

Edmonton String Players Association Sexual Abuse and Harassment Policy

The abuse of a vulnerable person, whether the victim is a child or an adult, tears at the fabric of family and community life and has far-reaching consequences. For all members of Edmonton String Players Association, its Music Enrichment Program and its many stakeholders, a serious incident of abuse can undermine years of dedicated service and can lead to declining enrolment, low morale, and a diminished sense of confidence within the community. In the end, it is not just the victims that suffer, but also the people who have committed their lives to caring for them and serving them.

Definition of Terms in the Policy and Implementation

Application of Policy

The Sexual Abuse and Harassment Policy (Policy) is intended to apply to all activities of Edmonton Strings Players Association (E.S.P.A.) and its Music Enrichment Program (M.E.P.), including its contracted staff and volunteers. These activities will include and not be restricted to all M.E.P. classes, practice sessions, rehearsals, tours, seminars, workshops, festivals, concerts, preparatory sessions, adjudications, auditions and musical juries. Protection under this Policy is intended to extended to both children (up to and including 18 years old) and adults enrolled in M.E.P. and to the protection of contracted staff.

The Policy will be in effect from September 1, 2013 onward. M.E.P. is conducted annually from the third week of September to the first week of the following June each year. E.S.P.A. exists year-round and contracts for its support staffing positions year-round to facilitate this.

Definition of Child / Youth Abuse

The term “child abuse” refers to the violence, mistreatment or neglect that a child or adolescent may experience while in the care of someone they either trust or depend on, such as a parent, sibling, other relative, caregiver or guardian. Abuse may take place anywhere, including a classroom or student tour. The definition of abuse is discussed in further detail in Appendix I - Understanding Abuse In The Context of This Policy.

Definition of E.S.P.A. and M.E.P.

E.S.P.A.'s objectives are to support and promote musical strings (violin, viola, cello, bass) education amongst the youth of the greater Edmonton area by:

- (a) organizing and arranging for strings group instruction and ensemble playing opportunities;
- (b) providing financial support for the engagement of instructors/conductors/accompanists, as well as for the purchase/rental/repair of string instruments, purchase/rental of music, payment of festival entry and venue rental fees, and payment of touring costs beyond direct parent funding;

- (c) providing communications relevant to the program such as newsletters;
- (d) promoting the program throughout the Edmonton area;
- (e) providing logistical support in the arranging of concerts, tours, etc.; and
- (f) operating without purpose of gain for members, as all profits or other accretions to the Society shall be used in promoting objects (a-e).

E.S.P.A. achieves its objectives through the administration and financing of M.E.P. M.E.P. is an after school, community based, string music education program providing both group instructional classes and string instrument orchestras at various levels of musical ability. M.E.P. is intended to develop artistic excellence in its students. In order to develop this excellence, M.E.P. conducts several concerts during the Program's season, as well as provides supplemental activities, including tours, seminars, workshops and festivals. Although primarily marketed to children, M.E.P. does allow registration of adult learners upon the discretion of the affected conductor and instructor.

Staffing

E.S.P.A. is an all-volunteer, non-profit society and registered charity. In order to deliver M.E.P., E.S.P.A. contracts out for the following compensated positions:

- Program Administrator (Appendix D - Terms of Reference)
- Instrument Technician (Appendix E - Terms of Reference)
- Conductors (Appendix F - Terms of Reference)
- Instructors (Appendix G - Terms of Reference)
- Other temporary positions, as determined by E.S.P.A.'s Executive

In addition to the compensated positions, E.S.P.A. utilizes parent volunteers as chaperones to supervise students during tours, workshops and seminars. Chaperones are considered a staffing position for the purpose of the Policy.

Facilities

E.S.P.A. owns no buildings or facilities. M.E.P. is delivered through the leasing of space in host schools and other suitable facilities. E.S.P.A. leases space through Edmonton Public School Board, Greater St. Albert Catholic School District and other organizations, as needed.

Persons At Risk

The Policy defines persons at risk that this policy seeks to primarily protect to be both the children and adult students registered in M.E.P. It is primarily, but not exclusively, for these persons at risk that the Policy is intended to afford protection.

Code of Conduct

We expect people involved in any activities of E.S.P.A. and M.E.P., including students, staff and parent volunteers, to conduct themselves appropriately at all times facilitating

an atmosphere of respect and goodwill, free from sexual harassment and abuse. All participants in E.S.P.A. and M.E.P. activities are to be mindful that their words and actions represent our organization and program to the general public.

