

CCA/ACC TEMPLATE FOR NATIONAL ABUSE AND HARRASSMENT PREVENTION GUIDELINES

On April 24, 2009, the CCA/ACC Board approved the following educational document for circulation to the CCA/ACC members as a template for provincial camping associations or individual camps to write abuse and harassment prevention policies.

CCA/ACC TEMPLATE FOR A NATIONAL ABUSE PREVENTION GUIDELINES

INTRODUCTION

Camps must be safe and nurturing environments where all campers, leaders-in-training, employees and volunteers are accepted, valued, cared for and free of any real or perceived harm. Through employee and volunteer screening, written policies, training and supervision, everyone shares the responsibility and obligation to ensure that such an environment is achieved. Camps must be fully committed to respecting and protecting the personal dignity and human rights of each person. Physical, emotional, or sexual abuse, intimidation, discrimination, harassment, bullying or neglect cannot be tolerated. Reporting abuse or harassment is mandatory and a procedure must be in place to respond quickly and effectively to complaints or disclosures. Throughout the resulting investigation, the complainant should be assured of support and confidentiality to the extent possible under the law. In the event of child abuse, there is a legal requirement to immediately report the abuse, whether disclosed or suspected, to the government department or local children's aid society (Ontario).

DUTY OF CARE

All employees, volunteers and others must accept the responsibility to care for campers. Under law, they are expected to behave as a prudent person would. They are expected to be present, know and abide by the camp's safety rules and policies, maintain a reasonable level of supervision and make informed, thoughtful, carefully-considered decisions on behalf of the campers.

ABUSE

Abuse is any form of physical, emotional or sexual mistreatment or lack of care, which causes injury or emotional damage to an individual. Abuse can also mean doing nothing, thereby permitting abuse by standing by and letting it happen. In the camp context, an adult could abuse another adult and/or child and a child could abuse another child.

Physical Abuse occurs when a person purposefully injures or threatens to injure or fails to take adequate care. Some examples of physical abuse include but are not limited to:

slapping, hitting, shaking, kicking, pulling hair or ears, throwing, shoving or grabbing. Physical abuse is suspected if a person has bruises, cuts, burns or fractures that are not adequately explained.

Emotional Abuse is a chronic attack on an individual's self esteem. It deprives a person of affection and acceptance. Some examples of emotional abuse include but are not limited to: name-calling, criticizing, threatening, yelling, ridiculing, berating, intimidating, rejecting, ignoring or isolating. Emotional abuse is demonstrated by serious anxiety, depression, withdrawal, self-destructive aggressive behaviour or delayed development.

Sexual Abuse occurs when a person is used by another for his or her own sexual stimulation or gratification. It may or may not involve contact. Victims of sexual abuse may demonstrate an unusual and sophisticated sexual knowledge beyond their years.

Neglect occurs when a caregiver does not provide for the basic emotional and physical needs of the child. Examples of neglect include but are not limited to: not providing proper food, clothing, housing, supervision, safe surroundings, personal health care, medical and emotional care and education.

Harassment is a form of abuse which is prohibited by human rights legislation in Canada. Harassment includes but is not limited to: words, actions or gestures of a malicious, hateful, abusive, sexual or irritating nature towards a person or a group that are unwelcome or ought reasonably to be known as unwelcome. Harassment is a form of discrimination including but not limited to slurs, jokes or other verbal graphic or physical conduct relating to a person's academic ability, language, political convictions, race, ethnic or national origin, gender, sexual orientation, physical or mental disability, abilities, physical appearance, religion, civil status, colour or age. In a harassment-free camp environment, campers, employees and volunteers must be free to:

- Reasonably express their opinions,
- discuss an issue, problem or situation with someone who has the authority and ability to make changes if necessary. It should be clearly stated that the final decision is at the discretion of the camp director.

Bullying, a specific form of harassment, occurs in any age group, and is usually between but not necessarily limited to campers. Bullying is a conscious, willful and deliberate hostile activity intended to harm, induce fear through the threat of further aggression and create terror. Bullying is about contempt, a powerful feeling of dislike towards someone *considered* weaker, inferior or worthless. There are three types of bullying: verbal, physical and relational. All include some form of emotional abuse.

Verbal Bullying is the most common form of bullying and the one used equally by boys and girls. It includes but is not limited to name-calling, insults, threats, cruel criticisms, gossip, false rumors, racist insults, slurs or sexually abusive remarks.

Physical Bullying is the most visible and includes but is not limited to slapping, hitting, punching, kicking, biting, spitting, or damaging the clothing or belongings of the victim.

