

VERSION 1 - MASTER

# Toronto Monthly Meeting Of the Religious Society of Friends (Quakers)

## Policy and Procedures Regarding the abuse of children and vulnerable adults

Approved by Toronto Monthly Meeting      Sept 9, 2017  
First Amendment      ???

**There are five versions of these policies and procedures:**

- Version 1 Master
- Version 2 Care of Children
- Version 3 Care of Vulnerable Adults
- Version 4 Oversight
- Version 5 Staff

The Master version contains all sections, appendices and forms. The other versions are tailored to specific positions, and contain selections from the master version. A spreadsheet filed in the TMM office identifies which sections, appendices, and forms belong in each protocol.

**Procedures for reporting an incident can be found in the “Incident Procedures” section of this protocol.**

**Forms can be found on the TMM website and in the Resident Friend’s Office**

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# **SECTION 1: INTRODUCTION**

## **Policy statement**

The care of children, young people, and vulnerable adults is a sacred trust. Honouring that trust, Toronto Monthly Meeting is committed to ensuring that they are safe and secure in our care.

The testimony to equality, a belief in the equality of all persons, has been a base tenet of Quaker faith and practice since the beginnings of Quakerism. All persons are to be treated equally, respectfully and with love and care, irrespective of age, race, gender, or ability. Consequently, Toronto Monthly Meeting (TMM) commits itself to do everything possible to create safe environments for its activities in which vulnerable persons, including children and youth, are nurtured, and physical, emotional and sexual abuse is prevented. While it is not the intention of this policy to insulate vulnerable persons, including children and youth, from the balance of challenge and risk that they need for healthy development, we recognize that our peace arises out of right relationships and that children and young people are especially vulnerable to the tragic consequences of broken relationships and abusive treatment. Child abuse in any form, physical, emotional, sexual, as well as neglect, is unacceptable.

Toronto Monthly Meeting is also committed to ensuring that vulnerable adults are safe and secure in our care. Any of us may find ourselves to be vulnerable at different times in our lives.

**Any allegation of sexual abuse of a child or vulnerable adult in our care will be treated seriously, investigated, and appropriate actions in response will be taken by the Meeting according to this policy. Procedures for reporting an incident are included.**

The following procedures are intended to:

- provide a safe environment for the children, adolescents, and vulnerable adults in our care
- guide us in carrying out our responsibilities
- protect staff and volunteers from false or wrongful allegations
- comply with insurance requirements **and community expectations**

The procedures apply to all people active with children or vulnerable persons, regardless of whether the volunteer or staff person is a Friend, Attender, or other, doing ministry or providing services under the care of TMM or on its premises. This includes outside service providers.

## **History**

These Policy and Procedures have been developed over many years and benefited from the experience and practice of many sources.

Work on the issue of sexual abuse and harassment began in Toronto Monthly Meeting in 1993.

The first brief protocol was approved by the Meeting in 2006, and several expansions and amendments have been developed since then. You can find more details in Appendix C.

Many other Quaker protocols have been consulted, as well as other religious sources. The list of references can be found in Appendix D.

The work has been carried out by the Sexual Abuse and Harassment Committee, under the guidance of the Directors. Except for technical changes, the protocols are brought to Toronto Monthly Meeting for approval.

## **Document overview**

There are several versions of the protocol: a Master version, and shorter versions, each of which is tailored to specific positions.

The Master version contains all sections used in the other versions. It is intended for use as a reference document for those who develop, maintain, and oversee the abuse protocols in Toronto Monthly Meeting, as well as anyone looking for complete documentation of the TMM protocols

The documents contain the following sections:

SECTION 1: Introduction

SECTION 2: Preparing volunteers for caring for children and vulnerable people:

SECTION 3: Assigning responsibility to committees

SECTION 4: Preventive procedures

SECTION 5: Procedures when an incident is reported

SECTION 6: Appendices

## Policy summary

Following is a brief overview of the screening requirements and preventive procedures for each volunteer position and committee. Further details are provided throughout the document.

Category	Screening & Training	Access
<b>Positions with oversight and authority: Meeting</b>		
These positions include, but are not limited to: <ul style="list-style-type: none"> <li>• Directors</li> <li>• Mentoring Clerk</li> <li>• Presiding Clerk</li> <li>• Treasurer</li> </ul>	All in these positions must be “approved adults”	n/a
<b>Positions with key responsibilities for the protocols</b>		
These positions include, but are not limited to: <ul style="list-style-type: none"> <li>• Contact People</li> <li>• Police Check Manager</li> <li>• SAHC or its successor</li> </ul>	All in these positions must be “approved adults”	Contact people may interact with children and vulnerable adults
<b>Positions with oversight and authority: Staff</b>		
These include, but are not limited to: <ul style="list-style-type: none"> <li>• Personnel Committee</li> </ul>	All committee members must be “approved adults”	New committee members must become “approved adults” before supervising staff
<b>Positions with oversight and authority: General</b>		
These include, but are not limited to: <ul style="list-style-type: none"> <li>• Ministry and Counsel</li> </ul>	All committee members must be “approved adults”	
<b>Positions with oversight</b>		
These include, but are not limited to: <ul style="list-style-type: none"> <li>• Refugee Committee</li> <li>• YSHYM coordinator</li> </ul>	All in these positions must review and consent to the procedures	n/a
<b>Staff</b>		
This includes all staff, except for exemptions.  Exemptions are staff positions with little access to children or vulnerable adults, including, but not limited to: <ul style="list-style-type: none"> <li>• cleaners</li> </ul>	All staff must be “approved adults”, as a condition of employment  Three references are required, as part of the hiring process	Staff may not take responsibility for children when alone  Staff are to refer vulnerable adults who need ongoing support to an appropriate resource

Children	Screening & Training	Access
<b>Regular care for children</b>		
<p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>• <b>CYPC</b></li> <li>• Members of TFSR, whether f/Friends or not, for any activities involving children away from their parents</li> </ul>	<p>All committee <b>members who have direct contact with children</b> must be “approved adults”</p> <p>Three references are required</p> <p>Exceptions: from screening requirements:</p> <ul style="list-style-type: none"> <li>• teen volunteers under 18, who must have a letter of support from the meeting</li> <li>• <b>“occasional volunteers”</b></li> </ul>	<p>There must be two “approved adults” with children at all times, including when transporting them</p> <p>New committee members are not to be in contact with children until they become “approved adults”</p> <p>Exceptions must be with an “approved adult” committee member</p>
<b>Intermittent events with children unaccompanied by parents</b>		
<p>Includes, but is not limited to events such as:</p> <ul style="list-style-type: none"> <li>• YSHYM held in Toronto</li> <li>• special programs such as the Christmas play</li> <li>• Young Friends’ overnights in Friends’ House under the care of the Meeting</li> </ul>	<p>At least two volunteers over 18 supervising the event must be “approved adults”</p> <p>It is important to ensure there is an appropriate ratio of adults to children</p>	<p><b>There must be two “approved adults” with children at all times,</b> including when transporting them</p>
<b>Consultants and other service providers working with or having access to children</b>		
	<p>Must be accredited professionals if they are hired in their professional capacity.</p> <p>Others will be functioning as volunteers and will need to use TMM protocols</p>	<p>Accredited professionals may be alone with children if they abide by their professional accreditation regulations</p> <p>Others must be with an "approved adult"</p>