Abuse Committee Mandate

The Abuse Committee will consist of one member of the E.S.P.A. Executive (which consists of President, Vice President, Treasurer and Secretary), as well as at least two members of the general membership of E.S.P.A. Ideally, the Abuse Committee will strive to obtain representation from a cross selection of the various communities that comprise the membership of E.S.P.A. The Abuse Committee will assist E.S.P.A. with E.S.P.A.'s responsibility to protect students by all reasonable means by:

- Developing the Policy and revising it as needed
- Monitoring and enforcing the Policy
- Performing an annual risk assessment for each staffing position for each type of M.E.P. activity.
- Conducting abuse orientation sessions for all staff in contact with students
- Conducting police information searches for all staff in contact with students
- Collection and storage of necessary documents, including the upholding of the confidentiality of such documents.
- Define an appropriate confidentiality policy in regards to necessary documents for E.S.P.A.

General Policy on Reduction of Abuse and Other Risks

1. All staff will be required to review and agree with the Policy prior to contact with students.
2. All staff will be required to complete an abuse orientation session conducted by the Abuse Committee on behalf of E.S.P.A. prior to contact with students.
3. All staff will be required to sign a Covenant of Care Form (Appendix A) as part of the abuse orientation sessions.
4. All staff will be required to submit to a police information searches. The costs of all required searches will be reimbursed by E.S.P.A. to the payor.
5. Staff will be required as much as reasonably possible to not be alone with students without another staff member or adult present. It is recommended that when in contact with students that doors to the rooms be left open.
6. Staff will take attendance during instruction classes, as a means to ensure the safety of students in the case of fire or natural catastrophe.
7. For tours and for all-day and overnight excursions, such as workshops, seminars, it is recommended that a ratio of 2 staff per 10 children be maintained.
8. For student participating in tours and in all-day or overnight seminars and workshops, their health conditions such as allergies, infectious diseases and injuries will be documented prior to the activity, with copies provided to staff.
9. Prior to participation in all-day or overnight activities, students will complete a Waiver Form, one possible example of which is Appendix B.
10. Staff will maintain a supply of Incident Reports (Appendix C) at all times and complete as necessary. Incident Reports will not only be completed for incidents of injury, but also incidents of abuse, including those report to staff about events occurring outside of M.E.P.

Police Information Searches

Police information searches must be performed for all staff in contact with students. It is recommended that all staff obtain police information searches every three years. The Abuse Committee will oversee this process, ensuring that all staff are notified of this requirement. Notification of parent volunteer staff of this requirement, and the need for participation in an Abuse Orientation Session, will be provided to parents with adequate time for the processing of the searches prior to the occurrence of the activity they have agreed to chaperone. E.S.P.A. will pay the costs of all police information searches upon presentation of the paid invoice to the E.S.P.A. Treasurer. It is recommended that the Abuse Committee obtain registration as a recognized non-profit society with Edmonton Police Service, or relevant R.C.M.P. detachment, in order to reduce search costs when possible.

Abuse Orientation Sessions

Orientation for all members – whether new or experienced – is very important. Orientation sessions provide individuals with general information in order to prepare them for their positions. Everyone, whether experienced or new, must attend the orientation sessions. Orientation provides information not only protect all students from unsafe practices, but also to protect all staff against false allegations of wrongdoing. Orientation should be timed to coincide with the start of the majority M.E.P. season or prior to commencement of all-day and overnight touring, workshops and seminars. It should include important information about safety practices. A list of what would normally be covered in an orientation session can be found below. It is important that staff are given an orientation, and trained in accordance with the organization's Policy. Orientation should include the following.

- The Policy should be reviewed, including its intentions and definitions, with a printed copy being provided to each staff.
- All staff must be given a print form about physical contact and information on abuse (See Appendix H, I, J and K).
- All staff must read, agree and sign the Covenant of Care Form (See Appendix A).
- All staff must have need for police information searches explained, and staff must agree to obtain police information searches.
- Conductors and instructors must agree to record attendance carefully and consistently carefully in case parents need to be advised about a health or safety concern. Attendance should be recorded at the beginning of each program and the attendance book taken to a central place.

Abuse Committee Meetings

At least twice a year the Abuse Committee should meet to evaluate how things are going in E.S.P.A. and its M.E.P.

Key questions to guide the evaluation could include:

- Given the schedule of tours, workshops and seminars, what timelines need to be established for police information searches and abuse orientation sessions?
- What positive things have we noticed as a result of introducing the Policy?
- Are there special problems that have emerged that require attention?
- Are there additional things that we need to plan for in the future?

It is important to do an evaluation of position descriptions and risk assessments on an annual basis. As programs change and develop, the position descriptions and risk assessments will also change. It is also very important that the committee report these evaluations to the appropriate governing body at least twice a year.