Relational Bullying includes but is not limited to ignoring, isolating, excluding or shunning the victim. Cliques are a form of relational bullying. Some visible signs are rolling eyes, sneers, snickers, whispering, sighs or laughter at rather than with a fellow camper.

Three elements are always present in bullying:

- an imbalance of power – the bully is older, bigger, stronger, smarter or higher up the social ladder
- intent – the bully intends to harm and inflict either emotional or physical pain
- a threat of further aggression – the bully does not intend to stop

Child Abuse

A child is in need of protection if he/she is or appears to be suffering from physical, emotional or sexual abuse or neglect and risk of harm.

In Canada, a person is considered a child up to the age of 16 – 19 years depending on provincial legislation.

Any person under 19 years of age – British Columbia, New Brunswick*

Any person under 18 years of age – Alberta, Manitoba, Quebec, P.E.I.

Any person under 16 years of age – Nova Scotia, Ontario*

Any unmarried person under 16 years of age - Saskatchewan*, Newfoundland*

* additional provincial regulations modify the definition

DUTY TO REPORT CHILD ABUSE

Every province in Canada has mandatory reporting laws regarding child abuse and neglect of children and youth. We all share a responsibility to protect children from harm. However, professionals who work closely with children have an obligation in law to report promptly to a government department or local children's aid society if they have reasonable grounds to suspect that a child or youth is or may be in need of protection. Certain acts specifically name youth and recreation workers but not volunteers. However, camps must include volunteers in this responsibility.

The person who hears a disclosure of abuse or who has reasonable grounds to suspect that a child is or may be in need of protection is the person who must report the disclosure. Counsellors must share this burden with senior management or the director, who can provide support with this most difficult and sensitive issue.

Failure to report can result in a considerable fine or a prison term.

Once the abuse or suspected abuse is reported, the investigation is the sole responsibility of the police, government family services or children's aid society. Neither the camp nor the camp's lawyer is permitted to be involved in conducting any part of the investigation. However, they

may be called upon to provide information. In addition to reporting abuse or suspected abuse to their lawyer, the camp should also report this as a potential claim to their Insurer/Broker.

Contacts are as follows:

British Columbia Ministry of Children and Family Development

Hotline for children 310-1234 (toll free number, no area code needed)

Alberta Ministry of Children and Youth Services

Child abuse hotline 1-800-387-KIDS (5437)

Saskatchewan Department of Social Services Family and Youth Services Division

Report to any social services office, a community crisis centre, a police officer or a First Nations Child and Family Service Agency

Manitoba Department of Family Services and Housing

For the city of Winnipeg (including West and East St. Paul and Headingley) call Child and Family All Nations Coordinated Response Network (ANCR) at (204) 944-4200 or After Hours (204) 944-4250

For rural areas, call the nearest child and family services agency.

Ontario Ministry of Children and Youth Services

Visit the website of the Ontario Association of Children's Aid Societies for the phone number of your local children's aid society (53 in total)

Quebec

In an emergency, call the police department of your municipality by dialing 9-1-1. You can access the Youth Protection Director any time by dialing the number that appears on page 2 of the telephone directory under 'Youth Protection' or in the business section under "Youth Protection"

New Brunswick Department of Social Development

1-888-999-ABUSE (1-888-992-2873)

After hours emergency services 1-800-442-9799

Nova Scotia Department of Community Services

Business hours: 1-877-424-1177

4:30 p.m. – 8:30 a.m., weekends or holidays: 1-866-922-2434

Prince Edward Island Child and Family Services

1-800-341-6868 or 9-1-1

Newfoundland and Labrador Department of Health and Community Services (child abuse)

during business hours and after hours call 709-570-7819

RESPONSIBILITIES OF AN EMPLOYER

An employer is responsible for providing equal employment opportunity to qualified persons.

An employer is responsible for enforcing the harassment policy. Any form of harassment related to an employee's or volunteer's race, colour, religion, sex, sexual orientation, place of origin, age, disability, ability, ancestry, family status or any other personal attribute protected by federal or provincial law, must be treated as a disciplinary matter.

If an individual feels that he/she is being harassed or discriminated against by another employee or volunteer based upon race, colour, religion, sex, sexual orientation, place of origin, age, disability, ability, ancestry, family status or any other personal attribute protected by federal or provincial law, the individual should immediately make his/her feelings known to his/her immediate supervisor or a leader whom he/she trusts. The camp is responsible to investigate the situation and where appropriate take disciplinary action. All investigations will be kept as confidential as possible. An employee or volunteer is responsible to report incidents of which he/she is aware to his/her immediate supervisor or a leader whom he/she trusts.

The employer does not tolerate retaliation against persons who have made complaints under the policy whether for themselves or on behalf of another or persons who have co-operated in an investigation under the policy.

