
	<b>Peel Cheshire Homes (Brampton) Inc.</b>		<b>OPERATIONAL POLICY # DC4</b>
	<b>Issued: July 26, 2013</b>		<b>Page 1 of 4</b>
	<b>Revised: January 9, 2023</b>	<b>Section: Direct Care</b>	
	<b>Signed:</b> 	<b>Subject: Anti-Abuse and Neglect Policy</b>	

### **Purpose**

This policy aims to provide direction to Peel Cheshire Homes Brampton (PCH) staff and placement students for identifying and responding to suspected, alleged or confirmed incidences of abuse and/or neglect.

### **Policy**

PCH has a zero tolerance for the abuse or neglect of clients and will investigate all allegations of abuse or neglect.

Any staff member who abuses or neglects a client or fails to report alleged or actual abuse/neglect, will be subject to disciplinary action up to and including termination of their employment. Any placement student who abuses or neglects a client or fails to report alleged or actual abuse by another party is subject to having their placement at PCH terminated. PCH will act in accordance with all applicable legislation and will report alleged or confirmed abuse/neglect to the police and/or regulatory authorities as required.

### **Definitions**

The following definitions have been taken from Service Ontario's Retirement Homes Act 2010, c. 11, ss. 123-126<sup>1</sup> and the Long-term Care Homes Act 2007 – O.Reg 79/10<sup>2</sup>.

### **ABUSE:**

**In relation to a client means physical, sexual, emotional, verbal or financial abuse, as defined below:**

#### **Neglect**

means the failure to provide a client 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 clients.

#### **Physical Abuse:**

- (i) The use of physical force by anyone other than a client that causes physical injury or pain; or
- (ii) administering or withholding a drug for an inappropriate purpose; or (iii) the use of physical force by a client that causes physical injury to another client. Physical abuse does not include the use of force that is appropriate to the provision of care or assisting a client with activities of daily living, unless the force used is excessive in the circumstances.



#### **Sexual Abuse:**

- (i) any consensual or non-consensual touching, behaviour or remarks of a sexual nature or sexual exploitation that is directed towards a client by a staff member; or
- (ii) any non-consensual touching, behaviour or remarks of a sexual nature or sexual exploitation directed towards a client by a person other than a staff member. Sexual abuse does not include: (i) touching, behaviour or remarks of a clinical nature that are appropriate to the provision of care or assisting a client with activities of daily living; or (ii) consensual touching,

#### **Emotional Abuse:**

- (i) any threatening, insulting, intimidating, or humiliating gestures, actions, behaviour or remarks, including imposed social isolation, shunning, ignoring, lack of acknowledgement or infantilization that are performed by anyone other than a client, or
- (ii) any threatening or intimidating gestures, actions, behaviour or remarks by a client that causes alarm or fear to another client where the client performing the gestures, actions, behaviour or remarks understands and appreciates their consequences.

#### **Verbal Abuse:**

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- (i) 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 a client's sense of well-being, dignity or self-worth, that is made by anyone other than a client, or
- (ii) any form of verbal communication of a threatening or intimidating nature made by a client that leads another client to fear for his or her safety where the client making the communication understands and appreciates its consequences.

Financial Abuse:

- (i) any form of theft, misappropriation or misuse of a client's money or property.

**Guidelines**

Preventing Abuse

To prevent abuse and neglect, PCH conducts three references on prospective employees prior to hire. All prospective employees are required to provide a vulnerable sector check prior to hire.

PCH educates all staff members and placement students on our Anti-Abuse and Neglect Policy upon hire/placement and annually thereafter.

Full and part-time employees have access to Employee Assistance Program (EAP) to manage stresses in their personal life and at work.

Training and Education

PCH provides training to staff regarding abuse and neglect. This training of all PCH staff is to include: training on the relationship between power imbalances between staff and clients and the potential for abuse and neglect by those in a position of trust, power and responsibility for client care



Reporting Abuse and/or Neglect

PCH recognizes that abuse and neglect can have serious and potentially lethal consequences. Behaviours such as physical abuse, emotional and psychological intimidation and harassment can be disruptive and harmful to the victim.

**Clients**

- Clients of PCH are encouraged to come forward and report an act of abuse or neglect that they have experienced or witnessed.
- PCH will take steps to ensure that they are protected from retaliation or reprisal resulting from the report.

**Managers**

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- Management is responsible for creating and maintaining a safe and respectful workplace free from abuse and neglect.
- Ensure that staff members, placement students and volunteers have been trained and are aware that PCH has zero tolerance for abuse and neglect and have received the Anti-Abuse training.
- Investigate all incidents and allegations of abuse and neglect
- When abuse or neglect is confirmed, take the required corrective action
- Report incident/allegations of abuse and neglect to the police or regulatory authorities when required to do so.
- Managers who fail to follow up on allegations or incidents of abuse and neglect expose themselves and the Agency to possible legal sanctions and are subject to disciplinary action up to and including termination of their employment.

#### **Employees**

- All employees are responsible for preventing and reporting acts of abuse and neglect.
- Should an employee witness abuse or neglect they must immediately report the incident to a member of the management team.
- Employees who fail to report suspected or witnessed abuse will result in disciplinary action up to and including termination of their employment.
- Work with the employee or client and document the action(s) and have them sign and date an official complaint.



#### Abuse Investigation

PCH supports a “rights based” philosophy which recognizes the individual’s right to make his/her own decisions, based on his/her own values and beliefs. Clients have the right to live life free from any form of abuse or neglect.

#### Procedures:

Upon receiving an allegation of abuse PCH will:

1. Immediately initiate an investigation and internal incident report
2. If the alleged abuser is a staff member, place the staff member on paid suspension pending the outcome of the investigation. If the alleged abuser is a placement student inform their educational institution and suspend their placement pending the outcome of the investigation.
3. If the allegation was one of physical abuse, assess the client for signs of injury. Determine whether the client requires medical attention and if they do call 911. Photograph any injuries noted.
4. Provide reassurance to the client.
5. Obtain/record a written statement from the individual who reported the abuse and ask that person to sign the statement.
6. If the allegation was reported by a person other than the client, interview the client and obtain their signature on the statement.
7. When obtaining statements from the client and witnesses it is important to ask what happened, where it happened, the time that the incident occurred and whether there were any witnesses to the occurrence.
8. When applicable notify the client’s POA/SDM about the allegation/incident
9. Consult with/inform other parties (H/R advisors, Legal Counsel, Local Police and Regulatory Authorities) as required.

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10. Document the incident, investigation, findings of the investigation and corrective action taken to prevent further occurrences.
11. Notify the client and/or POA about the outcome of the investigation and any remedial actions taken.
  - a. When discussing the investigation with clients and their POA/SDM it is important not to disclose any confidential information about staff members or other residents.
12. Complete the incident report and submit to the Executive Director

### Evaluation

As part of the in-house quality improvement and risk management processes, PCH will conduct an annual evaluation of the Anti-Abuse program. This evaluation will include reviewing:

- Incidents - to reveal any trends and identify opportunities for improvement
- The Anti-Abuse Policy – to ensure that it is current and has kept pace with legislation and changing needs of clients
- Effectiveness of corrective actions taken to eliminate abuse and neglect

**Any employee who knowingly misrepresents or falsifies documentation will be subject to disciplinary action, up to and including termination from employment.**

**Any employee who fails to follow the guidelines set out in this policy may be subject to disciplinary action up to and including termination of employment.**

### **References:**

Service Ontario's Retirement Homes Act 2010  
 Long-term Care Homes Act 2007