Collection and Storage of Necessary Documents

Collection and storage of police information search documents, Covenant of Care Form, copies of incident reports, waiver forms and other necessary documents is the responsibility of the Abuse Committee, with the assistance of the E.S.P.A. Secretary. The purpose of collecting personal information is to insure that the policy is properly administered. Records that are of a personal, confidential nature must be kept in accordance with the privacy policy of E.S.P.A. as defined by the Abuse Committee. Information about the collected data is confidential and will be used only for the purpose for which it was collected, that is, implementing and monitoring the Policy. Information will be safely stored and only accessed by those who need to access it for purpose of the Policy, as determined by the Committee. Confidential information should be stored if at all possible in a fire proof, locked metal cabinet. If a locked metal cabinet is used for storage, keys to the cabinet should be maintained by both the E.S.P.A. Secretary and a member of the Abuse Committee.

Edmonton String Players Association Covenant of Care - Appendix A

The Covenant of Care for Edmonton String Players Association

I promise, in all my relationships with children / youth / adults, to follow appropriate action as defined by my training orientation.

I promise to use only the physical contact that is deemed appropriate by the document (Abuse Policy), which I have read and understand;

I promise to use appropriate language;

I promise to show no bias based on gender, ethnic background, skin color, intelligence, age, religion, sexual orientation or socio-economic status;

I promise that I will not harass others;

I promise to respect confidentiality and privacy, unless a child, youth, or vulnerable adult is in danger, then I will report to a child protection agency or the police.

I have read and agree with the covenant of care.

Signature: _____ Date: _____

Name (Printed): _____

Witnessed by: _____ Date: _____
(Authorized person)

Sample Activity Program Waiver and Medical Release - Appendix B

Note: Before an activity, the program leader should store a copy of this waiver in a safe storage area and make another copy on the outing.

Description and location of Activity: _____

Departure date: _____ Returning date: _____

Full Name of participant: _____
(First Last)

Birth date (N/A for adult): _____

Full Address: _____

Parent/guardian/caregiver name(s): _____

Circle the number where parent/guardian may be reached when trip is taking place.

Home/resident phone: _____ Cell phone: _____ Work phone: _____

Does the participant have any severe allergies or other medical condition that leaders should be aware of? (Yes / No)

If yes, please list and explain: _____

All reasonable precautions for the safety and health of the participant will be taken. He / she will be properly supervised in activities. In the event of accident or sickness, Edmonton String Players Association, its staff and volunteers are released from any liability.

In the event of injury requiring medical attention, I authorize treatment for the participant and understand that reasonable attempts will be made to contact me, should such as situation occur.

In the event that travel or activities take place outside this province, I understand that any medical costs incurred by the participant are my responsibility.

The participant must be covered by provincial health insurance or equivalent medical coverage.

If the trip is out of province, please give insurance provider and policy number:

Participant's Health card number: _____

Participant's Family Physician: _____ Phone: _____

Contact person (not parent) in case of emergency and parents / guardians / caregivers cannot be reached:

Name: _____ Phone: _____

Name: _____ Phone: _____

Parent/Guardian Signature: _____

Parent/Guardian Name (PRINT): _____

**Edmonton String Players Association
Incident Report - Appendix C**

CONFIDENTIAL

Report date: _____ Time of report: _____

Full Name of child/youth/adult: _____ Age/Grade: _____
(Not necessary for adult)

Date of Birth: _____ Gender: M F

Full Address: _____

Phone Number: _____

Name of Parent/Guardian (for child/youth) or caregiver (for adult): _____

Notified: (Yes / No)

If yes, date/time of notification: _____

Address: _____
(If different from above)

Phone number: _____
(If different from above)

Date/time and location of incident: _____

Description of incident: _____

Names/contact information of witnesses: _____

Description of injuries sustained: _____

Description of action taken: _____

Additional information you think is relevant: _____

Direct quotes from child/youth/adult: (Note: If this is an abuse allegation, do not interview the child/youth but report only the comments they share with you.)

I hereby confirm that the information provided in this report is accurate to the best of my knowledge.

Name and position of person making report (please print):

Phone/Address: _____

Signature of Person making report: _____ Date: _____

Note: If this is an allegation of abuse, it must be reported to Children Services or police. (See section on reporting procedure.)

Edmonton String Players Association Program Administrator Position Terms of Reference - Appendix D

The Program Administrator 1 Position is a fee-for-service contractual position with the Edmonton String Players Association (E.S.P.A.). It is not the intention of E.S.P.A. to create an employer/employee relationship with this position.