Vulnerable adults	Screening & Training	Access
<b>Care for vulnerable adults</b>		
<p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>Burial Committee</li> <li>Members of TF SR, whether f/Friends or not</li> <li>Visiting Committee</li> </ul>	<p>All committee <b>members who have direct contact with vulnerable adults</b> must be “approved adults”</p> <p>Exceptions from screening requirements:</p> <ul style="list-style-type: none"> <li>“occasional volunteers”</li> </ul>	<p>New committee members must become “approved adults” before visiting vulnerable adults</p> <p>Exceptions must be with an “approved adult” committee member</p> <p>Best practice is to visit with two people</p> <p>If circumstances require, “approved adults” may visit alone</p>
<b>Ad-hoc care for vulnerable adults</b>		
<p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>Committees of Care (if they are assessed to be high risk when first established)</li> </ul>	<p>Best practice is to have “approved adults”</p>	<p>Best practice is to visit with two people</p> <p>If circumstances require, “approved adults” may visit alone</p>
<b>Consultants and other service providers working with or having access to vulnerable adults</b>		
<p>Includes but is not limited to:</p> <ul style="list-style-type: none"> <li>Translators</li> </ul>	<p>Must be accredited professionals if they are hired in their professional capacity.</p> <p>Others will be functioning as volunteers and will need to use TMM protocols</p>	<p>Accredited professionals may be alone with vulnerable adults if they abide by their professional accreditation</p> <p>For others, best practice is to visit with two people</p> <p>If circumstances require, “approved adults” may visit alone</p>



# **SECTION 2: PREPARING VOLUNTEERS**

## **Risk assessment**

- All the volunteer and staff positions in TMM have been listed and assessed for risk, based on factors like responsibility for children or vulnerable adults, isolation, or oversight of these protocols.
- An overall rating of “low”, “medium”, or “high” risk was given to each position.
- Police checks are required for “high” risk positions
- Access to children and vulnerable adults depends on this risk assessment.
- Risk assessment tables by position can be found on the TMM website.

## **Screening**

### **1. Police checks:**

- All checks will be “Vulnerable Sector Screening Program – Police Reference Checks”.
- None of the police checks will include searches under the Mental Health Act (MHA)
- All positions requiring a police check are conditional on a completed check
- Those who are waiting for the results of a police check are not to care for children or vulnerable adults.

### **Renewals:**

Police checks must be renewed every three years for those who remain in the position

### **Checks by outside agencies:**

We will accept the results of a Vulnerable Sector check done within the last 3 years for another agency or profession. The original must be provided.

### **Hired consultants:**

Any hired consultant with duties involving the care of children or vulnerable adults must show evidence of a Vulnerable Sector check to the person or committee who hired them.

### **More information:**

For more information about Vulnerable Sector police checks see Appendix C of the Master Protocol, or the TMM website.

## **2. References**

The following shall provide three references:

- Staff, as part of the hiring process
- All volunteers over 18 who have responsibilities for children

These references:

- If possible, should include at least one who has direct experience of the person's work with children and at least one who is a professional or institutional reference, rather than a personal one
- Should not include family references
- Will be reviewed by the clerks of the relevant committees, with the exception of any clerk's references, which will be reviewed by the Directors

## **3. Teen volunteers**

Teen volunteers under 18 who will regularly work with children must first obtain a letter of support from the Meeting

## **Training**

### **1. Initial training**

All employees and volunteers who require training must complete the online training program on the TMM website for their position(s), and agree via written consent

### **2. Renewal training**

The online training program must be renewed every three years for those who remain in the position

### **3. Training workshop**

A training workshop will be presented by TMM every three years. All those who require training must attend.

Details on the workshop can be found on the TMM website.

## **SECTION 3: RESPONSIBILITIES**

### **Responsibilities of the Directors**

The Directors shall ensure that

- these procedures are properly used and maintained.
- all members and attenders are advised of the existence of these policies and procedures and where they can be found
- all members and attenders are advised of their responsibilities under the law
- police checks are carried out
- training is carried out
- reports of incidents are appropriately responded to

Annually, when the insurance is renewed, or at the start of each year, the Directors shall ensure that the following steps are taken:

- appropriate insurance coverage is in place
- legislative and TMM operating changes are monitored to determine if the procedures need amendments, and see that they are made and signed off
- Contact People have been appointed, to respond to incidents
- the house notice is up to date with the names of the Contact People and posted in appropriate locations
- Police Check Managers have been appointed
- questionnaires are distributed to, completed, and returned by all committees who have responsibilities for this protocol, to determine if they have carried out their duties
- further action is taken if any committees, employees, volunteers or participants do not adhere to this policy or undertake the measures outlined

The Directors or their designates shall manage the police check and training process. They shall

- Ensure that initial police checks have been done and any failures properly dealt with and recorded, and that checks are renewed after three years
- Ensure that initial training is done and renewed after three years
- Keep records of those who require, or have had police checks and training
- Inform relevant committees annually of committee members with completed police checks, and also whenever a police check has been completed or is no longer up-to-date**

Every three years they shall

- Ensure that a training workshop is held

Periodically, when an incident is reported, the Directors shall

- with the Contact People, respond to and coordinate oversight of any reported incidents

If any claim is made against the Meeting for an incident, the Directors will inform the insurance company as soon as possible, and carry out other duties as outlined in the insurance policy.

## **Responsibilities of the TMM Clerk(s)**

While the clerk has no responsibilities to oversee these protocols, an understanding of their contents may, from time to time, assist in the business of the Meeting. The Clerk(s) shall:

- Review and have a general understanding of the Master version of the protocols

## **Responsibilities of the Police Check Manager(s )**

The Police Check manager(s) shall ensure that police check applications are carried out according to the requirements of the Toronto Police Service, and manage the assessment of the returned checks. They shall

- Register with the Toronto Police Service and train in their requirements
- Complete any training in the Human rights code that is required by Toronto Police Services.
- Ensure that any changes required by the Toronto Police Service are incorporated into these policies and procedures
- Provide applicants with the police check package, (or alternately, the self-declare package), and explain the process
- Sign the applications, give signed copies to the applicants, and arrange for the completed applications to be sent in
- Assess the returned reports against the predefined disqualification criteria
- Consult with other Committees, as appropriate, where decisions are to be made about the report results, and document any decisions
- In the case of prior convictions, consider who needs to be informed
- Ensure that all documentation is stored in the locked files

## **Responsibilities of the Contact People**

The Contact People shall address any reported incidents.

When an incident is reported, they shall

- With the Directors, respond to and coordinate oversight of any reported incidents
- Ensure that all actions taken to respond to a reported incident are recorded and filed, even if the incident is determined to be a misinterpretation. This includes any final decision or assessment
- Ensure that all documentation is stored in the locked files

## **Responsibilities of the Sexual Abuse and Harassment Committee**

SAHC (or any committee established by the Meeting to replace it) shall produce and maintain abuse policies and procedures.

It shall:

- create these policies and procedures, and amend them as needed:
  - Policies and Procedures regarding the abuse of children and vulnerable adults (all versions)
  - House Statement
  - Police Check Package
- create training packages and amend them as needed
- ensure that any changes to the procedures are distributed (see Appendix)
- ensure that amendments are reflected on the TMM website
- ensure that master copies of policies and procedures are properly stored

## **Responsibilities of the **Children and Youth** Program Committee**

Committee members and the Facilitator shall ensure that

- they maintain a safe and positive environment for the young people in their care
- these procedures are followed

## **Responsibilities of Toronto Friends Sponsoring Refugees (TFSR) for the care of children when away from their parents**

Committee members shall ensure that

- they maintain a safe and positive environment for the young people in their care
- these procedures are followed



## **Responsibilities of Ministry and Counsel**

Ministry and Counsel shall ensure that

- these procedures are followed when pastoral care is provided by Ministry and Counsel or Committees of Care
- special procedures are followed for any TMM retreats

## **Responsibilities of Visiting Committee**

Visiting Committee shall ensure that

- these procedures are followed

## **Responsibilities of Burial Committee**

Burial Committee shall ensure that

- these procedures are followed

## **Responsibilities of Toronto Friends Sponsoring Refugees (TFSR)**

TFSR shall ensure that

- the Police Check Manager and Nominating Committee are given a list of all committee members, with those who are not TMM members or attenders clearly **indicated** and with their contact information
- anyone applying to be on the committee who is not a Friend or attender is known to someone on the committee and acceptable to the committee
- the Directors and Personnel Committee are informed in advance of any hires, such as interpreters
- the Directors are notified of partnerships with other agencies, and in particular any requirements for screening, insurance, or procedures
- these procedures are followed during all contact with refugees and their children
- refugee families are informed that they and their children can go to a Contact Person if **there are any concerns about abuse or harassment involving the Meeting**

