Guidelines for developing a safety and protection policy for children, youth, and vulnerable adults

Introduction

The abuse of a vulnerable person, whether the victim is a child or an adult, tears at the fabric of family and community life and has far-reaching consequences. A serious incident of abuse can undermine years of dedicated service by an organization, and can lead to declining business, low morale, and a diminished sense of confidence within the community. In the end, it is not just the victims that suffer, but also the people who have committed their lives to caring for them.

This document intends to highlight relevant issues surrounding abuse and suggests areas to concentrate on in order to mitigate the exposure. This document should not be thought of as an abuse prevention policy, but rather a guideline to assist in the development of such a policy. As society and the law evolve, organizations that supervise children/youth/vulnerable adults are under increasing pressure to ensure that adequate measures are in place to protect them. Ideally, in partnership with legal counsel, your organization should draft a suitable abuse prevention policy that meets the needs of your community. In general, a good abuse policy will touch on each point addressed in this guideline. On the "Resources" page, Appendix 14, you'll find links to references for further research on abuse prevention policies.

Reasons For Developing an Abuse Prevention Policy

Prevention of abuse of children/ youth/ vulnerable adults

Prevention includes having adequate processes in place in order to prevent opportunities for physical abuse, sexual abuse, emotional abuse and neglect from arising."

Protection of all the vulnerable in our midst

The protection of all children, youth and vulnerable adults is everyone's responsibility.

Reporting of all incidents of abuse, neglect and harm

Such incidents, wherever, and whenever they are encountered, will be reported immediately to a designated internal authority, the police, and the appropriate agencies in accordance with civil law requirements, the organizations legal advisor and report the incident to your insurer.

Training and Support for staff and volunteers

A process of screening, recruiting, training, supervising and supporting staff and volunteers.

Protection of the organization from lawsuits involving allegations of abuse

Abuse can place the reputation of the organization in jeopardy, and the financial costs of defending lawsuits can be devastating. (See Appendix 13 for an explanation of the legal considerations) Most organizations have a separate Sexual Abuse and Harassment Policy, which defines the procedure for responding to allegations of abuse (See Appendix 12, Dealing with Reports of Abuse). These should be reviewed to ensure they apply to abuses other than sexual abuse and apply to all individuals in addition to children. Most organizations designate a senior executive member of the organization as the contact for disclosures of abuse.

Communicating the Abuse Prevention Policy

Your policy and its procedures must be clearly communicated to all members of the organization (including board members, paid staff, and volunteers), to all groups governed by and run by the organization, and to all others using the facilities.

Definition of Terms in the Policy and Implementation

Defines the organizational structure, legal entities, titles, position descriptions for responsible parties, and programs specific to the organization.

Examples

Child/Youth
A person who is under 18 years of age. (Some Canadian provinces/territories classify children/youth as 16 years of age and younger. A decision must be made on which age to use.)

Event
Occasional or one-time events run by an organization or community.

Examples: a yearly concert, tea or picnic, etc.

Committee
A group of persons responsible for ensuring that the policy is put into place.

Leader position
A leadership role occupied by an employee or volunteer where there is expected to be direct interaction with children, youth, or vulnerable adults.

Examples: the positions of program leader, youth group leader, personal care worker, camp counsellor, teacher, after-school tutor.

Umbrella organization
For the purposes of the policy, this shall include the regional and national divisions and all related organizations and the programs that they oversee and sponsor.

Program
A structured series of similar activities or events governed and run by the organization which spans a period of weeks or months, and in which the level of risk is expected to remain constant.

Examples: a weekly extra-curricular class, the routine visitation of an elder in a care facility, weekly youth meetings, an out-of-the- cold program.

Risk Assessment
A process by which programs are rated according to risk factors. High-risk programs and activities will require special attention.

Role Descriptions for leaders
A person at least 18 years of age who devotes significant portions of his/her time and energy in service and who has gone through a period of orientation and training, in order to hold a leader position.

Examples include program director, youth leader, leader of a group for developmentally challenged adults, paid staff, and other professional workers. (Note: It is common practice in many organizations to use volunteer helpers who are between the ages of 12 and 18. Youthful leadership is to be encouraged and supported. However, it should be noted that when leaders are mentioned in this policy, we are referring to people of at least 18 years of age. Nevertheless, leaders under the age of 18 are expected to follow the policy when acting as leaders or volunteer helpers.)

Vulnerable adult
A vulnerable adult is an adult whose exposure to harm including abuse, exploitation or neglect is increased by their personal characteristics or life circumstances. Their personal characteristics may include: age, physical or mental disabilities.

Volunteer helper
A person who is involved peripherally in programs with children, youth, or vulnerable adults, but has not chosen to become a leader.

Examples include someone who delivers cookies to a children's program, someone who collects and presents socks to homeless people at a shelter, or someone who collects and distributes food bank items to families.

First Phase: Preparation

A. Read the Abuse Policy and prepare a report or presentation

A report or presentation can begin by giving a summary of the policy and how it came to be, and listing some of the advantages of and reasons for putting the policy in place, such as:

→ Protecting the young and vulnerable
→ Making newcomers and visitors feel more comfortable when they know a policy to prevent abuse is in place
→ Helping all members of the organization to feel more supported and confident when they receive orientation, training and supervision
→ Allowing the organization's insurance company to have more confidence that the organization is managing the risk exposures

B. Establish a committee

In order to effectively implement an abuse prevention policy, every organization should form a committee with the unique responsibility of putting the policy into action. This committee should be responsible for making sure that all groups in the organization know about the policy and follow the implementation steps with integrity and consistency.

C. List all Current Programs

What programs with children/youth/vulnerable adults are currently being offered? This is a time to list all types of programs that are currently offered, such as:

→ Programs with preschoolers
→ Programs with grade 1–6
→ Programs with teens
→ After school programs
→ Other specialized programs, such as a "day-away" program for adults with physical or mental disabilities

D. Write or Adapt Position Descriptions

Your organization may already have developed position descriptions for each of the programs you described. If you do not have position descriptions, you need to develop them.

Samples of some positions can be found in Appendix 1 of this policy. You will need to adapt these samples, so they accurately reflect the programs offered by your organization.

Position descriptions are vitally important. They communicate to everyone, whether paid or unpaid, what is expected of them, what skills or experience may be needed, how the organization will provide orientation and training for the task, and what support they can expect to receive.

Position descriptions also form part of the annual performance review process, providing the opportunity for your organization to review success measured against the description and make necessary changes.

There should be a probationary period for new employees and volunteers, or employees and volunteers who are changing roles. All volunteers should be carefully evaluated and screened to manage risk to the organization.

E. Evaluate Risk Factors

It is necessary to look at the organization's current programs and explore the risks inherent in each one. For example, you would want to evaluate the risk factors in visiting frail seniors or transporting children and youth in the vehicles of volunteers. You need to manage these risks carefully.

The committee will determine how much risk there is in current programs, and whether or not this risk can be effectively reduced. Each activity or program requires the completion of a risk assessment. This work is ongoing and must be revisited with each new program year, each change in adult leadership, or after any considerable change in the overall environment of the organization.

Risk assessment for each program should be done annually, as responsibilities associated with positions often change over time. The completed risk assessments should be kept safely and securely.

Note that it may be possible to group certain programs together. For instance, if you have a grade school, you might choose to do a risk assessment for four groupings: nursery and toddlers, 3–5 years old, grade 1–6, and teens.

Risk assessments are performed in the following cases:

I   General Program

The committee must assess the potential risks inherent with each program and/or activity to be undertaken. Such an assessment is performed by reviewing the activities undertaken and the position description(s) of those managing the activity and considering the most common circumstances under which a person in that position is likely to carry out his or her duties.

II   Specific or Special Events

Should a leader decide to introduce a new element into a program, he/she must determine the risk for that specific event and submit the risk assessment in writing to the Committee for review prior to the event.

III   Risk Assessment Guide

If any of the categories below are checked "Yes", the event or program may require additional consideration. See suggestions for reducing risk below.

