

Abuse Prevention and Reporting Policy

Effective Date: 1 January 2011	Approved By: Board of Directors
Review Date: July 2015	Approved By: Board of Directors
Next Revision: July 2016	

1. Policy Statement

Pegasus is committed to ending the abuse of people with developmental disabilities. People with developmental disabilities are very vulnerable to abuse by those who support them. Pegasus has **Zero Tolerance** for any form of abuse for the people we support. People who receive support are treated with dignity and respect and their rights are honoured and protected. First and foremost, Pegasus will provide a safe environment that eliminates abuse and the underlying current of abuse that can occur in situations where support is being provided.

Any report of abuse will be taken seriously. Pegasus will investigate all alleged, suspicious or witnessed cases of abuse in accordance with all legislative requirements including involving the Police and the criminal justice system as required.

Abusive treatment includes any form of sexual, physical, emotional, verbal or financial abuse, intimidation, neglect, bullying, inappropriate support, harassment and taking advantage of a person supported for any reason.

2. Policy Application

The duty to prevent and report abuse applies to all staff, volunteers and people with developmental disabilities (participants), family members and others who provide support.

3. Terms of Reference

Pegasus is committed to a positive, equality driven, supportive and respectful environment for all people with developmental disabilities, as well as for staff, volunteers, family members and others who provide support.

Pegasus is committed to ensuring that all participants, staff and volunteers are trained to be aware of their rights and obligations and to identify and prevent abuse and to adhere to the Pegasus Principles of Service.

Pegasus will support people who are alleged to have been abused, as well as those who are reporting the abuse.

Any employee or volunteer who is found to be involved in the abuse of a person will be subject to disciplinary action, which may include dismissal. Failure to report any abuse or suspicion of abuse will result in disciplinary action, which may include dismissal.

4. What is Abuse?

Abuse is any action or behaviour that causes or is likely to cause physical injury or psychological harm, or both, to a person. This includes significant loss or destruction of their property or neglect. Abuse can be identified in several areas: physical, sexual, emotional, verbal, financial, property. Neglect is also a form of abuse.

4.1. Examples of Abuse

The following serve as examples of Abuse, but abuse is not limited to these specific examples:

Physical: unnecessarily limiting movement or restraining; assault of any kind, including grabbing, slapping, pushing.

Sexual: any and all types of non consensual sexual interaction, including full body hugs, flirtatious behaviour, discussions of employee's private sexual matters. Staff and volunteers are considered to be in positions of power vis a vis the persons we support, and can thus never be involved in a consensual sexual interaction.

Emotional: talking about a person as if he/she were not present; talking to everyone present except the participant, using language that demeans, threatens, or disrespects, using childish language while speaking to an adult. Emotional abuse is often verbal but can also be non verbal and conveyed with body language.

It is also abusive to prevent a participant from acquiring information and using information to make decisions affecting his/her own life.

Human Rights Abuse: Human rights abuse includes any denial of a person's rights, basic needs, or opportunities. This also includes sexual harassment and harassment based on a person's race or ethnic background. Human rights abuse also includes not respecting a person's cultural, religious, or political beliefs and practices; denying a person access to education, housing or employment, and denying the person the right to vote.

Neglect and Malpractice: Administering medication or performing a procedure without following consent guidelines, not arranging for necessary health care or assistive devices.

Financial and Property: Using a person's belongings without consent, withholding his/her own funds from use, borrowing funds, misrepresenting his/her identity, discarding property without consent.

4.2. Signs of Abuse

The following serve as examples of signs of abuse:

Tangible evidence e.g. bruising, bleeding, fractures; change in behaviour or attitude; financial loss

There is no single sign or indication that a person is being abused. All bruising, broken limbs or other injuries, and changes to an individual's private body parts should be considered as potential signs of abuse.

Staff should be aware that any change in a person's attitude toward life and behaviour may indicate some change in his/her life, and this change may be related to abuse.

It is very important for staff to be attentive toward the persons they support, and to take their communications seriously at all times. Staff will then be more likely to note an important change that may require further investigation. Employees must regularly observe and document any changes.

