



ABILITIES CENTRE POLICIES

STATEMENT of POLICY and PROCEDURE			
Chapter:	Human Resources	SPP No.	HR 6.02B ON
Section:	Health & Safety	Issued:	Sept 10, 2022
Subject:	ABUSE EDUCATION AND REPORTING POLICY	Effective:	Sept 10, 2022
Issue To:	All Manual Holders	Page:	1 of 6
		Replaces:	N/A
Issued By:	General Manager & Chief Operating Officer	Issued:	Sept 10, 2022

1 POLICY

- 1.01 Abilities Centre is committed to providing a safe, healthy and respectful environment for individuals accessing our programs and services. It is the policy of Abilities Centre that abuse that is physical, verbal, sexual or emotional of people who receive support is not tolerated under any circumstances. It is Abilities Centre's requirement to have suspected or alleged abuse reported immediately, and investigation protocols implemented promptly, including contacting the local police department, as appropriate. Failure to report knowledge of abuse, neglect or exploitation will result in disciplinary action up to, and including, termination.

2 PURPOSE

- 2.01 To ensure the safety and well-being of the people who receive support and service from Abilities Centre and to maintain compliance with legislation.
- 2.02 Zero Tolerance Statement

Abilities Centre has zero tolerance for any type of abuse. Individuals are required to report instances of abuse or suspected abuse to Abilities Centre staff to be immediately addressed under the terms of this policy or, where required, for Abilities Centre to report to the appropriate public authorities.

3 SCOPE

- 3.01 All employees, contractors, students, program participants, volunteers and Board members of Abilities Centre.

4 RESPONSIBILITY

- 4.01 All incidents, allegations or suspicions of abuse whether by Abilities Centre staff or others, shall be immediately reported to a member of the Senior Management Team. a. All such reports shall be investigated by the General Manager & Chief Operating Officer, or their designate.
- 4.02 All employees, contractors, students, members, volunteers, Board members, and program participants have a legal, moral and professional responsibility to report assault/abuse or suspected assault /abuse.



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- 4.03 For those reports pertaining to individuals involved in programs funded by Ministry of Children, Community and Social Services (MCCSS), the incident must be immediately reported to the Manager of the applicable department in order to initiate Serious Occurrence Reporting protocols as per the MCCSS Serious Occurrence Reporting Guidelines (2019) and Abilities Centre Serious Occurrence Reporting Policy.
- 4.04 For those reports pertaining to individuals involved in programs that are funded by the Ministry of Education and/or delivered in partnership with local school boards, the incident must immediately be reported to the Manager of the applicable department in order to initiate appropriate protocols in collaboration with the school boards.
- 4.05 With respect to children, abuse is defined in the *Ontario Child and Family Services Act (CFSA)* Section 68 (1) and 35 (2) and includes the above. The duty to report information concerning children in need of protection to Children's Aid Society (CAS) is detailed section 68 (2) & (3).
- 4.06 When it becomes apparent or suspected there is a violation of the Criminal Code, the police are notified by the General Manager & Chief Operating Officer, or their designate, immediately.
- 4.07.1 CAS and the Police are the ONLY people authorized to investigate allegations of assault and/or abuse. **It is inappropriate and not permitted for employees, contractors, or partners to investigate any allegations of assault.**

5 DEFINITIONS

- 5.01 **Sexual Abuse** refers to unwanted touching, contact or sexual activity that includes using force, making threats or taking advantage of victims not able to give consent. Non-touching sexual abuse includes being shown videos or sexual pictures, being forced to listen to sexual talk or comments about one's body, being forced to pose for seductive or sexual photographs, being forced to look at sexual parts of the body and being forced to watch sexual acts. Sexual comments, gestures, or jokes towards supported individuals are also unacceptable.
- 5.02 **Physical Abuse** refers to the use of physical force, body gestures or body movement that inflicts or threatens to inflict pain on an individual. Physical abuse includes, but is not limited to, unnecessary use of physical restraint; use of unnecessary force in holding or restraining an individual; slapping, kicking, hitting, pushing, shoving, choking, hair pulling, biting or anything that causes or could cause physical injury or fear of physical injury.
- 5.03 **Verbal and Emotional Abuse** refers to demeaning language, name calling, or negative verbal references. Insulting, threatening, degrading, humiliating, exploiting, excessive/constant criticizing, bullying, intimidating, or terrorizing a person for one's own benefit, or undermining a person's self-esteem are also forms of abuse. This also includes Emotional Maltreatment which refers to an organization's failure to provide a developmentally appropriate and supportive environment.
- 5.04 **Psychological Abuse** includes attempts to dehumanize or intimidate vulnerable individuals. Any verbal or non-verbal act that reduces their sense of self-worth or dignity and threatens their psychological and emotional integrity is abuse.
- 5.05 **Financial Abuse** refers to the misuse of someone's financial assets for personal gain such as using finances without consent, removing access to an individual's money or manipulation of financial decisions. Financial abuse often happens alongside other types of violence, such as physical or emotional abuse.



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- 5.06 **Assault** refers to a physical or verbal threat or attempt to inflict physical contact or bodily harm on an individual that puts them in danger.
- 5.07 **Neglect** refers to a disregard of duty resulting from carelessness, indifference, or willfulness that results in the failure to provide the necessities of life such as medical treatment, food, clothing, shelter or essential support which would be deemed threatening to their health, safety or emotional well-being.

