



## **Abuse & Molestation Policy**

### **1. Purpose**

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

### **2. Zero Tolerance Statement**

The Municipality 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.

### **3. Definitions of Abuse**

The following description of "Child", "Youth" and "Vulnerable Population" and any other defined terms that are at the discretion of the Municipality include, but are not limited to:

**Child** is defined as anyone under the age of majority. Manitoba: 18- years-old.

**Youth** is defined as the period between childhood and legal age of majority.

**Vulnerable Population** is defined as populations that include: racial and ethnic minorities, children, the elderly, socioeconomically disadvantaged people, and those people 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** is 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 restraints.

**Sexual Abuse** is defined as, but not limited to any unwanted touching, fondling, observations for sexual gratification, any penetration or attempted penetration with a penis, digital or object of the vagina or anus, verbal or written propositions or innuendos, exhibitionism, or exploitation for profit including pornography.

**Emotional Abuse** is 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, blaming.

**Verbal Abuse** is 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** is defined as, but not limited to, communication of an abusive nature, sarcasm, exploitive behaviour, intimidation, manipulation and insensitivity to race, sexual preference or family dynamics.

**Cultural Identity/Spiritual Abuse** is defined as abuse targeting a victim's particular cultural or spiritual identity to inflict suffering or as a means of control.

**Neglect** is defined as, but not limited to any behaviour that leads to a failure to provide services which are necessary such as withdrawing basic 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** is 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 known that the behaviour was unwelcome.

#### 4. **Governing Legislation**

This policy references the applicable legislation that gives grounds to the entity's abuse policy. Examples of legislation 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
- The entity must refer to its governing legislation

## **5. Abuse reporting procedures**

Reports of abuse that are shared confidentiality with an individual by a Child, Youth or a member of any

Vulnerable Population requires the individual to report the incident to parents/guardians, The Municipality, The Association of Manitoba Municipalities, 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 cases 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 if the individual is in danger.

## **6. 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's hiring protocols for Vulnerable Populations and include:

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

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

## **7. Investigative & 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 (i.e.: 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

This all must be made available for any civil or criminal proceedings.

## **8. Media Representative**

The Municipality will appoint a “media representative” to respond to any and all inquiries from any media outlet (Television, Radio, Newspapers, Social Media) and all staff are to refer any media personnel to the “media representative” for response.

## **9. Training**

The Municipality will provide training to all staff that includes safety and handling of “Child”, “Youth” and “Vulnerable Population” as defined above.

Additional resources to be reviewed for information on Abuse in Manitoba:

Manitoba Child and Family Services

Provincial Advisory Committee on Child Abuse

Manitoba network for the Prevention of Abuse of Older Adults

Manitoba Abuse Registries <https://www.gov.mb.ca/fs/abuseregistries.html>

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