Some common indicators that abuse may be occurring: a person may become more passive or obliging; disturbances in daily habits e.g. eating or sleeping; different reactions to common situations; increased agitation; new health issues or complications;

Financial abuse may be indicated by missing funds, or another person using or wearing the labelled person's possessions.

5. Confidentiality and Protection for Reporters

In the interest of protecting those we support, all staff and volunteers who witness or are given a report of abuse are required to will come forward. Confidentiality and privacy will be maintained throughout the process of investigation.

Pegasus will not tolerate any harassment, threats, or intimidation arising from a report of abuse.

6. Procedures

6.1. How to Become Aware of Abuse

Employees or volunteers may become aware of abuse through witnessing abuse, disclosure of abuse, or suspicion as a result of a person's behaviour or appearance.

6.2. How to report abuse & How to Support an Individual when abuse of that individual has been alleged, suspected or witnessed

If an employee or volunteer witnesses abuse or becomes aware or suspicious of abuse the following procedure must be followed promptly:

- 6.2.1. Treat all witnessed or disclosed or suspicions of abuse seriously. Ensure that the person has privacy when sharing information and let the person know before you call the police.
- 6.2.2. Ensure that the person is safe and not in direct contact with the person who is alleged to have committed abuse. Provide First Aid if needed and obtain further medical assistance if required. Do not leave the person until another support staff is able to assist. Prepare the person for what to expect during a police inquiry or at the hospital. Contact other staff for help if necessary. Staff should stay with the individual for as long as indicated, including accompanying the individual to the police station, hospital or to their home.
- 6.2.3. Whenever possible, the individual should be supported by a staff member with whom he/she feels comfortable and has a relationship of trust.
- 6.2.4. When supporting the individual during the inquiry process, staff members should use methods of communication that are familiar to the individual.
- 6.2.5. The police should be notified promptly by telephone. Staff will call emergency services (911) if the person is in immediate danger.
- 6.2.6. All evidence of the suspected abuse should be conserved in its original state and documented. If the abuse is physical, photographs using the agency camera (date and time recorder function should be on) should be taken with care to preserve or maintain the dignity of the abused person.
- 6.2.7. Do not initiate an interview or questioning of the abused person. If the person volunteers information related to the suspected abuse, make a written record of their words or gestures and conserve as evidence.
- 6.2.8. If a third party that may or may not be the cause of the abuse offers an explanation for the signs of abuse, record the information and conserve as evidence. Do not solicit information or ask further questions.
- 6.2.9. Staff will notify Supervisor only after contacting the police. At this point, Staff will request assistance from a Supervisor in order to best protect the individual and to receive support for him/herself as the reporting staff. The Supervisor, in consultation with the Program Manager or Executive Director,

will determine the course of action if the situation is particularly difficult (e.g. the person indicates they do not want to return to their place of residence).

- 6.2.10. Staff will not discuss the report with any other staff, other than the Supervisor, until the police report has been given.
- 6.2.11. The employee or volunteer who has reported the alleged abuse will need to stay on site and report to the police as required. The staff must also complete an Incident Report.
- 6.2.12. The Executive Director or designate will inform the Ministry of Community and Social Services of any alleged abuse of a person with developmental disabilities outlined in the Serious and Enhanced Serious Occurrences reporting requirements.
- 6.2.13. If legal proceedings are to occur, staff members should help to prepare the individual for by providing information and other support.
- 6.2.14. With the individual's consent, Pegasus should provide appropriate referrals to community or social services.

6.3. Role of Supervisors who have been informed that an abuse report has been made

- 6.3.1. Supervisors will not question staff or participants.
- 6.3.2. Supervisors will contact the Program Manager or Executive Director as soon as they are informed that a report has been made
- 6.3.3. During regular program hours, Supervisors will support staff that have made the report and assist him/her to support the individual. They will be alert to any signs that the staff issuing a report is being subjected to threats, harassment, intimidation, or any other negative reactions to the report, and will deal accordingly with such behaviour.

