

# Section III

## Part 4.2

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### Expectations at CLS—Rights and Respect

#### Respect in the Workplace

The Community Living Society is committed to creating and maintaining a respectful, harmonious work environment where the dignity and inherent rights of all people are respected. *(See Section III, Part 1.)*

#### Respect for Property

The homes and properties of the supported individuals must be maintained at standards equal to or above those in their community. You are expected to treat the belongings of individuals receiving support with respect and keep appliances, furniture, and clothing in good condition, having them clean and repaired when necessary.

You are not permitted to use the homes of supported individuals or the vocational centres for storage of your own personal property.

You are not permitted to use CLS vehicles for personal use.

If you are not familiar with laundry procedures, particularly in the use of bleach, ask for instructions before assisting with laundry.

Household activities present an excellent opportunity for you and those you support to interact meaningfully through shared activities. Wherever appropriate, you should try to encourage individuals to develop skills necessary to participate in some of the household and property maintenance activities you are regularly engaged in.

#### Financial Responsibilities

You are responsible for maintaining the highest integrity with regard to the management of personal funds of the individuals you support and house operating funds. Each supported individual has a completed accounting of Personal Funds form located in their personal binder.

You are accountable for any such funds in your care. It is not acceptable under any circumstances for you to borrow money from these funds or to misuse these funds. Such action will result in immediate disciplinary action, up to and including termination.

## **Children at the Workplace**

While CLS employees are working on shift, it is not acceptable for their children to be at the workplace and in the care of the employee. It is clear that this situation results in a conflict of interest, especially in an emergency situation.

In circumstances where an employee is not directly supporting individuals, such as attending a staff meeting, the employee may request that their child to be at the work location for a brief period of time. All requests must be made to the Coordinator and all final decisions are at the discretion of the Coordinator and the Director.

Social visits by children under 12 years are acceptable when they are under the supervision of another responsible adult, and where there is the agreement of the individuals who live at the house or attend the vocational centre. In all cases it must be absolutely clear that they are there as the guests of the people who live in the home, not the staff.

## **Supporting Individuals at the Home of Employees**

When CLS employees are on shift, individuals are not to be supported at the home of the employee. This is another situation where there is a possibility of too many distractions and conflicts of interest that are not in the best interest of the supported individual. In particular, even brief visits must be for the enjoyment of the individual and any children under 12 years of age at the staff's home must be under the supervision of a responsible adult. Visits of this nature must be discussed with and approved by the Coordinator and Director.

### **Exceptions to be Approved by the Director**

All exceptions to the above guidelines are to be approved by the Director and will be reached through consensus with the individual and their family members. These situations will be documented in the individual's care plan.

## **Pets at the Workplace**

### **Employees' Pets**

As a rule, while you are working on shift, it is not acceptable for your pet to be at the workplace. In addition to posing health and safety risks for both supported individuals and team members, it is clear that this situation can result in a conflict of interest, especially in an emergency situation. The CLS is your place of employment and your first consideration, at all times, must be for the health and safety of the individuals you support.

The only exception to this policy is that, with prior approval from the Director, you may bring your pet to your work location for a visit or while working on shift, for the enjoyment of all the individuals at that location. In conjunction with your Coordinator and Director, you are responsible for conducting a comprehensive Risk Assessment outlining any limitations to visit frequency, sanitation and/or health considerations, a confirmation that your pet is healthy and free of fleas, and any other obligations on your part, risks involved etc. for your pet's visit(s). Once completed, and if approved, this must be documented in the Pet Policy (Section 8) of your location House or Vocational Binder. You, your Coordinator and Director are responsible for reviewing the Risk Assessment annually and updating it as necessary. All persons involved must, if able, sign the Risk Assessment indicating their agreement, including you, the individual(s), families and/or personal networks, the Coordinator and the Director. Approval is subject to any tenancy agreements that may be in place.

A supported individual must never be left alone while you attend to your pet.