The compensation for services rendered will be an honorarium based on a rate of \$50 per student registered and paid. If a student were to later request a refund, this will not adjust the honorarium amount.

The Program Administrator 1 Position's services will include:

1. Solely maintain the official Registrar's email account: mep.registrar@gmail.com.
2. Maintain both electronic and printed copies of all registration forms.
3. Maintain confidentiality on all personal information on the registration forms, providing selected information to the E.S.P.A. Executive and designated parent volunteers on a need to know basis.
4. Maintain a registration database of registration form data on a reliable software platform, such as Access or Excel, and maintain backup copies of data.
5. Enter data from each registration form into the registration database.
6. Prepare and mail receipts for each registration form, when confirmation is received that payment has been processed.
7. Purchase supplies of paper, envelopes, stamps, toner and other necessary office supplies for reimbursement by E.S.P.A. upon presentation of receipts.
8. Prepare an Excel file for the E.S.P.A. Treasurer for bookkeeping and banking purposes. This Excel file should contain student name, what the student had registered in, what instrument they pay and the dollar amounts for what they checked off.
9. There may also be registration forms mailed into the E.S.P.A. mailbox. After logging the mail, the E.S.P.A. volunteer with access to the mailbox will keep the cheques/cash for deposit and pass the hard copies to you for data entry.
10. The same process as 9, will be used for registration forms received in person by the E.S.P.A. parent volunteers at concerts.
11. Schedule registered students into classes at available locations.
12. Coordinate with instructors and conductors the assignment of classes.
13. Liaison with schools and alternative classroom locations to ensure availability and make needed arrangements when locations are unavailable, including the notification of affected instructors and conductors.
14. Distribute M.E.P. promotional materials to schools, alternative locations and other interested organizations.
15. Liaison with schools regarding the promotion of M.E.P.
16. Scheduling of concerts and booking of concert facilities.
17. Arranging for the booking of accompanists, if any.
18. Registration of students in festivals, particularly the annual Kiwanis Festival.
19. Miscellaneous duties as assigned by E.S.P.A. Executives.

**Edmonton String Players Association
Instrument Technician Position
Terms of Reference and Agreement - Appendix E**

The Instrument Technician Position is a fee-for-service contractual position with the Edmonton String Players Association (E.S.P.A.). It is not the intention of E.S.P.A. to create an employer/employee relationship with this position.

The compensation for services rendered will be an honorarium based on a rate of \$40 per student registered and paid. If a student were to later request a refund, this will not adjust the honorarium amount.

The term of this Agreement is for the period of August 7, 2013 to June 14, 2014.

The Instrument Technician Position's services will include the following.

Instruments

- Distribution and collection of instruments
- Sizing the students for instruments in June, August and September
- Issuing instruments and having parents fill out instrument rental form
- Moving students up to larger instruments during the year or replacing unsatisfactory or damaged instruments
- Collecting instruments at the end of the term

Keeping records

- Entering information from instrument rental forms on instrument inventory: student, teacher, location, date of issue and return
- Keeping the inventory current with up-to-date information on condition and repairs done to instruments

Maintenance

- Performing minor repairs: changing strings, tail gut, tailpieces, fine tuners,
- Tuning instruments
- Cataloguing, ID-ing new instruments
- Maintaining an adequate supply of instruments in good condition with good cases
- Periodically checking the condition of the instruments: repairing when possible, arranging for sale or rental of surplus, determining what to do with severely damaged instruments

Dealing with major repairs

- contacting repair shops
- maintaining records of both the repairs and the associated invoices
- submitting invoices to the E.S.P.A. Treasurer
- staying within budget
- invoicing parents where damage is due to negligence or accidents, in coordination with the E.S.P.A. Treasurer

Working in conjunction with the Program Administrator and the E.S.P.A. executive, share information regarding class lists, returns of instruments, summer renters, payment of repair invoices, rentals to community or other schools. Inform the Program Administrator and the

E.S.P.A. executive of any damage to the instruments from flood, fire, insects, rodents or act of God that could necessitate the reporting of the loss to E.S.P.A.'s insurer.

Develop and maintain an up-to-date instrument inventory with details on the instruments, using a database on a suitable software platform. The database will include: when and where the instrument was purchased; condition of instrument; location (whether rented or not) of the instrument; purchase price of instrument or whether it was gifted to E.S.P.A.; manufacturer of instrument; and, other cogent information. This database is to be developed in coordination with the E.S.P.A. Treasurer. Data will be backed up periodically on E.S.P.A.'s data storage device. A print off of the entire database will occur at E.S.P.A.'s fiscal year end of August 31 to facilitate preparation of our annual financial statements.

