

VERSION 2 - CARE OF CHILDREN

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.

Children	Screening & Training	Access
Regular care for children		
<p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • CYPC • Members of TFSR, whether f/Friends or not, for any activities involving children away from their parents 	<p>All committee members who have direct contact with children</p> <p>Three references are required</p> <p>Exceptions: from screening requirements:</p> <ul style="list-style-type: none"> • teen volunteers under 18, who must have a letter of support from the meeting • occasional volunteers 	<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>
Intermittent events with children unaccompanied by parents		
<p>Includes, but is not limited to events such as:</p> <ul style="list-style-type: none"> • YSHYM held in Toronto • special programs such as the Christmas play • Young Friends’ overnights in Friends’ House under the care of the Meeting 	<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>There must be two “approved adults” with children at all times, including when transporting them</p>
Consultants and other service providers working with or having access to children		
	<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>

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.

Position requirements:

The position requirements documents provide a quick reference for those with responsibilities under the procedures.

They include details on screening, training, and access to children and vulnerable adults by position.

All of the documents can be found on the TMM website and in the Master Protocol.

SECTION 3: RESPONSIBILITIES

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

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 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	Parental Consent and Release 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

- Resident Manager or On Duty Residents 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 Manager or On Duty Resident must present the application to the Meeting for approval.
- Upon approval, the Resident Manager or On Duty Resident must make sure the following conditions are complied with :
 - The individuals in charge of the event must obtain signed parental consent for each person at the event who is under the age of 18, and provide these to the Resident Manager/On Duty Resident
 - Those in charge must ensure that at least one volunteer over the age of 18 supervising the event has had a police check and training in the protocols, and guarantees that the protocols will be followed

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

- The Resident Manager and On Duty Resident 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.

SECTION 5: INCIDENT PROCEDURES

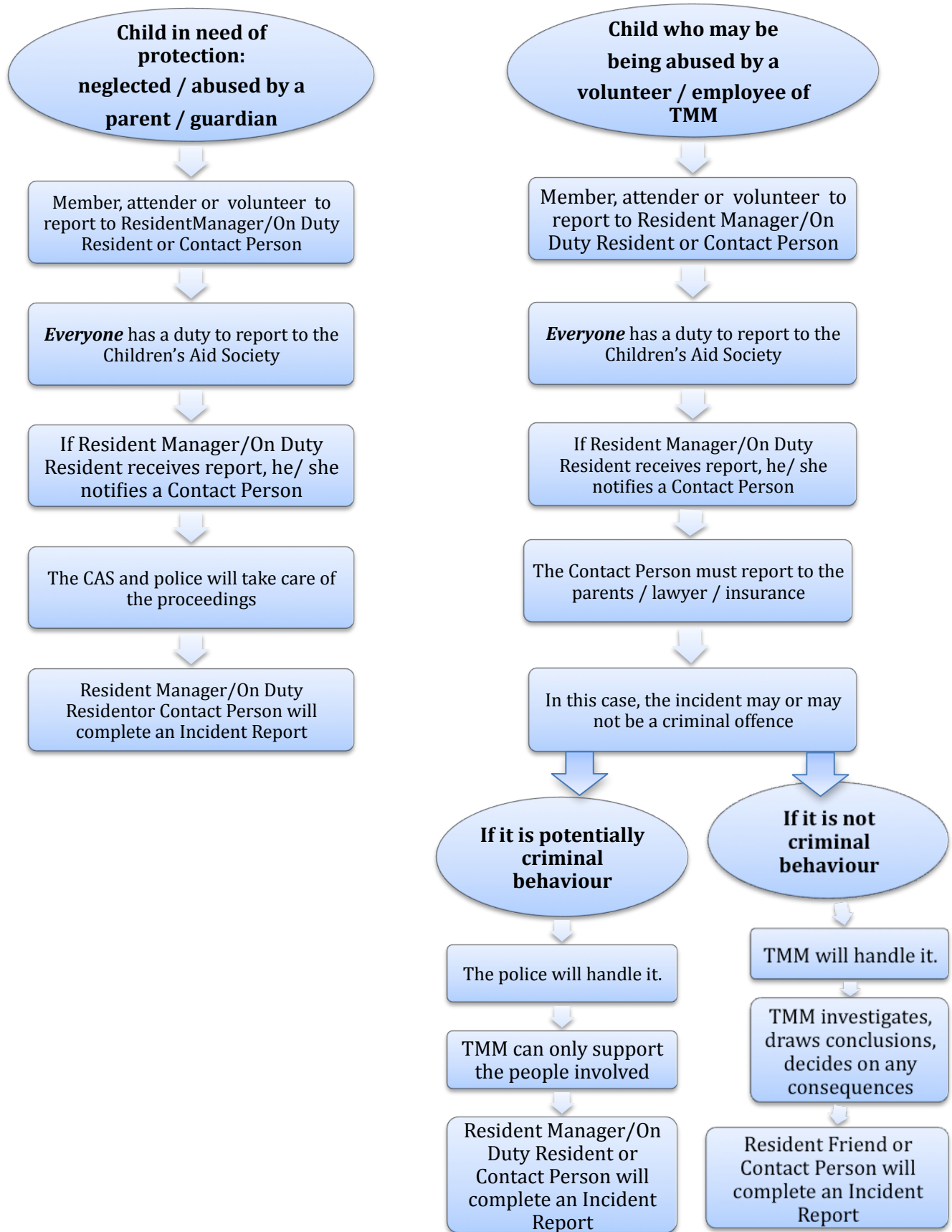
Accidental injuries to children

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.

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 Manager or On Duty Resident, 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 Manager/On Duty Resident or one of the Contact People

- b. The Resident Manager/On Duty Resident 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 Manager/On Duty Manager 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.

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

Churches' Child Protection Advisory (CCPAS)