Employees' pets are not permitted in CLS vehicles under any circumstances.

Generally, only one pet may visit a work location at any one time.

This policy is intended to support the general consensus that pets can provide a beneficial contribution to the lives of the individuals we support. It is not intended to replace day care support for any employee's pets.

### **Individuals' Pets**

The individuals you support may own their own pets. In this case, Coordinators are responsible to ensure that there is a written protocol for the care of the pet. This should be signed and agreed to by all the

individuals and their families. Employees should be trained in how to care for the pet according to this protocol.

The Coordinator will also ensure that there is a written plan for the safe transportation of an individual's pet. This plan must be signed and approved by the Director.

## **Your Conduct and the Rights of Those You Support**

### **Working with the Family/Personal Network**

A basic principle of our Society is that people must have, and be able to develop, relationships based on love and caring that will endure through changes in circumstance and enable both parties to further personal growth and development. Such relationships are also a source of support and information when decisions must be made which deeply affect the life of one party. In most cases the initial and most natural source of such relationships is the family.

The Community Living Society therefore seeks to nurture the relationship that exists, or can exist, between the individual and his or her family members. The Society holds that, giving consideration to the experience and knowledge of the family, integrating the family into the supports provided is in the best interests of the individual, the family, and the community at large.

### **Nurturing the Personal Network**

Where possible, therefore, the family is to be the core of the individual's personal network.

However, it is important the individual is enabled to expand his or her network and develop bonds with new people. A member of the personal network can be anyone who, in an unpaid relationship, demonstrates a commitment to the individual and with whom the individual has clearly demonstrated there is a reciprocal bond.

The expansion of the personal network becomes even more important when an individual does not have family members who can play a role in his or her life. It is also crucial when historical circumstances, such as the policy of institutionalization, leave the individual increasingly isolated as networks diminish through the lack of opportunities to nurture and expand them.

It is essential support staff understand their responsibility to ensure the individual does not depend on family and/or staff as their only social network. This involves supporting the individual to access opportunities

in integrated settings to meet new people. It also means supporting the individual to initiate and reciprocate invitations to social activities, visits, and the celebration of special days.

### **Interacting with the Family/Personal Network**

An essential factor in interactions with the family/personal network is their recognition as people who have an important contribution to make, who love and care for the individual and take an interest in his or her life.

Following from this recognition is the need for staff to support the individual and family/personal network to determine the extent and nature of their interaction and involvement in each other's lives. This involves communicating with the family/personal network, enabling them to share in the life of the individual, facilitating consultation when decisions must be made, suggesting opportunities for shared interaction in activities which interest the individual and members of the family/personal network. The actions and attitudes of all staff should communicate clearly to the family/personal network that their input into the life of the individual is valued.

### **Guests and Visitors Policy**

Supported individuals are encouraged to have guests and visitors to their home. Providing a warm and welcoming environment for guests, while ensuring the privacy and comfort of all of the individuals in their home, is important. Therefore, it is necessary to establish with the individuals and/or their family and network any conditions that may surround their decisions of how and when to enjoy the company of others. The Coordinator is responsible to document any noted parameters surrounding guests and visitors in each individual's Individual Service and Quality of Lifestyle Plan (Relationship section) binder.

### **Family Support Groups**

Family support groups are organizations of family members and friends who come together to support one another in a variety of situations. Many members of such organizations have been through the process of lobbying with government to release funds to enable their family member or friend to live in the community. They also have experienced the joys and difficulties resulting from the individual's return to the community. Through this knowledge and shared experience families are able to support each other in dealing with the challenges they face.

**Family Link** is one such family support group to which some CLS families belong. Its functions include:

**Support for Family and Individual**

When an individual indicates he or she would like family/personal network to attend a meeting with, or on behalf of, him or her, Family Link (or another family support group) may offer to provide someone to support the individual and family/personal network to ensure their viewpoint is heard, and to advocate for family/personal network involvement in all decisions concerning the individual. In instances where the individual does not have family/personal network members who can attend, the support group may provide someone to advocate for the individual in lieu of a family/personal network member.