Risk Category	Risk Factor	Yes	No
Degree of Isolation	➔ The leader/volunteer helper may be alone with person being served		
Degree of Supervision	➔ The leader/volunteer helper has limited or no supervision in role ➔ The activities of leader/volunteer helper are in a place where activities are not observed or monitored		
Access of Property	➔ The leader/volunteer helper has access to personal property or money of persons served ➔ The leader/volunteer helper has access to confidential information related to the person served		
Degree of Physical Contact	➔ The position description includes touching persons in the program		
Vulnerability of Persons Served	➔ Persons served have language or literacy barriers ➔ Persons served are immobile ➔ Persons served have challenges that contribute to their vulnerability (e.g., physical, psychological, emotional, residency status and situational)		
Degree of Physical Demands	➔ The activity involves potential danger to person served (e.g., rock climbing, using a stove) ➔ Activity involves potential stress (e.g., children upset by visit to nursing homes, support group activities)		
Degree of Trust	➔ The leader/volunteer helper develops close, personal relationships with persons served ➔ The position involves transportation of persons served. ➔ The leader/volunteer helper contributes to making career or other important decisions of persons served.		
Degree of Inherent Risk	➔ The activity heightens potential for the leader/volunteer helper to be in contact with bodily fluids or disease of the person served. ➔ The activity exposes the person served to operation or handling of potentially dangerous equipment (e.g., lawnmower). ➔ The activity exposes the person served to handling toxic substances or results in exposure to poor air quality, noise, etc. (e.g., demolition work in an inner-city mission).		

F. How to Reduce Risk

Sometimes for the sake of the effectiveness of a program, it is simply not feasible to eliminate risks, but in other cases, risks can be lowered without jeopardizing the intended effect.

Often, lowering the risk can even improve the quality of the program being offered. Once a risk assessment has been performed for the program or event, there are several options to consider:

I Forgo the Activity/Event/ Program in Question

Many dangers can be avoided by simply aborting the situation. However, while some programs are inherently high risk, you may opt to continue them because of their importance.

II Transfer the Liability

You may choose to have a service or program offered by someone with professional expertise who carries separate insurance coverage.

III Modify the Program or Event

You may make changes as to how the activity is carried out. Here are some suggestions for reducing risk:

→ Follow a two-person policy whenever possible — during any program, have at least two adults present.

→ Where possible, the two adults should be unrelated.

→ Require two volunteers/staff to transport children/youth/vulnerable adults in an organization vehicle or in a volunteer's vehicle.

→ When the two-person policy cannot be used, notify a parent before a proposed one-to-one contact with a child/youth (e.g., in a mentoring relationship) and ask permission to meet.

→ Where the two-person policy cannot be used, require that one-to-one contacts between a volunteer/staff and child/ youth/vulnerable adult take place in a public area either inside or outside the organization's facilities, where both people can be seen by others.

→ Add a clear glass window in the door of each classroom/activity room, or always leave the door open.

→ All staff/volunteers working with children/youth/vulnerable adults should wear name tags.

→ Parent/caregiver contact information should be carefully maintained.

→ Parents of nursery-aged children should be assigned Identification numbers, which must be given before the child will be released.

→ No child should be dropped off without a leader present.

→ No parents or adults should enter a classroom/activity room without permission.

G. Community Groups Using the Organization's Facilities for Regular, Ongoing Programs

Up to this point we have focused on programs that are run by the organization. What about community groups who use the organization's facilities? The organization is assumed to be a safe place, even when used by others.

Hosting community groups (like Scouts, AA, and so on) is part of the outreach and hospitality plan of many organizations. However, as the host, your organization still has responsibilities.

I Facility User/Rental Risk Management

Appropriate representatives must meet with each community group using your facilities to explain the abuse policy. The community group must have their own safety/protection policy in place before utilizing the premises. If they cannot produce evidence of a policy to the committee, ask them to take a copy of your protocol to the hierarchy of their organization and ask for implementation of a similar policy.

II Facility User Insurance Requirements

Even when your organization is a willing   host, you must ensure that all regular on-going community groups who use your facilities have insurance coverage. Ask the group to provide you with a Certificate of Insurance confirming their coverage. If they do not have insurance, check with your insurance company to see if

the community group falls under the scope of your insurance policy. If not, then the group must arrange appropriate coverage before being allowed to use your facility."

III "Facility Rental Agreement" Contract

It is prudent to draw up a "facility rental agreement" contract with regular, ongoing groups who use your organization's premises. This will spell out the responsibilities of each party. The contract should include an insurance agreement, a clause that indemnifies and holds harmless your organization to transfer the risks involved. In addition, the group using your facility should list your organization as an additional insured on their insurance policy as "their interests may apply."

IV Occasional Users of Your Facilities

In addition to on-going regular community groups, other groups may occasionally use your facilities. As host, it is your organization's responsibility to see if these occasional users have their own insurance or are covered by your organization's insurance policy.

H. Design a "Covenant of Care" Form

For any program or activity involving children, youth or vulnerable adults there should be a detailed orientation process for all leaders and volunteer helpers. As part of this orientation process, leaders and volunteer helpers should be asked to sign a "covenant of care" document (or equivalent) stating that the signatory understands the safety standards as presented in the orientation and agrees to adhere to them. A "covenant of care" makes behavioural expectations clear at the outset.

A sample form is found in Appendix 2 in this document.

I. Examine Safety and Prevention Areas

In preparation for the orientation, you should examine safety and prevention areas: facilities, fire procedures, transportation

issues, requirements of staff/user ratios, off-site activities and overnight events, billeting procedures, and health and safety issues.

I Facilities

A facilities checklist is provided in Appendix 3 to ensure the organization can protect children/youth/vulnerable people. Consider additional questions related to your facilities. Facilities, such as camps, should be guided by the facility requirements of their supervisory committee or, in the case of camps, by their provincial accreditation body.

II Fire Procedures

Consult with your regional fire prevention agents for safety standards and practices. Post a fire escape map in each room and ensure that fire extinguishers are properly placed. Inform every one of escape routes. An evacuation plan should be clearly defined. Practice the escape drill once a year or as often as directed by your local fire marshal. Prepare a list of individuals who may need assistance in the event of an emergency.

At the beginning of each class or activity session, attendance should be recorded, the attendance book picked up and taken to a central location. In the event of a fire, this helps ensure that everyone is accounted for.

III Transportation

A leader/volunteer helper who drives children/youth/vulnerable adults must have and provide proof of a valid driver's license, valid insurance, current vehicle liability insurance, and one seatbelt and/or car seat per person in the vehicle. All adults responsible for the transportation of children, youth and vulnerable adults should avoid driving them when alone. If transportation with personal cars is considered high risk by your insurance company, the liability might be transferred by opting for a professional bus service to transport children/youth/ vulnerable adults.

IV Leader and Participant Ratios

The activity and age of children/youth affects the ratio of children/youth to staff. The management of the program as well as concern for safety, care, and social interaction are some of the factors to consider when establishing adequate ratios. If there are not enough leader and adult volunteers, consider whether the program or activity should be held. (Volunteer helpers who work under the supervision of a screened, trained volunteer are welcome additions.)

Here are suggested child/youth/ vulnerable adult ratios to leaders in a regular program, but additional adults can be helpful if one adult needs to leave the program temporarily.

V Ratios of Children/youth/vulnerable Adults to Teachers/Leaders

While the rule of having two adults at all times in a group is encouraged, there are occasional times when only one leader is present. In such a situation, the leader should know what to do if he/she is alone with a child. The orientation session held at the beginning of the year should make clear that provision must be made for such an occurrence. Where possible, the two adults should be unrelated.

Age	Ratio
0–18 months	2 adults to 6 children
18 months–2 years	2 adults to 10 children
2–5 years	2 adults to 12 children
Ages 5–14	2 adults to 15 children
Ages 15–18	2 adults to 15 children
Vulnerable adults	2 adults to 10 vulnerable adults

VI Day Excursions and Overnight Outings

Here are the minimum recommended participants' ratios to teacher/leader/ volunteers on day excursions and overnight outings:

Age	Day Excursions	Overnight Outings
0–18 months	2 adults per group of 10	Overnight excursions not recommended
18 months–2 years	2 adults per group of 12	Not recommended for age 6; 4 adults for 20 children for ages 7–8
2–5 years	2 adults for every 15 children	2 adults for every 10 children
Ages 5–14	2 adults for every 15 children	2 adults for every 10 children
Ages 15–18	2 adults for every 15 youth	2 adults for every 10 youth
Vulnerable adults	2 adults for 10 vulnerable adults	2 adults for 10 vulnerable adults

VII Off-Site Activities and Overnight Events

The following guidelines must be taken with these activities/events and an activity waiver must be provided to parents/guardians and   signed (see Appendix 4 for a sample activity program waiver and medical release).

Day Excursions

→ A leader must assess the risk of the activity and submit that assessment in writing to the committee or other appropriate committee for approval prior to the activity.

→ Parents/guardians/caregivers must be notified prior to the activity/event .

→ Written consent and medical release forms are required for each child/ youth/vulnerable adult participating in activities/events.

→ At least one leader should have a cell phone and the phone numbers of where the parents of all children/youth can be contacted during the activity/event.

→ The leader should have a copy of the completed consent forms with them.

→ All day excursions must be supervised by a minimum of two leaders. Additional support workers might be necessary to accompany vulnerable adults.