## Responsibilities of Personnel Committee

- ❑ This committee, when hiring new staff, should ensure that the application process for new staff includes police checks and references:
  - ❑ job descriptions and advertisements include responsibilities for the abuse procedures and a description of why a police check is required
  - ❑ job offers are conditional on a successful police check
  - ❑ the Directors are informed of new staff members so that police checks are done after all other steps in the hiring process are complete
  - ❑ references are part of the hiring procedure for new staff, and are checked

Staff includes (but is not limited to):

- Resident Friend - Manager
- On Duty Friends
- Secretary / Asst. Treasurer
- Refugee Settlement worker
- **Children and Youth** Program Committee Facilitator

Personnel Committee does not carry out the police checks, but must notify the Directors when new staff are being hired.

It is Personnel Committee's responsibility to ensure these hiring procedures are carried out for all staff, including those hired on behalf of a TMM committee

- ❑ This committee should be mindful that all staff must fulfill the requirements of the Staff Version of the protocols
- ❑ In addition, some staff must fulfill the requirements of the Children's or Vulnerable Person's Version of the protocols

Any incidents reported to staff should be reported to the Contact People, and are not the responsibility of Personnel or Refugee Committee.

## **Responsibilities of Refugee Committee**

Refugee Committee shall ensure that

- these procedures are followed during the Christmas party
- these procedures are followed during the Refugee Camp at NeeKauNis

## **Responsibilities of the Half-Yearly Meeting Coordinator**

The HYM coordinator shall ensure that

- these procedures are followed during Half-Yearly Meetings.

## **Responsibilities of Staff**

In general, Toronto Monthly Meeting staff are to address crises, and to leave follow-up to the Contact People.

Staff will:

- follow preventive procedures with children and vulnerable adults
- report any incidents involving children or vulnerable adults
- keep the names of those involved confidential, except for reporting or legal requirements. If an incident is discussed with Personnel Committee, names should not be mentioned.
- follow procedures (see also the Resident Friend Handbook) for booking rooms for children under 18 who are either
  - accompanied by an adult who is not a parent
  - part of an outside group
  - part of a Young Friends' retreat

Staff includes (but is not limited to):

- Resident Friend - Manager
- On Duty Friends
- Office Staff
- Refugee Settlement worker
- **Children and Youth** Program Committee Facilitator

# SECTION 4: PREVENTIVE PROCEDURES

## Preventive procedures for those working with children

*These procedures are for all individuals participating in gatherings involving children, whether regularly scheduled events such as a children's program, or, special events such as plays, or excursions or overnight events. They also apply to activities with children of refugee families, when their parents are not present.*

### 1. Do not engage in these behaviours:

Within a loving community, the following types of behaviours cannot be tolerated - these are some examples of behaviours between adults and children, or among children, which are abusive and destructive to the building of positive relationships with and among children

- singling out a child for highly favoured or unduly harsh treatment
- ridiculing, scape-goating, rejecting, or threatening a child
- bullying or put-downs
- making racially provocative comments or remarks based on appearance
- physically contacting a child when it is unwanted, unless necessary for the safety of the child or those around them
- invading the privacy of children when showering or toileting unless they need help
- making sexually suggestive comments
- corporal punishment
- sexually interacting with a child\*
- physically hurting a child\*

\*These are reportable offences by adults against children

### 2. Avoid being alone with children (the “two-person” rule)

When children are given over to the care of the meeting, (including visits with children of refugee families away from their families) there must always be at least two people present with them. These people can then support one another in creating a positive environment for children.

- **At least two of them must be “approved adults”**
- **Others may be teenagers, or “occasional volunteers”, under the supervision of an “approved” adult.**

### **3. Follow an open-door policy when two people cannot be present**

There will be occasions when only one person is with a child, for privacy reasons, if a child asks to talk to the person alone, or when it is not possible to have 2 people present. In these cases:

- the person with the child should be an “approved adult”
- another adult should know what is happening
- the door should be left ajar.

### **4. Avoid acts that could lead to allegations**

These could include:

- individual photography of children
- unsupervised internet access

### **5. Provide supervision for teen and “occasional volunteers”**

- volunteers under 18 who are caring for children should be supervised by an “approved” adult
- “occasional volunteers” should also be supervised

### **6. Follow safe practice for transportation**

- The “two-person” rule applies when driving or transporting children
- **Both should be “approved adults”**
- Those transporting children are obliged to follow all applicable laws, regulations and safety practices.
- Drivers must present proof of a valid driver’s licence, up-to-date insurance, **and one seatbelt and/or car seat per person** to the clerk of the committee

### **7. Organize off-site activities carefully**

- there must be sufficient qualified supervision of children outside and in public places at all times (**parks, playgrounds**, libraries, amusement parks, etc).
- sleepovers, camping, or other overnight events should be allowed only when all supervisors and volunteers are “approved adults”
- “Children in Care of the Meeting” forms must be filled out

### **8. Provide appropriate and adequate supervision of children at all times**

**9. Keep records for the Children and Youth Program Committee:**

Records are to be kept by the committee clerk or designate

Record Attendance:

- Keep attendance records

Inform all parents in advance:

- For outings to Taddle Creek Park

Fill out forms for all other off-premises activities

When children are taken to other off-premises activities, fill out a “Children in Care of the Meeting” form for each child under 18 **not accompanied by a family member**, including:

- a Medical Information Form
- a Parental Release Form, releasing TMM from indemnity
- a Parental Consent Form

Make a copy available to anyone taking that child to such an activity

**10. Keep records for TFSR:**

Records are to be kept by the committee clerk or designate

Record visits:

- Keep records of visits with children

Fill out forms for each child under 18:

Fill out a “Children in Care of the Meeting” form for each child under 18, including:

- a Medical Information Form
- a Parental Release Form, releasing TMM from indemnity
- a Parental Consent Form

Make a copy available to anyone caring for that child when not in the company of the parent(s)

## **Preventive procedures for special events involving children held in Friends House:**

### **1. Follow special guidelines for the Christmas play, the Refugee Christmas party, children's programs at Half-Yearly Meeting sponsored by TMM, or other such events:**

- ensure at least two volunteers over 18 supervising the event are “approved adults”
- always follow the 2-person and open-door rules
- ensure that these procedures are followed

#### **For the Refugee Christmas party:**

- ensure that all children are accompanied by their parents

## **Preventive procedures for special events held at Camp NeeKauNis (in process):**

### **1. Follow special guidelines for Refugee Camp, TMM retreats, Half-Yearly Meeting at NeeKauNis, or other such events**

- please contact the Directors or SAHC

## **Preventive procedures for Half-Yearly Meetings held in other meeting houses (in process)**

- please contact the Directors or SAHC



## Preventive procedures for children staying overnight

Children staying overnight in the house	Forms required
With an adult who is a parent	-
With an adult who is not a parent	Parental Consent and Release Form
Young Friends' retreat	Children in Care of the Meeting Form
With an outside group	Overnight Retreat Rental Form and Contract Agreement, with Hold Harmless Agreement

### 1. For children staying overnight at Friends' House accompanied by an adult who is not a parent

- The Resident **Friend** - Manager/On Duty **Friend** must obtain signed parental consent on a Parental Consent and Release Form if the child under 18 is not accompanied by a parent.

For further details, see the Resident Manager Handbook.

