

<b>POLICY NAME: Workplace Violence &amp; Harassment Policy</b>	
<b>Classification:</b> Human Resources	<b>Latest Revision:</b> March 2020
<b>Reviewing Committee:</b> Policy Committee	<b>Date of Approval:</b> April 30, 2020
<b>Approval Authority:</b> Board of Directors	<b>Effective Date:</b> April 30, 2020

## Table of Contents

POLICY NAME: Workplace Violence & Harassment Policy .....	1
BACKGROUND .....	2
SCOPE .....	2
DEFINITIONS .....	3
RESPONSIBILITIES .....	5
RELEVANT LEGISLATION .....	6
HISTORY .....	6
POLICY # WV&HP1 – Harassment .....	7
POLICY STATEMENT .....	7
GUIDELINES .....	7
PROCEDURES .....	7
POLICY # WV&HP2 – Workplace Violence Prevention .....	11
POLICY STATEMENT .....	11
PROCEDURE .....	11
POLICY # WV&HP3 - Abuse Prevention .....	16
POLICY STATEMENT .....	16
CODE OF CONDUCT .....	16
PROCEDURES .....	16
APPENDIX A: Workplace Harassment Complaint Form: .....	19

## BACKGROUND

The New Canadians Centre Peterborough (hereafter referred to as the “Organisation”) strives to promote an environment free of discrimination and which ensures that diverse communities have equitable access to the Organization’s services.

The Organisation recognizes and affirms that every person has a right to equal treatment with respect to services, goods and facilities without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability. Therefore, harmful discriminatory behaviour, including harassment, will not be tolerated by the Organisation.

The Organization is committed to providing a working environment free of violence and harassment and providing access and equity by familiarizing all workplace parties with the related terminology as well as their individual responsibilities for prevention and corrective action. The Organisation is fully committed to providing working conditions and an environment conducive to enable each employee to contribute to the fullest extent of their skills, knowledge, and ability within their position. The Organisation shall meet or exceed the requirements of all legislation governing workplace violence and harassment in Ontario.

The Organisation is also committed to providing equality of opportunity to all persons. Access to Organization programs will not be affected by race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability except where programs are designed to meet the needs of particular groups.

The Organisation is committed to achieving the following access & equity objectives:

- ensure the broadest possible reach of the Organization’s programs;
- ensure that organisational policies, procedures and literature are non-discriminatory;
- ensure that Organization premises are accessible to persons with disabilities and that accessibility is taken into consideration during event and program planning;
- take reasonable steps to ensure that services, programs and decision-making reflect the community the Organization serves.

Where the language of this policy is not specific or wherever there may be ambiguity or omission, every effort will be made by the Board, Executive Director and staff to find a solution within the spirit and intent stated above.

All parts of this document are supplementary to applicable legislation. In the event of a conflict between a policy/procedure and governing legislation, legislation will prevail.

## SCOPE

This policy applies to all employees, volunteers and Board members, and is intended to address workplace harassment from all sources, including volunteers, clients, employers, supervisors, employees, stakeholders, and members of the public. It outlines the procedures for investigation of all complaints relating to incidents of workplace violence and harassment.

## DEFINITIONS

### **Abuse**

Pursuant to the Ontario Child and Family Services Act, includes sexual, physical, emotional, or psychological abuse, neglect, exploitation, and general risk of harm.

### **Access**

The ability to make use of and benefit from services and programs without facing barriers.

### **Child/Youth**

A child is any person under 16 years of age as defined under the Child and Family Services Act, and includes a child up to the age of 18 in certain circumstances under the Act. For the purposes of this policy the term “youth” extends this definition to an individual under the age of 24 who is participating in NCC youth programs or activities.

### **Discrimination**

Any act that does not individually assess the unique merits, capacities and circumstances of a person and instead, makes stereotypical assumptions based on a person’s presumed traits and has the impact of excluding persons, denying benefits or imposing burdens.

### **Equity**

Fair access to services and programs.

