

# VERSION 4 - OVERSIGHT

## 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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## NOTE

The Oversight version of the protocol is intended for those who oversee staff or are responsible for events involving the care of children.

While your duties will not include the direct care of children, you will have some responsibilities regarding their care, which are outlined here.

If you wish more information, the Staff and Children’s versions of the Policies and Procedures (“the protocol”) can be found on the TMM website

# **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.

# 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 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.

# **SECTION 4: PREVENTIVE PROCEDURES**

## **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



# 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.