**Resource for Staff**

Family Link (like other family support groups) is also a resource for the staff of the Community Living Society. Its members are available to help staff understand the perspective of families and to assist staff to nurture the personal networks of those they support. Staff should make themselves aware of the work of Family Link and other family support groups and use them to support the families and individuals with whom they are working.

**Your Conduct and the Supported Individuals' Rights**

Your conduct with each of the individuals you support must respect their rights at all times. Those most basic rights are outlined for you in the foundational Beliefs and Values developed by families. They reflect the basic human rights under the Canadian Charter of Rights and Freedoms, which apply to all of us equally. The foundational Beliefs and Values are, again:

Each person is a unique individual having intrinsic worth.

Each person has the right to live a life of dignity.

Each person has the right to have their personal autonomy honoured at all times, and any support you give must empower them to make their own decisions.

Each person you support has the right to live as a full and participating citizen in their own community.

Our current Values will also guide you and they are:

**We honour** our past as we create the future.

**We nurture** hopes and dreams.

**We promote** a sense of purpose and belonging for everyone.

**We respect** and appreciate each person for who they are and the choices they make.

**We create** an environment of trust and commitment through listening and valuing individual contributions.

**We are** progressive and grow through our creativity, innovation and continuous learning.

**We believe** that healthy relationships are essential for our collective success.

**We have** the courage to take risks and challenge ourselves and each other.

**We hold** ourselves to the highest standards and are openly accountable for our actions.

**We celebrate** and have fun!

Further rights of the individuals you support are embedded within our CLS Philosophy and Goals. (*See Section I.*) They include, but are not limited to, the following:

**Each individual you support has the right to:**

Love others and to be loved.

Be treated with dignity and respect.

Have the opportunity to make choices about all parts of their life.

Choose those who help them make decisions, and be present at meetings about them.

Have a barrier-free environment (physical, attitudinal, environmental, etc.)

Be given information about how to keep themselves safe.

Be given information and support around the management of their money.

Have their service reviewed on a regular basis.

Receive support that meets their changing needs.

Have a means to ask for change when they don't like something about their support.

Make a complaint, without fear of retaliation.

Be given information about their community.

Have their personal information treated with confidentiality.

A living arrangement and opportunities that enable them to choose as full a life in the community as possible.

Develop knowledge about themselves and their abilities and interests.

Make decisions and determine goals.

Develop self-confidence, assertiveness and to follow through on their personal goals and decisions.

Build and sustain caring personal relationships.

Have privacy in their home.

Live in a home in which a climate of trust is created and concerns and relationship needs are expressed openly.

Develop and express their own physical, cultural, mental, emotional, spiritual and social needs.

Have their health and safety needs met.

Be given information about how to advocate for themselves, or how to obtain advocacy.

Have access to the assistance, equipment and support needed to carry out their goals.

Have access to timely legal representation when they are a victim of a crime or any other activity that contravenes their human rights.

Participate or not in research projects if so desired.

Importantly, each of the individuals you support is entitled to have all of their rights communicated to them in a way they can understand and to receive help to understand their rights if needed.

### **Pet Ownership Policy**

Supported individuals are encouraged in their desire to keep and enjoy a pet, however each circumstance will be reviewed on an individual basis with input from all the individuals and their families and networks. Suitability, primarily in the areas relating to the preferences of others, health concerns and responsibilities of ownership must be reviewed and given full consideration. All decisions will be made in conjunction with the Director and are subject to tenancy agreements that may be in place.

Preferences of others in the residence will be a fundamental consideration. For example, where someone has a fear of animals or where there is an allergy of any supported individual, a pet would not be considered a viable option.

The Community Living Society is not liable for a pet owned by someone it supports, or for any expenses incurred by the pet.