6.4. Role of the Program Manager or Executive Director who have been informed that a report of abuse has been made

If report of abuse is being made against a staff member or volunteer, the Executive Director will suspend the employee on full pay, or suspend the volunteer, until the investigation is complete. In the absence of the Executive Director, the Program Manager will perform this role. If the Executive Director has been accused, the Board of Directors will suspend him/her.

- 6.4.1. Executive Director will carry out an internal investigation as described below.

- 6.4.2. The Program Manager or Executive Director will inform the Ministry of Community and Social Services as part of the Serious and enhanced Serious Occurrences reporting requirements.

6.5. Police Investigation

- 6.5.1. Pegasus employees will assist Police and/or medical experts with their investigation as required.
- 6.5.2. If the police find evidence of the reported abuse, disciplinary action will be taken which may include dismissal or termination.
- 6.5.3. If the police investigation concludes that no abuse has been committed, the employee will be immediately reinstated and no record will be held in his/her employment or volunteer file.

6.6. Internal Investigation Procedure

Pegasus has a duty to undertake an internal review/ investigation of all reported incidences of abuse to ensure that all policies and procedures were correctly followed and that the safety, welfare and dignity of persons it supports, as well as those of reporting persons, is upheld.

Internal investigations will not be conducted until after the Police investigation is completed and has resulted in no criminal charges being laid.

The internal investigation will:

- 6.6.1. Be led by a team composed of the Executive Director and a member of the Board of Directors. If the Executive Director is under investigation, Board members will lead the investigations.
- 6.6.2. Review all completed documentation and incident reports.
- 6.6.3. Conduct interviews of all parties involved.

At the completion of the internal investigation, the investigating team will:

- 6.6.4. Assure that support through the Employee Assistance Program or other avenues of support is available for all staff involved in the investigation.
- 6.6.5. If evidence of the reported abuse is found, disciplinary action will be taken which may include dismissal or termination.

6.6.6. If the internal investigation concludes that no abuse has been committed, the employee/volunteer will be immediately reinstated and no record will be held in his/her employment or volunteer file.

6.6.7. Pegasus will implement any recommendations that arise from the internal investigation.

During police and/or internal investigations, Media enquires or statements will only be issued by the Executive Director or Board Chair.

6.7. Notification of report of abuse to third parties

As soon as possible after police are involved, staff will ask the police if and when any other persons, including those acting on behalf of the participant (family members, residential support persons), can be notified.

Before Pegasus can notify others that abuse has occurred or is alleged to have occurred, consent must be given by the person against whom abuse is alleged to have occurred. ***Authorization to Collect, Use, and Release Information for Services*** must be signed by the person receiving supports before Pegasus can notify others, where the person is capable of clearly giving such consent. Once consent has been granted by the participant, the indicated other persons will be notified within one hour.

7. Training to prevent and report abuse

Pegasus is committed to provide training and refresher training for all participants, staff, Board, managers and volunteers on all issues identified in this Policy as well as in broader issues relating to the rights of individuals with developmental disabilities.

7.1. Participants

At the beginning of their service contract, all participants will be trained in the abuse and prevention policy, and in their role in protecting themselves, by a Pegasus staff who has been trained to deliver this program.

Thereafter, such training and related issues regarding self protection will be embedded in supports and services on an as needed basis. Formal training will be delivered annually.

7.2. Front line staff and volunteers

Front line staff and volunteers will read and review the *Abuse Prevention & Reporting Policy* as part of their initial orientation after hiring. Their supervisors will review the policy with them and answer questions.

As per the *Staff Orientation and Training Policy*, staff will be continually coached and mentored by the Program Manager, Supervisors and peers on abuse awareness and prevention. Supplementary information will be made available to staff as it becomes available.

Staff will receive annual refresher training on abuse prevention and reporting. This training will be documented.

7.3. Supervisors

All Supervisors will read and review the abuse and prevention policy as part of their initial orientation after hiring. Also upon hiring, they will be given extensive training by the Program Manager, focusing on details of the policy implementation and understanding abuse of people with developmental disabilities within a broader societal context. The role of the Police will be explored.

