

Sunbeam Community & Developmental Services	
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Policy Name: Abuse Identification and Reporting	

GUIDING PRINCIPLE

Sunbeam Community & Developmental Services (Sunbeam) is committed to the safety and well-being of all staff and Sunbeam clientele. Sunbeam has a zero-tolerance position on abuse and neglect.

Zero tolerance means Sunbeam:

- Upholds the right of the people we support to be treated with dignity and respect, and to live free from abuse and neglect.
- Builds awareness of and educates about zero tolerance, with the goal of eliminating all abuse and neglect of our clients and staff.
- Tolerates no abusive behaviour from anyone or directed at anyone.

We expect strict compliance and enforcement of this zero-tolerance policy and will make no exceptions to it.

All employees have a responsibility to identify and report incidents of abuse or neglect (alleged, suspected or witnessed) to the appropriate authorities.

Staff are in a position of authority, and that can create an **actual or perceived power imbalance** between staff and the people they support. Sunbeam employees must:

- understand the relationship between employees and clients and the power imbalance between them,
- be aware of their position of power, trust, and responsibility towards Sunbeam clients, and
- never commit an act of neglect, abuse, or abandonment either through their words or actions or lack of words or actions.

SCOPE

This policy applies to all Sunbeam staff, regardless of what department they work in. Any time a staff member has heard allegations (historic or current situations), suspects an abusive situation, or has witnessed abuse, they must follow the procedures outlined in this policy.

DEFINITIONS

Abandonment: occurs when a caregiver is no longer willing or able to continue to provide the necessities to support an individual who cannot care for themselves and does not make adequate provisions for a person's care.

Abuse: Any action, inaction, or behaviour, including verbal, which causes or is likely to cause physical injury, psychological harm, or economic risk to any individual connected to Sunbeam. Types of abuse could include physical, sexual, emotional, verbal, or financial.

Adult: Any person who is 18 years old or older.

Advocate: A person acting on behalf of an individual who is an adult, whether or not they have legal status to advocate (e.g. is a client's Power of Attorney). An advocate may be a friend, family member, or the person's Power of Attorney for either personal or financial matters.

Alleged abuse: occurs when someone reveals information that would make the person who heard this information feel that there an abusive situation has occurred.

Child: Any person who is younger than age 18.

Confidentiality agreements: The obligation to protect disclosed personal information from other people who are not part of the confidentiality agreement.

Duty to report: The legal obligation for a person to protect the safety and well-being of another person by reporting any alleged, suspected, or witnessed abuse.

Exploitation: occurs when someone takes unfair advantage of another person, often using that person's age, maturity, cognitive ability, or personal vulnerabilities to victimize and abuse that person.

High risk situations (child younger than 12 years old): occur when a child has killed/seriously harmed another person, or caused property damage that requires services or treatment to prevent reoccurrences, but:

- the parent/guardian won't participate in managing the situation or child, or consent to the needed services or treatments, or
- if a child has repeatedly caused property damage or loss of property and was encouraged by a parent, guardian or to commit these acts, or
- was not supervised and not prevented from committing these acts by a parent or guardian.

Neglect: Failure, refusal, or inability of a caregiver to provide a person with treatment, care, services, or assistance. This lack of support jeopardizes the person's physical health, personal safety, personal development, and/or mental/emotional well-being.

Parent/Guardian: is the person legally responsible for an individual under the age of 18 (in this policy may be generically referred to as guardian/family).

Professional liability: is the action that can be brought against a professional if they don't report suspected abuse. If a child is involved, failure to report suspected abuse could result in a fine of up to \$5,000.

Professional obligation: When someone who has a professional or official capacity (as part of their position, title and/or profession):

- suspects that a person may need protection, and
- has witnessed or/or documented suspected neglect or abuse in their professional or official role,

they have a professional obligation to report their suspicions and observations.

Protection from liability: is a civil action that protects a person who has reported suspected abuse. The person must not act maliciously or without reasonable grounds for their suspicion.

Reasonable grounds: occur when an average person, given their training, background, or experiences, and using their best judgement suspects that abuse or neglect has or is occurring.

Suspected abuse: occurs when observations of an individual's physical appearance or behaviours lead a person to believe that the individual has been involved in an abusive situation.

Witnessed abuse: occurs when someone has first-hand observations of an abusive situation.

POLICY

All staff have a duty to report abuse.

In this policy, "abuse" will generically refer to any of abuse, neglect, or abandonment.

When someone has reasonable grounds to believe that an abusive situation has occurred, whether it has been alleged, suspected, or witnessed, they have a duty to report the abusive situation to ensure the safety and well-being of the person alleged to have been abused.

Report as suspected abuse any situations of suspected neglect or exploitation when there are reasonable grounds to suspect risk to an individual.

Anyone who makes an abuse report is protected from liability, if they did not act with malice or had reasonable grounds for suspicion when completing their report. Reporting alleged or actual abuse and neglect to the appropriate authorities for investigation overrides any existing confidentiality agreements.

For children younger than age 12, staff must also report to their local Children's Aid Society (CAS) any potential or actual high-risk situations which have or could lead to an abusive situation or criminal behaviour by the child.

All staff must complete orientation and annual training on abuse prevention, identification, and reporting policies.