Whenever a supported individual becomes a pet owner, the Coordinator is responsible for writing a pet policy specific to the pet and location and for training all employees in the policy. The policy will be reviewed by the Director prior to the pet taking residence.

## **Abuse and Neglect**

Abuse occurs in any situation where a more powerful person takes advantage of a less powerful one. The types of abuse as defined here may include, but are not limited to the following:

### **Physical Abuse**

This is any excessive or inappropriate physical force directed at an individual by any person. Physical assault includes but is not limited to actions such as striking, punching, kicking, biting, throwing, burning, the use of unauthorized physical restraint or violent shaking that cause, or could cause physical injury. Rough treatment includes unnecessary force applied during lifts, transfers, personal care routines, or physical interaction that appears painful or uncomfortable for the individual.

### **Sexual Abuse**

This is any sexual behaviour directed at an individual by an employee, volunteer or any other person in a position of trust or authority that causes or, over time, could cause serious harm. It may include inappropriate, unsolicited or forced sexual attention from persons connected to an individual but not responsible for their services or supports. It may also include: sexual assault: inappropriate or forced sexual touching of an individual without their consent, sexual intercourse, or any form of sexual activity that includes physical contact; and/or sexual harassment: any conduct, comment, gesture or contact of a sexual nature likely to cause offence or humiliation to any individual.

### **Physical Negligence**

This is any failure to provide necessities e.g. food, clothing, shelter, medication, protection from hazardous environments, care or supervision appropriate to the person's age or development, hygiene and medical care that causes or over time could cause serious harm. It includes any failure to provide necessary care with regard to basic necessities or personal hygiene such as repositioning and changes of incontinent pads or linen. Gross Physical Neglect can include the withholding of food, personal care, shelter and protection, or medical care. Gross Psychosocial Neglect can include lack of attention, isolation, confinement, or the use of unauthorized seclusion or

time-outs. Criminal Negligence is defined in law and requires legal consultation.

**Medication Abuse**

This is the misuse of an individual's medication or prescriptions that can result in serious harm. This can be through over-medication (including sedation), withholding medication, or non-compliance with medication refills.

**Emotional or Psychosocial Abuse**

These acts would include the rejecting, ignoring, degrading, humiliating, intimidating or terrorizing of an individual. These are acts or omissions that cause or are likely to cause conduct; cognitive, affective or other mental disorders; emotional stress or mental anguish to an individual. They include acts of retaliation and verbal abuse not limited to yelling, swearing, demeaning or derogatory remarks, name-calling, humiliation, intimidation, taunting/teasing, or excessive and repeated demands. Acts that create extreme embarrassment, pain or anxiety include leaving an individual unclothed in view of others, leaving a person too long after incontinence, or an undue delay in taking a person to the bathroom. Failing to provide an individual with support for self-expression includes but is not limited to serious emotional and/or physical damage that can occur as a result of a person not having a communication system or their communication being ignored in areas such as expressions of illness, pain, or fear.

**Exploitation and Financial Abuse**

These acts include the misuse of an individual's funds or assets or obtaining the person's property or funds without prior knowledge or consent of the person or their legal representative(s). This type of abuse takes advantage of a person's vulnerabilities, including but not limited to: financial and material abuse including theft, fraud and misuse of funds or assets; as well as persuasion to do things that are illegal or not in the individual's best interest.

The individuals we support have the right to be free from abuse and under no circumstances will the CLS tolerate any physical, emotional, mental, financial or verbal abuse of any supported individual by any employee. Further, under no circumstances will the CLS tolerate any neglect, exploitation, humiliation or retaliation of any supported individual by any employee. If you are involved in or witness any abusive, neglectful, exploitative, humiliating or retaliative act you are required to immediately see that the health and safety of the supported individual is ensured. Following that you must immediately verbally

report the incident to your Coordinator and/or the appropriate Director. There are work location specific procedures for the necessary documentation. It is your responsibility to check with your Coordinator for these.