6 PROCEDURE

- 6.01 It is important to remember that the people served by Abilities Centre have the right to request and to choose the supports, services and action to be taken on their behalf. People served have the right to be made aware of the options that are available to them and to direct the action to be taken.
- 6.02 Abilities Centre is committed to training staff, volunteers and board members on issues related to assault/abuse, its prevention, signs, reporting requirements, investigation and treatment. All staff, board members, students and volunteers will be oriented to this policy and procedures for identifying and reporting assault/abuse and provided with annual refresher training.
- 6.03 Abilities Centre staff pledge not to dismiss, penalize, discipline, or retaliate or discriminate against any person who discloses information or submits, in good faith, a report concerning Abuse.
- 6.04 Any person encountering (witnessing or having an individual disclose) an incident of abuse or assault must follow these steps:
- a) Intervene to ensure the person's health, safety and well-being wherever possible.
 - b) If necessary, staff will provide first aid and request an ambulance.
 - c) Staff must contact their immediate supervisor and advise them of the situation/ allegation immediately. Should the alleged assailant/abuser be the manager, contact Human Resources and/or a Director. If the Manager or Director is not available, staff should notify the General Manager & Chief Operating Officer.
 - d) It is the responsibility of the Manager to inform the General Manager & Chief Operating Officer and/or their designate.
 - e) If the alleged assailant/abuser is an Abilities Centre staff member, Human Resources and Management staff will work with the General Manager & Chief Operating Officer and/or their designate to follow up on the issue as per policy and procedures.
 - f) If applicable, staff with support from the Manager, will ensure the alleged individual and the alleged perpetrator are kept separate from each other.
 - g) Where it becomes apparent or suspected there is abuse, the police are notified by the General Manager & Chief Operating Officer and/or designate immediately.
 - h) Any statement, allegations or direct quotes made by a person to an employee of Abilities Centre are documented.
 - i) Employees are to provide a safe, supportive and non-threatening atmosphere during the disclosure. Employees must refrain from questioning or "investigating" the allegations.
 - j) Parents/guardians or advocates are contacted, with the person's consent, by the Manager as appropriate and as soon as is practical. Abilities Centre will obtain consent of the individual before notifying others, if the person can provide consent.
 - k) Where individuals cannot make their wishes known, the parent, guardian or advocate will be notified.



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- l) Once the Manager is notified, staff are to ensure that a private and safe space is provided for a meeting between the staff, the individual alleging abuse and the staff's manager.
- m) The Manager will notify the individual that the conversation will be documented for legal and health and safety reasons.
- n) An employee, student or volunteer receiving the verbal report or disclosure will complete an Abilities Centre Abuse and Neglect Report before the conclusion of their shift.
- o) No report of or allegation of abuse will be made/taken "off the record".
- p) The Manager must advise individuals of the availability of supporting resources and make referrals as requested (i.e., Advocate, medical, psychiatric, or other service providers).
- q) Managers will provide individuals alleging abuse and their families (if appropriate) with information regarding available community resources.
- r) All employees are to make themselves available to the investigation authorities as a resource for information regarding developmental challenges, supportive communication and/or any support the person requires/requests.

6.05 If the alleged assailant/abuser is a staff member, the following protocols apply:

- a) Contact between the two parties must not occur.
- b) The General Manager & Chief Operating Officer, or their designate, will contact the police to conduct a thorough investigation as appropriate and as soon as possible.
- c) Where circumstances warrant police involvement, this will occur without delay; any employee discipline by the employer will be in addition to, and run parallel to, any legal action.
- d) Where circumstances warrant disciplinary action, discipline shall be imposed.
- e) The parent/ guardian /advocate of the alleged victim shall be contacted with consent and notified of the allegations within 24 hours by the General Manager & Chief Operating Officer, or their designate, at the direction of the victim, if appropriate.
- f) The General Manager & Chief Operating Officer, and/or their designate, reviews all reported or suspected incidents of abuse.

6.06 Quality Assurance Measures

- a) The General Manager & Chief Operating Officer, or their designate, reviews all reported or suspected allegations of abuse promptly.
- b) All fact-finding interviews are conducted in as confidential a manner as possible and may include the General Manager & Chief Operating Officer, or their designate, and a representative from Human Resources.
- c) All information is documented and kept in the strictest confidence.
- d) Through the internal fact-finding process, the General Manager & Chief Operating Officer, or their designate, determines the need to involve external agencies.
- e) During staff, volunteer and board member orientation periods, education and training about Abuse Awareness is provided. All employees, volunteers and board members are required to read and sign an acknowledgement of understanding of the Abuse, Neglect and Exploitation policy and procedure on an annual basis. This annual requirement will be documented in each employee and volunteer's personnel record.



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- f) Training and education about abuse, neglect and exploitation will be provided for people who receive support in understandable and preferred formats at least annually. This training will include identifying who people can talk to about abuse and any unfair treatment issues.

6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

Ontario *Child and Family Services Act (CFSA)*

MCCSS, Serious Occurrence Reporting (SOR) Guidelines, 2019

Abilities Centre, Serious Occurrence Reporting Policy

Abilities Centre, Member and Participant Discipline Policy

Sport Canada, Safe Sport Policy

REVISION CONTROL

Date	Revision	Effective