police determine in consultation with FACS that they should be treated as an adult.

Actions if the Accused is a Staff Member or Volunteer of EAFWR:

In the event that the alleged abuser is a Staff member, they will be immediately removed from contact with the person allegedly abused. No further contact with the person being served will be permitted, and no unsupervised contact with supported individuals, until the police investigation and/or the internal investigation (if required) is completed. Staff members will be placed on paid leave or provided alternative work during investigations.

No EAFWR Staff shall conduct an internal investigation before the police have completed their investigation and make a determination whether or not a criminal offence has occurred. If the police determine that a criminal offence may have occurred, the investigation is turned over to the justice system.

If the police or Family and Children’s Services determine that no criminal offence has occurred, the agency will initiate an internal investigation according to the *Investigations Process* to determine if the actions of the Staff support the allegation of abuse, or are contrary to the *Standard of Conduct Policy*. The internal investigation will determine whether it is appropriate for the Staff to return to their previous duties, or other duties as assigned.

If a staff member is convicted of crimes related to the allegation of abuse by the authorities, or it is found through an internal investigation that the abuse was likely to have occurred, they may face disciplinary action up to and including dismissal as per the *Standards of Conduct Policy* and *Progressive Discipline Policy*.

Media Strategy:

Should an allegation receive attention from the media, all inquiries should be directed to the Marketing and Communications Specialist as the primary contact. All media statements will be issued with approval of the Executive Director, or designate, in consultation with the Marketing and Communications Specialist.

Information shared will respect confidentiality and privacy standards, and be sensitive to the individuals involved. Statements will be assessed in advance to ensure the integrity of investigations are not compromised, and wherever possible details shared will be agreed upon with investigating bodies.

Sharing information with media “off the record” will be considered a violation of EAFWR’s *Confidentiality Policy* and *Standard of Conduct Policy*.

Revision Date: November 2024

Board Approval Date: November 2024