→ When transportation of children/ youth/ vulnerable adults is needed for an activity, all drivers must have a valid driver's license, current vehicle liability insurance and must be screened volunteers or paid staff. The number of persons per vehicle must never exceed the number of seat belts or car seats.

→ At least one leader should have first aid training.

Overnight Activities/Events

Organizations should follow all requirements listed in daytime excursions above plus the following:

→ Each child/youth/vulnerable adult is required to follow pre-established codes of conduct signed by the parent/ guardian/caregiver and the child/youth/ vulnerable adults.

→ If the group is comprised of children/ youth/ vulnerable adults of both genders, leaders of both genders must be present.

→ Each leader should have an assigned group of children/youth/vulnerable adults for whom they will be responsible during the overnight event.

→ All facilities in which an overnight function is housed must be equipped with smoke detectors and clearly designated fire escape routes which are sufficient for the size of the group. All members of the group should be made aware of fire exits and fire procedures as required by provincial/ regional standards.

→ No adult should be alone with a single child/ youth/vulnerable adult.

→ If a day or overnight activity includes trips to a pool, lake, or hot tub, all municipal/ provincial/ federal regulations regarding safety and supervision must be adhered to, including the provision of lifeguards.

Billeting Youth in Private Homes

Billeting reduces costs and allows youth to meet new people. Here are some things to consider when billeting youth:

→ All adults and youth 18 years and older must complete a screening process prior to hosting. This includes a police record check and a vulnerable sector check, and a recommendation from a leader within the organization

→ The host family offering billeting must be known, trusted members of the organization.

→ Guidelines should be distributed to hosts by a program leader and discussed prior to the arrival of youth at the home.

→ Any allergy/medical information for billeting youth must be communicated to the hosts prior to their arrival, with clear directions and contact information in the event of an incident.

→ Children under 14 years of age should not be billeted.

→ It is strongly recommended that youth be billeted in small groups, and groups should always be of the same gender.

→ All youth should have distinct sleeping arrangements separate from other host family members.

→ A curfew should always be enforced when youth are being billeted.

→ The contact information (telephone number, address, email address) of the individual with whom the youth will be billeted must be obtained by the group leader.

VIII Health

While organizations cannot always avoid having ill children/youth/vulnerable adults in their programs, several measures can be taken to promote good health and reduce infection.

Allergies

When children/youth/vulnerable adults register for a program, organizers should always inquire about allergies. Post this information so that it will not be overlooked. If your program serves meals or snacks, post the menu so that the parent/caregiver can see it. Avoid foods identified as serious allergens such as peanut butter, chocolate, and nuts of any kind. Popcorn can be dangerous for young children.

Injury

If a participant is injured while participating in a program or activity, the leader must arrange to get the person to medical center. If necessary, call 9-1-1. If the child/youth/ vulnerable adult is bleeding, the volunteer/ leader should protect himself/herself and all others from the blood. For all injuries, even if the person does not need medical attention, a leader must complete a general incident report (see Appendix 5) and report the incident to the injured person's parent/ guardian/caretaker. General incident reports should be filed and stored in a locked metal cabinet, if future reference is necessary. Formal reporting procedures must include notifying your insurer should there be an injury that requires medical treatment.

Infectious Diseases

Leaders must instruct parents/guardians to remove their children/youth from any program if they have been diagnosed with, or exhibit symptoms of illnesses which are known to be infectious, such as: diarrhea, vomiting, fever, rash, open sores, skin or eye infection, scarlet fever, measles, mumps, chicken pox, whooping cough, head lice, flu-like symptoms and any symptoms associated with a Coronavirus.

Checklist for First Phase

Task	Date	Who is Responsible?
Has a presentation been made to the governing body of the community?		
Has a committee been established?		
Has the committee listed all the programs currently offered?		
Has the committee written or adapted position descriptions for each program?		
Has risk been assessed for each program? Have steps been taken to reduce some risk?		
Has a "covenant of care" form been produced?		
Have safety and prevention areas been inspected and changed if necessary?		
Have community groups using premises been informed that they have to provide confirmation of insurance coverage and confirmation that they are following abuse protocols?		

Second Phase: Working with leaders/volunteers

A. Recruit New Leaders/Volunteers and Support Experienced Leaders/ Volunteers

The Committee has the task of supervising the recruiting of new leaders and volunteers, but they may or may not be the people who customarily recruit in your organization.

Regardless of who does the recruiting, the process must include a personal interview, a reference check, a Police Records Check (PRC), and a Vulnerable Sector Check (VSC) of the prospective leader or volunteer. A formal probationary period with oversight and supervision should be in place.

See Appendix 6, Sample Application Form.

B. Recruiting Process

A personal interview is an essential way to discover if the applicant is a good fit with a program position.

In addition, a conversation with an applicant helps him/her determine whether the timing is right for him/her to assume a position.

See Appendix 7, Guide for Interviewing.

C. Experienced Leader/Volunteer

Do long time, experienced and trusted members need to go through the same recruiting and screening procedures as new recruits? The simple answer is "yes". Anyone applying to work or volunteer in a program or activity involving children/youth or vulnerable adults must be subject to the same rigorous recruitment and screening process irrespective of their past history and involvement with the organization.

D. Screening Check and Background Checks

Screening comes prior to a Police Records Check (PRC) which must include a Vulnerable Sector check (VSC.) Screening is a process performed by an organization to ensure that the right match is made between the work to be done and the

person who will do it. The screening process must also filter out unsuitable candidates, to ensure that a safe environment is maintained for all employees, volunteers, and external clients. The screening process includes steps such as job design, recruitment, and orientation. The steps that are most important in determining the suitability of a candidate are interviews, reference checks and a PRC. (The term "Police Records Check" is a general term. In your region, the check may be called a "volunteer sector screening check" or another term. In addition, both the process and the pay schedules vary greatly across Canada. Ask your regional police agency for the most comprehensive type of check).

One of the ten steps in Volunteer Canada's Safe Steps screening program is the PRC including the VSC component. A PRC which includes a VSC, is a criminal records check, as well as a search of the records in a national database. This type of enhanced screening can reveal if an individual has been investigated for an incident or incidents. This may or may not be revealed by a basic PRC. PRCs which include a VSC component have become a standard and accepted part of institutional and organizational procedures for those working with children, youth, and vulnerable persons in schools, hospitals, communities, and religious groups. However, PRCs including VSCs do have limitations, and that is why they are only one part of the larger screening process. (See Appendix 8, How PRCs are Obtained).

PRCs which include a VSC should be mandatory for all leaders and volunteers in the organization regardless of whether their position specifically deals with children, youth, and/or vulnerable persons. Any position within an organization that provides programming and support to children/ youth/ vulnerable adults may be seen as an access- point by predators.

I Handling the Information

Applicants are personally responsible for initiating both types of checks and submitting them to you. In this way, their privacy rights are not violated and the decision to share the results is in their hands. It is important that applicants go to their neighbourhood police departments to arrange for these checks. This allows police to research

their own databases for information about local problems or complaints, or provincial statute violations.

II How Often Must a Check be Done?

Police Records Check and the Vulnerable Sector Check must be integral to your recruitment process. These checks should be repeated on a regular basis, for example every three or five years.

→ However, safeguarding the security and well being

III Who Pays for the Check?

Since most PRCs require payment, your organization may decide to pay these fees, or you may ask individuals to pay for it themselves. However, in many regions in Canada, there is no cost for PRCs if the check is needed for the purpose of volunteering. This varies from region to region. Many people may already have a PRC which includes a VSC from another volunteer position.

Even to make a class presentation, most people are required to present a PRC including a VSC at a public school. Because individuals have to obtain a PRC for other community responsibilities, this process may be less costly than anticipated.

IV Are There Limits to PRCs?

There are some limits, but the fact still remains: PRCs which include a VSC can be a positive deterrent in discouraging nefarious individuals from applying for leadership or volunteer positions with children, youth and/or vulnerable adults. Here are some of the limitations of PRCs:

→ They are only good up to the day of checking and based on the information provided.

→ A person may use a false name, driver's license, or birth date, so there are no matches found in their record.

→ If a conviction occurred when the person was a youth, the information is protected under the Youth Criminal Justice Act; therefore, you will not have access to this information after a certain time period.

→ Some sex offenders and abusers have never been charged or convicted of a crime, so there will be no record to review.

E. Provide Orientation and Training for All Leaders/Volunteers

Orientation for all members — whether new or experienced — is very important. Orientation sessions provide individuals with general information to prepare them for their positions. Everyone, whether experienced or new, must attend the orientation sessions.

Orientation should be timed to coincide with the start of the majority of the organization's programs. It should include important information about safety practices.

A list of what would normally be covered in an orientation session can be found below. It is important that both leaders and volunteers are given an orientation and trained in accordance with the organization's safety and protection policy. Orientation includes items like these:

→ A review of position descriptions. Does everyone know what his or her job entails?