### 2. For residential events such as a Young Friends' overnight that are under the care of the Meeting

- The Resident Friend - Manager/On Duty Friend must present the application to the Meeting for approval.
- Upon approval, the Resident Friend - Manager/On Duty Friend must make sure the following conditions are complied with:
  - The individuals in charge of the event must obtain a signed **Children in Care of the Meeting Form** for each person at the event who is under the age of 18, and provide these to the Resident Friend - Manager/On Duty Friend
  - Those in charge must ensure that at least two volunteers over the age of 18 supervising the event are "approved adults", and guarantee that these protocols will be followed

### **3. For residential events such as retreats run by outside groups**

- The Resident Friend - Manager/On Duty Friend must use the procedures for outside groups (including obtaining proof of the outside group's parental consent form)
- the outside group will take responsibility for any children in their care

For further details, see the Resident Friend Handbook

**All forms and other material should be stored in the waiver binder in the Resident Manager's office.**

## **Preventive procedures for staff contact with children**

### **1. Do not take responsibility for children when alone**

When children are given over to the care of the meeting, there should always be at least two people present with them. These people can then support one another in creating a positive environment for children.

### **2. Follow an open-door policy when two people cannot be present**

There will be occasions when only one person is with a child: for privacy reasons, if a child asks to talk to the person alone, or when it is not possible to have 2 people present. In these cases:

- another adult should know what is happening
- the door should be left ajar.

## **Preventive procedures for those working with vulnerable adults**

### Visiting Committee, Ministry and Counsel, Burial Committee, Toronto Friends Sponsoring Refugees

- Because of the nature of the care offered to vulnerable members of our community, only members who are “approved adults” may visit in person
- Ideally, they should visit with two people, but if circumstances require, “approved adults” may visit alone
- Note that refugee adults over 18 are considered vulnerable only in their first year

### Visiting Committee

- When visiting a nursing home or hospital, leave a card or note recording your visit in the room.

### Ministry & Counsel

- Committees of Care should be assessed for risk when first established, and those considered to be “high risk”, that is caring for a vulnerable adult, should be selected and follow special guidelines:
  - best practice is to select “approved adults”.
  - ideally, they should visit with two people, but if circumstances require, “approved adults” may visit alone”

## **Record keeping for those working with vulnerable adults**

- Records of all visits, whether in person, by phone, or by e-mail, are to be kept in a central binder
- This applies to, but is not limited to, the above Committees, including Committees of Care

## **Preventive procedures for staff contact with vulnerable adults**

### Refer pastoral care

An adult seeking emotional or spiritual counseling or ongoing support should be referred to an appropriate resource

## **SECTION 5: INCIDENT PROCEDURES**

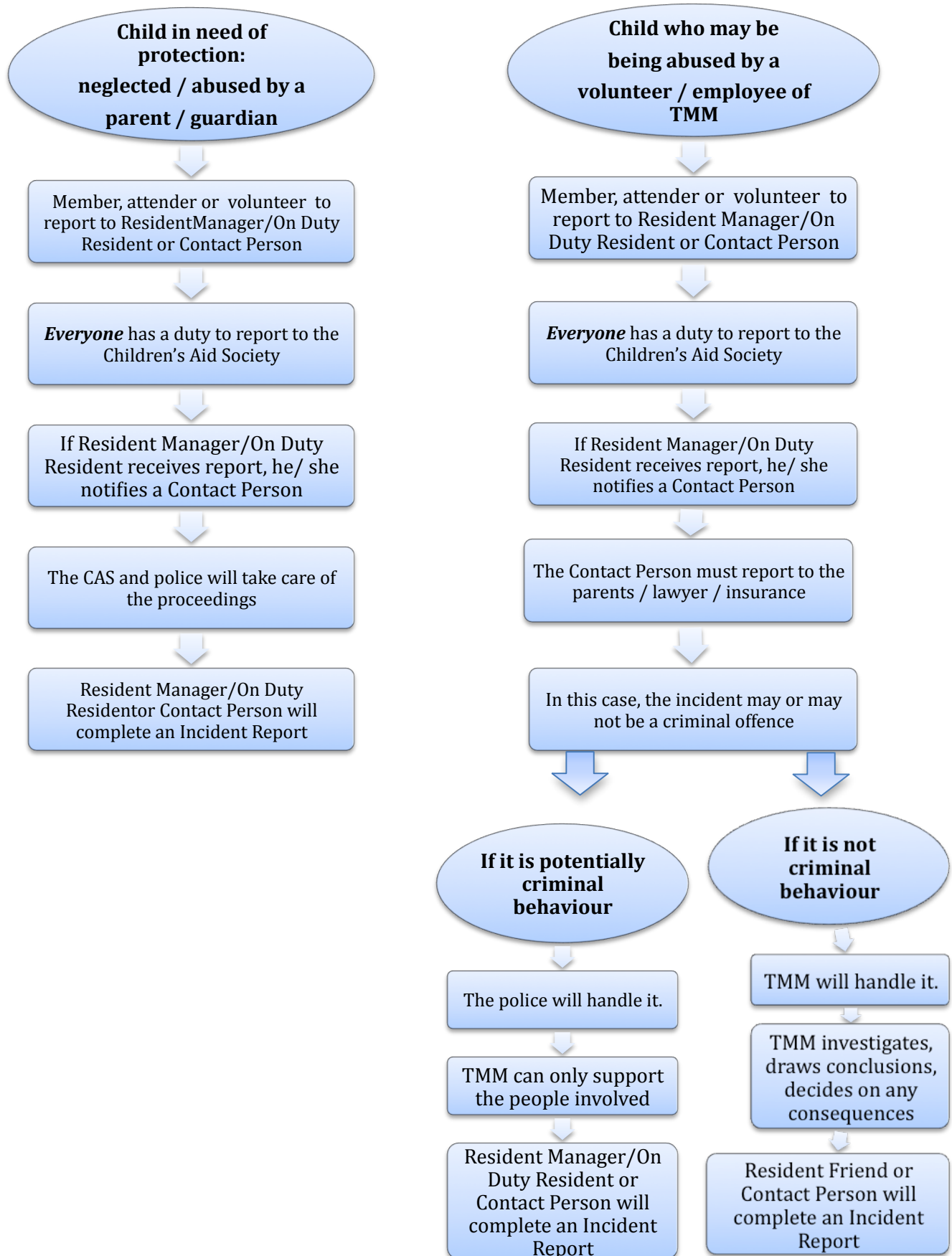
### **Accidental injuries to children**

In the event that a child or youth is injured while under our care, the following steps should be followed:

- For minor injuries, scrapes, and bruises, child carers will provide First Aid (Band-Aids, etc.) as appropriate and will notify the child's parent or guardian of the injury at the time the child is picked up from our care. No pain medication is to be administered except by parents to their own children.
- For injuries requiring medical treatment beyond simple First Aid, the parent and/or guardian will immediately be advised. If warranted by circumstances, an ambulance will be called.
- Any medical forms and consent forms we have for the child should be shared with medical personnel

Once the child has received appropriate medical attention, if there have been injuries requiring treatment by a medical professional, an individual with direct knowledge of the incident will report it to a Resident **Friend** - Manager/On Duty **Friend**, if it has taken place at Friends' House, or to a Contact Person if it has happened elsewhere, and that person will complete an Incident Report

# Child Abuse Incident Reporting Procedure



## 1. Legal Reporting Requirements

a) Under the *Child, Youth And Family Services Act, 2017* of Ontario, every person to whom anyone, child or adult, reports child abuse, or who has reasonable grounds to suspect that a child is or may be in need of protection, i.e., is suffering from abuse and/or neglect, must promptly report the suspicion and the information upon which it is based to a Children's Aid Society. The Act clearly specifies how these children can be identified. (A summary of the reporting requirements under the Act are set out in Appendix B to this protocol.)

b) It is not necessary for you to be certain in order to make a report, but rather that you have "reasonable grounds", which are defined as those that an average person, using normal and honest judgment, would need in order to decide to report.

