



## **ANTI-ABUSE POLICY**

### **Intent**

Any Autism Ontario employee, board member, contract staff, volunteer or user of our services shall be free from physical, sexual, emotional, or psychological abuse or harassment by any Autism Ontario employee, board member, contract staff, volunteer, or user of our services in the course of performing any duty on behalf of Autism Ontario. Autism Ontario takes every reasonable precaution to reduce the risk of abuse and/or neglect.

### **Definitions of Abuse**

#### **Physical Abuse**

A person has suffered physical harm either inflicted by a persona supporting the individual or is caused by failure to adequately care, supervise, provide for or protect the individual.

#### **Sexual Abuse**

A person has experienced sexual assault, molestation, harassment, or exploitation.

#### **Psychological or Emotional Abuse**

A person has been exploited, intimidated, threatened, subjected to degrading, humiliated, verbally assaulted, confined or punished.

#### **Neglect**

A person has been knowingly and willfully neglected or deprived either physically, emotionally, or mentally.

#### **Financial Abuse**

A person has been financially exploited or harmed by the improper or unauthorized conduct of another individual.

### **Guidelines**

Autism Ontario provides occasional parent-led and chapter volunteer supported parent–relief, and short-term activity-based or skill-development programs, such as summer day camp within community-based settings. All support and teaching procedures must be acceptable to the broader community. Accordingly, no procedures defined as intrusive by MCCSS guidelines will be used or recommended by any Autism Ontario volunteer or employee.

Although Autism Ontario is not bound by the Ministry of Children Community and Social Services regulations regarding intrusive procedures, their definitions are useful in understanding the use of behavioural services that are considered intrusive as per CYFSA (Child Youth and Family Services Act). An intrusive procedure is defined as an action or series of actions resulting in the restriction of freedom of movement, or reduction of visual, auditory, or physical stimulation, or pain, or discomfort, or the risk of pain or discomfort. Such action is designed to affect a specific behaviour identified as impairing the child or causing them to suffer and is employed with the goal of modifying or controlling the behaviour(s). Furthermore, those procedures identified as potentially intrusive or conditionally intrusive will not be used in any circumstances that are not naturally occurring and appropriate within the community context.

## **Preventing Abuse**

1. To prevent abuse and neglect, Autism Ontario requires all prospective employees and volunteers to have a Vulnerable Sector Police Check completed prior to hiring or starting to volunteer. The Vulnerable Sector Police Check must have no issues flagged and be repeated every three years.
2. Autism Ontario also provides information to staff/volunteers at time of hire/volunteering on our Anti-Abuse Policy, aimed at prevention, reporting and eradication of abuse.
3. All volunteers must complete Autism Ontario's Volunteer Application Form. This information may be used by Autism Ontario employees or volunteers responsible for the program to which the volunteer is assigned, for the purpose of contacting that individual, designating payment for expenses, or matching volunteer skills to volunteer opportunities.
4. Whenever Autism Ontario advertises a recreational or social activity specifically provided to families and their children, promotional advertising should indicate that childcare, for minors or dependent adult children with ASD, during the event is the responsibility of the child's parent, legal guardian, or parent designate.
5. The following information is gathered on any child or dependent adult and their family who is voluntarily participating in an Autism Ontario-sponsored program. Information will only be gathered as it relates to the specific program in which the child participates. This information is kept in a secure location indefinitely. Sharing of this documentation with other organizations is solely at the discretion of the parents, and not the responsibility of Autism Ontario staff or volunteers.
  - a) Parents' and children's full names, address, phone numbers for home and work, and email if appropriate.
  - b) For the participating child or dependent adult: DOB, other medical conditions (such as epilepsy), current medications and possible side effects, allergies, food sensitivities, or dietary restrictions; a brief profile of child's strengths and abilities, methods of expressive and receptive communication, sensory sensitivities, common patterns of behaviour relevant to the program in which the child will be participating, and any uncommon or unusual behaviours that may be exhibited by the child (such as running or other responses consistent with heightened anxiety in the child).
  - c) A copy of a parent-approved plans of support for contract staff or designated volunteers to assist with their child's self-help skills, such as toileting, or bathroom hygiene procedures, safety, dressing, mealtime, and/or hand-over-hand assistance where required for voluntary participation in group activities.
6. Children's or dependent adult program policies:
  - a) At least two adults must be present for all programs where parents have consented to programs for their children when they as parents are not present.