In homes that are licensed Licensing may want to report the incident to the Police/RCMP themselves. In non-licensed residences CLBC may initiate contact with the necessary external agencies. However, in cases of serious physical or sexual assault or financial abuse, CLS may decide to contact Police/RCMP directly in order to avoid delay and/or if the family or network requests it.

**Failure to comply with the above will result in disciplinary action, up to and including termination.**

## **Allegations of Abuse/Neglect— Investigation Process**

### **Non-CLS Employees**

When an allegation of abuse and/or neglect has been made against a non-CLS employee by an individual receiving CLS support this should be immediately reported to the CLS Coordinator whose responsibility is to immediately inform any one of the Directors who will give appropriate guidance as to next steps to be taken. The Coordinator's responsibility is to write a reportable incident and ensure that this is immediately dispatched to the Director for review.

To ensure the integrity of the investigation process and confidentiality for the individual it is important that only those who will direct the process have any further conversations with anyone regarding the allegation.

### **CLS Employees**

All CLS employees are responsible to ensure that individuals are safe; therefore, if you hear about or witness anything that could be construed as abuse or neglect you must immediately inform your Coordinator or Director. To ensure the integrity of the investigation process and confidentiality for the individual it is important that only those who will direct the process have any further conversation regarding the allegation.

As the person in charge it is the Coordinator and/or Director's responsibility to immediately ensure that all necessary steps are taken to ensure the health and safety of the individual(s) involved. This includes

documentation and reporting of the incident(s) and the immediate revision of any care plans and safety plans as well as the documentation of new protocols as required to ensure the health and safety of all individuals involved during the investigation process.

Generally, when an allegation of abuse and/or neglect has been made against a CLS employee, CLS (through one of the Directors of Community Inclusion or the Director of Employee Services) will immediately suspend the employee with pay pending a thorough investigation of the allegation by CLS and the appropriate monitoring bodies. During the suspension the employee will be paid for their regularly scheduled shifts and must make themselves available for all meetings required as part of the investigation.

In the event that the allegation is made against the Coordinator the Director will take immediate responsibility for the location. This will include: taking immediate action with regard to the health and safety of the individual(s) and their roommates including the revision of health and safety plans as required; ensuring that all documentation and reporting procedures are followed; and making decisions with regard to the appointment of an interim Coordinator.

The internal CLS investigation will be conducted by the Director together with a member of the Employee Services team and, in certain cases, may also include the Executive Director. The investigation will be completed as efficiently and effectively as possible with every care taken to ensure as unbiased a process as possible. Any discussions will be documented and the Director will produce a final report on the findings and any decisions taken and/or follow up implemented.

Other guidelines during an investigation are:

- Ensuring the safety of individuals who may be able to participate in the investigation process.
- Outlining the roles of all persons involved in the process.
- The importance of a safe environment to conduct interviews in order to maintain peoples' confidentiality.
- Outlining the process and ensuring everyone understands the steps that will be taken and the ensuing outcomes.

## **The Use of Restraints**

Supported individuals must never be physically, verbally, emotionally or mentally abused. Except in cases of emergency, a physical restraint is

not to be applied to a supported individual without the prior written consent of the individual's medical practitioner, social worker and family/personal network. It is only when an individual's behaviour endangers their own safety, or the safety of others that it may be necessary to use restraint. There are, however, definite limits on the nature of restraint that is permissible. The guidelines for uses of restraints are as follows:

- *Restraint must be used in situations only where the individual may pose a risk to themselves and/or anyone else* i.e. where actual danger exists.
- *The degree of restraint* must always be the *minimum necessary* to prevent harm.
- Restraint must never be used as a means of punishment.
- *It is not permissible to use pain* as a mechanism of restraint or to withhold or violate any of the basic human rights discussed above. Therefore, the use of any of the following restraints is unacceptable and will constitute grounds for immediate dismissal:
  - physical punishment (including pinching, slapping, pulling hair etc.)
  - physical apparatus (such as belts or straps)
  - foreign/noxious substances (including water, sprays etc.)
  - seclusion or confinement (including requiring a supported individual to remain in or be locked in a room)
  - withholding food, clothing or bedding etc.