Safeguard the instruments and other assets of E.S.P.A. that are entrusted to you. Keep custody of the keys to the storage location. Ensure the instruments in storage are locked up at all times. Assist in the moving and storage of instruments in a safe manner.

Access to the inventory in storage must be provided to the E.S.P.A. executive when requested. Access to the inventory in storage and to all records must be provided to the auditors of E.S.P.A.'s financial statements as well as to auditors of any government body or insurance adjusters that have made a request to the E.S.P.A. executive to inspect the instruments.

In consultation and under the direction of the E.S.P.A. Treasurer, purchase new instruments for the inventory, as budget permits.

Music Library

- Maintaining an up to date catalogue of library materials: String Orchestra, solo and ensemble repertoire, instruction materials etc.
- Maintaining a sign out system and ensuring music is returned
- Ordering and cataloguing new material
- Sending updated lists to teachers
- Sorting and re-shelving returned material
- Assigning levels to ungraded Orchestra pieces

Purchase of supplies and new material

- Ensuring there is an adequate supply of strings, chin rests, tail gut, tailpieces, fine tuners, bow grips, music stands, cases, bows, cello stops, and other reasonable supplies
- Ordering the above supplies from local music stores or publishers
- Recording, photocopying and submitting invoices to the office
- Obtaining 2 or 3 quotes from local music stores on larger items
- Staying within budget
- Adding materials to inventory: assigning #s, engraving, stamping, labelling, barcoding (if available)

Instruments not returned

- Making phone calls, emailing, writing letters, and keeping a record of these contacts and other reasonable steps to obtain back the instruments
- Picking up instruments or accepting the return at Music Stores or at other locations

Rental of surplus instruments , equipment or materials to community or other schools

- Keeping records of rentals, and providing this information to the E.S.P.A. Treasurer to facilitate invoicing renters when applicable
- Ensuring rented items are returned

Honorarium Payment Schedule

The honorarium rate is \$40 per paid, registered student. If a student is refunded their registration fee and withdraws from Music Enrichment Program, this will not affect the calculation and payment of the honorarium.

Payments will be made monthly on the 15th of each month, commencing August 15, 2013.

Payments will be calculated based on the number of paid, registered students known to the Program Administrator and verified by the E.S.P.A. Treasurer as of the last day of the preceding month. Based on the known and verified students paid and registered, the honorarium will be calculated and prorated over the remaining payment dates of the term of this Agreement. As students are registered and paid for up to the date of the commencement of classes in the third week of September, the calculation of the honorarium will be adjusted accordingly.

**Edmonton String Players Association
Conductors Position
Terms of Reference - Appendix F**

The Conductors Position is a fee-for-service contractual position with the Edmonton String Players Association (E.S.P.A.). It is not the intention of E.S.P.A. to create an employer/employee relationship with this position.

The compensation for services rendered will be an honorarium based on a rate of \$70 per hour for orchestra conducting services during Music Enrichment Program's 2013/14 Season from August 27, 2013 to June 30, 2014.

The Conductors Position's services to be paid by the above honourarium will include the following:

1. Weekly orchestra practice sessions of a duration of 2.25 hours/week for Singing Strings Orchestra; 2.00 hours/week for Senior Orchestra; 2.00 hours/week for Intermediate Orchestra and 1.50 hours for Junior Orchestra;
2. Concert performance times, including orchestra warm-up times;
3. Orchestra Prep Masterclass Time, if any;
4. Orchestra audition time, if any;
5. Music Jury time, if any.

**Edmonton String Players Association
Instructors Position
Terms of Reference - Appendix G**

The Instructors Position is a fee-for-service contractual position with the Edmonton String Players Association (E.S.P.A.). It is not the intention of E.S.P.A. to create an employer/employee relationship with this position.

The compensation for services rendered will be an honorarium based on a rate of \$60 per hour for instruction services during Music Enrichment Program's 2013/14 Season from August 27, 2013 to June 30, 2014.

The Instructors Position's services to be paid by the above honourarium will include the following:

1. Class instruction sessions weekly as assigned by the Program Administrator;
2. Concert performance times, including class warm-up times;
3. Music Jury time, if any.

Appendix H

Information Sheets for Staff and Volunteers

Physical Contact

It is essential to be careful regarding behavior, language and physical contact when working with children / youth / adults:

- Do not show favoritism when dealing with children / youth / adults. Show a similar level of affection and kindness to all.
- Do not engage in or allow the telling of sexual jokes or behave in a way that promotes the sexual exploitation of others.
- Provide clearly stated consequences for inappropriate behavior. Stop inappropriate behavior early. Be fair, consistent and reasonable, matching consequences to the age and ability to the child / youth.
- Do not use corporal punishment such as hitting, spanking or strapping due to court decisions.

