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Reporting Abuse and Neglect		
Signing Authority:	Chief Nursing Executive	
Approval Date:	30-09-2019	Effective Date: 25-02-2020

SCOPE:

This policy applies to all Royal Victoria Regional Health Centre (RVH) all employees, professional staff, (medical, dental, midwifery and extended class nurses), volunteers and students, herein referred to as RVH staff, who provide care for, or become aware of, safety concerns for children and residents of a Long Term Care Facility (LTC) or Retirement Home (RH). The legal duty to report only applies to concerns of abuse or neglect where there is a child who appears to be under the age of 18, or the person is a resident of a RH or LTC facility, it does not apply to adults living in their own homes, with relatives or other supported living environments.

POLICY STATEMENT:

All RVH staff have a responsibility to identify, report and respond effectively to all forms of suspected abuse and neglect with children, residents of a LTC facility or RH, herein referred to as residents, and where possible, prevent further abuse. This responsibility extends to instances when safety concerns are raised and the child or resident are not patients of RVH.

The collaboration and expertise of the various health care and social services professionals is crucial to providing safe environments for children and residents for whom reasonable grounds exist to suspect they have suffered, or that there is a risk that they are likely to suffer, abuse or neglect. Reporting of abuse and neglect shall not be delegated to another person, and remains a continuing obligation that includes the duty to report new suspicions.

RVH staff may disclose relevant information when there is reason to believe that the disclosure is necessary to eliminate or reduce a significant risk of mental or physical abuse or neglect to a person or group of persons under an exception of Personal Health and Information Protection Act (PHIPA). Only information that is necessary to reporting may be disclosed. The Privacy Office shall be notified that disclosure has occurred.

It is expected that all RVH staff shall adhere to the principles outlined in this policy.

DEFINITIONS:

Abuse and Neglect with Children: Abuse or neglect includes physical harm, sexual molestation, sexual exploitation, emotional harm, and failure to consent to medical treatment.

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Abuse with Residents: Abuse or neglect includes physical, sexual, verbal, or financial harm. Sexual abuse does not include remarks or physical contact of a clinical nature that are appropriate to providing care or assisting the resident with activities of daily living.

Neglect with Residents: Failure to provide a resident with the treatment, care, service or assistance required for health, safety or well-being. Includes, unlawful conduct, and interaction or a pattern of interaction that jeopardizes the health, safety or well-being of the resident.

Reasonable Grounds:

What an average person, given their training, background and experience, while exercising normal and honest judgment, would have reason to suspect.

Ongoing Duty to Report concerns of Child Abuse and Neglect:

A person who has additional reasonable grounds to suspect abuse or neglect must make a further report to the Simcoe Muskoka Family Connexions even if previous reports have been made with respect to the same.

PROCEDURE:

If you have reasonable grounds to suspect an incident whereby a child or resident has suffered, or there is a risk that they are likely to suffer, abuse or neglect, you shall:

1. Report the suspicion directly to the appropriate reporting authority immediately:
 - a. Children - Simcoe Muskoka Family Connexions
 - b. Residents of LTC facility – Long-Term Care Action Line
 - c. Residents of Retirement Home - Retirement Homes Regulatory Authority
2. Provide demographic information (name, age, gender, address, etc.) for the person where abuse or neglect is suspected, and all the information upon which your suspicion is based.
3. Report any additional reasonable grounds to suspect abuse or neglect, even if a previous report has already been made with respect to the same person.
4. Assist in required follow-up intervention where appropriate.
5. Notify the program manager and Privacy Office.
6. Where appropriate and safe to do so, disclosure of report shall be made to the patient or their Substitute Decision Maker.
7. Document all interactions and conversations clearly and concisely and in detail in the patient health record. Documentation shall include the full name of the person to whom the report is being given. When the child or resident for whom there is concern is not a patient at RVH, documentation shall be completed in the chart of the patient with whom the person is associated with. In the event a volunteer reports a concern, the care provider shall document in the patient's record the

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name of the volunteer making the report. This information may become part of a legal proceeding.

CROSS REFERENCES:

Royal Victoria Regional Health Centre. (2017). Patient discharge against medical advice. *Corporate Administrative Policy and Procedure*

Royal Victoria Regional Health Centre. (2017). Privacy of Personal Information (PI) and Personal Health Information (PHI). *Corporate Administrative Policy and Procedure*

Royal Victoria Regional Health Centre. (2019). Release of Information, Law Enforcement Agencies. *Corporate Administrative Policy and Procedure*

Royal Victoria Regional Health Centre. (2019). Sexual Assault and Domestic Violence in the Emergency Department. *Emergency Department Policy and Procedure.*

REFERENCES:

Child and Family Services Act. S. 125 (1). (2017).

Huyer, D. (2000). Suspected child abuse and neglect (SCAN) program hospital for sick children. *Protecting Children; Your Duties Under Amended Act.*

Long- Term Care Homes Act, 2007 S.O. 2007, Chapter 8

Ministry of Children and Youth Services. (2017) Protection Services for 16-17 year Olds. Retrieved from:
http://www.children.gov.on.ca/htdocs/English/professionals/childwelfare/brochure_youth_protection_services_en.pdf

Ministry of Health, Ministry of Long Term Care. (2017) Long-Term Care Action Line. Retrieved from:
http://health.gov.on.ca/en/common/system/services/lhin/ltc_actionline.aspx

Ontario Association of Children's Aid Societies. (2015). *How to report abuse*. Retrieved from: <http://www.oacas.org/childrens-aid-child-protection/how-to-report-abuse/>

Ontario College of Social Workers and Social Service Workers (2012). *The Retirement Homes Act, 2010. Duty to Report*. Retrieved from: <https://www.ocswssw.org/wp-content/uploads/2015/02/the-retirement-homes-act-2010.pdf>

Personal Health Information Act. SO. 2004, c.3, Sched. A, s.40(1). Retrieved from:
<https://www.ontario.ca/laws/statute/04p03>

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Retirement Homes Act 2010, S.O. 2010, c11

Retirement Homes Regulatory Authority (2019). *The place to turn for help*. Retrieved from: <https://www.rhra.ca/en/information-for-retirement-home-residents/reporting-harm/>

Sawers, Liswood, Hickman, Bullicant, Doan, Watts LLP. (2000). A Legal Communiqué: *Amendments to the Child and Family Services Act*.

Webb, G. LL.B (2013). *The Prevention of Abuse and Neglect in Ontario Long- Term Care Homes*. Retrieved from:
<http://www.acelaw.ca/appimages/file/Prevention%20of%20Abuse%20&%20Neglect%20in%20LTC-2013.pdf>