

**PARTICIPATION SUPPORT SERVICES  
POLICY & PROCEDURE MANUAL**

<b>SECTION: SUPPORT SERVICES STAFF</b>	
<b>TITLE: Client Abuse</b>	
<b>CATEGORY: Policy &amp; Procedure</b>	<b>NUMBER: V (c.1)</b>
<b>ISSUED BY: Executive Director</b>	<b>ISSUED: Mar. 29 /23</b>
<b>APPROVED BY: Board of Directors</b>	<b>REPLACES: Aug. 31 /17</b>

**Policy Statement**

In accordance with Section 9(1) of O. Reg. 187/22 under the Connecting Care Act, 2019 Participation Support services is committed to respecting and promoting the rights of the persons we support. In keeping with this commitment, Participation Support services has zero tolerance for the abuse or neglect of any person receiving service in any of our programs.

**Scope**

This policy applies to all Participation Support services employees. For the purposes of this policy the term "employees" includes; board members, staff members, placement students, contracted service providers and volunteers.

**Whistleblower Protection**

Participation Support services will not retaliate in any way against employees who report incidents/allegations of abuse or neglect. Any person who discourages the reporting of abuse, neglect, improper or incompetent treatment, unlawful conduct or misuse or misappropriation of funds is subject to the termination of their employment/severance of their relationship with the Agency.

**Definitions (adapted from O. Reg. 79/10)**

- |                 |   |
|-----------------|---|
| Physical Abuse  | <ul style="list-style-type: none"> <li>• The use of physical force against a person served that causes physical injury or pain.</li> <li>• Administering or withholding a drug for an inappropriate purpose</li> <li>• Physical abuse does not include the use of force that is appropriate to the provision of care or assisting a person served with their activities of daily living, unless the force used is excessive in the circumstances</li> </ul> |
| Emotional Abuse | <ul style="list-style-type: none"> <li>• Threatening, insulting intimidating or humiliating actions, behaviours or remarks, including imposed social isolation, shunning, ignoring, lack of acknowledgement or infantilization.</li> </ul>  |
| Sexual Abuse    | <ul style="list-style-type: none"> <li>• Any consensual or non-consensual touching, behaviour or remarks of a sexual nature or sexual exploitation that is directed toward a person served.</li> <li>• Sexual abuse does not include touching or remarks of a clinical nature that are appropriate to the provision</li> </ul>  |

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of care or assisting a person served with the activities of daily living.

- Sexual abuse does not include consensual touching, behaviour or remarks of a sexual nature between a person served and a party covered by the scope of this policy that is in the course of a sexual relationship that commenced before the person initiated service with the Participation House or before the staff member was hired.

Verbal Abuse

- Any form of verbal communication of a threatening or intimidating nature or any form of verbal communication of a belittling or degrading nature which diminishes the sense of well-being, dignity, or self-worth of a person served.

Financial Abuse

- Is any misuse or misappropriation of the money or property of a person served.

Neglect

- Failure to provide a person served with the treatment, care, services or assistance required for health, safety or well-being and includes inaction or a pattern of inaction that jeopardizes the health, safety or well-being of one or more persons served.

**Procedure**

**1. Report**

Employees have an obligation to immediately report incidents or allegations of abuse/neglect to a member of the management team, who in turn will notify the Director of Support Services. Employees who fail to report incidents or allegations of abuse/neglect are subject to disciplinary action up to and including termination of their employment/severance of their relationship with the agency.

**2. Immediate Response**

- Separate the alleged abuser and person served if it is safe to do so. If it not safe call 911.
- Attend to the person served and make sure they are safe and comfortable. Arrange for medical attention if it is required.

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- c. Secure the scene and any physical evidence that might be present. Take pictures of any client injuries.
- d. Contact the police if the abuse/neglect constitutes a criminal offense.
- e. Notify a member of the management team
- f. Document the incident on an incident report and file note.

**3. Investigation**

- a. The management of Participation Support services will immediately investigate all incidents or reports of abuse/neglect. Depending on the nature of the incident, the home's internal investigation will be conducted parallel to any investigation conducted by the police.
- b. The investigation should include interviews with the actual/alleged victim of the abuse/neglect as well as all parties who witnessed or might have knowledge about the incident/allegation and a review of any physical evidence and or documents pertaining to the incident/allegation.
- c. All employees are required to cooperate with an investigation into abuse/neglect. Failure to cooperate with the investigation will result in discipline up to and including termination of their employment/severance of their relationship with the Agency.
- d. To safeguard persons served and the integrity of the investigation:
  - i. If the alleged abuser is a board member, contract service provider, placement student or volunteer they will be placed on leave/not permitted access to persons served pending the outcome of the investigation.
  - ii. If the alleged abuser is a staff member they will be placed on paid administrative leave pending the outcome of the investigation.

**4. Follow Up**

- a. If the investigation determines that an employee abused or neglected a person served, that employee is subject to disciplinary action up to and including termination of their employment/severance of their relationship with the Agency.
- b. If the abuser/alleged abuser is a person served:
  - i. Management will take the following factors into consideration when determining how to proceed:
    - 1. Capacity of the person served to understand the consequences of their actions.
    - 2. Whether the other person served sustained an injury
    - 3. Whether the incident constituted a criminal offence

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- 4. Whether the incident is more appropriately managed in accordance with the Participation Support services "Management of Difficult Behaviours" policy.
- c. Management will comply with all legislated requirements and reporting obligations and the Director of Support Services or designate will notify as required:
  - i. Powers of attorney/substitute decision makers
  - ii. The Brantford Police
  - iii. HNHB Home and Community Care Support Services

**Prevention**

- 1. Hiring
  - a. The hiring manager must conduct two reference checks on each prospective employee. Reference checks will be retained in the employee's personnel file.
  - b. Offers of employment are conditional on the prospective employee passing a vulnerable sector screening (VSS) conducted by the local police force. A copy of the VSS will be retained in the employee's personnel file.
- 2. Orientation
  - a. Staff members will be in-serviced on the Abuse Policy as part of their orientation and before they are permitted to work with clients. Employee orientation records will be updated accordingly.
- 3. Training
  - a. Staff members will receive annual in-servicing on the Abuse Policy. Individual employee education records will be updated accordingly.
- 4. Persons Served
  - a. Will be provided with information on the Agency's Abuse Policy and Procedures on admission and annually thereafter.

**References**

Connecting Care Act, 2019

Section 9(1) of O. Reg. 187/22

Long Term Care Homes Act, 2007 S.O. 2007, c. 8

O. Reg. 79/10

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