### **Harassment**

Workplace harassment means engaging in a course of vexatious comment or conduct against an employee or volunteer in a workplace that threatens, demeans, humiliates, or embarrasses a person, and that the other person knows or ought reasonably to know to be unwelcome or offensive. It includes actions, conduct, comments or displays. It may be a single incident or continue over time.

Workplace sexual harassment means engaging in a course of vexatious comment or conduct against an employee in a workplace because of sex, sexual orientation, gender identity, gender expression, and/or making a sexual solicitation or advance to confer, grant or deny a benefit or advancement to the employee and where the course of comment or conduct is known or ought reasonably to be known to be unwelcome or offensive.

Some examples of harassment include, but are not limited to:

- offensive or intimidating remarks, slurs, jokes, or taunts;
- unwelcome sexual remarks, invitations, or requests; displays of sexually explicit, sexist, racist, or other offensive or derogatory material;
- written or verbal abuse or threats;
- practical jokes that embarrass or insult someone;
- leering (suggestive staring) or other offensive gestures;
- bullying or aggressive behaviour;

- unwelcome physical contact, including but not limited to, patting, touching, pinching, hitting;
- patronizing or condescending behaviour;
- displaying or circulating offensive pictures or materials;
- humiliating an employee or volunteer in front of co-workers;
- isolating or making fun of an employee because of gender identity;
- vandalism of personal property;
- physical or sexual assault;
- soliciting sexual behaviour in exchange for a benefit or advancement.

### Workplace

Workplace means any land, premises, location or thing at, upon, in or near which an employee works. The working or work-related environment of the Organization consists of the Organization's premises and worksites, including washrooms, vehicles, and other locations where Organization business is being conducted, as well as venues where organizational representatives are present in their capacity as employees or volunteers for Organizational events or third party events in support of the Organization.

Some examples of workplace include, but are not limited to:

- Any land, premises or building in or near which the employee works; or
- Off-site business-related functions (conferences, trade shows); or
- Locations where social events related to work are held; or
- Employees' homes or location away from work but resulting from work (eg. In the case of a threatening telephone call to an employee's home from a patron, employee or vendor);
- Any other location where an employee is directed and paid to be there or near the location.

### Workplace Violence

Workplace violence means the exercise of physical force by a person against an employee, in a workplace, that causes or could cause physical injury to the employee; or an attempt to exercise physical force against an employee, in a workplace; or a statement or behaviour that is reasonable for a employee to interpret as a threat to exercise physical force against that employee, in a workplace, that could cause physical injury to the employee; and acts considered offences under the *Criminal Code of Canada* such as assault, sexual assault, criminal harassment, stalking, robbery, and uttering threats.

Examples of Workplace Violence may include, but are not limited to:

- Attempts or threats to physically harm an employee made by a spouse or former spouse, current or former intimate partner, or family member
- Threatening behaviour such as shaking fists, destroying property or throwing objects;
- Verbal or written threats - any expression of an intent to inflict harm;
- Physical attacks - hitting, shoving, pushing, or kicking.

## RESPONSIBILITIES

### Board of Directors

The Board of Directors shall:

- Set broad parameters within which Workplace Violence and Harassment Prevention policies are developed;
- Approve all policies.

### Governance Committee

The Governance Committee shall:

- Review all governance-related policies for efficacy;
- Recommend policies requiring review to the Policy Committee or the Board.

### Policy Committee

The Policy Committee shall:

- Review all policies;
- Recommend policies to the Board of Directors for approval;
- Ensure that the Organisation establishes policies to address all relevant Workplace Violence and Harassment issues.

### Executive Director

The Executive Director shall:

- Be responsible for the implementation and monitoring of the Workplace Violence and Harassment Prevention policies and procedures. These policies and procedures will be reviewed at the discretion of the Board and/or Executive Director from time-to-time;
- Oversee compliance with all employment legislation on behalf of the Board of Directors;
- Monitor changes in employment legislation, or assign the responsibility to a designate;
- Develop, or designate the responsibility for developing all associated policies within the parameters set by the Board;
- Ensure that each member of the management team administers policies in a fair and consistent manner;
- Ensure a healthy and safe workplace;
- Develop, set and approve all procedures.

