

**Responsive
Childrens
Supports Ltd.**

Policy Number: 1010

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Effective Date: January 1, 2014

Replaces: Nov 1, 2011

SECTION: CLIENT SERVICES

TOPIC: CLIENT ABUSE PREVENTION AND RESPONSE

Intent: To protect individuals in service from mistreatment.

To assist individuals in service build skills to help protect them and prevent them from abuse

To provide training and support for the individuals and employees.

The Agency will comply with the requirements of the Child Youth and Family Enhancement Act, Residential Facilities Licensing Regulation , and required standards.

It is the policy of The Agency that no form of abuse directed at individuals in service will be tolerated; be it emotional, physical, sexual, exploitation, negligence, or inappropriate use of restrictive procedures. Staff actions considered to be abusive will result in disciplinary action up to termination of employment. If staff actions are criminal acts, the agency will report these actions to the police (e.g. theft, assault).

Upon commencement of employment or commencement of a practicum, each new employee/practicum student is required to attend the Abuse Prevention and Response workshop training within their first month of employment (up to 3 months if extenuating circumstances). A copy of the policy is given to the employee and reviewed at the workshop. Employees will sign to confirm that the policy was read and reviewed. This signed confirmation will be placed on the employee's personnel file. In addition, Service Area Coordinators/Directors will ensure that another review of the policy is completed with all employees typically within the first month, and that this training is documented on the orientation form.

Every employee who works with the agency has a role in promoting ways they can help prevent abuse towards individuals from occurring. For those who work with individuals this could include:

- Assisting to educate individuals in service in areas such as: knowing their rights, understanding what abuse is and who they can talk to, and safety training in areas of risk for them.
- Assisting individuals to communicate what they want or don't want by: encouraging individuals to make choices instead of making choices for them; encouraging them to express themselves; developing a communication tool(s) for those who are non-verbal.
- Assisting individuals develop relationships and friendships in their communities, and assist them to be part of their community.

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Any employee who becomes aware or suspects any form of possible abuse has two legal responsibilities (witness it, reported by client or another person, evidence/indicator of wrong doing)

1. Responsibility to Report Abuse It is the responsibility of all employees, practicum students, and contractors to report abuse or suspected abuse to their Supervisor/or On-call contact immediately (within 1 hour). This includes self reporting, and situations witnessed, reported by the client or another person such as a co-worker or neighbor, or any evidence or indicator of wrong doing. You also must report situations where you (the employee) have been told that someone thought you were abusive or inappropriate toward a client (e.g by a co-worker, by a neighbor, etc). Employees will follow *Checklist: When Abuse is Suspected. (procedure)*

When an employee reports an allegation of abuse about another person, the organization will not take any action against the person for reporting, unless it is proven that the report is made maliciously. Disciplinary action, up to and including termination of employment will be taken should an employee fail to report: abuse witnessed, or abuse reported to them by the client or others, suspected abuse, or signs of possible abuse (e.g. bruising, missing money)

All employees who have information about a situation involving abuse or suspected abuse are required to keep the information confidential and confined to the lines of communication within the agency. The organization will strive to keep the identity of the reporter confidential whenever possible.

Supervisors will follow *Checklist: When Abuse is Suspected (See procedure)*

Whenever Client abuse is suspected or alleged, it first must be reported to the Executive Director by the Service Area Director (or Coordinator when there is no Service Area Director) no later than the end of the day. For those situations that qualify as an 'incident' under Licensing Regulation 25(1) the CFSA (caseworker/ SSRT) will be notified by the Service Area Director (or Coordinator when there is no Service Area Director) within 24 hours; the Resource Specialist will be notified within 24 hours or the next working day. This notification and consultation will occur prior to an investigation and/or 'employee review for wrong doing' conducted by the agency. The individual's guardian (if FSCD funded) will be contacted by the Service Area Director(or Coordinator when there is no Service Area Director) within one working day of the report being made

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2. **Stop The Abuse** It is an employee's responsibility when they witness abuse or suspected abuse to bring the abusive situation to an end by intervening directly or indirectly (whichever maximizes the effectiveness and minimizes risks) to stop the abusive episode. Employees must evaluate the potential risks of intervening alone or getting help. Employees are not expected to place their own life in imminent peril.

Direct intervention could include speaking to the abuser or victim, and/or physically intervening.

Indirect intervention may include asking the person to take a break or access emergency assistance.

The Directors of the Agency will immediately assess what is needed to keep the individual(s) safe and free from further possible abuse. Once an allegation has been made, this will include removing (suspending) the alleged abuser from contact with any vulnerable person while an internal review of the incident occurs.

If the situation occurred from a member in the community, other safeguards will be reviewed with the team.

The agency will also assess and provide remedial action (as appropriate) to the individual and others involved in the situation (e.g medical, counseling, etc).

The Agency will carefully complete a review of any allegation made, ensuring that a thorough and fair investigation ensues. The documented outcome will include recommendations as needed (i.e., re-training, specific behavior needed to continue in position, change in position or hours of work, follow up and monitoring, disciplinary action, termination of employment, etc.). The agency will report to the police any situations where a criminal offense has occurred or is suspected. Written documentation of any investigation will be retained. A final summary report will be sent to the Executive Director and Calgary and Area Child and Family Services Authority (CFSA)The individual's guardian will be given information regarding the outcome of the review, and recommendations and follow-up actions if needed. Support and remedial action (where appropriate) will be offered to those involved (e.g. victim, perpetrator, witness).