For the purposes of this protocol, a suspicion is defined as:

- a complaint from the child
- circumstantial evidence, such as cries for help, unexplained physical injury, etc.
- a statement of a credible eye witness to a recent complaint
- a statement of another that is buttressed with detail from the surrounding circumstances
- a credible witness who corroborates the statement of another (gossip and unsubstantiated conclusion are excluded)

c) If a child reports abuse:

Every person is required by law to report this *immediately* to the Children's Aid Society (Toronto CAS: 416 924 4646). All CASs provide emergency service 24 hours a day, seven days a week.

The report to the CAS must be made directly by the person to whom the child reported the abuse—it cannot be done through another person. The person to whom the child reports abuse should stay with the child or leave them with a responsible adult while making the report. Care should be taken not to frighten the child. It is not your role to decide if abuse has actually occurred; it is your role to make the child comfortable and to notify the CAS. Under no circumstances should you engage in investigative questioning of the child, as this could contaminate further investigation.

d) If a child has not made a direct report, but you suspect that abuse or neglect has occurred:

Every person who has reasonable grounds to believe that a child is in need of protection because of physical harm, sexual molestation or exploitation, child pornography, serious emotional harm, neglect, or other causes, is also required by law to report this immediately to a CAS. Again, you should make the report directly and not through another person.

This duty to report applies to any child who is, or appears to be, under the age of 16 years. It also applies to a child of 16 or 17 to whom a child protection order already applies.

e) The role of the Children's Aid:

The CAS will investigate the information. The CAS may involve the police and other community agencies, and you should follow their directives. The police will handle all allegations of abuse where charges may be laid. The CAS will generally stay involved only in situations where it is suspected that children are suffering abuse and/or neglect in their own homes.

## **2. Confidentiality**

By law, the duty to report overrides the privilege of confidentiality associated with a pastoral relationship.

Otherwise, those involved in the TMM reporting process will keep the names of those involved confidential in order to protect the identity of the child involved, unless the protection of that child or other children may require otherwise.

## **3. Reporting obligations within Toronto Monthly Meeting**

In the event that an incident of abuse or neglect is alleged to have occurred on the premises of Toronto Monthly Meeting or in the course of activities sponsored by the Meeting, the following procedure shall be followed (in addition to any other steps that are necessary under the legal reporting requirements set out above).

- a. Any person who suspects that abuse or neglect of a child has taken place must immediately notify the Resident Friend - Manager/On Duty Friend or one of the Contact People

- b. The Resident Friend - Manager/On Duty Friend or Contact Person receiving notification of the alleged abuse will complete an Incident Report, and inform one of the Directors of the allegation. If it is a Resident Friend - Manager/On Duty Friend who completes an Incident Report, s/he will also notify one of the Contact People, or if they are not available, one of the Directors.

The Directors ensure that Ontario's requirements regarding mandatory reporting of abuse are complied with.

- c. The Clerk of the Directors, or designate, immediately confirms with the appropriate child protection authorities that a report of suspicion of abuse has been made. The Meeting will cooperate fully with child protection and/or police authorities who may be investigating reports of child abuse.
- d. The Contact Person or Director notifies Toronto Monthly Meeting's insurance company and also seeks legal advice.
- e. The Clerk of the Directors, or designate, will contact the child's parent or guardian following consultation with the CAS (and/or investigating police department). Pastoral support will be offered to those desiring it, provided that it will not impede the investigation or interfere with the best interests of the child involved.
- f. The individual who is alleged to be the perpetrator of the abuse or misconduct (respondent) will normally be removed from all duties and responsibilities associated with the TMM, Yonge Street Half-Yearly and/or Canadian Yearly Meeting, until all investigations and legal proceedings are completed and Directors and Clerks are satisfied that the person poses no risk to children. This removal implies no inference of guilt and may be reviewed periodically.
- g. Following the completion of all criminal and/or civil proceedings, or in the event that there is no statutory investigation of the incident, or such an investigation is started but then discontinued, the Directors and Clerks of the Meeting form an ad hoc Committee, consisting of at least three members or longtime attenders, to investigate the circumstances of the incident. The Investigative Committee should act only in consultation with the Meeting's insurance company and/or lawyer. It interviews all individuals who have knowledge of the incident, and may engage the services of experts in the area of law and child protection.



- h. Upon completion of its investigation, the Investigative Committee submits a written report to the Directors and Clerks as soon as it is possible to do so, depending on the circumstances, but normally within three months of the striking of the Committee. In the report, the Committee will make a determination of the facts of the matter, and whether the respondent was guilty of abuse or misconduct. It may make a recommendation as to what action, if any, should be taken by the Meeting. In the event of an acquittal of a person charged with abuse of a child, or where charges have not been proceeded with, the Investigative Committee has the right to investigate and make a recommendation based on its findings, as outlined above, including a recommendation as to whether there are any potential risks posed by the respondent based on a standard of the balance of probabilities, and erring on the side of protection of children.<sup>1</sup>
  
- i. The Directors and Clerks will review the Investigative Committee's report and decide on whether the allegation of abuse has been sustained. They will decide what actions should be taken, depending on whether an individual was criminally convicted, or found liable civilly, and/or whether the Investigative Committee determined that abuse or misconduct at some level did occur, taking into account the degree of severity and frequency of the incident(s). In reaching their conclusions the Directors and Clerks will meet with the Personnel Committee, if the respondent is an employee, or with Ministry and Counsel if the respondent is a member, attender or volunteer. The actions could include such measures as termination or suspension of membership, requirement that the respondent abide by certain restrictions while in attendance at TMM, YSHYM or CYM, counselling, or others. ***Any person who has been found in a criminal proceeding to have committed sexual assault of a child shall in no circumstances be given duties of any kind with TMM.***
  
- j. The Directors and Clerks shall submit a final report on the matter to the Meeting, in such a manner as to keep confidential the identity of the child involved, and to protect the privacy of the respondent, to the extent that this is possible and desirable.

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<sup>1</sup> While situations of alleged abuse or misconduct may result in legal processes Friends would be actively encouraged, recognizing that of God in all persons enmeshed in such situations, to seek ways of ministering to persons who have not been cleared of alleged abuse or misconduct.

- k. The Investigative Committee's Report, and subsequent related documents, such as minutes of the Directors' and Clerks' meetings with Personnel Committee or Ministry and Counsel, or communications with the respondent, are to be filed in a locked cabinet in the TMM office. If a complaint is sustained by statutory investigation, criminal conviction, civil liability or conclusion of the Directors and Clerks based upon the Investigative Committee's report, a report to this effect will be kept in the individual's file (a file will be created if none exists already). If the respondent is an employee, a copy of the Investigative Committee's report and all relevant documents, will be kept in his or her personnel file.
- l. When a complaint is not sustained, there will be no record in the individual's file, but a summary documentation of the matter will be kept by the Directors.
- m. Where a person is fully exonerated of the accusation, this determination will be announced publicly.
- n. The TMM Clerks will be spokespersons to any media concerning incidents of abuse or neglect, unless they are alleged to be involved. All other members, attenders and employees should refrain from speaking to the media.
- o. If it is determined that there was no abuse on the part of the respondent, and that the complaint was initiated maliciously, the Meeting will take the appropriate action, depending on whether the initial complainant was a member, attender, or employee.
- p. A review of the decision in paragraph (i) above may be requested by the individual, and the Clerks will bring this to the Meeting for consideration, having regard at all times to the obligation to protect the identity of the child involved.

# **Incident procedures for incidents involving vulnerable adults**

## **1. Legal Reporting Requirements**

There is no legal [as opposed to moral/ethical] requirement to report suspected abuse of a vulnerable adult.

## **2. Confidentiality**

By law, the duty to report overrides the privilege of confidentiality associated with a pastoral relationship.