### Chair of the Board

The Chair of the Board shall:

- Take leadership on any complaints or related matters involving the Executive Director.

## RELEVANT LEGISLATION

- Occupational Health and Safety Act, R.S.O. 1990, c. O.1
- Human Rights Code, R.S.O. 1990, c. H.19
- Workplace Safety and Insurance Act, 1997, S.O. 1997, c. 16, Sched. A
- Canadian Criminal Code (R.S.C., 1985, c. C-46)

## HISTORY

These policies collectively replace the Abuse Prevention Policy, Harassment Policy, Workplace Violence Policy, and the Anti-Discrimination, Access, and Equity Policy as of date of approval (noted above).

## **POLICY # WV&HP1 – Harassment**

Effective Date:

Reviewed/Revised Date:

### **POLICY STATEMENT**

New Canadians Centre Peterborough (the “Organization”) strives to promote a harassment-free environment in which all individuals respect one another and work together to achieve the Organization’s goals.

Employees are encouraged to report workplace harassment and violence to the appropriate member of staff and it is the responsibility of each member of the management team to administer these policies in a fair and consistent manner. The Organisation will investigate and deal with all complaints or incidents of workplace harassment in a fair and timely manner, ensuring confidentiality and non-disclosure except to the extent necessary to protect employees, to investigate the complaint or incident, to take corrective action, or as otherwise required by law.

Employees will not be penalized for reporting an incident or participating in a workplace harassment investigation. The Organisation will not prohibit an employee from accessing other resources to help address workplace harassment (eg. Legal or personal counsel).

### **GUIDELINES**

Harassment is against the law. *Ontario’s Human Rights Code* protects people against discrimination in employment (which may, in some cases, include volunteer work) on the basis on the enumerated grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, same-sex partnership status, family status or and disability. The Ontario Human Rights Commission regards harassment as a form of discrimination. The Organisation is committed to upholding its legal obligations to prevent and address situations of discrimination and harassment in the workplace.

Personal harassment is additionally covered by this policy in conjunction with “harassment” and “sexual harassment”. Personal harassment is behaviour which meets the test for harassment but is not based on one of the protected grounds named above. Any further mention of the term “harassment” in this policy shall refer to both personal harassment as well as harassment as explained in all previous sections of this policy.

### **PROCEDURES**

#### **Informal Process**

If an individual believes they are being harassed, they should immediately make the individual(s) aware that the behaviour is unwelcome and ask the individual to stop.

If an individual is unable, unwilling, or unsuccessful in dealing directly with another's harassing behaviour or feels that the harassing behaviour should be dealt with by the Executive Director or his/her designate, they can choose to proceed with a complaint informally at first. The Executive Director (or designate) will then assist the individuals with this process, which may include helping the individual speak to the other person or speaking to the other person on the individual's behalf. If the complaint is against the Executive Director, the individual should contact the Chair of the Board of Directors who will act, or designate an appropriate person to act, to assist the individual to resolve the complaint informally. Mediation may be attempted if appropriate, and with permission of all parties.

### **Formal Complaint**

An individual may make a formal complaint if they are not satisfied with the outcome of the informal process or should they not want to proceed informally. Formal complaints shall be made in a timely manner verbally or in writing to the Executive Director or supervising Director (or to the Chair of the Board of Directors if the complaint is against the Executive Director). All formal complaints will be investigated by an impartial person designated by the Executive Director/Chair.

#### *How to Report Workplace Harassment*

Employees can report incidents or complaints of workplace harassment verbally or in writing. A written complaint may be submitted by using a workplace harassment complaint form (see Appendix A), a letter or by making a verbal statement. When a complaint is reported verbally, the person to whom the report is made will complete the complaint form.

