



GENERAL MANUAL POLICY

APPROVED BY:

Executive Director

CATEGORY: Supports & Services

TOPIC: Abuse

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POLICY

Community Living Thunder Bay is committed to promoting and safeguarding the physical and emotional well being of children and adults receiving support, and eliminating conditions, which may foster abuse. We believe that each of us has a responsibility for protecting the safety, security and dignity of individuals.

Community Living Thunder Bay will not tolerate any form of abuse or neglect.

Abuse is defined as action or behaviour that causes or is likely to cause physical injury or psychological harm or both to a person with a developmental disability, or results or is likely to result in significant loss or destruction of their property, and includes neglect.

Neglect means the failure to provide a person with a developmental disability with the support and assistance that is required for their health, safety or well-being and includes inaction or a pattern of inaction that jeopardizes the health or safety of the person.

For the purposes of the definition of “abuse”, abuse includes any and all of physical, sexual, emotional, verbal and financial abuse, financial exploitation and neglect.

Abuse is defined as:

PHYSICAL

Physical abuse is defined as an individual being physically hurt, injured, killed or handled inappropriately; including but not exclusive to: hitting, shaking, squeezing, burning, biting, pinching, scratching, suffocation and inappropriate use of restraint.

Initial: 

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SEXUAL	Sexual abuse is defined as any unwanted or forced sexual contact, unwanted (inappropriate) touching or unwanted displays of sexual parts, threats or harm or coercion in connection with sexual activity.
VERBAL	Verbal abuse is defined as any communication towards an individual that may be reasonably perceived to be demeaning, seductive, suggestive, exploitive, insulting, derogatory or humiliating including but not limited to: sarcasm, swearing, racial slurs, teasing and inappropriate tone of voice.
EMOTIONAL	Emotional abuse is defined as any verbal or non-verbal behaviour, which demonstrates disrespect and negatively affects the individual's confidence or self-esteem. Such behaviours include but are not limited to: retaliation, intimidation, manipulation, taunting and insensitivity to the individual's culture, race, religious practices, economic status and education.
FINANCIAL EXPLOITATION	Financial exploitation is defined as the denial of access to, and control over, individual's own funds and the misuse of their financial resources.
NEGLECT	<p>Neglect is defined as acts of omission, including ignoring nutritional, medical or other physical needs, the withholding of the necessities of life, the failure to provide required medical care or appropriate education services; or any failure to provide necessary care, assistance, guidance or attention to an individual that causes, or is reasonably likely to cause the individual within a short period of time serious physical, mental or emotional harm or substantial damage to or loss of assets. Neglect can include but is not limited to:</p> <ul style="list-style-type: none">• living in unsanitary conditions• suffering from an untreated disease or illness• creating a hazardous situation that will likely cause serious physical harm to the individual or others or cause substantial damage to or loss of assets• unnecessary medical treatment• loneliness or isolation• inappropriate response times to personal needs• not washing, feeding or toileting an individual

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EMPOWERMENT TO COMPLAIN

Employees, volunteers and students on placement who witness incidents of suspected abuse from fellow staff, other individuals, person to person, family members and/or people outside of the agency, must report allegations immediately. Everyone within the Agency must be empowered to make complaints without fear of reprisal. Until an investigation can be held, the situation as described by the alleged victim or person making the allegation will be supported. If a person requests support, assistance will be given. It may be necessary to explain what the individual's rights are and what type of assistance is available and to provide the appropriate help to receive the necessary supports. It is required that employees act in the best interest of an individual and report concerns rather than wait until a situation clearly conforms to a specific definition of abuse.

PREAMBLE

All allegations are presumed to be of a serious nature pending the outcome of the investigation.

IMMEDIATE ACTION

1. Employees who come across an abuse situation must intervene to ensure the individual's health, safety and well being. The alleged abuser will be separated from the situation.
2. Ensure that immediate first aid or physician's care is provided if necessary.
3. In the case of suspected sexual abuse, support the alleged victim not to remove or rearrange clothing, not to bathe or wash and not to consume any food, beverages or prescription drugs, until the alleged victim has been seen by a medical doctor.

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REPORTING PROCEDURE

Effective January 1, 2011 Ontario Regulation 299/10 introduced new requirements for reporting, documenting and notification regarding abuse that is alleged, suspected or witnessed.

Ontario Regulation 299/10 requires you to immediately report any alleged, suspected or witnessed incidents of abuse.

Until further notice, you are directed to report any alleged, suspected or witnessed incidents of abuse to your immediate supervisor by providing only those details that are necessary for them to identify the type of abuse.

You are required to complete a detailed Report of Abuse form and submit it immediately to your supervisor.

You are not to discuss the alleged, suspected or witnessed abuse with anyone until either the police arrive to take your statement or you are directed to provide a full report to a Community Living Thunder Bay representative.

The appropriate Director(s) and/or the Executive Director, where required, immediately report the alleged, suspected or witnessed incidents of abuse to the Police.

1. Contact one of the following: the Team Leader or On Call Supervisor (after hours) immediately.
2. When the abuse has been reported to the Team Leader, he or she will contact the Team Leader immediately who in turn will contact the Director of Supports and Services. The Director of Supports and Services will contact the Executive Director.
3. Upon notification of an alleged abuse incident, the Team Leader shall immediately go to the site. If the alleged abuse incident happens outside office hours, the Back-Up Team Leader shall immediately go to the location where the incident occurred.
4. The accused will be suspended immediately pending the outcome of the investigation.
5. The Team Leader/Back-Up Team Leader shall receive a preliminary verbal statement from the alleged victim and the staff, students and/or volunteers involved.
6. The witness or witnesses will record the incident.

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7. Each person witnessing the abuse shall complete separate reports. Staff shall not collaborate with each other when more than one report is prepared on the same incident.
8. The Team Leader/Back-Up Team Leader shall obtain consent from the alleged victim (if that person has a known way to provide consent) to notify the person's parents/guardian/advocate of the incident.
9. In the case of an adult, the Team Leader/Back-Up Team Leader shall present options to the alleged victim and his/her family or advocate, and call medical personnel, where appropriate, or where safety is an issue, or it has been alleged that an assault has occurred.
10. In the case of an adult, the Executive Director, or designate, shall contact the police, where appropriate, or where safety is an issue, or it has been alleged that a criminal act has occurred.
11. The Team Leader/Back-Up Team Leader shall inform the alleged victim of the process that will be followed.
12. The Director of Supports and Services shall report to the Executive Director, who shall review the preliminary documentation and make the determination to form an investigation team.
13. The Executive Director, or designate, shall contact within 24-hours of the initial report:
 - the President of the Association;
 - the Ministry of Community and Social Services;
 - the Investigation Team.

INTERNAL INVESTIGATION PROCESS

Please refer to individual policy (Supports and Services Policy 5.2).