Otherwise, those involved in the TMM reporting process will keep the names of those involved confidential in order to protect the identity of the vulnerable adult involved, unless the protection of that individual or others may require otherwise.

## **2. Reporting obligations within Toronto Monthly Meeting**

In the event that an incident of abuse is alleged to have occurred on the premises of Toronto Monthly Meeting or in the course of activities sponsored by the Meeting, the following procedure shall be followed. **The response will be overseen by the Directors.**

- a) Any person who suspects that abuse has taken place must immediately notify the Resident Friend - Manager/On Duty Friend or one of the Contact People.
- b) The Resident Friend - Manager/On Duty Friend or Contact Person receiving notification of the alleged abuse will complete an Incident Report, and inform one of the Directors of the allegation. If it is a Resident Friend - Manager/On Duty Friend who completes an Incident Report, s/he will also notify one of the Contact People, or if they are not available, one of the Directors.
- c) The Contact Person or Director notifies Toronto Monthly Meeting's insurance company and also seeks legal advice. The Meeting will cooperate with authorities in the event that a criminal investigation takes place.

Pastoral support will be offered to those desiring it, provided that it will not impede the investigation or interfere with the best interests of the vulnerable adult involved.

- d) The individual who is alleged to be the perpetrator of the abuse or misconduct (respondent) may be removed from all duties and responsibilities associated with the TMM, Yonge Street Half-Yearly Meeting and/or Canadian Yearly Meeting.
- e) Following the completion of all criminal and/or civil proceedings, or in the event that there is no statutory investigation of the incident, or such an investigation is started but then discontinued, the Directors and Clerks of the Meeting form an ad hoc Committee, consisting of at least three members or longtime attenders, to investigate the circumstances of the incident. The Investigative Committee should act only in consultation with the Meeting's insurance company and/or lawyer. It interviews all individuals who have knowledge of the incident, and may engage the services of experts in the area of law and vulnerable adult protection.
- f) Upon completion of its investigation, the Investigative Committee submits a written report to the Directors and Clerks as soon as it is possible to do so, depending on the circumstances, but normally within three months of the striking of the Committee. In the report, the Committee will make a determination of the facts of the matter, and whether the respondent was guilty of abuse or misconduct. It may make a recommendation as to what action, if any, should be taken by the Meeting. In the event of an acquittal of a person charged with abuse of a vulnerable adult, or where charges have not been proceeded with, the Investigative Committee has the right to investigate and make a recommendation based on its findings, as outlined above, including a recommendation as to whether there are any potential risks posed by the respondent based on a standard of the balance of probabilities, and erring on the side of protection of vulnerable adults.
- g) The Directors and Clerks will review the Investigative Committee's report and decide on whether the allegation of abuse has been sustained. They will decide what actions should be taken, depending on whether an individual was criminally convicted, or found liable civilly, and/or whether the Investigative Committee determined that abuse or misconduct at some level did occur, taking into account the degree of severity and frequency of the incident(s). In reaching their conclusions the Directors and Clerks will meet with the Personnel Committee, if the respondent is an employee, or with

Ministry and Counsel if the respondent is a member, attender or volunteer. The actions could include such measures as termination or suspension of membership, requirement that the respondent abide by certain restrictions while in attendance at TMM, YSHYM or CYM, counselling, or others.

- h) The Directors and Clerks shall submit a final report on the matter to the Meeting, in such a manner as to keep confidential the identity of the vulnerable adult involved, and to protect the privacy of the respondent, to the extent that this is possible and desirable.
- i) The Investigative Committee's Report, and subsequent related documents, such as minutes of the Directors' and Clerks' meetings with Personnel Committee or Ministry and Counsel, or communications with the respondent, are to be filed in a locked cabinet in the TMM office. If a complaint is sustained by statutory investigation, criminal conviction, civil liability or conclusion of the Directors and Clerks based upon the Investigative Committee's report, a report to this effect will be kept in the individual's file (a file will be created if none exists already). If the respondent is an employee, a copy of the Investigative Committee's report and all relevant documents, will be kept in his or her personnel file.
- j) When a complaint is not sustained, there will be no record in the individual's file, but a summary documentation of the matter will be kept by the Directors.
- k) Where a person is fully exonerated of the accusation, this determination will be announced publicly.
- l) The TMM Clerks will be spokespersons to any media concerning incidents of abuse or neglect, unless they are alleged to be involved. All other members, attenders and employees should refrain from speaking to the media.
- m) If it is determined that there was no abuse on the part of the respondent, and that the complaint was initiated maliciously, the Meeting will take the appropriate action, depending on whether the initial complainant was a member, attender, or employee.

- n) A review of the decision in paragraph (g) above may be requested by the individual, and the Clerks will bring this to the Meeting for consideration, having regard at all times to the obligation to protect the identity of the vulnerable adult involved.
  
- o) Pastoral care will be arranged for those who desire it.

The foregoing procedures and decision-making processes would be carried out in accordance with the established principles and procedures according to which the Meetings of the Religious Society of Friends conducts their business.

In dealing with any instances of alleged abuse or misconduct, whether or not they result in legal processes, Friends would be actively encouraged, recognizing that of God in all persons enmeshed in such situations, to seek ways of ministering to all persons involved, including those who have not been cleared of alleged abuse or misconduct.

## **Incident procedures for staff**

### **1. Overview:**

If anyone, child or adult, reports child abuse to you, or if you or they have reasonable grounds to suspect a child is or may be in need of protection (see Appendix on the law), you must follow these incident procedures.

In the event of a report of child abuse, the report to the CAS must be made directly by the person to whom the child reported the abuse—it cannot be done through another person. The person to whom the child reports abuse should stay with the child or leave them with a responsible adult while making the report. Care should be taken not to frighten the child. It is not your role to decide if abuse has actually occurred; it is your role to make the child comfortable and to notify the CAS. Under no circumstances should you engage in investigative questioning of the child, as this could contaminate further investigation.

If you are aware of abuse of a vulnerable adult by a Meeting employee, member, or attender in the course of their duties on behalf of the Meeting, or if someone reports such abuse to you, you must follow these procedures.

### **2. Ongoing support**

You should not provide counselling, but, if asked, you can provide references to any resources that are needed: help-lines, counselling services, etc. Children's Aid or the Kid's Help Phone can be of assistance here.

### **3. Reporting and followup**

If someone has reported a concern to you, inform them that a report needs to be made, and ask for their assistance in filling in the form.

Whether this is your concern or one reported to you, you must ensure that the appropriate Incident Report is filled out in duplicate.

Report this matter to a Contact Person immediately (or if they are not available, one of the Directors) and give them one copy of the report. They will carry out any needed followup measures.

Store the other copy in the locked cabinet in the TMM office.

#### **4. Confidentiality**

By law, the duty to report overrides the privilege of confidentiality associated with a pastoral relationship.

Otherwise, those involved in the TMM reporting process will keep the names of those involved confidential in order to protect the identity of the child, unless the protection of that child or other children may require otherwise.

The Contact People will decide who needs to be informed.

If an incident is reported to you, it may be reported to Personnel Committee, but the names should be kept confidential.



## **In the event of a “Claim” or “Action”**

### **The Directors will:**

- give a written notice of any Claim received to the insurance company as soon as practicable. It must be received within the policy period
- record the specifics of any Action received, the date received, and notify the insurance company as soon as practicable. In addition, the insurance company must receive written notice within 10 working days
- immediately send the insurance company copies of any demands, notices, summonses or legal papers received in connection with any Claim or Action
- do not incur any expense without the prior consent of the insurance company
- consult the insurance policy immediately for further details. Coverage does not apply if certain actions are not carried out.

# SECTION 6: APPENDICES

## Appendix A: Definitions

### **“Action”**

“Action” means a Statement of Claim or a similar civil process originating in Canada in which “Compensatory Damages for “Bodily Injury” to which the insurance applies are claimed. “Action” includes an arbitration proceeding claiming such damages (see the Insurance Policy for further details).