The report of the incident should include the following information:

- i. Name(s) of the employee who has allegedly experienced workplace harassment and contact information;
- ii. Name of the alleged harasser(s), position, and contact information (if known);
- iii. Names of any witness(es) (if any) or other person(s) with relevant information to provide about the incident (if any) and contact information (if known);
- iv. Details of what happened including date(s), frequency and location(s) of the alleged incident(s)
  - a. Any supporting documents the employee who complains of harassment may have in their possession that are relevant to the complaint.
  - b. List of any documents a witness, other person or the alleged harasser may have in their possession that are relevant to the complaint.

### **Investigative Procedure**

An investigation will involve:

1. Collecting all pertinent information from the complainant in a confidential manner;
2. Informing the alleged harasser of the details of the complaint, including the name of the complainant if required, and getting his/her response;
3. Interviewing any witnesses;
4. Implementing temporary interim measures and/or corrective actions while the complaint or incident is being investigated.
5. Deciding whether, on a balance of probabilities, the harassment did take place; and
6. Recommending appropriate remedies or other action in writing or providing written reasons for inaction.

If the investigator determines that a complaint is valid, the investigator will report in writing to the Executive Director (or Chair of the Board of Directors) promptly. The Executive Director/Chair will decide what action to take and will inform both parties of the decision in writing. If a good faith complaint is found not to be substantiated, both parties will be informed, and no action will be taken.

The Organisation recognizes its responsibility to ensure that harassment ends as soon as possible after the Organization becomes aware of it. Investigations into formal complaints will be completed as quickly as possible, ideally within 30 days from the time the formal complaint is made or within 90 calendar days when there are extenuating circumstances warranting a longer investigation (e.g. more than five witnesses, key witness unavailable due to illness).

### **Record Keeping**

The Organisation must keep records of all complaints or incidents of workplace harassment including:

- a. A copy of the complaint or details about the incident;
- b. A record of the investigation including notes;
- c. A copy of witness statements, if taken;
- d. A copy of the investigation report, if any;
- e. A copy of the results of the investigation that were provided to the employee who reported workplace harassment and to the alleged harasser; and
- f. A copy of any corrective action taken to address the complaint or incident of workplace harassment.

### **Remedies and Corrective Action**

Depending on their position with the organisation and the nature and severity of the harassment, remedies for a person who has been harassed may include, but are not limited to: an oral or written apology from the harasser and possibly the Organisation; compensation for any lost employment benefits, such as sick leave; or other monetary or non-monetary compensation from the Organisation to the harassed employee.

Depending on their position with the Organisation and the nature and severity of the harassment, corrective action for harassers may include: mandatory attendance of an anti-harassment education session; a written reprimand; a suspension, with or without pay; a demotion; dismissal.

Interim remedies may be administered during the course of the investigation at the discretion of the Executive Director/Chair to the extent that it is necessary to conduct the investigation. Interim remedies may include, but are not limited to, temporary suspension (with or without pay) or direction of limited or no contact between the employee and alleged harasser.

The results of the investigation and any corrective action will be provided to the employee who allegedly experienced the workplace harassment and the alleged harasser, in writing. The results of the investigation are a summary of the findings of the investigation. The results must be communicated in writing within ten (10) calendar days of the investigation being concluded to the employee who has experienced the alleged harassment.

### **Bad Faith Complaints**

If a complaint is found to have been made in bad faith, the complainant may be subject to the same penalties as a harasser, and the person unjustly accused will be given the benefit of any necessary remedies that would be given in a case of harassment.

### **Retaliation**

Anyone who retaliates in any way against a person who has been involved in a harassment complaint may be subject to the same penalties as a harasser.

### **Confidentiality**

Information about complaints and incidents shall be kept confidential to the extent possible. Information obtained about an incident or complaint of workplace harassment, including identifying information about any individuals involved, will not be disclosed unless disclosure is necessary to protect employees, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

While the investigation is on-going, the employee who has allegedly experienced harassment, the alleged harasser(s) and any witness should not discuss the incident or complaint or the investigation with each other or other employees or witnesses unless necessary to obtain advice about their rights. The investigator may discuss the investigation and disclose the incident or complaint-related information only as necessary to conduct in the investigation.

All records of the investigation will be kept confidential.