Appropriate and inappropriate touching

A touch can convey a multitude of positive messages and communicate care, comfort and love; however, it is important to distinguish between appropriate and inappropriate touching. It is also important to be aware of, and sensitive to, differences in interpretation to touching based on sex, culture or personal experience.

Some examples of appropriate touch:

Love and care can usually be expressed in the following common sense ways:

- Holding or rocking a child who is crying
- Affirming a participant with a pat on the hand, shoulder, or back
- Bending down to the child's eye level and placing a hand gently on the child's hand or forearm
- Putting your arm around the shoulder of a person who needs comfort
- Taking a child's hand and leading him / her to an activity
- Holding hands for safety when changing locations
- Shaking a person's hand in greeting
- Holding a child gently by the hand or shoulder to keep his / her attention as you redirect behavior
- Providing comfort with a wet, warm cloth.

Some examples of inappropriate touch:

- Kissing a child / youth / vulnerable adult or coaxing them into kissing you
- Extended cuddling
- Tickling
- Piggy-back rides
- Having students sit on your lap
- Touching anyone in any area normally covered by a bathing suit
- Hand holding, except for the examples listed above
- Stroking a child / youth's hair
- Hugging, where an adult knows or ought to have known that hugging is inappropriate.

Dealing with a participant's inappropriate behavior

The best approach to dealing with inappropriate behavior is thoughtful prevention. If a leader has been adequately prepared for teaching/leading, makes clear statements about expectations, and provides an engaging program, inappropriate behavior will be avoided or reduced. If, however, a participant's behavior is unacceptable, these practices must be followed:

- Tell or remind the participant what is expected.
- If it is necessary to speak to a participant in private, move to a quiet place in view of others. Seek supervisory help if needed and if available.
- If necessary, engage another adult to help you remove the child / youth / adult from the situation, in order to calm down.
- Discipline with children and youth must be limited to talking and time out.
- Provide a 'time-out' space for younger children on one side of the room until they are ready to rejoin the group. The 'time-out' should be no longer than one minute for each year of the child's age.
- Inform the parent / guardian of the problem and work co-operatively with them. They may have good ideas of how to deal with particular situations.
- Do not use corporal punishment (such as hitting, spanking or strapping) under any circumstances.

Appendix I

Understanding Abuse in the Context of the Policy

This policy advocates zero tolerance for any form of abuse. This includes abuse that happens to a participant by a staff member or volunteer. There is also a need for adults within the organization to be sensitive to incidents of abuse that may be happening in the home or social life of a participant.

Any person who has reasonable grounds to suspect that a child / youth is (or may be) in need of protection must report that suspicion to Children Services or police authority. A volunteer / staff member who hears an allegation of abuse should confide this to the Abuse Committee. The E.S.P.A. Executive member of the Abuse Committee will be the primary contact for reporting all cases, and the E.S.P.A. Executive will support the person in making the call to Children Services.

Note: Any person who has reasonable grounds to suspect that a child / youth / adult is, or may be in need of protection must report the suspicion to a protective agency or police authority. A staff member /volunteer who hears an allegation of abuse should confide this to the Abuse Committee or designated member of E.S.P.A.'s Executive.

In order to understand and recognize child abuse, the following definitions and indications of emotional, physical and sexual abuse or neglect are listed. Some of the following also apply to adults. All organizations are asked to supplement this with information from a provincial / territorial child protection agency.

What is Child / Youth Abuse?

The term "child abuse" refers to the violence, mistreatment or neglect that a child or adolescent may experience while in the care of someone they either trust or depend on, such as a parent, sibling, other relative, caregiver or guardian. Abuse may take place anywhere and may occur, for example, within the child's home or that of someone known to the child. There are many different forms of abuse and a child may be subjected to more than one form:

- Physical abuse may consist of just one incident or it may happen repeatedly. It involves a deliberately using force against a child in such a way that the child is either injured or is at risk of being injured.
- Physical abuse includes but is not limited to beating, hitting, shaking, pushing, choking, biting, burning, kicking or assaulting a child with a weapon. It also dangerous or harmful use of force or restraint.
- Sexual abuse and exploitation involves using a child for sexual purposes. Examples of child sexual abuse include fondling, inviting a child to touch or be touched sexually, intercourse, rape, incest, sodomy, exhibitionism, or involving a child in prostitution or pornography.
- Neglect is often chronic, and it usually involves repeated incidents. It involves failing to provide what a child needs for his or her physical, psychological or emotional development and well being. For example, neglect includes failing to provide a dependent child with food, clothing, shelter, cleanliness, medical care or protection from harm.
- Emotional abuse involves harming a child's sense of self-worth. It includes acts (or omissions) that result in, or place a child at risk of, serious behavioral, cognitive, emotional, or mental health problems. For example, emotional abuse may include

aggressive verbal threats, social isolation, intimidation, exploitation, or routinely making unreasonable demands. It also includes terrorizing a child, or exposing them to family violence.

