

Madawaska Valley

Association For

Community Living

**POLICY: ABUSE**

**PAGES: 5**

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Policy:

Madawaska Valley Association for Community Living is committed to providing a safe, nurturing and respectful environment for people receiving services. We will ensure that their rights, as stated by the Canadian Charter of Rights and Freedoms and the Ontario Human Rights Code, are being met.

**Our Association will not tolerate abuse of any kind. Abuse refers to any act or situation, which may be physical, verbal, sexual or psychological in nature which demeans, harms or infringes on personal rights or dignity, or places an individual at risk to personal health and safety. This also includes neglect and financial abuse.**

We will ensure the safety and rights of the people who are receiving services. It is the Association's intent to have incidents reported immediately, investigated promptly, and corrective action taken. There will be prompt, appropriate follow up and action. Any person who suffers abuse and anyone who witnesses and reports abuse will be provided support, protection and confidentiality.

The consent to notify others will be obtained from the person served if capable, or his/her advocate or power of attorney prior to notifying others.

Any staff/volunteer involved in an abusive act with an association individual will be subject to disciplinary action. Failure to report any witnessed act of abuse will be considered a serious offence and will also be subject to disciplinary action.

Policy and Procedures Governing Protection

# Protection from Harm:

Every person has the right to protection from harm, and if harmed, the right to immediate support, protection and treatment.

# Empowered to Complain:

Everyone within M.V.A.C.L. must be empowered to make complaints without fear of the consequences. Until an investigation can be held, the situation as described by the alleged victim will be supported and believed. If a person requests support, assistance will be given. It may be necessary to explain what the individual's rights are and what types of assistance are available and to provide the appropriate help to receive the necessary supports.

# Training:

M.V.A.C.L. will ensure that all people living and working within the organization will receive the support, training and assistance necessary to take action in the prevention and identification of and response to incidences of abuse and neglect. Staff will receive training necessary to ensure their competence to promote the well-being of individuals. People will be taught in the "language" they understand. All staff, volunteers and caregivers of the Association will be oriented to these policies and procedures. Prior to commencing their scheduled hours, each staff will review this policy. There will be a review of this policy annually thereafter to ensure staff understand abuse identification and reporting procedures. Annually in reference to all QAM training, means within twelve months of the last documented review.

Persons in service will receive abuse training annually. People with communication barriers, sensitivity to subject matter or other special requirements can access this training at the Learning Center.

# Vulnerability:

People's disabilities make them vulnerable. This vulnerability could be countered by the meaningful involvement of family and friends. At M.V.A.C.L. our support and services are designed to further minimize this vulnerability. We ensure that M.V.A.C.L. staff demonstrate competency in their daily practices including, appropriate use of psycho tropic medications, behavior management, medical and physical care practices and understand how such practices can contribute to or result in the abuse of adults who are vulnerable.

# Protection from Community:

M.V.A.C.L. will ensure that other organizations and professionals who come into contact with the people we support know about their responsibility to safeguard against abuse.

# Hiring Policy & Procedures:

Procedures and protocols are in place, to increase the likelihood of staff being hired that have positive values and attitudes toward the people in our programs. A vulnerable sector check will be conducted.

M.V.A.C.L. has in place an emergency on-call system and a Serious Occurrence and Incident Reporting system. Everyone within the services will be made aware of these internal mechanisms and have easy access to them. External sources for advice, counsel and/or advocacy services will also be made known.

Investigation and Management of Allegations of Abuse:

1. Intervention:

Intervention that ensures the person's health, safety, and well-being wherever possible is our priority. Employees will refrain from questioning or “investigating” the allegations. It is important to remind the alleged victim that; they are believed and they did the right thing by telling, the abuse was not their fault. Any significant quotes, etc should be recorded. Staff will provide a supportive and nonthreatening environment during the disclosure. If staff suspect abuse it is important that they ask open ended questions. Open ended questions cannot be answered by a simple “yes” or “no”.

 **Example:**

Staff - “that is a bad bruise; can you tell me what happened?”

 Abuse Victim - “I got hit yesterday”

 Staff - “Hit with what?”

 Abuse Victim - “Hit with a fist”

 Staff - “Was this an accident or was it done intentionally?”

 Abuse Victim - “It was done on purpose”

Staff - “So you are telling me that someone hit you and they wanted to hurt you?”

 Abuse Victim - “Yes

 Staff - “Why did they hit you on purpose?”

 Abuse Victim - “They were mad at me”

Once there is clear allegation stop asking questions and follow instructions for Step #2.

2. Investigation by Police:

In compliance with Ministry standards staff must contact their Manager and immediately contact the police after there has been evidence of alleged abuse. The people knowledgeable about the incident will be available to the police as a resource for information regarding developmental challenges and/or be a support or interpreter for the alleged victim.

 Only after the investigation by police will there be an internal investigation.

3. Medical Treatment:

After the police have completed their investigation first aid and health care is to be accessed for the victim, if needed; but with necessary precaution to preserve physical evidence.

# 4. Internal Reporting:

The Executive Director will follow up, as per the Ministry of Children, Community & Social Services Serious Occurrence Procedures. If the Executive Director were implicated in the suspicion, allegation or report, the President of the Board of Directors would normally be called and would follow up as per the MCCSS Serious Occurrence Procedures.

 5. Accident/Incident Report:

The Accident/Incident Report will be completed by the individual(s) witnessing the event, the victim and the people investigating.

6. Notification of Parent/Guardian/Advocate:

In all cases the wishes of the victim will be respected. Where people cannot make their wishes known, the parent, guardian or advocate will be notified immediately.

7. Supports to the Alleged Victim and Their Chosen Support Person(s):

The employees will provide the alleged victim and their parent/guardian/advocate with information regarding resources available within the community, which may be able to assist in dealing with their situation. If needed/requested, they will provide access to appropriate support and professional resources (e.g. legal, medical, psychiatric, other service providers, etc.).

8. Communication with the Board of Directors and the MCCSS Area Office:

The Board of Directors of the Association and the Area Office of the Ministry of Children, Community & Social Services shall be notified in writing of the incident within 24 hours.

9. If the Verdict is "Guilty":

If the alleged abuser is found guilty in court, the person will be disciplined appropriately up to and including dismissal.

10. Remedial Action:

Appropriate services to deal with the aftermath will be provided for the victim. Appropriate evaluation, remedial action and training will be undertaken following any occurrences.