### **Ontario Human Rights Commission and Police**

Individuals are encouraged to contact the Ontario Human Rights Commission about their rights and should be aware they only have a limited amount of time to file a complaint with the commission. If harassment involves physical or sexual assault, which are criminal offenses, the police are the appropriate avenue.

## **POLICY # WV&HP2 – Workplace Violence Prevention**

Effective Date:

Reviewed/Revised Date:

### **POLICY STATEMENT**

Pursuant to the *Occupational Health and Safety Act*, the New Canadians Centre Peterborough (the “Organisation”) is committed to the prevention of workplace violence and is ultimately responsible for employee health and safety. The Organisation will be proactively involved in order to assist our employees in early identification and prevention of such incidents of violence.

Violent behaviour in the workplace is unacceptable from anyone. This policy applies to all employees, visitors, clients and volunteers. Everyone is expected to uphold this policy and work together to prevent workplace violence.

The Organisation will respond in a timely manner to incidents of violence according to the workplace violence procedures that are outlined in this policy. The Organisation will provide support to employees who have experienced or witnessed a traumatic and/or violent workplace incident.

### **PROCEDURE**

The procedures for dealing with workplace violence and/or allegations of workplace violence will depend upon the severity and immediacy of the situation. Accordingly, the Organisation may utilize the urgent response procedure and/or investigative procedures to identify and respond to workplace violence. In any case of workplace violence, the employee involved must assess their own safety as a priority in determining the best course of action.

#### **Urgent Response Procedure**

- I. In the event that violent behavior is imminent or requires immediate intervention, the employee involved will first attempt to de-escalate the situation if they are able, and only if it is safe to do so. The employee or a witness will then immediately notify their Supervising Staff Member (Supervisor). If the employee is not comfortable or able to notify their Supervisor, they should notify another Coordinator, the Executive Director or the Chair of the Board.
- II. Where a violent act requires the services of a first aid responder, staff with first aid training will be responsible to provide those services and/or staff will contact 911.
- III. In the event of physical assault, police services will be called immediately. In the event of non-physical form of workplace violence, the assistance of police services may be involved either at the request of the involved parties or at the request of the Executive Director.

#### **Lock Down Procedure**

- I. The Organization regularly executes practice lock down procedures with the assistance of the Peterborough Community Police.

- II. All employees, volunteers and visitors are expected to follow lock down procedures in the event of high-level danger at the workplace.

### **NCCP Alarm System Procedure**

- I. To assist in executing an effective Urgent Response Procedure, as detailed above, in the event of an imminent or actual violent act that requires the services provided by 911, the New Canadians Centre (Peterborough Office) is equipped with four security alarm devices. The list of where the devices are located is with the Office Administrator.
- II. Users of the alarm devices will be instructed on how and when to use the security alarm devices by their Supervisor. The Executive Director and Supervisor will ensure that all supervising staff members are comfortable with the use of the alarm devices.
- III. The alarm devices are to be used in order to notify the police of an emergency situation. Therefore, all staff and volunteers working within the Organisation's building should be aware of the presence, sound and purpose of the alarm devices.

### **Investigative Procedure**

- I. An employee should report to their Supervisor, Coordinator, Director or the Executive Director any early warning signs of a potentially threatening situation or occurrence that raises a concern for an employee's safety or any instance of workplace violence.
- II. The Supervisor receiving the initial report of workplace violence will obtain a detailed written statement from the affected employee(s) and report the incident immediately to the Executive Director and an investigation will be conducted. If the Executive Director receives the initial report, the statement and report will be forwarded to the Chair of the Board.
- III. The Executive Director will advise the Governance Committee of the Board or the Executive Committee, and an ad hoc committee meeting will be scheduled to discuss the incident and report. The Executive Director or their designate will conduct the investigation.
- IV. Investigations of all allegations of workplace violence, whether or not an immediate/urgent response is required, may include but are not limited to, interviews with the employee(s) involved, spouses or partners of the parties involved, Coordinators and other employees, a review of previous incidents, as necessary and available.
- V. All parties and witnesses involved in an investigation will be reminded of the need to maintain confidentiality regarding the allegations, process and outcomes. However, information related to the need to protect and minimize the risk to an employee's health and safety may be shared on a "need to know" basis. All investigation files will be marked "confidential" and stored with Human Resources documentation.
- VI. It is also understood that the person alleged to have engaged in workplace violence has a right to know the allegations against them. Both the complainant and the respondent have the right to a fair and impartial procedure. Further, it is understood that any information gathered during the