### **“Approved adults”**

These are adults 18 and over who have had valid Vulnerable Sector police checks within the last three years, and have read and agreed to these procedures via written consent.

### **“Child”**

For the purposes of these policies and procedures, a child is a person under the age of 18. (Note that Children’s Aid may not have responsibility for incidents involving persons 16 and older, but should still provide guidance).

### **“Claim”**

“Claim” means a written or oral notice, or notice of an “Action”, alleging that an Insured is legally liable for “Compensatory Damages for “Bodily Injury” to which the insurance applies (see the Insurance Policy for further details).

### **“Contact People”**

One or more Directors, Clerks, or other individuals appointed by the Directors. They are responsible for responding to incidents. Their names are posted on the bulletin boards.

### **“Due diligence”**

"Due diligence" is defined by Black's Law Dictionary as: "such a measure of prudence, activity, or assiduity, as is properly to be expected from, and ordinarily exercised by, a reasonable and prudent person under the particular circumstances; not measured by any absolute standard but depending on the relative facts of the special case."

It includes a duty to be aware of legal requirements, and a responsibility to act reasonably and prudently in light of these requirements.

### **“Occasional volunteers”**

Adults who are invited for a special purpose, such as guest speakers, entertainers, or **infrequent** assistants in a program

### **“Police check managers”**

One or more Directors or other individuals appointed by the Directors, whose names are registered with the Toronto Police Service. They are responsible for managing the police check application process and the assessment of returned checks.

### **“Respondent”**

Someone who has been accused of an incident; an alleged perpetrator.

### **Sexual offences (from the Criminal Code of Canada):**

**This policy** uses the Criminal Code of Canada (R.S.C., 1985, c. C-46) (Sections 150, 1, 2, 3, 5, 9, 160, 163, 170, 171, 172) to define conduct constituting the sexual offences that are covered by the policy: <http://laws-lois.justice.gc.ca/eng/acts/C-46/page-71.html#h-55>

### **“Vulnerable adults”**

The *Criminal Records Act* says vulnerable persons are:

“persons who because of their age, a disability or other circumstances, whether temporary or permanent,

- are in a position of dependence on others: or
- are otherwise at greater risk than the general population of being harmed by persons in a position of authority or trust relative to them.”

“Vulnerable adult” might include, but not be limited to: an individual with physical, sensory, mental health, emotional and/or intellectual conditions, permanent or temporary, that lead to a reduced capacity to look after his or her own interests, needs and wellbeing

**Note that refugee **adults** in their first year are considered a vulnerable population**

## Appendix B: Legal reporting requirements

The requirements for the reporting of child abuse can be found in the *Child, Youth and Family Services Act*, 2017, s.o. 2017, chapter 14, Section 125, as it may be amended from time to time.

There is no legal requirement to report the abuse of vulnerable adults.

**Summary of the CFSA** (subject to any later amendments):

### Duty to report

Every person who has reasonable grounds to suspect a child is or may be in need of protection (as defined by the Act), **must forthwith** report the suspicion and the information on which it is based to the local Children's Aid Society.

- this includes physical harm, sexual molestation or exploitation, serious emotional harm, and other causes.

There is an ongoing duty to report, even if previous reports have been made, and the report must be made directly, and not through another person.

### Failure to report:

Everybody has a duty to report; professionals (e.g. teachers, daycare supervisors et al who are not volunteers) may be liable to fines or imprisonment for failing to report a suspicion obtained in the course of their professional duties.

**Definitions** (subject to any later amendments):

Section 3.1 of the *CFSA* defines a child as a person under the age of 18 years.

Part III of the Act defines child for the purposes of child protection as an individual under the age of 18.

“Reasonable grounds” are what an average person, given his or her background and experience, and exercising normal and honest judgement, would suspect to be abuse or neglect, or the risk thereof. If a child tells a person directly that s/he is or has been abused, this must be reported immediately.

# Appendix C: Background

## 1. Canadian Yearly Meeting (CYM)

- Concern about sexual harassment and assault began in Canadian Yearly Meeting in 1991.
- In 1997 a minute was approved containing a protocol relating to adults.
- In 1998 a report on children was received.
- These protocols were offered as templates to Monthly Meetings as well as to the Yearly Meeting.

## 2. Toronto Monthly Meeting (TMM)

### Beginnings

- In 1993 a statement on abuse was posted in the house, and contacts were named in case of incident.

### Adapting the CYM protocols

- In 1999, The Sexual Abuse and Harassment Committee was established to adapt the Yearly Meeting protocols, and provide education and training to TMM.
- Careful and tender discernment was needed to adapt these protocols to our close-knit faith community. Restorative and transformative justice models provided new insight as the work slowly progressed.

### Insurance standards

- In 2006, the Meeting's insurance company requested a complete sexual abuse protocol for children as a prerequisite of continued insurance
- The requirements for insurance coverage are more formal and restrictive than those previously envisaged by Friends. However, compliance both represents best practices of due diligence in protecting children, **and protects the Meeting from liability.**
- In 2006, a brief protocol for children that included the core insurance requirements was written and approved by TMM. Implementation followed.
- In 2012 an amendment to the brief protocol was approved by TMM.

## **Appendix D: Sources and References**

### **Quaker sources:**

#### Canadian Yearly Meeting

- CYM 1997 Minute 56: Report of ad hoc committee on sexual harassment and assault
- CYM 1998 Minute 37: Ad hoc committee addressing issues of sexual abuse
- CYM 2005: The Nurture of Children in our Care
- CYM 2012 Nov Representative Meeting Minutes: Appendix L; Draft revised Policy; Safe Nurture of Children in our Care (includes 4 Appendices)
- CYM 2016 Safe Nurture of Vulnerable Persons in our Care

#### Halifax Monthly Meeting

- Creating a Safe Faith Community: Reducing the risk of abuse and responding to abuse issues involving children and youth. Draft March 2006.

#### Friends General Conference

- Policy on Abuse Prevention. Adopted by LRCP 23 Oct 2004

#### Ireland Yearly Meeting

- Working with Children and Young People 2008

#### Britain Yearly Meeting

- Meeting Safety 2012
- Handbook for Trustees of Quaker Meetings 2009

### **Other religious sources:**

Diocese of Toronto. Anglican Church of Canada. Sexual Misconduct Policy: sexual harassment, exploitation, and assault. October 2001. Revised June 2014.

CCC Bulletin, Canadian Council of churches, October 2005. Abuse Prevention Newsletter, Robertson Hall Insurance.

New York Annual Conference, The United Methodist Church. SAMPLE POLICY, Policies & Procedures For the Prevention of Child Abuse, October 5, 2004.

[http://www.nyac.com/form\\_detail.asp?pkvalue=11](http://www.nyac.com/form_detail.asp?pkvalue=11)

Churches' Child Protection Advisory (CCPAS)

## **Appendix E: Police checks**

### **Contacts:**

Records Management Services Unit  
Toronto Police Service  
40 College Street  
Toronto, Ontario, Canada  
M5G 2J3

Toronto Police Reference Checks

Main line 416-808-8244

Info line 416-808-7991

<http://www.torontopolice.on.ca> Link – Police Reference Check Program

### **Description of the checks**

Positions requiring police checks are listed in the “Policy Summary” section of this document.

Most checks to be done are called “Vulnerable Sector Screening Program – Police Reference Checks”, which are the most comprehensive.

Those who are not in contact with children or vulnerable adults may receive the less intensive “Clearance Letter” police check

The Vulnerable Sector check searches for

- Any convictions anywhere in Canada
- Sexual offences anywhere in Canada where there has been a charge but no conviction
- Anything that happens with the police in Toronto (or the local jurisdiction)

The Toronto Police Service can only do these checks for those who live in Toronto. For those currently or recently living in other jurisdictions, enquire at the appropriate Police Service.

