

MUNICIPALITY OF LOUISE
POLICY & PROCEDURES MANUAL

<i>Reference</i>	Administration	<i>Classification</i>	Policy
<i>Subject</i>	Abuse and Molestation policy	<i>Pages</i>	1
<i>Authority</i>	Council	<i>Effective Date</i>	22 February 2023
<i>Approved</i>	Res. # 2023.02.14	<i>Index</i>	

PURPOSE

The Municipality of Louise is committed to an environment free from abuse. The purpose of this policy is to stress the importance of the commitment by educating individuals about abuse, outlining how the Municipality of Louise will work to prevent abuse and how abuse or suspected abuse can be reported and addressed by the Municipality.

POLICY STATEMENT

The Municipality of Louise has zero tolerance for any type of abuse. Individuals are required to report instances of abuse or suspected abuse to the Association of Manitoba Municipalities and Western Financial Group (hereunder referred to as the Program Administrator) to be immediately addressed under the terms of the applicable policy.

DEFINITIONS OF ABUSE

The following description of ‘child’, ‘youth’ and ‘vulnerable population’ and any other defined terms are at the discretion of the Municipality include, but are not limited to –

- Child – defined as anyone under the age of majority; Manitoba = 18 years old.
- Youth – defined as the period between childhood and legal age of majority
- Vulnerable population – defined as populations that include racial and ethnic minorities, children, the elderly, socioeconomically disadvantaged people and those with physical or mental health conditions.

The forms of abuse referred to in this policy are defined so that all individuals bound by this policy have a clear understanding of the behaviours that will not be tolerated.

- Physical abuse - defined as, but not limited to any intentional act, causing injury or trauma to another person. It can take the form of slapping, hitting, punching, shaking, pulling, throwing, kicking, biting, choking, strangling or the abusive use of restraint
- Sexual abuse – defined as, but not limited to any unwanted touching, fondling, observations for sexual gratification, or any penetration or attempted penetration with a penis, digital or object of the vagina or anus, verbal or written propositions or innuendos, exhibitionism of exploitation for profit including pornography.

- Emotional abuse – defined as, but not limited to, a chronic attack on an individual’s self-esteem. It can take the form of name calling, bullying, threatening, ridiculing, berating, intimidating, isolating, hazing, habitual scapegoat and or blaming.
- Verbal abuse – defined as, but not limited to, humiliating remarks, name calling, swearing at, taunting, teasing, continual put downs. The use of harsh words, abuse of trust, embarrassing people in public and threatening in the form of words.
- Psychological abuse – defined as, but not limited to, communication of an abusive nature, sarcasm, exploitive behaviour, intimidation, manipulation and insensitive to race, sexual preference or family dynamics.
- Cultural identity/spiritual abuse – defined as abuse targeting a victim’s particular cultural or spiritual identity to inflict suffering or as a means of control.
- Neglect – defined as, but not limited to, any behaviour that leads to a failure to provide services which are necessary such as withdrawing the necessities as forms of punishment, failing to assess and respond to changes in health status and refusing or withdrawing physical or emotional support. Neglect may include the failure to provide sufficient supervision, nourishment or medical care, or the failure to fulfill other needs for which the victim cannot provide themselves.
- Harassment – defined as, but not limited to, any unwanted physical or verbal conduct that demeans, humiliates or embarrasses a person, including gender-based harassment. It can be a single incident or several incidents over time. It includes threats, intimidation, display of racism, sexism, unnecessary physical contact, suggestive remarks or gestures, offensive pictures or jokes. Harassment will be considered to have taken place if a reasonable person ought to have know that the behaviour was unwelcome

GOVERNING LEGISLATION

This policy references the applicable legislation that gives grounds to the entity’s abuse policy. Examples include –

- Child and Family Services Act CCSM c C80
- The Community Child Care Standards Act, CCSM c C158
- The Human Rights Code, CCSM c H175
- Criminal Code of Canada, RSC 1985, c C-46
- The Regulated Health Professions Act, CCSM c R117’

ABUSE REPORTING PROCEDURES

Reports of abuse that are shared confidentially with an individual by a child, youth or member of any vulnerable population requires the individual to report the incident to parents/guardians, the Municipality of Louise, AMM or the Program Administrator. Individuals must respond to such reports in a non-judgemental, supportive and comforting manner but must also explain that the report may need to be escalated to the property authority, which may include the child, youth or member of the vulnerable population’s parent/guardian, or in the case of an ongoing threat of abuse, the police. In addition, any disclosure (disclosed or observed) of abuse must be reported to CFS if the incident involves a child or youth. Any report of abuse may need to be reported directly to the police of the individual is in danger.

SCREENING

The Municipality will regularly monitor those individuals who have access to, or interact with children, youth and/or a member of the vulnerable population. This will include adherence to the Municipality of Louise's hiring protocols for vulnerable populations and include

- Criminal record check
- Vulnerable persons and child abuse registry check

Screening to take place upon initial employment and every two years thereafter.

INVESTIGATIVE AND DISCIPLINARY PROCEDURES

Disclosure of abuse (disclosed or observed) will undergo an investigation that will determine applicable disciplinary action. The details of the investigation will be kept on record with the municipality and will be disclosed as necessary to parties to the investigation. Details of the investigation will include –

- The role of the alleged assailant within the organization
- Action taken as a result of the disclosure (ie suspended with/without pay, terminated, moved to another position)
- Action required by individuals within the Municipality
- Resolution of the complaint – counselling, disciplinary action
- Appeal process (if applicable)
- Identification of false allegations
- Documentation procedures.

All must be made available for any civil or criminal proceedings.

MEDIA REPRESENTATIVE

The Municipality of Louise will appoint a 'media representative' to respond to any all all enquiries from any media outlet (television, radio, newspapers, social media) and all staff are to refer any media personnel to the 'media representative' to respond.

TRAINING

The Municipality of Louise will provide training to all staff that includes safety and handling of child, youth and vulnerable populations as defined above.

ACKNOWLEDGEMENT OF POLICY BY STAFF

All staff employed within the Municipality of Louise and any of its associated entities, are to read and sign the acknowledgement of understanding as attached as Appendix A.