investigation could form part of a subsequent investigation carried out by Police Services, the Ministry of Labour, Human Rights Tribunal, and/or Workplace Safety & Insurance Board or may be shared with the Governance Committee for reporting and evaluation purposes as later described.

VII. If violence or threats of violence are found to have occurred, immediate steps will be taken to eliminate the risk(s) of further workplace violence. If applicable, the Executive Director/designate will be responsible for the implementation and monitoring of the action plan.

### Outcomes of a Workplace Violence Investigation

Employees who, with good intention and in good faith, provide information about behavior or statements which they perceive as workplace violence will not be subject to disciplinary or any other action. However, if there is evidence to substantiate that the allegations of workplace violence were trivial, frivolous, vexatious or made in bad faith, disciplinary action can be taken against the complainant. In addition, if information provided by a witness was false or intentionally misleading, disciplinary action will be taken against the witness. Employees are encouraged to cooperate in the investigation. If employees refuse to cooperate with the investigation, disciplinary measures may be undertaken to ensure the integrity of the investigation.

Interventions that may be part of a risk assessment or plan of action for an employee who is the subject of an allegation of violence may include, but is not limited to, the following actions:

- A referral to the employee's physician;
- Seeking professional counseling for a psychological condition;
- Voluntary or mandatory referral to counseling or other services suggested by the NCCP;
- Fitness for work evaluation by an appropriate third party;
- Immediate administrative leave or disciplinary suspension, obtaining appropriate court orders and/or police involvement as required.

If it is determined that an employee has engaged in workplace violence, they will be subject to appropriate remedial and/or disciplinary measures, or a combination thereof, as is warranted with respect to the circumstances of the situation, including but not limited to:

- i. termination of employment;
- ii. conditional last chance agreement;
- iii. suspension, with or without pay;
- iv. written warning;
- v. retraining;
- vi. proof of **completion of** treatment, counselling, or therapy by a licensed professional.

The remedial and/or disciplinary action imposed upon the employee will be documented and placed in the employee's Human Resources file. Pending the development of an appropriate plan of action, employees who engage in further violent behavior or acts, or in reprisals against the person/witness reporting the workplace violence after the initial incident has occurred, will be subject to immediate suspension/or dismissal.

### Prevention

The Policy Committee shall review the effectiveness of the Workplace Violence & Harassment Prevention Policy and Procedure Manual on an annual basis and make recommendations for improvement, if necessary.

The Governance Committee shall also assess and report on any risk factors related to workplace violence on an ongoing basis.

Where there is a risk of workplace violence from a person with a history of violent behaviour, an employee will be provided with information related to this risk if the employee is expected to encounter this person in the course of his or her work. Personal information shall not be disclosed except to the extent reasonably necessary to protect the employee from physical injury.

Any recommendations arising out of an investigation of workplace violence will be brought forward to the Directors. Directors and responsible personnel will be given special training in identifying potentially violent individuals, and situations. Further, these personnel will receive guidance in reporting, and responding to workplace violence.

All Employees and Directors must be attuned to early warning signs of a potential for violence in the workplace. The following factors, which are not exhaustive, are intended as a guide:

- i) Direct or indirect threatening statements to do harm to self or others;
- ii) Obsessions or fixations on other incidents of workplace violence at the NCCP or at another workplace;
- iii) Intimidating comments, gestures, behaviors, including insubordination, defiance, pestering or confrontational behavior;
- iv) History of aggressive or reckless behavior;
- v) Recent marked decline in performance;
- vi) Major change in personality, mood, attitude, standards/expectations or personal grooming, which may include a withdrawal from social/workplace interactions;
- vii) Obsession or fixations regarding a person or things (particularly weapons);
- viii) Experiences or comments regarding serious personal stressors such as a death in the family, bankruptcy, etc.;
- ix) Potential abuse of prescribed, controlled or illegal substances.