- b) Minors may volunteer for service provided an adult is present. Minors may not care for children without adult supervision.
- c) Only adults may assist children or dependent adults with bathroom needs. For individuals who do not require assistance in the bathroom, the adult must remain outside the bathroom. For children who require assistance, the adult must leave the door ajar while assisting the child.
- d) Children and dependent adults may not be removed from the designated program area by contract staff or volunteers, except for reasons such as bathroom use or in case of illness.
- e) This policy will be posted on our website and is available in printed form upon request.

### **Abuse Prevention Related to Other Community Groups**

1. Autism Ontario will obtain a copy of other organization or service provider's abuse prevention policy(ies) and procedures prior to Autism Ontario's advertisement of its partnership or endorsement of a local community program where service which involves the direct instruction or supervision of a child under the age of 16 or dependent person with ASD, in the absence of that child's legal guardian or parent.
2. Any non-Autism Ontario community program that Autism Ontario enters into a contractual agreement for services, such as camp, or skills group training event, must be provided with a copy of Autism Ontario's abuse policy.
3. This policy will be posted on our website and is available in printed format upon request.

### **Reporting Abuse and/or Neglect**

Autism Ontario recognizes that abuse and neglect can have serious and even lethal consequences. Behaviours such as physical abuse, sexual abuse, emotional and psychological intimidation, and neglect can be disruptive and harmful to the victim.

#### **Users of Services or Volunteers**

- Any client of Autism Ontario may come forward and report an act of abuse or neglect that they have experienced or witnessed.
- Autism Ontario will ensure that they are protected from any reprisal or negative action resulting from the report.
- Autism Ontario will thoroughly investigate all claims / reports of abuse and/or neglect.

#### **Employees**

As an employee of Autism Ontario, you have the following responsibilities to our workplace:

- We trust that all our employees will help us eliminate the threat of abuse and/or neglect from our workplace.
- All employees are responsible for preventing and reporting acts of abuse and/or neglect.
- If you witness any action related to abuse and/or neglect in the workplace, you must immediately report the incident to a member of Management.

#### **Manager's and Management's Role**

- Management is responsible for creating and maintaining a safe and healthy workplace free from abuse and/or neglect.
- Managers must be sensitive to the climate in the workplace and address potential problems before those problems become serious.

- If a manager becomes aware of abuse and/or neglect in the workplace and chooses to ignore it, that Manager and the Organization risk being named co-respondent in a complaint and may be found liable in legal proceedings brought about by the complainant and/ or government representatives.
- Support the complainant without prejudging the situation.
- Work with the complainant and document the action(s) and have them sign and date an official complaint.

Autism Ontario will immediately report to the Police, the Children's Aid Society, and the parent of the child, every suspected, alleged, witnessed, or confirmed incident of abuse or neglect regardless of who did the abusing, or caused the neglect if the victim is a child.

Autism Ontario will ensure that the child's legal guardian(s) are immediately notified of the results of the investigation if the victim is a child.

### **Investigation of Abuse or Neglect**

Autism Ontario management will follow the investigation process outlined below:

#### **Obtain a Description of the Incident / Claim**

- Listen to the victim or witness and ensure that they provide a full account of the incident(s).
- Ensure that you treat the matter seriously, using a professional manner and avoid discounting their difficulties in coming forward and telling the story.
- Contact the organization legal department where it appears that the situation may require legal action.
- Obtain a written, signed and dated statement from the claimant.
- Inform them that they may wish to file a complaint with the authorities.
- Immediately report to the Police, the child's legal guardian(s), and Children's Aid Society if the victim is a child every suspected, alleged, witnessed, or confirmed incident of abuse or neglect regardless of who did the abusing, or caused the neglect.

#### **Conduct an Investigation into the Incident / Claim**

- Conduct your investigation immediately after learning of the complaint.
- Ensure that the investigation remains confidential, and that all information gathered remains confidential. Information should be shared only where necessary, and with appropriate parties (who must also be informed of the need for confidentiality).
- Investigate all claims seriously.
- Document all information appropriately.
- Contact the authorities where appropriate.

#### **Interviewing the Complainant**

- Obtain a full account of the incident, and document all details provided.
- Determine any potential pattern involved, or if the incident was a singular occurrence.
- Determine if the incident was influenced by any contextual factors.
- Identify any reporting relationships, or hierarchical structures that may have influenced the incident(s).
- Determine a timeline of events associated with the incident, and what the job duties of each party were at the time of the incident, and what their expected locations were.

- Examine the potential of a charge made under false pretenses, and any motivating factors that may be involved. Work to rule out these potential elements.
- Inform the complainant that a thorough investigation will take place.
- Obtain a written, signed and dated statement from the claimant.
- Ensure that the user of our services, board member, contract staff, volunteer or employee is free from retaliation as a result of their coming forward.