- An abuser may use a number of different tactics to gain access to a child, exert power and control over them, and prevent them from telling anyone about the abuse or seeking support. A child who is being abused is usually in a position of dependence on the person who is abusing them. Abuse is a misuse of power and a violation of trust.
- The abuse may happen once or it may occur in a repeated and escalating pattern over a period of months or years. The abuse may change form over time.

Appendix J Dealing with Reports of Abuse

When a child, youth, or adult is upset or distressed about a situation, he / she may turn to a trusted adult for support and advice. Often, though, they may be hesitant and shy about discussing what has happened.

Feelings of guilt or shame are common. The volunteer / staff member should help the child / youth / adult feel safe and understand that they can talk about what happened. An adult, may not be comfortable to telling anyone, so volunteers / leaders or visitors need to be sensitive and aware of any change in appearance / emotion.

A listening adult should be supportive and pay attention to what is said. Be cautious about asking questions. Asking question can invalidate future statements to police or child welfare authorities and can cause a case to be dismissed in court. Accept the child / youth / adult's story; do not dispute it. Report statements verbatim. Do not ask clarifying questions. Investigating the incident is the responsibility of the protection agency or police. Although it is difficult, be calm, supportive and hopeful.

It is important not to make promises that you cannot keep, such as promising to stop the abuse, punish or remove the offender. Do not promise not to report the incident to the authorities. If you have inadvertently promised to keep what the child / youth / adult says confidential, tell him / her that you must tell someone who can help you both.

Note: Any person who has reasonable grounds to suspect that a child / youth / adult is, or may be in need of protection must report the suspicion to a protective agency or police authority. A staff member /volunteer who hears an allegation of abuse should confide this to the Abuse Committee or designated member of E.S.P.A.'s Executive. The E.S.P.A. Executive will support the person in making the call to Children Services. They will contact Alberta Children Services, Edmonton area 24-hour crisis line to submit a report:

780-427-3390 or 1-800-638-0715

Also, if it has been determined that it is a reportable incident, contact the police and/or the Emergency 24-hour Child Abuse Hotline, as appropriate:

1-800-387-5437

Reporting to a Protection Agency:

If the person has reasonable grounds to suspect that a child / youth / adult is or may be in need for protection, the person must promptly report the suspicion and the information on which it is based to Children Services or other appropriate protection agency.

Note: The Alberta Child, Youth and Family Enhancement Act stats that “any person who has reasonable and probable grounds to believe that a child is in need of intervention shall forthwith report the matter” to Child and Family Services. It is not up to the discretion of the individual to decide if intervention is required; we are required to report the matter and Child and Family

Services and they will give instruction on how to proceed. They may or may not decide to act immediately; further the Act states that “no action lies against a person reporting”.

Information Needed by a Protection Agency:

When one calls a protection agency, that person should prepare notes on why he / she is calling.

- Ask for an intake screener.
- Give your name and location, or you may remain anonymous.
- State that you are making a report regarding a person you believe to be in need of protection.
- Give your relationship to the person and / or family
- Indicate what you heard from the child / youth / adult, or what you observed.
- Offer facts such as dates, descriptions of the child / youth / adult and identifying facts about
 - people who were involved.
 - Share knowledge of other agency or community involvement, if known.
 - Provide any relevant background information.

Procedure if Contacted by a Protection Agency:

1. Any request from a child protection worker (see photo ID or badge to verify identity) should normally be made in person. The worker will want to speak with the person filing the alleged abuse report and usually to the person to whom the child / youth spoke. If the matter is urgent and those investigating cannot do a personal interview, the investigator may telephone you from his / her office.

2. The child protection agent should identify themselves and provide their business contact phone number. Record the workers first and last name.

