

Manual of Administration

TOPIC: Administration	SUBJECT: Abuse	Code: AD000
		Date of Issue: November 1994
		Revised: April 2018
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PURPOSE:

To clarify what is considered abuse of a person supported by Avenue II (client) and what process to follow when becoming aware of possible abuse.

POLICY STATEMENT:

Avenue II has zero tolerance for any kind of abuse to persons being supported by Avenue II staff, other people, volunteers, or students on placement. Staff will adhere to the procedures below regarding abuse or suspected abuse. It is the responsibility of all in the agency to report suspected abuse of someone we support. Failing to document and report suspected abuse is subject to discipline under policy HR022, 4.13 and 4.16.

Where there is suspected abuse, each party will be advised of his/her rights and available options.

Where allegations of abuse have been reported and where an employee has been shown to have abused an individual we support, automatic termination of employment will result. During an investigation, an employee will be relieved of duty until the investigation is complete (HR022, Procedure point 8).

DEFINITION:

Depending on the nature of the incident, abuse may be an offense under the Criminal Code, Human Rights Code, and/or a violation of Avenue II policy.

Abuse can take many forms. It can take place once or it can happen on an on-going basis. Types of abuse that may occur are defined below. It does not include all types of abuse.

The *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008*, defines abuse as “action or behavior 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”.

Client to Client Abuse: Is an action that is intentional and may be criminal in nature that is perpetrated by one client against another client. Unintentional behavior is not abuse.

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Sexual Abuse: Is the unwanted or non-consensual sexual contact of any part of a person's body. Sexual abuse is also the denial of a person's right by staff to engage in consenting sexual behavior.

Physical Abuse: Is an act of assault that causes or could cause physical injury. I.e. hitting, burning, and pushing.

Verbal Abuse: Is the use of demeaning language and/or name calling. It includes the threat of assault, negative verbal depictions of disability, skill or attractiveness.

Psychological Abuse: Is generally sustained and repetitive. It includes criticism, insults, threats of harm or destruction, degradation, humiliation, intimidation, isolation or terrorizing of a person.

Emotional Abuse: Is the misuse of power, in any way, to cause a person to lose respect for him or herself.

Financial Abuse: Constitutes the misuse, misappropriation or restriction of someone's financial assets for financial gain.

Neglect: Is the failure to provide the necessities of life such as food, clothing, shelter, care or supervision. It includes ignoring a person or not providing required support and the failure to provide a person 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.

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

Harassment: is the use of any comment, conduct, or gesture that is insulting, intimidating, humiliating, malicious, degrading, offensive, or discriminatory, and directed toward an individual or group of individuals.

Sexual Harassment: Is the use of any comment or conduct of a sexual nature, undertaken that causes offence or humiliation.

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PROCEDURE:

ROLES AND RESPONSIBILITIES:

A. STAFF:

When you witness abuse of a client:

1. Stop the abuse.
2. Ensure the safety of the client.
3. Do not ask questions of the victim.
4. Do not allow the person to:
 - a. Remove or re-arrange clothing,
 - b. Bathe or wash,
 - c. Urinate or have a bowel movement if it is suspected to be sexual in nature.
5. If needed, seek medical care or first aid for the victim. Ensure the medical professional is aware that the person may have been abused.
6. Call the police.
7. Call your Manager or On-Call Supervisor.
8. Document your findings on an Incident Report.

When a client reports abuse to you or you suspect abuse:

1. Ensure the safety of the client.
2. If needed, seek medical care and first aid for the victim.
3. Call your Manager (if it is about the Manager, call his/her supervisor).
4. Do not ask questions.
5. Document your findings on an Incident Report.
6. An investigation team will be assigned to ask non-leading questions in order to confirm abuse.
7. Criminal Acts of abuse will be reported to the police by Management.

If a client arrives for support with unexplained injuries or bruising:

1. Call the home or family and ask for an explanation.
2. Document your outcome on a Contact Sheet.
3. Ensure your Manager is aware.
4. If not immediately satisfied with the explanation, contact your Manager directly to ensure he/she is aware of the situation. The Manager may continue follow up with the Supervisor or the home or the family.

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5. Where there is an ongoing investigation, the Manager will keep the General Manager/Director of Support Services aware of the situation via Contact Sheet and personal communication.

B. MANAGER/ON-CALL SUPERVISOR:

1. Ensure client and staff are safe and that any medical issues have been dealt with immediately.
2. If the abuse was witnessed by staff, ensure the police were called and the General Manager / Director of Support Services is called.
3. Ensure staffing requirements are adequate. If the abuser or suspected abuser is also an Avenue II client, separate support staff will be required to assist them through the process.
4. If the alleged abuse has been reported to a staff member or abuse is suspected, call the Director of Support Services or General Manager to form an Investigation Team.

C. INVESTIGATION TEAM:

1. If the victim is able to make decisions and gives permission/consent, contact parents, guardians, or advocates to share essential information. People who do not wish to inform parents, guardian, or advocates will be advised of the benefits of these people knowing and encouraged to change their mind. Note the discussion on the Incident Report or log.
2. The Director of Support Services or General Manager will arrange for an investigation team of two management personnel who will jointly follow the steps below. Note: The person managing the team or individual may not be the best candidate for handling the investigation.
 - a. Meet as soon as possible with the staff reporting the incident.
 - b. Meet with the victim and:
 - i. Explain the process that will be followed.
 - ii. Confirm abuse, ensure allegation, and look for direct evidence.
 - iii. At the first indication that the abuse is criminal in nature, **STOP THE INVESTIGATION** and call Police.
 - iv. If not criminal in nature, continue the investigation.
 - c. Meet with the suspected abuser.

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- d. If a criminal investigation was required, continue to gather information from the victim, staff and suspected abuser **only after** the criminal investigation has been completed.
 - e. Record all findings during each step.
 - f. Arrange for counseling to be available for staff and client if needed.
 - g. Ensure proper documentation is completed.
3. If the person has been legally determined to not have decision making capacity, then inform the substitute decision maker.
 4. Prepare report on findings for review by the Executive Director.
 5. Ensure that staff supporting are equipped to deal with situations surrounding the abuse or alleged abuse (i.e., support strategies to deal with victim). Arrange for debriefing or EAP for staff as required.
 6. Follow up with person's team regarding outcome, as much as confidentiality will allow.

D. DIRECTOR OF SUPPORT SERVICES / GENERAL MANAGER:

1. Inform the Executive Director of situation.
2. Participate in the investigation as needed (may be the second management personnel involved in talking to the victim and suspected abuser).
3. Review information from the Investigation Team and make recommendations to the Executive Director on future action required.
4. If required, pass required documentation on to the Executive Director to prepare Serious Occurrence.
5. Ensure follow up where required.
6. Ensure debriefing is available for the client(s).
7. Remind staff of our EAP, which is available if required.

E. EXECUTIVE DIRECTOR:

1. Review reports and recommendations.
2. File Serious Occurrence report with Ministry of Community and Social Services within appropriate time frame.
3. Notify the President of the Board of Directors as appropriate.
4. Ensure follow up as per Ministry or Board direction as required.