### Trauma Support

The Organisation recognizes that employees who have witnessed or experienced a traumatic event may need special or additional support. Employees will be encouraged to identify this need and to request assistance. If requested, the Organisation will assist the employee in obtaining appropriate support.

### Training

All employees will be trained in the content of the New Canadians Centre's Workplace Violence and Harassment Prevention Policy and Procedure Manual.

The Organisation will strive to provide all employees, particularly those working directly with NCCP Clients, such as Settlement Counsellors, Receptionists, etc. with Non-violent Crisis Intervention training.

Volunteers may also be offered access to Non-Violent Crisis Intervention training as applicable to the type of volunteer activities they conduct (eg. instructing NCCP coordinated language classes, facilitating NCCP client groups).

### **Evaluation**

This policy shall be reviewed by the Policy Committee on an annual basis, and any recommendations for improvement will be delivered and discussed with the Executive Director. The Governance Committee shall assess the risk factors related to workplace violence on an ongoing basis.

## **POLICY # WV&HP3 – Child and Youth Abuse Prevention**

Effective Date:

Reviewed/Revised Date:

### **POLICY STATEMENT**

The Organisation is committed to developing young citizens to become active and committed members of the community. This development is achieved through the services offered by the SWIS (Settlement Workers in Schools) and Community Connections programs and other special events involving children and youth. Child abuse will not be tolerated by the Organisation. The Board of Directors and Executive Director are dedicated to protecting the safety and dignity of any child or youth involved in organizational activities, programs and events. This policy sets out steps to prevent and deal with allegations and cases of abuse against Children and Youth, as defined within this policy.

### **CODE OF CONDUCT in working with CHILDREN and YOUTH**

All volunteers and employees are expected to:

- respect the rights and dignity of themselves and others;
- demonstrate a high degree of individual responsibility;
- act with consideration and good judgment in all interpersonal relations;
- respect everyone's right to privacy;
- avoid unaccompanied and unobserved activities with youth wherever possible;
- avoid any physical contact;
- avoid vulgar, disparaging and/or sexually suggestive language;
- avoid the consumption of alcohol or other controlled substances while in the presence of a youth or during the time responsible for monitoring a youth;
- establish appropriate relationships with youth (i.e. instructor, guide, mentor) and avoid contact outside of Organisational Programs;
- ensure, where reasonably possible, that two (2) adult members supervise or accompany youth during Organisational activities, or that other adults are with earshot or within sight; and
- understand that bullying, physical, verbal or cultural abuse, and/or sexual harassment are unacceptable conduct by any employee or volunteer.

*See also: NCC Child and Youth Guidelines and Code of Conduct document.*

### **PROCEDURES**

#### **Recruitment of employees and volunteers**

##### Police Record Checks

- All employees and volunteers in a position of responsibility at youth targeted events, or other Organisation events where youth will be present, are required to submit to a police record check, specifically a Vulnerable Sector check.
- Police checks will be required as a condition of employment for all applicable Organisation positions.

- Applicable employees and volunteers will be expected to submit a police record check every three years. If an employee or volunteer leaves the Organisation and then returns, another police record check must be completed.
- If any police record check is returned with a criminal conviction, the involved party must be prepared for a verification of conviction to be completed with local police services. This information will be submitted to the Executive Director who will determine whether the individual will be hired or secure a volunteer placement based on the nature of the position, risk involved, the nature of the conviction, and status of sentence. During this phase, the individual in question will not conduct employment or volunteer duties.

### Personal Reference Checks

- Personal reference checks must be verified for all individuals applying for positions at the NCCP. Personal reference checks must be verified for key volunteer positions.
- The employee engaging the individual (prospective volunteer or employee) is responsible for completing these checks. A minimum of two reference checks should be completed.