If situations requiring the use of restraint arise regularly a written plan (restraint plan) must be drawn up, approved and signed by the individual's family or Representative, Physician or other authorized Professional. The plan must include:

- a stated goal,
- a clear description of the procedure to be followed,
- a system of recording and monitoring the effectiveness of the actions taken, and
- a time frame for an evaluation of the approach taken.

It is the Director's responsibility to ensure that all plans are completed as required and final copies submitted to CLBC. This refers to both new plans and ongoing updates.



**Sometimes a  
Restraint Plan may  
be necessary**

The restraint plan must be included in the supported individual's Service and Quality of Lifestyle plan binder. It is the Coordinator's responsibility to ensure all employees (including relief employees) have received training in the use of and monitoring of any restraints.

**Failure to comply with the above will result in disciplinary action, up to and including termination.**

### **Emergency Restraint**

Sometimes it may be necessary to use an emergency restraint to prevent an individual from seriously harming themselves or another person. In this case, immediately following the restraint, you must contact your Director or call the CLS Emergency telephone. You must also complete a Critical Incident Report. Any emergency restraint applied must be reviewed within 24 hours of its application by the Coordinator and Director. In cases where the restraint may have to be used again, a formal restraint plan must be written and implemented as described above.

## **Sexuality of the Individuals You Support**

People who need to be supported to express their sexuality should be guided in a respectful and understanding way. This sensitive topic will be discussed and included in an individual's Care Plan.

Communication is vitally important and CLS employees will discuss their observations and concerns with the individual's family or personal network, their Coordinator, and if necessary, with outside help. In this way, everyone can work together to provide the appropriate resources to support the individual so that a situation does not become a crisis. It is imperative, however, that no employee makes any decision or takes any action alone.

CLS employees are expected to encourage individuals to form and maintain friendships as they and their personal networks desire. The employee's role, then, is to observe and nurture the development of appropriate behaviours within these relationships.

CLS and families encourage employees to develop a 'common sense' approach that protects the individual's dignity. For example, if a person starts masturbating in a public or common area, they should be told that it is not appropriate here. They should then be redirected or removed to a private space according to their Care Plan. The approach should always be consistent.

## **Respect for the Individual's Privacy**

You must respect the privacy and dignity of individuals when assisting with personal care procedures such as bathing, changing clothes or using the washroom. Remember that an individual is most vulnerable in these situations. Whenever possible, only staff who know the individuals well should assist the individual with their personal care. Always tell the individual what you are going to do, prior to doing it. Be gentle and respectful at all times. Do not discuss personal care information in circumstances other than training or discussion with professionals such as medical consultants. Knock before entering private bedrooms or bathrooms. Ensure curtains and blinds are drawn to provide privacy.

## **Legal Representation for Supported Individuals**

Directors and Coordinators together have a responsibility to ensure all individuals obtain legal counsel in the event that they become victim of a criminal act or other activity that infringes on their human rights. Access to legal assistance must be timely and the individual should be provided with all the necessary means to understand their legal rights. Whatever support is appropriate in the circumstances should be provided, for example: accompaniment by chosen support staff; professional counselling; assistance with communication such as ASL.

## **Research Projects and the Supported Individual**

If an individual chooses to participate in a research project the Director together with the Coordinator will be responsible to ensure that the guidelines and code of ethics for the project are understood and adhered to. The individual should be provided with assistance as needed to understand their role and responsibilities within the scope of the project and participation should be monitored by appropriate CLS accompaniment. If required, assistance with communication should also be provided.