→ What to do in case of a sudden illness of either themselves or someone in the program. If ill, teachers and leaders should be given instruction about who to inform and how to find a replacement for their program.

→ In small organizations where there is only one leader/volunteer, a plan must be made if only one child comes to a program on a particular day.

→ How to access supplies and equipment.

→ How to access the building, activity rooms, supply cupboards etc.

→ Overview of the training sessions that will be available in the year ahead.

→ All leaders and volunteers must fill out the leader/volunteer form

See Appendix 6.

→ Safety issues such as fire procedures, transportation (if necessary), washroom practices, and other safety issues which are specific to the situation.

→ All leaders/volunteers must be given a print form about physical contact, washroom procedures, and information on abuse.

See Appendix 9, 10, and 11.

→ Leaders must be given a record book to record attendance carefully in case parents need to be advised about a health or safety concern. Attendance should be recorded at the beginning of each program and the attendance book taken to a central place.

→ All leaders/volunteers must read, agree and sign a "covenant of care" form and agree to a police background check and a vulnerable sector Screening check.

See Appendix 2.

F. Provide Supervision of and Support for Volunteers/Leaders

On-going Support

After orientation and training, supervision/support and evaluation will be provided.

Supervision/support and evaluation provide the following:

→ A standard level of practice.

→ An opportunity for new leaders/volunteers to reflect on what they have learned so they can improve their skills.

→ Protection for all participants from unsafe practices.

→ Protection for leaders/volunteers against false allegations of wrongdoing.

The position description is used as a reference point. For instance, in the description, a supervisor/coordinator may tell new leaders that he/she should know to expect a visit from the supervisor. The level of risk of the program or event determines the amount and frequency of supervision/support and evaluation.

Comments and feedback from participants and their families/caregivers are also helpful for new leaders/volunteers. Supervisors need to ask new leaders/volunteers to maintain open, frequent communication with program participants and their families/caregivers.

Supervisors may assure new leaders/volunteers that, if negative feedback is received, the supervisors will honour confidentiality but will work with the leaders/volunteers to make any necessary changes.

Checklist for Second Phase

Task	Date	Who is Responsible?
Have new leaders/volunteers been recruited using approved guidelines?		
Have experienced leaders/volunteers participated in a group interview?		
Have all leaders/volunteers (new and experienced) been part of an orientation session? Have all attendees signed a covenant of care?		
Have all leaders/volunteers in high-risk programs obtained a police record check and a vulnerable sector check?		
Have all leaders participated in some form of leadership training?		
Is someone in a position of authority providing ongoing supervision and support for leaders/volunteers?		
Have safety and prevention areas been inspected and changed if necessary?		
Have community groups using premises been informed that they have to provide confirmation of insurance coverage and confirmation that they are following abuse protocols?		

Third Phase: Evaluation and Reporting

A. Evaluate the Policy and Report to Supervising Body

At least twice a year the committee should meet to evaluate how things are going in your organization.

These key questions will guide the evaluation:

→ What positive things have we noticed as a result of introducing the policy?

→ Are there special problems that have emerged that require attention?

→ Are there things that we need to plan for in the future?

It is important to do an evaluation of position descriptions and risk assessments on an annual basis. As programs change and evolve, the position descriptions and risk assessments will also change. It is also very important that the committee report these evaluations to the appropriate governing body at least twice a year.

Reporting to all levels of the organization (local, regional and national) is typically required, and the process for doing this should follow your specific organization's internal reporting requirements.

B. Collect and Retain Necessary Documents

The purpose of retaining screening and training records is to ensure that, in the unfortunate event that an allegation is brought against the organization, documentation exists to prove that preventative measures were in place and were being followed. This pertains to employment/volunteer applications (and the attendant police checks, vulnerable sector screening check and references) as well as records of induction training, performance appraisals, and refresher courses. It can also be helpful to include a signed "covenant of care" (or equivalent) document, indicating that employees and volunteers have made a clear commitment to observe industry-accepted "best practices." One of the few effective legal defenses available is to prove that adequate measures were taken prior to an incident. It is also important that the organization retain copies of all insurance policies, particularly where insurers

may have changed over the years. This is necessary so that, in the event a claim is brought forward, it can be determined which insurer was on risk at a particular time.

Organizations should also ensure that the details of any incidents or allegations of abuse are documented and retained. In some cases, legal demands for compensation may not be made until many years after the alleged abuse took place. If pertinent details are not permanently retained, an organization may face serious difficulty defending itself. Documentation plays an important role in substantiating a complaint, and it can be extremely useful when alleged incidents are reported to the organization's insurer. The information that should be permanently retained includes but is not limited to:

→ All employment/volunteer applications

→ Employee/volunteer screening records r(this includes any notes made during the reference-checking process, and a copy of the police record check and vulnerable sector screening check performed on each employee/volunteer)

→ Signed and dated "covenant of care" forms (or equivalent)

→ Records of Induction/orientation training and attendance at refresher courses (the use of training review forms is recommended.

These forms, which are signed by both the trainer and staff member or volunteer, can be used as documentary evidence of what training has been delivered, and that the person receiving the training has understood and agreed to all learning objectives)

→ Details regarding any probationary restrictions placed on new employees/volunteers

→ Documentation regarding any allegations of abuse or misconduct (including the name, age, sex, and address of both the victim and the alleged perpetrator; the nature of the abuse that is alleged to have occurred; the number of times the alleged abuse occurred; the date and location of the incident; the relationship between the victim and the alleged perpetrator; and any other evidence, such as medical exams, witnesses etc.)

→ Attendance Records

→ Copies of all policies of insurance secured by the organization

Please refer to "Legal and Insurance Considerations" in Appendix 13 for additional information on the importance of document retention.

C. How to Manage Confidential Information

Records that are of a personal, confidential nature must be kept in accordance with the privacy policy of the organization. Information about the collected data is confidential and will be used only for the purpose for which it was collected, that is, implementing and monitoring this policy. Information will be safely stored and only accessed by those who need to access it for purpose of the policy. In some cases, the use of a third-party document management facility may be considered for this purpose if appropriate.

Confidential information must be stored in a fireproof locked metal cabinet. The information should include a copy of the covenant of care

form, the leader/volunteer's application form, documentation of individual police records checks, performance evaluation records, and completed incident forms. The organization will designate one or two individuals to have a key to this cabinet.

D. How Does PIPEDA Affect This Policy?

PIPEDA, the Personal Information Protection and Electronic Documents Act, became effective in Canada in January 2004, and was last amended in June 2015.

PIPEDA is the federal privacy law for private-sector organizations. It sets out the ground rules for how businesses must handle personal information in the course of their commercial activity.

While this Act provides useful and necessary protection for Canadians, many organizations are not subject to PIPEDA because they do not collect, use, or dispose of commercial goods. Individual organizations should make sure that their rights and obligations under Canada's privacy laws are known and understood.

Checklist for Third Phase

Task	Date	Details
Report to a supervising body		
Annually evaluate the policies and procedures, updating them as required		
Collect and store necessary documents		

Appendices

The appendices are provided as examples and your Safeguarding Committee, along with legal counsel, should modify any document to suit the particular needs and requirements of your organization.

Appendix 1

Sample Forms for Job Descriptions

Sample General Job Descriptions

A job description provides a volunteer/leader (whether paid or unpaid) with a clear explanation of the specifications and requirements of a particular position, as well as the expectations of the committee. Here are examples of some positions within a typical school or charitable organization:

→ Pre-school program leader
→ Program leader for ages 6–12
→ Youth program leader for ages 12–18
→ Program leader for adults with developmental or physical challenges
→ Program leader for frail seniors
→ Counsellor/tutor for children/youth/ vulnerable adults
→ "Out of the Cold" program volunteers

A job description will contain information like this:

→ Title of the position
→ Goals of the program
→ Responsibilities
→ Length of appointment
→ Personal traits and abilities required
→ Training to be provided
→ Orientation available
→ Support and supervision provided
→ Mandatory activities
→ Screening process used in the selection

Note: Various sample job descriptions are included on the following pages.

Adapt as needed.

Appendix 1a

Sample job description for primary school age (ages 6–12) school teacher/leader (Insert your organization name here and adapt as needed)

Title of the Position:
School Teacher for ages 6–12

Responsible to:
School Superintendent/Coordinator

Responsible for:
15 children in a grade 4–6 class

Main Goal:
(Insert your mission statement here)

General summary
The school Teacher will oversee and facilitate the teaching of the curriculum in such a way that lives are changed, and growth is seen in the children. This will include preparations of classroom activities and ensuring all necessary supplies are available for classroom time. The teacher will be responsible for record keeping, care of the children and encouraging children in their education.