The Agency defines Abuse as: (as identified below, but not limited to)

A Verbal and Emotional Abuse:

- ◇ Threaten by words or gestures to use force against a person.

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- ◇ Using belittling, condescending, humiliating, coercing, criticizing statements.
- ◇ Derogatory teasing, name-calling or swearing.
- ◇ Using a loud inappropriate voice.
- ◇ Using inappropriate authoritarian approaches such as commanding/ordering/intimidating.
- ◇ Demanding that a Client apologize for their previous behavior or other types of harassing activity.
- ◇ Rejection, reminding or holding a grudge over Clients' previous inappropriate behavior.
- ◇ Withholding positive attention
- ◇ Providing a gift contingent on behaving in a certain manner
- ◇ Threatening Clients with consequences or withholding of rights.
- ◇ Not consistently following the Client's approved written approaches.
- ◇ Restricting client from appropriate social contact.
- ◇ Inappropriate interactions with others in front of clients (e.g fight with co-workers, family, friends)

Possible evidence or indicators of verbal and emotional abuse:

- Anxiety, anger, behavioral changes
- Constant apologies
- Nightmare, sleep disturbances

B) Physical Abuse:

- ◇ The inappropriate application of physical force to the Client's body (e.g. pushing, slapping, hitting, pulling, grabbing, kicking, using a weapon or chemical, etc.).
- ◇ When a client physically acts out staff are required to use CPI techniques only. Physical abuse would occur if the approved or emergency physical intervention exceeded what is absolutely necessary to ensure the health and safety of all involved (see Positive Approaches and Restrictive Practices Policy and Crisis Intervention training). Physical intervention is only acceptable as a last resort used only when the client has physically acted out (e.g follow profile) or the client is in danger (e.g running into traffic)

Possible indicators of physical abuse:

- Unexplained or unusual injuries, defensiveness about the injury
- Sudden fear of physical contact
- change in behavior, anxiety

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C) Sexual Abuse:

- ◇ Any interaction of a sexual nature between an Employee/Contractor and a Client is prohibited. This includes, but is not limited to: sexual intercourse, sexual touching, invitation to sexual touching, sexual assault, statements of a sexual nature or initiating a client's unauthorized exposure to sexually explicit material/activity.
- ◇ Any unwanted sexual activity between client /client or client/community member including: sexual touching, nonconsensual sexual intercourse, sexual harassment, and sexual exploitation.
- ◇ Sexual harassment, defined as any unwelcome physical, visual or verbal conduct which causes a person to become uncomfortable. Unwelcome behavior could include jokes, insults, personal comments, and innuendo. It may also take the form of posters, pictures, graffiti or e-mail or other electronic devices. Harassment is considered to be a behavior that insults or intimidates. It is also considered from the perspective that a reasonable person should have known that a behavior could be unwelcome. The unwanted behavior does not need to be intentional in order to be considered harassment. The unwanted behavior may occur at work or away from work.

Possible indicators of sexual abuse:

- pain or injury to genital area
- Difficult time walking or sitting
- Sudden sexual acting out

D) Negligence:

- ◇ Failure to respond in a situation which may harm the Clients and others.
- ◇ Failure to report a situation which may be detrimental to the Client's well being.
- ◇ Failure to obtain, for the Client or to permit the Client, to receive essential medical or other remedial treatment.
- ◇ Failure to provide the Clients with their basic needs (food, clothing, shelter, etc.).
- ◇ Inappropriate abandonment of the Client (e.g., leaving Client alone for periods exceeding Guardian Authorization).

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- ◇ Failure to maintain confidentiality
- ◇ Failure to administer prescribed medications when needed.
- ◇ Failure to provide the supports as identified and outlined in the client profile
- ◇ Failure to request team input and risk assessment for challenging client situations or ethical dilemmas
- ◇ Ignoring clients (e.g doing personal things such as phone calls, watching tv, talking to others and not including the client)
- ◇ Sleeping on an awake overnight shift
- ◇ Leaving a shift or client alone in situations where continuous support is required

Possible indicators of negligence:

- Health concerns that are ignored or go untreated
- Loss of weight without a medical reason
- Reoccurring accidents, injuries, falls
- client acting out for attention

E) Exploitation:

- ◇ Excessive charges for services.
- ◇ Withholding funds required for daily living necessities without authorization.
- ◇ Fraud; e.g. unauthorized cashing of cheques or cash withdrawal.
- ◇ Theft of possessions or funds, or borrowing of personal possessions or funds
- ◇ Requesting client commit illegal act such as carrying stolen or illegal items for someone or providing false information
- ◇ Personally using individuals treaty card or special needs taxi card
- ◇ Using client items for personal use (eg., clothing, washing machine, etc.)

Possible indicator of exploitation:

- missing money, groceries or personal items, long distance charges

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F) Inappropriate use of restrictive procedure:

- ◇ An unapproved approach or procedure that restricts the rights, freedoms, choices or self determination of the client

- ◇ Possible indicator of restrictive procedure
 - Deliberate confining (to restrain or enclose in a place) without legal authority to do so (e.g. Administering medication to a client for an inappropriate purpose).

Reference: Agency Abuse Protocol
Abuse Prevention and Response Protocol
Protection For Persons In Care Act
Employee Disciplinary Process Policy
Child Youth and Family Enhancement Act
Residential Facilities Licensing Regulation
COA Accreditation