### **Responsibility for Reporting Abuse**

All employees and volunteers in a position of responsibility at youth targeted events, or other Organisation events where youth are present, recognizes that each Organisation employee and volunteer has a responsibility for the welfare of children as per the *Ontario Child, Youth and Family Services Act*.

In compliance with the *Act*, members of the public, including professionals who work with children, are obligated to promptly report to a Children's Aid Society if they have reasonable grounds to suspect that a child or youth under the age of 16 is or may be in need of protection.

### **Reporting and Investigation Procedures**

All incidents of disclosures or suspicions of abuse will be reported to an individual's Supervisor and/or the Executive Director, respecting the confidentiality of the alleged abuser and ensuring the confidentiality of the youth. Notifications should be made in writing and should include:

- name of staff or volunteer(s) involved;
- date(s) of incident(s);
- description of incident/allegations;
- names and contact information of any other individuals or potential witnesses who might have input or information with respect to the incident; and
- signature and name of individual compiling the report and date compiled.

### **Alleged Staff/Volunteer Involvement**

- I. Upon receipt of the incident report, the Executive Director and individual responsible for completing the incident report will promptly contact the Children's Aid Society (CAS) to report the allegation of abuse. The Executive Director and any staff involved will cooperate fully with any investigation being conducted by Police or CAS.

- II. The Executive Director shall undertake an initial investigation of the allegation(s) immediately following the receipt of an incident report. Caution will be taken by the Executive Director not to impede any investigations being conducted by police or child protection services.
- III. The Executive Director will keep the Governance Committee informed of the status of the investigation during the filing of all reports and investigations.
- IV. Once written notice has been received, the staff member or volunteer under investigation will be immediately removed from duty, in accordance with standard Federal and Provincial labour legislation. For employees, this type of suspension could include suspension from duty with or without pay.
- V. If the incident involves the Executive Director, an incident report should be filed directly to the Chair of the Board of Directors. The Governance Committee will then follow the same steps as described above.
- VI. All information is to be collected according to the Freedom of Information and Protection of Privacy Act.

### **Alleged Home Incident(s)**

When abuse is suspected to have been perpetrated by the parent/guardian, the above reporting procedures for staff/volunteers will apply. CAS will take a lead role in investigating allegations with full cooperation from NCCP staff and volunteers.

### **Disciplinary Action**

If a complaint is substantiated, an employee or volunteer will face disciplinary action up to and including immediate termination due to gross misconduct. Reinstatement of an employee or volunteer will occur only after all allegations have been cleared to the satisfaction of the Executive Director and where necessary the Governance Committee.

### **Training**

Training will be made available to all employees, including applicable volunteers, addressing the issue of abuse, recognition and reporting of abuse, and possible termination.

### **Compliance**

Any staff member or volunteer, failing to comply with this or any other policy regarding the prevention of child/youth abuse risks disciplinary action up to and including the termination of employment. If illegal activity has taken place, the proper authorities will be notified and the NCC will fully cooperate with any investigations.

**Agreement**

By signing this suite of policies encompassed in the Workplace Violence & Harassment Prevention Policy Manual, you agree that you have read and understand all the policies contained herein. You are further agreeing to comply with the terms and conditions and recognize that you will be held accountable for your actions.

Name

Signature

Date

Signature of Executive Director

Date

## APPENDIX A: Workplace Harassment Complaint Form:

1. Employee who has allegedly experienced workplace harassment:

NAME:

ADDRESS:

PHONE NUMBER:

EMAIL ADDRESS/OTHER CONTACT:

2. Alleged Harasser:

NAME:

ADDRESS:

PHONE NUMBER:

EMAIL ADDRESS/OTHER CONTACT:

3. Details of the complaint of workplace harassment:

a) The names of all parties involved:

b) Any witnesses to the incident:

c) The location, date and time of the incident(s):

d) Details about the incident(s) (behaviour and/or words used):

e) Any additional details (attach additional pages if required):

4. Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence such as vandalized personal belongings, can also be submitted. If you are not able to attach documents and they are relevant to your complaint, please list the documents below. If someone else has relevant documents, please note that below.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_