Roles, Responsibilities and Tasks
(List the expectations of this position)

→ Plan and teach a weekly lesson
→ Maintain confidentiality unless the child is in danger
→ Participate in events and activities that develop leadership skills
→ Maintain accurate records of attendance
→ Attend bimonthly teachers' meetings
→ Advise the school superintendent of his/her absence and find a suitable replacement
→ Ensure that the safety issues presented in orientation are followed

Skills, Experience, and Qualities
(List all that are necessary for this task)

→ Gift of teaching, time management, and organizational skills
→ Compassion for children and experience working with them
→ Patience and sensitivity to the needs of children
→ Creativity in sharing stories and personal and experiences

Screening Procedure
In accordance with the policy of the organization regarding the screening of all adults involved in programs with children and youth, this procedure includes completing a teacher/leader application form, and, in the case of prospective teachers/leaders, an interview by two people, a reference check, police records check and a vulnerable sector screening check.

Orientation and Training
(List all training courses)
→ Mandatory orientation program
→ Fire, safety and emergency procedures
→ Bimonthly teacher's meetings (or whatever your training will be)

Support, Supervision and Evaluation
As a support to all adults/youth engaged in children/youth/vulnerable adult programs, (insert name of organization) will provide monthly visits by the school superintendent, self-evaluation opportunities at training events, and regular support.

Schedule and Commitment
(Insert duration and terms of contract)

Appendix 1b

Sample job description for youth teacher/ leader (Insert your Organization name here and adapt as needed)

Title of the Position:
Youth Teacher/Leader

Responsible to:
School Superintendent/Coordinator

Responsible for:
12 youth between the ages of 12 and 18

Main Goal:
(Insert your organization's mission statement here)

General Summary
The youth leader will oversee and facilitate the teaching of the curriculum in such a way that lives are changed, and growth is seen in the youth. This will include preparation of classroom and social activities and ensuring all necessary supplies and arrangements are made for learning, social and service opportunities.

The leader will record attendance, care for the youth and encourage them in their education.

Roles, Responsibility and Tasks
(List the expectations of this position)

→ Plan and teach a lesson and/or social activity and/or service opportunity

→ Maintain confidentiality, unless a youth is in danger

→ Participate in events and activities that develop leadership skills

→ Maintain accurate records of attendance

→ Attend teachers' meeting

→ Advise the school superintendent of his/her absence and find a suitable replacement

→ Ensure that the safety issues presented in orientation are followed

Skills, Experience and Qualities
(List all that are necessary for this task)

→ Gift of teaching, time management and organizational skills

→ Compassion for youth and some experience working with them

→ Patience and sensitivity to the needs of youth

→ Creativity in sharing stories and personal experiences

Screening Procedure
In accordance with the policy of the organization, screening of adults involved in programs with children and youth includes completing a teacher/leader form, and, in the case of prospective teacher/leaders, an interview by two people, a reference check, Police Records Check, and a vulnerable sector check.

Orientation and Training
(List all training courses)

→ Mandatory orientation program

→ Awareness of fire, safety, and emergency procedures

→ Attendance at bimonthly teachers' meetings

Support, Supervision and Evaluation
As a support to all adults/youth engaged in children/youth vulnerable adult programs, (insert name of organization) will provide monthly visits by the school superintendent, self- evaluation opportunities at training events and regular support.

Schedule and commitment
(Insert duration and terms of contract)

Appendix 2

Sample Covenant of Care

The Covenant of Care for
(Insert name of organization here)

I promise, in all my relationships with children/ youth/vulnerable adults, to follow appropriate action as defined by my training orientation.

I promise to use only the physical contact that is deemed appropriate by the document (Abuse prevention policy), which I have read and understand.

I promise to use appropriate language.

I promise to show no bias based on gender, ethnic background, skin color, intelligence, age, religion, sexual orientation or socio- economic status.

I promise that I will not harass others.

I promise to respect confidentiality and privacy, unless a child, youth, or vulnerable adult is in danger, then I will report to a child protection agency or the police.

_____   _____
Signature   **Date**

_____   _____
Witnessed by   **Date**
(authorized person)

Appendix 3

Facilities Checklist

Item	Adequate?	Plan for improvement
Are railings at a safe height for children?		
Are stairs/steps in good repair and safe?		
Are bathrooms easily accessible?		
Are toilets accessible for children and people with disabilities?		
Are exits clearly marked?		
Are exits doors unlocked from the inside?		
Can exits, especially basements exits, be released from the inside?		
Are floors, especially around entrances, resistant to slipping?		
Is the nursery cleaned and vacuumed after each use?		
Are used diapers disposed of immediately after each nursery use?		
Are there clear glass windows in doors or split doors? If this is not feasible for a nursery, are safety gates used in open doorways?		
Are nursery toys washed regularly in a solution of one tablespoon household bleach to one gallon warm water?		
Are signs posted reminding people to wash hands?		
Is there a well-stocked first aid kit? Is it easily accessible?		
Have you consulted with an appropriate health care worker about a first aid kit?		
Are fire extinguishers in proper locations?		
Are there fire/emergency escape maps in each room?		
Is there regular practice for fire/ emergency escape?		
Are there smoke detectors and carbon monoxide detectors?		
Is there a fireproof lockable metal cabinet for the storage of records?		

Appendix 4

Sample Activity Program Waiver and Medical Release

Note: Before an activity, the program leader should store a copy of this waiver in a safe storage area and take another copy on the outing.

INSERT YOUR ORGANIZATION NAME HERE:

Description and location of activity	
Departure date	Returning date
Full name of participant	Birth date (N/A for adult)
Full address City Prov Postal Code	
Parent/guardian/caregiver names	

Circle the number where parent/guardian may be reached when trip is taking place.		
Home/resident phone	Cell	Work

Does the participant have any severe allergies or other medical condition that leaders should be aware of?
If yes, please list and explain

All reasonable precautions for the safety and health of the participant will be taken. He/she will be properly supervised in activities. In the event of accident or sickness, (Insert your organization name here), its staff and volunteers are released from any liability.

In the event of injury requiring medical attention, I authorize treatment for the participant and understand that reasonable attempts will be made to contact me, should such a situation occur.

In the event that travel, or activities take place outside this province, I understand that any medical costs incurred by the participant are my responsibility.

The participant must be covered by provincial health insurance or equivalent medical coverage. If the trip is out of province, please give insurance provider and policy number.

Provider	Policy No.
Participant Health card number	
Participant's Family Physician	Phone
Contact person (not parent) in case of emergency and parents/guardians/caregiver cannot be reached	
Name	Phone
Parent/Guardian Signature	Parent/Guardian Name (Print)

Appendix 5

Sample General Incident Report Form

Note: Before an activity, the program leader should store a copy of this waiver in a safe storage area and take another copy on the outing.

CONFIDENTIAL INSERT YOUR ORGANIZATION NAME HERE:

Report date	Time of report
Full Name of child/youth/adult	
Age/Grade (N/A for adult)	Date of Birth
Which of the following most accurately describes the person? M, F, non-binary, prefer not to say	
Full address City Prov Postal Code	
Phone (Primary)	Phone (Other)
Name of Parent/Guardian (for child/youth) or caregiver (for adult)	
Notified Yes No If yes, date/time of notification	
Address (if different from above)	
Phone (if different from above)	
Date/time of incident	Location of incident
Description of incident	
Names/contact of witnesses	
Description of injuries sustained	
Description of action taken	
Additional information you think is relevant	

Direct quotes from child/youth/adult
(Note: If this is an abuse allegation, do not interview the child/youth but report only the comments they share with you.)

I hereby confirm that the information provided in this report is accurate to the best of my knowledge.

Name and position of person making report (please print)			
Full address	City	Prov	Postal Code
Phone (Primary)		Phone (Other)	
Signature of Person making report		Date	

Note: If this is an allegation of abuse, it must be reported to a protection agency or police. (See section on reporting procedure.)

Please add any other pertinent information, ie photos of location (interior and exterior), or any further detail you believe is relevant.

Appendix 6

Sample Leader/Volunteer Application Form

(Adapt as needed)

PERSONAL INFORMATION

Full Name			
Full address	City	Prov	Postal Code

Phone	Email
Occupation and employer	
Hobbies/Interests/Skills	
First aid qualifications	
List activities or volunteer service in which you are/have been involved outside of (Insert organization)	

How long have you been affiliated with (Insert organization)	Are you a member?
What do you value most about the organization?	

What is your area of interest in children/youth/ vulnerable adult programs?

Nursery (birth - 2)	Preschool/ kindergarten (3-5)	School age (6-12)	Youth (13-18)	Frail seniors	Mentally challenged	Other

Do you have any barriers that would affect your ability to carry out the duties involved with this position?	Yes	No

Please explain

REFERENCES

Please provide the names of two people, excluding relatives, who will provide a reference for you.
Provide one professional reference. Please note: all references will be called.