### **Interviewing Witnesses**

- Obtain written, dated, and signed statements from any witnesses.
- Ensure that the witness is free from retaliation as a result of their coming forward.

### **Resolve the Complaint**

- Where disciplinary action is required, determine the level of discipline based on the severity of the incident, previous action taken in similar circumstances, the employee's previous history, and the frequency.
- Review, revise and re-communicate organization policy on abuse and/or neglect.
- Place documentation of the complaint, investigation, rulings, discipline imposed, and any actions taken into confidential files.
- Follow up with the involved parties to provide details of the actions being taken in response to the findings of the investigation.
- Ensure that the child's guardian(s) are immediately notified of the results of the investigation if the victim is a child

### **Mandatory Reporting**

Any person who has reasonable grounds to suspect that any abuse or neglect has occurred or may occur must immediately report that suspicion and the information upon which the suspicion is based to management, and the authorities (Police and Children's Aid Society if the victim is a child).

### **Whistle-Blowing Protection**

Autism Ontario offers protection against retaliation to any person who discloses information to Autism Ontario, the Police, or Children's Aid, or who gives evidence in legal proceedings. This protection is known as the "whistle-blowing" protection.

Specifically, the whistle-blowing protection ensures that Autism Ontario and our staff will not retaliate against any person, whether by action or omission, or threaten to do so because anything has been reported regarding abuse and/or neglect.

In addition, no person will encounter retaliation because evidence has been or may be given in a legal proceeding.

Neither Autism Ontario or its staff will do anything that discourages, is aimed at discouraging or that has the effect of discouraging a person from doing anything mentioned above. Nor will Autism Ontario or its staff do anything to encourage a person to fail to do anything mentioned above.

For the purposes of the whistle-blowing protection, "retaliation" includes, but is not limited to, disciplining, or dismissing an employee, board member, contract staff or volunteer, imposing a penalty upon any person, or intimidating, coercing, or harassing any person. A user of our services shall not be

barred from, or have their child removed from care at Autism Ontario, be threatened with expulsion, or in any way be subjected to discriminatory treatment (e.g. any change or discontinuation of any service to or care of a child or the threat of any such change or discontinuation) because of anything mentioned above. Further, no user of our services shall be threatened with the possibility of retaliation.

### **Disciplinary Measures**

If it is determined that any employee has been involved in the abuse or neglect of any person under our care, immediate disciplinary action will be taken. Such disciplinary action may involve the reporting of the incident(s) to the authorities, possible legal action, and could result in immediate dismissal without further notice.

This Anti-Abuse Policy must never be used to create fraudulent or malicious complaints. It is important to realize that unfounded/frivolous allegations may cause both the accused person and Autism Ontario significant damage. If it is determined that any employee has knowingly made false statements regarding an allegation related to abuse and/or neglect, immediate disciplinary action will be taken. As with any case of dishonesty, disciplinary action may include immediate dismissal without further notice.

### **Special Circumstances**

Should an employee or client have a legal court order (e.g. restraining order, or "no-contact" order) against another individual, they are encouraged to notify Autism Ontario, and to supply a copy of that order to the Human Resources Department. This will likely be required in instances where the victim strongly feels that the aggressor may attempt to contact that employee at Autism Ontario, in direct violation of the court order. Such information shall be kept confidential.

If any visitor to the Autism Ontario workplace is seen with a weapon (or is known to possess one), makes a verbal threat or assault against an employee or another individual, employee witnesses are required to immediately contact the police, emergency response services, their immediate supervisor, and the Human Resources Department.

All records of abuse and/or neglect reports, and subsequent investigations, are considered confidential and will not be disclosed to anyone except to the extent required by law.

In cases where criminal proceedings are forthcoming, Autism Ontario will assist police agencies, attorneys, insurance companies, and courts to the fullest extent.

### **Confidentiality**

Autism Ontario will do everything it can to protect the privacy of the individuals involved and to ensure that complainants and respondents are treated fairly and respectfully. Autism Ontario will protect this privacy so long as doing so remains consistent with the enforcement of this policy and adherence to the law.

Neither the name of the person reporting the facts nor the circumstances surrounding them will be disclosed to anyone whatsoever unless such disclosure is necessary for an investigation or disciplinary action. Any disciplinary action will be determined by Autism Ontario and will be proportional to the seriousness of the behaviour concerned. Autism Ontario will also provide appropriate assistance to any employee who is a victim of discrimination or harassment.

*Approved: February 2022*