7.4. Board members, staff and volunteers who do not have contact with participants

All will read and review the *Abuse Prevention & Reporting Policy* as part of their orientation and annually thereafter. A Staff member, Supervisory level or above, will be available to answer questions and to clarify.

7.5. Families and other Support persons

At the time of the initial service contract, families will be informed of the *Abuse Prevention & Reporting Policy* and informed of the process for questions and appeals, in accordance with the *Feedback and Complaints Policy*. They will also be informed of their right to appeal an investigation of abuse.

Families and support persons will be encouraged to work with Pegasus to prevent abuse and to engage their family member to learn as much as possible about self protection.

7.6. Additional

All families are encouraged to support their family member to take an active role in learning about abuse and in self protection.

All parties are expected to actively participate in training and to demonstrate knowledge.

Knowledge enhancements will be offered as available, including on line audio visual materials and workshops.

All formal training will be reviewed and refreshed annually.

The agency will develop a relationship with the local police division who will become known to staff at all levels.

8. Documentation

All parties will sign a document attesting that they have received training, and are prepared to implement the policy.

9. Other measures regarding abuse prevention

In addition to the deterrent effect of abuse awareness and reporting, Pegasus is committed to preventing abuse by embedding anti-abuse elements into its human resource strategies, employee support programs, and the community based structure of its services and supports.

10. Human Resource Strategies

- 10.1. All staff must provide 3 legitimate and high level references.
- 10.2. All staff must agree to a Police vulnerable persons background check.
- 10.3. All staff must demonstrate a positive attitude toward persons with developmental disabilities and a willingness to learn new attitudes.
- 10.4. All staff must have a well founded understanding of community inclusion and demonstrate skills creating opportunities for such opportunities and willingness to learn.
- 10.5. All staff are trained and receive refresher courses in Pegasus philosophy of service and statement of rights.
- 10.6. All staff are expected to work toward providing respectful and sensitive interactions with participants. This is taught and inculcated by daily discussion and supervision.
- 10.7. All staff will abide by all agency policies and procedures.

11. Employee Support

Pegasus strives to create an environment where Staff can receive appropriate support for issues that may arise in their work. Pegasus believes the following are important aspects of staff support and stress reduction:

- 11.1. A system of small staff teams and frequent meetings encourages frequent communication about work issues.

- 11.2. Good staff-participant ratios are a priority for the agency.
- 11.3. Staff who are experiencing personal difficulties are encouraged to seek assistance from the EAP (Employee Assistance Plan), as well as from their co-workers, supervisors, or any management or executive staff.
- 11.4. Staff benefit from the community inclusion and social contact inherent in the structure of supports and program sites.

12. Community structure of supports and program sites

The structure of Pegasus' system of supports, as well as the locations of its program sites are designed to be anti abuse. They are firmly rooted in the community. In addition the supports are designed to reduce isolation and boredom, and to facilitate community involvement. Pegasus believes the following aspects contribute to abuse reduction:

- 12.1. Program sites are in public facilities which are shared with other community members. This reduces isolation and also makes staff, administration, and participants more accountable to the community.
- 12.2. Members of the public are implicitly invited to observe events and people, to be vigilant, to make queries and, if they choose, to report any negative event to either Pegasus administration or an outside agency.
- 12.3. Staff and participants have daily contact with people who are not part of Pegasus. This serves to reduce isolation and encourages staff, as well as community members, to see that each individual has a valued position in the community. The participant themselves, when they perceive that they are valued, become more ready to play a valued role and to assert their right to do so.
- 12.4. Pegasus offers a wide and varied range of activities at the program site and in the community. This maintains interest level of both staff and participants and the expectation that daily life will be dynamic and inviting.
- 12.5. Families and other support individuals have daily contact with Pegasus staff and this also makes the staff and administration more accountable.

13. Policy Review

Pegasus Board and Executive Director will undertake an annual review of all its policies and related procedures to promote zero tolerance of abuse. The review process will consist of a review of any Incident Reports related to abuse, and any recommended changes to prevent occurrences of abuse will be implemented as required.

14. Related Policies

Principles of Service and Rights of Individuals

Behaviour Support Policy

All other policies related to Participant Care, Inclusion, and Supervision