Full Name			
Occupation			
Full address	City	Prov	Postal Code
Phone		Email	
Relation to Applicant			

Full Name			
Occupation			
Full address	City	Prov	Postal Code
Phone		Email	
Relation to Applicant			

Appendix 7

Guide for Interviewing

Interviewing a New Recruit

The interview may be either formal or informal, using questions like these:

→ Tell us about yourself.

→ What attracted you to our organization?

→ Tell us about your experience working with (children, youth or vulnerable adults).

→ Why do you want to assume this position?

→ This position requires... (List requirements). Will you be able to meet these requirements?

(Check with your provincial government about questions which you may or may not ask in interviews.)

During the interview, discuss the policy, the orientation session, and the training you offer to all leaders.

Explain that, as part of your organization's commitment to ensuring a safe and nurturing environment, you would like to speak to two references who they have known for at least a year. Thank the applicant for seriously considering leadership in your organization and promise another visit or a phone call in the near future. After the interview, call the references provided and ask questions such as the ones suggested below. If your committee believes that the new recruit is a suitable candidate for a leader/volunteer position, call him/her with the good news and arrange orientation and training times.

Group Interview with Experienced Leaders

Leaders who have been involved in program leadership for many years can be invited to participate in a group interview. This can take the form of coffee and a snack and should be framed as a way for the organization to support the leader in his/her program. Each person should be asked to respond to questions like these:

→ What originally motivated you to become a program leader?

→ What motivates you to continue in your role as program leader?

→ In the years that you have been a leader, what has given you most satisfaction?

→ What do you consider to be the most challenging or difficult thing about being a leader?

→ What are your hopes and dreams for the people you lead?

Following Up on References

It is important to speak to at least two references provided by the applicant that are not relatives. References are extremely helpful and must be requested with all new recruits, both paid and volunteer. Even if members of the committee know a person well, they may not have seen him/her interact with others at work, with children at play, in a teaching/leading capacity, or while visiting with an elderly, mentally ill or homeless person. Even if written references are provided, follow up with a phone call. Inform the reference of the nature of the position. Ask his/ her opinion about the person's suitability in this situation, e.g., "John may be co-leading a group of Junior High students on the weekends. Would you be comfortable with John having this type of responsibility?" or "Jamal has applied to be the coordinator of our "In from the cold" program, which feeds and shelters homeless people during the winter. Tell us what you know about his abilities to volunteer and to relate to the overnight guests." Listen to tone, attitude, and any hesitancy as well as to the words the reference uses. Contact at least two references.

Appendix 7a

Sample Reference Check Form

Person's name for which references are checked	
Person contacted	
Phone	
Contacted by	
Date	
Person who contacted reference	

1. How long have you known (person's name)?
2. In what capacity do you know him/her?
3. How well do you feel you know (person's name)?
4. Could you briefly describe the character and personality of (person's name)?
5. Have you ever been in a position to work with him/her? If so, what was your impression?
6. What gifts, talents and abilities would this person offer to (Insert your organization name here)?
7. Are you aware of any factors or circumstances involving this person that would bring into question his/her ability to perform (position applied for)?
8. Would you, without reservation, recommend this person for (position applied for)?

"Thank you for taking the time to answer these questions for us. We are working hard to provide a safe environment for all who participate and all who offer leadership in our organization."

Appendix 8

How is a Police Records Check, and a Vulnerable Sector check carried out?

To conduct a PRC, the local police query the Canadian Police Information Centre (CPIC) database. CPIC was an initiative of the RCMP, who maintain the network. Individual policing regions maintain their own information within the system and have access to the entire database. From this database police can determine if a person has outstanding charges or convictions. A Vulnerable Sector Check (VSC) should also be conducted.

> → Information collected in the CPIC database includes data about individuals who:
> → Have a criminal record for any Criminal Code or other Federal Statute offence and/or
> → Have been judged not criminally responsible for an offense because of mental disorder and/or
> → Have federal and/or provincial charges pending and/or
> → Are on probation or subject to a prohibition order.

In addition, police agencies compile information, when warranted, about all complaints they receive. Examples of complaints include:

> → Abuse of children
> → Allegations of offences where charges were not laid.

These may or may not be revealed by the police in a PRC.

Traffic and liquor violations are not revealed in a PRC. If a volunteer position requires driving a vehicle that person must be required to obtain and present an abstract or statement of driving record, which can be obtained by contacting any provincial ministry of transportation or department of motor vehicles.

Note that a PRC cannot be conducted without the individual's written consent. In some cases, the PRC must be obtained in person.

Since 2001, as a result of amendments to the Criminal Records Act, criminal records of pardoned sex offenders can be made available to organizations that work with vulnerable people. A search of the CPIC database for pardoned sexual offences cannot be conducted without the individual's consent.

What if you have a criminal record?

If the information obtained by the police indicates that you have a criminal record, does that mean you cannot volunteer? To this question, there is no black and white answer. The committee and/or the governing body must deal with these matters in the same way that they need to deal with other confidential matters. Sometimes it will be deemed wise to deny the individual a leadership position with children/youth/vulnerable adults.
Sometimes, it will be deemed wise to urge the person to accept a position that indirectly supports children/youth/vulnerable adults. Sometimes it will be deemed wise to always have an individual working with another adult. Organizations may look at the following factors when considering an application:

> → The nature of the organization and its work
> → The nature of the offence
> → The relevance of the criminal record to the position the person is applying for.

For more information, please see Ecclesiastical's Working with Vulnerable Persons bulletin.

Appendix 9

Information Sheets for Volunteers/ Leaders

Physical Contact

It is essential to be careful regarding behaviour, language and physical contact when working with children/youth/vulnerable adults:

→ Do not show favouritism when dealing with children/youth/vulnerable adults. Show a similar level of affection and kindness to all.

→ Do not engage in or allow the telling of sexual jokes or behave in a way that promotes the sexual exploitation of others.

→ Provide clearly stated consequences for inappropriate behaviour. Stop inappropriate behaviour early. Be fair, consistent and reasonable, matching consequences to the age and ability to the child/youth.

→ Do not use corporal punishment such as hitting, spanking, or strapping.

Appropriate and inappropriate touching

A touch can convey a multitude of positive messages and communicate care, comfort and love; however, it is important to distinguish between appropriate and inappropriate touching. It is also important to be aware of, and sensitive to, differences in interpretation to touching based on sex, culture or personal experience.

Some examples of appropriate touch

Love and care can usually be expressed in the following common-sense ways:

→ Holding or rocking an infant who is crying

→ Affirming a participant with a pat on the hand, shoulder, or back

→ Bending down to the child's eye level and placing a hand gently on the child's hand or forearm

→ Putting your arm around the shoulder of a person who needs comfort

→ Taking a child's hand and leading him/ her to an activity

→ Holding hands for safety when changing locations

→ Shaking a person's hand in greeting

→ Holding a child gently by the hand or shoulder to keep his/her attention as you redirect behaviour

→ Providing comfort with a wet, warm cloth.

Some examples of inappropriate touch

→ Kissing a child/youth/vulnerable adult or coaxing them into kissing you

→ Extended cuddling

→ Tickling

→ Piggy-back rides

→ Having others sit on your lap (except for babies/ young toddlers)

→ Touching anyone in any area normally covered by a bathing suit (except changing an infant's diapers)

→ Hand holding, except for the examples listed above

→ Stroking a child/youth's hair

→ Hugging, where an adult knows or ought to have known that hugging is inappropriate.

Dealing with a participant's inappropriate behaviour

The best approach to dealing with inappropriate behaviour is thoughtful prevention. If a leader has been adequately prepared for teaching/leading, makes clear statements about expectations, and provides an engaging program, inappropriate behaviour will be avoided or reduced. If, however, a child/youth/vulnerable adult's behaviour is unacceptable, these practices must be followed:

→ Tell or remind the child/youth/vulnerable adult what is expected.

→ If it is necessary to speak to a child/youth/ vulnerable adult in private, move to a quiet place in view of others. Seek supervisory help if needed and if available.

APPENDIX

→ Keep children/youth/vulnerable adults from harming themselves or others.

→ If necessary, engage another adult to help you remove the child/youth/vulnerable adult from the situation, in order to calm down.

→ Discipline with children and youth must be limited to talking and time out. Correction to a vulnerable adult must be limited to talking to a vulnerable adult or his/her guardian.

→ Provide a "time-out" space for younger children on one side of the room until they are ready

→ to rejoin the group. The "time-out" should be no longer than one minute for each year of the child's age.