PROCEDURE NOTES

Allegations of abuse and neglect of a person supported by Sunbeam must be reported. Either Sunbeam staff or the client and/or their advocate, guardian, or a family member can make this report.

If someone we support as a client, their advocate, guardian, or a family member has disclosed abuse to staff, staff must:

- remain calm,
- believe what you are told and act accordingly,
- provide support for the affected client,
- take all necessary actions to prevent the alleged abuser (if identified) from having access to the affected client and their advocate/guardian/family member,
- investigate and ask open-ended questions to get clarity about the abuse or neglect, if needed,
- ask if the client and/ or their advocate/guardian/family member would like to report the situation, or they want the staff to do the reporting.

If the client, advocate/guardian/family member cannot or will not report the situation, **staff must report the situation following the steps of Child Reporting or Adult Reporting below.**

Important: If a community partner (such as a schoolteacher, hospital nurse, bus driver or other external partners) reports to staff an allegation of abuse of a person supported by a non-Sunbeam contact, Sunbeam staff cannot make a report of abuse based on second-hand information. Sunbeam staff should advise the community partner that they must directly report the allegation to the appropriate authority.

If Sunbeam staff suspect or witness abuse, they must immediately follow the steps of Child Reporting or Adult Reporting. If staff are unsure if a situation constitutes abuse, they must consult with a Supervisor or Manager immediate for direction and support with reporting, if needed.

Child reporting:

1. Ensure the safety of the person who is suspected of being abused.
2. Address any of their immediate medical needs, as required.
3. Identify if you are reporting alleged, suspected, or witnessed abuse of a child under 18 years old, or if you are reporting a high-risk situation for a child under 12 years old.
4. If the alleged abuser is present, immediately contact a supervisor, manager, or on-call supervisor. They will stop the alleged abuser from having any contact with the child and insist that they leave the premises.
 - a. If the alleged abuser refuses to immediately leave the premises, call 911.
5. Contact Family and Children's Services (F&CS) Waterloo Region by calling the 24-hour reporting contact at (519) 576-0540. **Do not notify the child, or their family, that you are contacting F&CS.**
6. Document the incident by completing an Incident Report.

7. Notify the supervisor or manager if they were not already contacted in Step 4. For Community Living Services, this may include the after-hours on-call supervisor.

Adult reporting:

1. Ensure the safety of the individual who is suspected of being abused.
2. Address any of their immediate medical needs, as required.
3. If the alleged abuser is present, immediately contact a supervisor, manager, or on-call supervisor. They will stop the alleged abuser from having any contact with the individual and will be directed to leave the premises.
 - a. If the alleged abuser refuses to immediately leave the premises, call 911.
4. Assess the imminent risk to the affected individual, based on factors including but not limited to: client safety, intent, and severity of occurrence. Then follow this reporting guideline chart:

Assessment question	Response
Was the individual harmed or injured due to the alleged abuse/occurrence?	<ul style="list-style-type: none">• If yes, call 911 to report to police and proceed to the next step.• If no, go to the next question.
Did the alleged abuser demonstrate apparent intent to harm/injure the individual?	<ul style="list-style-type: none">• If yes, call 911 to report to police and proceed to the next step.• If no, then proceed to next question
Is it clear that the alleged abuse/occurrence could constitute a criminal offence?	<ul style="list-style-type: none">• If yes, call 911 to report to police and proceed to the next step.• If no, then proceed to the next step.

NOTE: If no imminent risk was identified, police should be contacted using the non-emergency reporting line. For Waterloo Region Police this is 519-570-9777.

5. Document the incident by completing an Incident Report.
6. Notify the supervisor or manager if they were not already contacted in Step 3. For Community Living Services, you might need to include the after-hours on-call supervisor.

Role of supervisor, manager or on-call supervisor after the report is made.

1. Review the Incident Report and complete the Serious Occurrence Report (SOR) in accordance with the Serious Occurrence reporting procedure.
 - a. If the person who has completed the SOR is the on-call supervisor/manager, notify the primary supervisor/manager of the status of the situation so that they can complete the remaining steps.
2. Based on what is known at the time, if the alleged abuse/occurrence could constitute a criminal offence, call 911 immediately to report to police, if the police have not already been notified.
3. Ensure that the alleged abuser (if identified) is immediately prevented from having access to the affected client and their advocate/guardian/family member (this typically involves an immediate leave of absence; Human Resources is to be consulted)

4. Notify the Program Director, who will notify the Chief Operating Officer, Chief Administrative Office and/or Chief Executive Officer.
5. Notify the advocate/guardian/family member if appropriate, based on the situation and consent obtained.
6. Provide support, as requested, to F&CS or the police throughout the investigation stages, as required.
7. Notify Human Resources if an internal investigation is needed to assess staff conduct.

If an incident has already been reported and there is new information that indicates the police should be involved, call 911 immediately or contact the non-emergency police contact. Furthermore, police should also be notified if:

- the client/individual may self-harm as a result of the incident,
- the client/individual is in danger of mental or physical harm from someone else in relation to the incident,
- someone has committed or is suspected to have committed a criminal offence, or
- there are other related risk factors that warrant notifying police in the interest of safety.