



RURAL MUNICIPALITY OF ST. ANDREWS POLICY AND PROCEDURES MANUAL

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ABUSE AND MOLESTATION POLICY

PURPOSE

The Rural Municipality of St. Andrews is committed to an environment free from abuse. The purpose of this Policy is to stress the importance of that commitment by educating individuals about abuse, outlining how the Municipality will work to prevent abuse, and how abuse or suspected abuse can be reported and addressed by the Municipality.

POLICY

The Rural Municipality of St. Andrews has zero tolerance for ANY type of abuse. Individuals who become aware of, suspect or witness any form of abuse are required, by law, to report these instances to the Immediate Supervisor, Program Facilitator, Child and Family Services, and/or the RCMP.

DEFINITIONS OF ABUSE

The following descriptions of “Child”, “Youth” and “Vulnerable Population” and any other defined terms, may include, but are not limited to:

- **Child** is defined as anyone under the age of majority; Manitoba: 18 years old.
- **Youth** is defined as the period between childhood and legal age of majority.
- **Vulnerable Population** is defined as populations that include racial and ethnic minorities, children, the elderly, socioeconomically disadvantaged people, and those people with physical or mental health conditions.

The forms of abuse referred to in this policy are defined so that all individuals bound by this policy have a clear understanding of the behaviors that will not be tolerated.

- **Physical Abuse** is defined as, but not limited to any intentional act, causing injury or trauma to another person. It can take the form of slapping, hitting, punching, shaking, pulling, throwing, kicking, biting, choking, strangling or the abusive use of restraints.

- **Sexual Abuse** is defined as, but not limited to any unwanted touching, fondling, observations for sexual gratification, any penetration or attempted penetration with a penis, digital or object of the vagina or anus, verbal or written propositions or innuendos, exhibitionism, or exploitation for profit including pornography.
- **Emotional Abuse** is defined as, but not limited to a chronic attack on an individual's self-esteem. It can take the form of name calling, bullying, threatening, ridiculing, berating, intimidating, isolating, hazing, habitual scapegoat, blaming.
- **Verbal Abuse** is defined as, but not limited to humiliating remarks, name calling, swearing at, taunting, teasing, continual put downs. The use of harsh words, abuse of trust, embarrassing people in public, and threatening in the form of words.
- **Psychological Abuse** is defined as, but not limited to communication of an abusive nature, sarcasm, exploitive behavior, intimidation, manipulation and insensitivity to one's race, sexuality or family dynamics.
- **Cultural Identity/Spiritual Abuse** is defined as abuse targeting a victim's particular culture or spiritual identity to inflict suffering or as a means of control.
- **Neglect** is defined as, but not limited to any behavior that leads to a failure to provide services which are necessary such as withdrawing necessities as forms of punishment, failing to assess and respond to changes in health status and refusing or withdrawing physical or emotional support. Neglect may include the failure to provide sufficient supervision, nourishment, or medical care, or the failure to fulfill other needs for which the victim cannot provide themselves.
- **Harassment** is defined as, but not limited to, any unwanted physical or verbal conduct that demeans, humiliates, or embarrasses a person, including gender-based harassment. It can be a single incident or several incidents over time. It includes threats, intimidation, display of racism, sexism, unnecessary physical contact, suggestive remarks or gestures, offensive pictures or jokes. Harassment will be considered to have taken place if a reasonable person ought to have known that the behavior was unwelcome.

This policy references the applicable legislation that gives grounds to the Rural Municipality of St. Andrews Abuse and Molestation Policy. Examples of legislation include:

- *Child and Family Services Act, CCSM c C80*
- *The Community Child Care Standards Act, CCSM c C158*
- *The Human Rights Code, CCSM c H175*
- *Criminal Code of Canada, RSC 1985, c C-46*
- *The Regulated Health Professions Act, CCSM c R117*

For more information on Harassment, refer to the Rural Municipality of St Andrews Harassment Prevention Policy No. GEN-05.

ADMINISTRATION OF POLICY

Reports of abuse that are shared confidentially, with an individual, by a Child, Youth or a member of any Vulnerable Population requires the individual to report the incident in writing, and verbally to the immediate Supervisor or Program Facilitator as soon as received. Individuals must respond to such reports in a non-judgmental, supportive, and comforting manner, but must also explain that the report needs to be escalated to the proper authority, which may include the Child, Youth or member of the Vulnerable Population's parent/guardian, Child and Family Services or in cases of an immediate and ongoing threat of abuse, the police.

Any or all municipal staff, volunteers and affiliates are required, by law, to report any observation or suspicion of abuse. Failure to disclose any findings of the Individual(s), would be in direct violation of this policy and therefore be subject to disciplinary action.

In addition, any disclosure (disclosed or observed) of abuse MUST be reported to Child and Family Services if the incident involves a "Child" or "Youth". Any report of abuse may need to be reported directly to the police if the individual is in danger.

Rural Municipality of St. Andrews Staff/Volunteers who receive a complaint or suspect abuse are to:

1. Document the details of the complaint or observations of the situation in an incident report form.
2. Include your name and contact information.
3. Include names of those involved including witnesses.
4. Report the complaint/observation immediately to a Senior Staff member or Supervisor.
5. Senior Staff or Supervisors will notify Child and Family Services or RCMP of the situation for investigation.
6. Senior Staff or Supervisors are to report the incident to senior management

If you think a child is being harmed or neglected, contact Child and Family Services at 1-866-345-9241.

Note: If this is an emergency, contact your local police emergency number.

Child and Family Services Act: C.C.S.M. c. C80

The Rural Municipality of St. Andrews will regularly monitor those Individuals who have access to, or interact with Children, Youth and/or a member of the Vulnerable Population. This will include adherence to the Rural Municipality of St. Andrews' hiring protocols for Vulnerable Populations and include:

- Criminal record check
- Vulnerable persons and child abuse registry check

Screening is to take place upon initial employment, and every two years thereafter.

Wherein the report of abuse involves a staff member or volunteer, disclosure of abuse (disclosed or observed) will undergo an investigation that will determine applicable disciplinary action. The details of the investigation will be kept on record with the municipality and will be disclosed as necessary to parties of the investigation.

Refer to Complaints Against Employees Policy No. GEN-06 and the Municipal Employee Code of Conduct Policy No. GEN-34.

Details of the investigation will include:

- a) The role of the alleged within the organization
- b) Action taken because of the disclosure (i.e.: Suspended with/without pay, terminated, moved to another position)
- c) Action required by individuals within the Municipality
- d) Resolution of the complaint - counselling, disciplinary action
- e) Appeal process (if applicable)
- f) Identification of false allegations
- g) Documentation procedures

This all must be made available for any civil or criminal proceedings.

The Rural Municipality of St. Andrews will provide training to all staff that includes safety and handling of “Child”, “Youth” and “Vulnerable Population” as defined above.

The Rural Municipality of St. Andrews will appoint a “media representative” to respond to any and all inquiries from any media outlet (Television, Radio, Newspapers, Social Media) and all staff, volunteers and affiliates are to refer any media personnel to the “media representative” for response.

REVISIONS

Council may, at its discretion and by resolution, amend the Policy.

Additional resources to be reviewed for information on Abuse in Manitoba:

Manitoba Child and Family Services
Provincial Advisory Committee on Child Abuse
Manitoba Network for the Prevention of Abuse of Older Adults
Manitoba Abuse Registries <https://www.gov.mb.ca/fs/abuserregistries.html>