→ Inform the parent/guardian of the problem and work co- operatively with them. They may have good ideas of how to deal with particular situations.

→ Do not use corporal punishment (such as hitting, spanking, or strapping) under any circumstances.

Appendix 10

Washroom Procedures

Every group providing a program for children/ youth/ vulnerable adults must determine the washroom procedure that will be followed in that program at the time of determining the risk. This is particularly critical with pre-school children and some vulnerable adults who must have help to use the washroom. Here are guidelines:

→ Ask parents of pre-school children to take their child to the washroom before class.

→ For nursery aged children, diaper changing is to be done only by designated adult personnel and must be conducted within the view of another leader/volunteer. If possible, diaper changing should be done by the child's parent or guardian.

→ Children under the age of 6 who need to go to the washroom should be accompanied by a leader who escorts the child to the washroom and checks the bathroom for safety. No adult or teen helper is ever to be in a closed washroom or cubicle with a child. If another adult is not available, the adult who accompanies the child should position him/her in plain view at the open door of the washroom. A volunteer or teen helper may stay behind with the remaining children.

→ Children aged 6 and over may go to the washroom with a "buddy."

→ Male personnel are not to accompany female children to the washroom.

→ If there is an emergency bathroom situation, the parent or supervisor should be

→ notified immediately.

→ Vulnerable adults may need special bathroom aids such as assist bars, and so on. It may be necessary to ensure that cleanliness follows use.

Appendix 11

Understanding Child/Youth/Vulnerable Adult Abuse

This policy advocates zero tolerance for any form of abuse. This includes abuse that happens to a child/youth/vulnerable adult by a staff member or volunteer. There is also a need for adults within the organization to be sensitive to incidents of abuse that may be happening in the home or social life of a child/youth/vulnerable adult.

Any person who has reasonable grounds to suspect that a child/youth is (or may be) in need of protection must report that suspicion to a protective agency or police authority.

A volunteer/leader who hears an allegation of abuse should confide this to a designated authority within the organization. A high ranking official in the organization should be identified as the contact for reporting all cases.

In order to understand and recognize child abuse, the following definitions and indications of emotional, physical and sexual abuse or neglect are listed. Some of the following also apply to vulnerable adults. A more complete description of abuse of vulnerable adults is found below. All organizations are asked to supplement this with information from a provincial/territorial child protection agency.

What is Child/Youth Abuse?

The term "child abuse" refers to the violence, mistreatment or neglect that a child or adolescent may experience while in the care of someone they either trust or depend on, such as a parent, sibling, other relative, caregiver or guardian. Abuse may take place anywhere and may occur, for example, within the child's home or that of someone known to the child. There are many different forms of abuse, and a child may be subjected to more than one form:

→ Physical abuse may consist of just one incident, or it may happen repeatedly. It involves a deliberately using force against a child in such a way that the child is either injured or is at risk of being injured. Physical abuse includes beating, hitting, shaking, pushing, choking, biting, burning, kicking or assaulting a child with a weapon. It also includes holding a child under water, or any other dangerous or harmful use of force or restraint.

→ Sexual abuse and exploitation involve using a child for sexual purposes. Examples of child

→ sexual abuse include fondling, inviting a child to touch or be touched sexually, intercourse, rape, incest, sodomy, exhibitionism, or involving a child in prostitution or pornography.

→ Neglect is often chronic, and it usually involves repeated incidents. It involves failing to provide what a child needs for his or her physical, psychological or emotional development and well-being. For example, neglect includes failing to provide a dependent child with food, clothing, shelter, cleanliness, medical care or protection from harm.

→ Emotional abuse involves harming a child's sense of self- worth. It includes acts (or omissions) that result in, or place a child at risk of, serious behavioural, cognitive, emotional, or mental health problems. For example, emotional abuse may include aggressive verbal threats, social isolation, intimidation, exploitation, or routinely making unreasonable demands. It also includes terrorizing a child or exposing them to family violence.

An abuser may use several different tactics to gain access to a child, exert power and control over them, and prevent them from telling anyone about the abuse or seeking support. A child who is being abused is usually in a position of dependence on the person who is abusing them. Abuse is a misuse of power and a violation of trust. The abuse may happen once, or it may occur in a repeated and escalating pattern over a period of months or years. The abuse may change form over time.

Abuse of Vulnerable Adults

While some factors may not apply to all vulnerable adults (e.g. the developmentally challenged), most characteristics are equally applicable to all

vulnerable adults. Although individuals may be abused at virtually any life stage — childhood, adolescence, young adulthood, middle age, or old age — the nature and consequences of abuse may differ depending on an individual's situation. Older adults' experiences of abuse, for example, may be related to their living arrangement (they may be living alone, with family members or others, or in an institution). Their experiences may also be linked to their level of reliance on others, including family members or other care providers, for assistance and support in daily living.

Power Imbalance

Abuse is usually committed by someone who is in a position of power, such as a teacher, activity leader, parent, sponsor, volunteer or priest. In almost all cases, the abuser is known to and is trusted by the victim and their relationship has developed over time. This imbalance of power may also result in the victim suppressing painful memories because of fear or shame; consequently, the power dynamic often serves to keep the victim silent. As a result, cases go unreported, and allegations only surface years after the incident.

Types of Abuse

Psychological abuse

Psychological abuse includes attempts to dehumanize or intimidate older adults. Any verbal or non-verbal act that reduces their sense of self- worth or dignity and threatens their psychological and emotional integrity is abuse.

This type of abuse may include, for example:

→ Threatening to use violence
→ Threatening to abandon them
→ Intentionally frightening them
→ Making them fear that they will not receive the food or care they need
→ Lying to them
→ Failing to check allegations of abuse against them

Financial Abuse

Financial abuse encompasses financial manipulation

or exploitation, including theft, fraud, forgery, or extortion. It includes using an older adult's money or property in a dishonest manner or failing to use an older adult's assets for their welfare. Anytime someone acts without consent in a way that financially or personally benefits one person at the expense of another it is abuse. This type of abuse against an older adult may include, for example:

→ Stealing their money, pension cheques or other possessions
→ Selling their homes or other property without their permission
→ Wrongfully using a Power of Attorney
→ Not allowing them to move into a long-term care facility in order to preserve access
→ to their pension
→ Failing to pay back borrowed money when asked

Physical Abuse

Physical abuse includes any act of violence, or the threat of violence,— whether or not it results in physical injury. Intentionally inflicting pain or injury that results in either bodily harm or mental distress is abuse. Physical abuse may include, for example:

→ Beating
→ Burning or scalding
→ Pushing or shoving
→ Hitting or slapping
→ Rough handling
→ Tripping
→ Spitting

All forms of sexual abuse are also applicable to older/vulnerable adults.

What are some potential warning signs of abuse?

Some of the signs that may indicate an older adult is being abused include:

→ Depression, fear, anxiety, passivity
→ Unexplained, physical injuries
→ Dehydration, malnutrition or lack of food
→ Poor hygiene, rashes, pressure sores
→ Over-sedation

Appendix 12

Dealing with Reports of Abuse

There should be a separate policy in place to deal with reports or allegations regarding the abuse of children, youth, and vulnerable adults.

When a child, youth, or vulnerable adult is upset or distressed about a situation, he/she may turn to a trusted adult for support and advice. Often, though, they may be hesitant and shy about discussing what has happened.

Feelings of guilt or shame are common. The volunteer/leader should help the child/youth/vulnerable adult feel safe and understand that they can talk about what happened. A vulnerable adult, disabled or confined, may not be able to tell anyone, so volunteers/leaders or visitors need to be sensitive and aware of any change in appearance/emotion. A listening adult should be supportive and pay attention to what is said. Be cautious about asking questions.

Asking questions can invalidate future statements to police or child welfare authorities and can cause a case to be dismissed in court.

Accept the child/youth/vulnerable adult's story; do not dispute it. Investigating the incident is the responsibility of the protection agency or police. Although it may be difficult, be calm, supportive and helpful.

It is important not to make promises that you cannot keep, such as promising to stop the abuse, punish or remove the offender. Do not promise not to report the incident to the authorities. If you have inadvertently promised to keep what the child/youth/vulnerable adult says confidential, tell him/her that you must tell someone who can help you both.

Note: Any person who has reasonable grounds to suspect that a child/youth/vulnerable adult is, or may be in need of protection must report the suspicion to a protective agency or police authority. A leader/volunteer who hears an allegation of abuse should confide this to the leader of the organization or designated member of the executive board of the organization.

Reporting to a Protection Agency

If the person has reasonable grounds to suspect that a child/youth/vulnerable adult is or may be in need for protection, the person must promptly report the suspicion and the information on which it is based to a children's aid society or other appropriate protection agency.