- Do not give any information at this time. The investigator will explain the process to follow and what information he / she is seeking
- It is your responsibility to verify that this is indeed a child protection agent. Simply say, “I need to move to another phone. May I phone you back in 30 seconds?” Move to a phone where you can ensure confidentiality.
- When you return the call, provide the necessary information.
- Ask what is to happen next. This is critical as a court order may be warranted and restraining order put in place. The organization should be aware of this. Details do not need to be given.
- Ask when the organization can expect a final report on the case if further information will be required.
- Make clear written notes about what you reported, date, time, phone number and name of investigator. Place in a confidential, locked, metal file cabinet.

Reporting to the Insurance Carrier

Any allegation of abuse, no matter how minor, should be reported by the designated member of the E.S.P.A. Executive immediately to your organization’s insurance company. The prompt reporting of incidents is extremely important, because it allows your insurer to intervene and help manage the situation.

E.S.P.A.'s Response to a Report of Abuse

Disclosure of an incident of alleged abuse is an emotionally charged experience. When an individual discloses that he / she is a victim of alleged abuse, it is important to:

- Assure him / her that he / she will be listened to and be provided with support throughout the process
- Take the allegations seriously
- Keep emotions in check; when disbelief or horror is shown, it may result in the individual becoming withdrawn or unwilling to share the experience with you
- “Listen more, talk less”
- Remind him / her that he / she is in no way at fault for the abuse
- Affirm that it is always appropriate to tell someone the he / she has been abused
- Remind him / her that your first priority is his / her protection
- Reassure him / her that ongoing care will be provided for him / her and his / her family
- Provide support to him / her; give reassurance that he / she has done the right thing in reporting this incident
- Report the incident to a designated senior authority within the organization

Do Not:

- Promise him / her that you will not tell anyone; some secrets should not be kept secret; assure the individual that this information is to be restricted to those who need to be advised.
- Prejudge the situation
- Take an adversarial approach, or defend the alleged perpetrator by making comments like, “I can’t believe they did that.”

Response to the Media

If it is deemed essential to respond to media, a designated individual will be E.S.P.A.'s spokesman.

A sample response could be as follows.

“All allegations of abuse or harassment are taken seriously. The protection of children / youth / vulnerable adults is a priority of E.S.P.A. and its M.E.P. In accordance with civil law, an allegation of abuse has been reported to (insert the name of the appropriate governmental protection agency)”.

Appendix K Legal and Insurance Considerations

Any allegation of abuse, no matter how minor, should be reported immediately to your organization's insurance company. The prompt reporting of incidents is extremely important, because it allows your insurer to intervene and help manage the situation.

E.S.P.A. can be held liable for institutional abuse in the following ways:

- Vicarious Liability is no-fault liability that can attach to E.S.P.A. even if E.S.P.A. did not know about the incident of abuse, and even if adequate prevention policies were followed.
- Direct Negligence is liability that can attach to E.S.P.A. if preventative protocols are not in place, or were not adequately enforced.
- Breach of Fiduciary Duty is liability that can attach to E.S.P.A. if it is known that an implied or direct understanding of trust was broken. For example, it is generally understood that E.S.P.A. will protect and care for children, so if E.S.P.A.'s policy leads to a child not being cared for, that understanding of trust is broken and this kind of liability may follow.

By following the procedures as set out in this policy, E.S.P.A. prepares for but may not be guaranteed coverage by an insurance company. Knowing what kind of insurance coverage is in place for your organization is critical information, because this coverage can vary from one insurance company to another and from policy to policy.

If abuse is alleged in an environment within E.S.P.A.'s purview, E.S.P.A. may be found legally liable.

Insurance coverage does not negate the liability, but may provide important financial coverage for legal defense and / or settlement costs, should E.S.P.A. be confronted with legal action.

Generally, an alleged perpetrator will not receive coverage under E.S.P.A.'s insurance policy if found criminally responsible, at which point there may be some limited reimbursement of defence costs. It is important to advise E.S.P.A.'s insurance company immediately if there is an incident of abuse, an allegation of abuse, or if a lawsuit related to abuse is filed. While policy demands vary from company to company, implementing the following guidelines will increase the likelihood that your insurer will provide coverage:

- Clear definitions for all forms of abuse so that everyone, including volunteers, understands the requirements and boundaries.
- Recruitment procedures to screen unacceptable candidates.
- A clearly defined Covenant of Care Form for staff and volunteers
- Training and coaching procedures to ensure understanding of what is considered to be abuse and how to prevent occurrences and allegations
- Monitoring and evaluation procedures
- Communication and feedback procedures
- Procedures to screen volunteers, that could possibly include:
 - Completion of application forms
 - Written statements of commitment to safety and procedures
 - Interview conducted by at least two interviewers
 - Completed reference checks

- Police information searches
- Approval followed by orientation and probation.