Note that the police only keep records for 5 years except where there has been a serious offence

A background paper on police checks can be found in the Toronto Monthly Meeting office.

## **Police check package:**

The police check forms change from time to time.

The forms are part of a package with a cover memo, the TMM Vulnerable Sector Consent Form, and other material mandated by the Toronto Police Service

Copies of the full package can be found in the Toronto Monthly Meeting office, and those part of the package prepared by TMM are on the website,

Please confirm, before using, that we have the latest versions of the official forms.

## **Procedure**

### **Overview**

The police check procedure is the responsibility of the Police Check Manager. This includes ensuring that applications are prepared and submitted each year, and assessing the results.

If a police check is required, staff and volunteers should be informed during the screening process that the position is conditional on a successful check. The police check should be the last step in the screening.

Renewals will be done every 3 years

### **Sending in the applications**

The Police Check Manager or their designate will:

- Prepare the application forms by checking off that a search under the Mental Act is not needed.
- Provide applicants with the police check package, and explain the process
- Sign the completed applications using the name on file with the Toronto Police Service, give signed copies to the applicants, and arrange for the applications to be sent in. The signature should be the same name as the one on file with the Toronto Police Service.



## **Assessing the results**

The Toronto Police Service will send the resulting report to the applicant.

(Note that if an offence is found for which a pardon has been granted, the Toronto Police Service requires that the applicant must provide fingerprints and consent to the dissemination of any pardon information before they will complete the check).

(Note also that should any criminal history be on file, the applicant must provide confirmation of identity by fingerprinting from an RCMP-accredited fingerprinting agency before the TPS will complete the check).

All applicants are required to bring the original report to the Police Check Manager or designate within a reasonable period of time.

Note that providing the original of a report done for another agency during the last three years is also acceptable

Refusal to present the results of a police records or vulnerable sector check will preclude an individual from becoming an officer of the Meeting, obtaining employment in Friends House, or filling a volunteer position of trust with children or vulnerable adults.

Upon disclosure, TMM must then decide whether the individual is eligible for the position as employee or volunteer. If results of such a check reveal certain classes of convictions (e.g. violent or sex-related crimes, child pornography, abandonment or endangerment of a child, or fraud, where applicable) this will preclude an individual from becoming an officer of the Meeting, obtaining employment in Friends House, or filling a volunteer position of trust with children or vulnerable adults. In some cases, the existence of an official pardon will be taken into consideration by the Directors. An individual with a criminal history in other circumstances not including pardons may be considered eligible for one of these positions at the discretion of the Directors if the convictions are not related to the tasks of the position.

The Personnel Committee will be consulted in the case of an employee or potential employee.

### **Use and storage of the information**

The original report and any decision notes will be kept in the locked file, and a copy given to the applicant.

Any personal information that TMM obtains will be kept in the strictest confidence and stored in confidential locked files. It will not be disclosed without your permission, except where required by law or competent authority.

Information relating to an offence for which a pardon has been granted shall not be used or communicated except for assessing the applicant's suitability for a position.

### **Note: The TMM insurance does not cover "Known offenders"**

The policy contains a "Known Offenders" clause. This means the policy will not apply to alleged or actual Bodily Injury, directly or indirectly caused by a person of whom any member of the Named Insured having supervisory authority either knew, or had reasonable grounds to suspect that person

- Either had previously or indirectly caused "Physical Abuse" or "Sexual Abuse" or
- Was likely to directly or indirectly cause "Physical Abuse" or "Sexual Abuse"

### **Note: Forgiveness**

Parents who place children in our care have a right to expect a safe environment.

Those with past offences who profess repentance should be forgiven, but not be put in positions involving minors or vulnerable adults. Forgiveness in no way implies a remission of responsibility.

Permitting such individuals to be in positions involving children or youth would result in an indefensible legal and moral position should a future incident take place.

## **Appendix F: Files and Storage**

### **The protocol package:**

There are a number of interrelated documents in the complete protocol package:

- Five versions of the protocol
  - Version 1      The Master protocol
  - Version 2      Care of Children protocol
  - Version 3      Care of Vulnerable Adults protocol
  - Version 4      Oversight protocol
  - Version 5      Staff protocol
- The House Notice
- The Police Check package

### **Protocol versions:**

The complete protocol has been divided into files and forms, which have been numbered for ease of use.

- The “Master” protocol version contains all the files and forms
- The other versions each contain a different selection of the files and forms

A governing spreadsheet identifies which files belong in which of the other protocol versions. Creating or amending a protocol is a simple matter of copying and pasting files.

### **Protocol storage:**

Master copies of all documents in the protocol package are filed on the computer in the Toronto Monthly Meeting office.

All versions of the protocol are stored on the Toronto Monthly Meeting website and in the Resident Friend’s office.

Paper copies of the protocols and forms can be made available

### **Forms:**

Master copies of forms are filed on the computer in the Toronto Monthly Meeting office.

All forms are stored on the Toronto Monthly Meeting website and in the Resident Friend’s office.

**Completed Form Storage:**

These forms will be kept in locked files in the TMM office:

- Police checks
- References
- Incident reports

These forms will be kept in the waiver binder in the Resident Friends' office:

- Parental Consent and Release Form

**Confidentiality:**

All information in the files will be held in strictest confidence

**Duration:**

Files will be kept indefinitely.

**Access**

Access to the locked files will be limited to:

- Directors
- Contact Persons

Upon written request, individuals shall have access to their own files except for letters of reference, which are confidential.

**Property of:**

These files are the property of Toronto Monthly Meeting

## **Appendix G: Amendments and distribution**

### **Signoff**

Amendments to documents that arise from changes in the law or in police check procedures should not require signoff. Nor should minor procedural changes.

Other amendments should be taken to Toronto Monthly Meeting for approval.

### **Protocol amendments**

To make an amendment:

- add an amendment date to the cover page file
- record the nature of the amendment below
- amend the appropriate file(s). (Take care with the “Screening” files, as there is some overlap, and note there are some individualized introductions)
- copy and paste those files into the relevant protocols according to the governing spreadsheet
- you may need to do some formatting
- update the date in the footers, and refresh the tables of contents.

### **Distribution List**

When amendments are made, copies of all protocols should be stored as follows:

- Toronto Monthly Meeting office (master copy on computer)
- Toronto Monthly Meeting website
- Resident Friends’ office
- Library

The following should be notified of the changes, and that amended procedures can be found on the website:

- Toronto Monthly Meeting members and attenders (via a minute)
- CFSC office
- Canadian Yearly Meeting
- Yonge Street Half Yearly Meeting
- Insurance agent

### **Other documents**

If the protocols are updated, the following documents may also require updating:

- House notice, which should be posted prominently in the house
- Police check package
- Position database
- Forms

## Website

Review the TMM website and the online training modules for any updates created by the amendment

## List of amendments

### Amendment 1, ??? 2020

#### Protocols:

- Reassessed positions for risk
- Replaced the scope page with a policy summary. with updated police check and access requirements
- Reassigned responsibilities for the Trustees, SAHC, Contact People and the new position of Police Check Manager
- Added the definition of refugees as vulnerable persons, as well as other definitions
- Added Toronto Friends Refugee Committee
- Replaced First Day School with **Children and Youth** Program Committee
- Deleted Religious Education Committee
- Allowed for recent police checks done elsewhere
- Changed all “police checks” to approved adult
- Updated description of prohibited offences
- Added website to amendment procedure
- Updated “Trustees” to “Directors” **upon incorporation**
- **Updated requirements for special events and YSHYM, added TMM retreats**
- **Updated police check requirements for committees**

#### Forms:

- Combined forms for children
- Updated the police check package
- Removed forms from the protocol

#### Website:

- Added online training modules
- Added a police check portal
- Added a risk assessment policy and the TMM position database
- Stored all forms