Professionals or officials must report any suspicion that a child is or has been in need of protection, where such a suspicion arises from information revealed in the course of his or her professional or official duties. By the way of example, in Ontario, professionals who fail to report a suspicion of abuse may be fined up to $5,000, according to provincial standards. In some provinces such as British Columbia, Newfoundland, Manitoba and Northwest Territories, punishment may be a fine and/or time in prison for failure to report.

Information Needed by a Protection Agency

When one calls a protection agency, that person should prepare notes on why he/she is calling.

→ Ask for an intake screener.
→ Give your name and location, or you may remain anonymous.
→ State that you are making a report regarding a person you believe to need protection.
→ Give your relationship to the person and/or family.
→ Indicate what you heard from the child/youth/vulnerable adult, or what you observed.
→ Offer facts such as dates, descriptions of the child/youth/vulnerable adult and identifying facts about people who were involved.
→ Share knowledge of other agency or community involvement if known.
→ Provide any relevant background information.

Procedure if Contacted by a Protection Agency

1. Any request from a child protection worker (see photo ID or badge to verify identity) should normally be made in person. The worker will want to speak

with the person filing the alleged abuse report and usually to the person to whom the child/youth spoke. If the matter is urgent and those investigating cannot do a personal interview, the investigator may telephone you from his/her office.

2. The child protection agent should identify themselves and provide their business contact phone number.

Record the workers first and last name.

→ Do not give any information at this time. The investigator will explain the process to follow and what information he/she is seeking.

→ It is your responsibility to verify that this is indeed a child protection agent. Simply say,

→ "I need to move to another phone. May I phone you back in 30 seconds?" Move to a phone where you can ensure confidentiality.

→ When you return the call, provide the necessary information.

→ Ask what is to happen next. This is critical as a court order may be warranted and restraining order put in place. The organization should be aware of this. Details do not need to be given.

→ Ask when the organization can expect a final report on the case if further information

→ will be required.

→ Make clear written notes about what you reported, date, time, phone number and name of investigator. Place in a confidential, locked, metal file cabinet.

Reporting to the Insurance Carrier

Any allegation of abuse, no matter how minor, should be reported immediately to your organization's insurance company. The prompt reporting of incidents is extremely important because it allows your insurer to intervene and help manage the situation.

Organizational Response to a Report of Abuse

Disclosure of an incident of alleged abuse is an emotionally charged experience. When an individual discloses that he/she is a victim of alleged abuse, it is important to:

→ Assure him/her that he/she will be listened to and be provided with support throughout the process.

→ Take the allegations seriously.

→ Keep emotions in check; when disbelief or horror is shown, it may result in the individual becoming withdrawn or unwilling to share the experience with you.

→ "Listen more, talk less."

→ Remind him/her that he/she is in no way at fault for the abuse.

→ Affirm that it is always appropriate to tell someone that he/she has been abused.

→ Remind him/her that your first priority is his/her protection.

→ Reassure him/her that ongoing care will be provided be for him/her and his/her family.

→ Provide support to him/her; give reassurance that he/she has done the right thing in reporting this incident.

→ Report the incident to a designated senior authority within the organization.

Do Not

→ Promise him/her that you will not tell anyone; some secrets should not be kept secret; assure the individual that this information is to be restricted to those who need to be advised.

→ Prejudge the situation.

→ Take an adversarial approach, or defend the alleged perpetrator by making comments like, "I can't believe they did that."

Response to the Media

If it is deemed essential to respond to media, a designated individual will be the spokesperson for the organization.

A sample response could be as follows.
"All allegations of abuse or harassment are taken seriously. The protection of children/youth/vulnerable adults is a priority of (your organization.) In accordance with civil law, an allegation of abuse has been reported to (insert the name of the appropriate governmental protection agency)".

Appendix 13

Legal and Insurance Considerations

Most forms of abuse are punishable under sections of the Criminal Code of Canada. If abuse is proven in a court of law, criminal punishment will usually be imposed on the perpetrator. When this happens, an organization may find itself drawn into a civil suit for damages if it failed to exercise due diligence. An organization can be held liable for institutional abuse in the following ways:

Vicarious Liability

This is a form of no-fault liability that can attach to an organization even if the organization did not know about the incident of abuse, and even if adequate prevention policies were followed. In the past, Canadian courts have held that, even when organizations have little or no control over the harmful acts of an employee or volunteer, they must bear some of the responsibility for having afforded perpetrators a "job-created opportunity" to commit them.

Direct Negligence

If abuse occurs because an organization has failed to meet an expected level of competence, it may find itself liable for direct negligence. This might occur if an organization has failed to adequately screen its employees, if it has retained an employee after becoming aware that they pose a threat to children or vulnerable adults, or if it has neglected to ensure that employees in sensitive positions are properly trained and supervised.

Breach of Fiduciary Duty

This is liability that can attach to an organization if it is known that an implied or direct understanding of trust was broken. For example, it is generally understood that an organization will protect and care for children, so if the organization's policy leads to a child not being cared for, that understanding of trust is broken and this kind of liability may follow. Where abuse is proven, a court may award three types of damages. These damages are often assessed against organizations that have been deemed vicariously liable, rather than against the perpetrators themselves, because organizations typically represent a more adequate source of funds.

Generally, an organization's insurance coverage will protect only the interests of the insured organization — it will not protect the perpetrator of the abuse.

Pecuniary or "Special" Damages

These are amounts awarded to the victim for quantifiable monetary losses suffered as a result of abuse. (Example: lost wages)

Non-Pecuniary or "General" Damages

These are amounts awarded to the victim for losses that are not readily quantifiable. (Example: pain and suffering)

Punitive Damages

Punitive damages are intended to penalize a perpetrator for blatantly reckless conduct. Punitive damages are not assessed against defendants in criminal cases (where judgments are already considered "punishment"), but they may be awarded in civil litigation. For example, if it is shown that an organization outright refused to implement screening procedures, and abuse occurs as a result, a court may apply a punitive amount to the total award. Most insurance policies do not provide coverage for punitive damages, as this would be against the public interest.

Document Retention and Reporting Considerations

Any allegation of abuse, no matter how minor, should be reported immediately to your organization's insurance company. The prompt reporting of incidents is extremely important because it allows your insurer to intervene and help manage the situation. Retained screening and training records can be vital toward this end. Because there is virtually no statute of limitations of many forms of abuse, legal proceedings for misconduct are often brought many years after an incident was alleged to have taken place. If adequate documentation (regarding both screening and training procedures, and any allegations/ incident details) is not provided, an insurer may face serious difficulty defending the interests of the organization. Documentation plays

an important role in substantiating a complaint, and one of the few effective legal defenses available is to prove that adequate preventative guidelines were in place at the time that the alleged incident took place.

If abuse is alleged in an environment within an organization's purview, the organization may be found legally liable.

Insurance coverage does not negate the liability but may provide important financial coverage for legal defense and/or settlement costs, should the organization be confronted with legal action. Implementing the following guidelines will increase the likelihood that your insurer will provide liability coverage for various forms of physical and sexual abuse:

→ Clear definitions for all forms of abuse so that everyone, including volunteers, understands the requirements and boundaries.

→ Recruitment procedures to screen unacceptable candidates.

→ A clearly defined "Covenant of Care" for employees and volunteers

→ Training and coaching procedures to ensure understanding of what is considered to be abuse and how to prevent occurrences and allegations

→ Monitoring and evaluation procedures

→ Communication and feedback procedures

→ Procedures to screen employees and adult volunteers, such as:

→ Completion of application forms

→ Written statements of commitment to safety and procedures

→ Interview conducted by at least two interviewers

→ Completed reference checks

→ Police Records Checks/ Vulnerable Sector Checks

→ Approval followed by orientation and probation.

Appendix 14

References

Risk management white papers
www.ecclesiastical.ca

Thoughts on Child Protection Policies:
How to Make Them Work for Your Church or Charity www.carters.ca/pub/bulletin/church/2008/chchlb23.pdf

Justice Institute of British Columbia
www.jibc.ca/library
Search topics such as: Child abuse, Child Sexual Abuse, Bullying, Elder Abuse, Non-Profit Management, Residential Schools, Sex Offenders, Workplace Harassment.

Safekids BC
www2.gov.bc.ca/gov/content/safety/public-safety/protecting-children/keeping-kids-safe

Centre for Children and Families in the Justice System
http://www.lfcc.on.ca/

Volunteer Canada
volunteer.ca/index.php?MenuItemID=337 National Clearing House on Family Violence
www.canada.ca/en/public-health/services/health-promotion/stop-family-violence.html

Bullying Awareness and Prevention Tactics
www.bullying.org

Public Safety Development Resources
www.safecanada.ca

Centre Of Excellence for Child Welfare Web Site for Provincial Child Protection Acts
cwrp.ca/about

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