Violation of the harassment policy by an employee or volunteer, including retaliation, shall subject the employee or volunteer to disciplinary action up to and including immediate dismissal.

A termination may be illegal if the reason for the termination relates in any way to prohibited grounds of discrimination under Human Rights law. Employers should obtain legal advice prior to terminating the employment of an employee or volunteer in all circumstances.

ABUSE PREVENTION POLICIES

Camps need specific, written, abuse and harassment prevention policies to meet their own needs and situations. The camp's written Code of Conduct for campers, employees and volunteers would include adherence to these policies. After discussion in the training period, employees and volunteers are required to sign a form indicating that they have received, reviewed, understand and agree to follow these policies.

Employees and volunteers must be informed of their legal obligation of Duty of Care, the appropriate response to disclosure and their responsibility under law to report a disclosure. Written procedures must also be in place describing the consequences when the above policies are not followed.

Hiring Policy

The application process for all employees and volunteers includes a criminal record check and reference checks.

Employees and volunteers sign contracts/employment agreements or volunteer agreements, which include adherence to all camp policies. Subcontractors should also submit copies of their employees' criminal record checks for all of their employees working on the camp property.

Physical Abuse Prevention Policy

Train employees and volunteers in appropriate methods of discipline. The training includes but is not necessarily limited to the following:

It is not acceptable to use physical force such as hitting, slapping or restraining. If it is necessary to control a child who is physically harming another person, the use of reasonable force is acceptable, but when the situation is under control, it should be reported. Consequences for misbehaviour should be immediate, logical, reasonable, firm, fair and consistent. It is not acceptable to punish an individual by denial of food or punitive physical labour or exercise.

Emotional Abuse Prevention Policy

Train employees and volunteers to ensure that everyone is spoken to with politeness and respect. Employees, volunteers and others will not emotionally abuse campers or others by yelling, nagging, insulting, humiliating or using sarcasm.

Sexual Abuse Prevention Policy

The policy should include but is not limited to the following:

A definition of appropriate touch between employees/volunteers and campers i.e. on the hand, shoulder or upper back and in the company of other adults and never against the child's will.

A requirement that employees and volunteers set limits with campers who cling or hang onto them.

Employees and volunteers are never alone with a camper in a compromising situation such as in a closed cabin, a vehicle or a shower.

Overnight trips require a minimum of two leaders, with at least one counsellor of the same gender as the campers. Counsellors sleeping together on overnights is grounds for dismissal (married couples or co-habiting couples excepted). The perception is not appropriate role modeling for campers.

Employees and volunteers should respect a camper's desire for privacy (e.g. changing at bedtime).

Employees/volunteers and campers never share the same bed or sleeping bag.

Members of the opposite sex are excluded from campers' or employees/volunteers sleeping quarters.

A written **Code of Conduct** guides employees', volunteers' and campers' behaviour and prohibits abuse, bullying and harassment. The code might include but is not limited to a ban on the following:

- sexist jokes
- sexually-explicit audio, video or printed materials
- directing sexual innuendos at an individual
- embarrassing an individual about their physical build
- leering or suggestive looks
- unnecessary physical contact such as touching, grabbing or pinching
- sexist or sexually-explicit clothing.

Employees and volunteers do not share information on their romantic lives with campers. Romantic relationships between employees and volunteers should not be apparent to campers. Employees and volunteers must not be in a romantic relationship with any employees and volunteers under the age of consent. Romantic relationships between employees/volunteers and campers or LITs/CITs are forbidden. Employees and volunteers should discourage romantic relationships between campers.

Bullying Prevention Policy

Train employees and volunteers to recognize bullies and bullying. The training includes but is not limited to the following:

- Bullies act singly or in groups. Bullies are often popular, intelligent and charming. They are pre-occupied with their own wants and needs with no thoughts for the rights, feelings or needs of others. When confronted, bullies refuse to accept responsibility for their behaviour and make excuses such as, "I was just teasing." Bullies are intolerant of differences. For them, different means inferior.
- Victims are persons that may be campers or others who in the bully's opinion don't fit in. They are targeted because they are different in some way: race, sex, sexual orientation, religion, physical attributes or mental abilities.
- Bystanders side with the bully for fear of becoming a victim and fail to report the bully's actions.

Publicly state that bullying is not tolerated.

Listen attentively to campers or others who report bullying, taking appropriate action to support the victim and confront the bully.

An appropriate response to a bullying incident may be but is not limited to:

- Reassure the victim that he/she is not at fault. The fault lies with the bully.
- Either the victim or the employees and volunteers must confront the bully. Ignoring a bully does not work. The bullying will continue until the victim takes action.
- Depending on the severity, the victim can first try to stop the bullying by telling the bully assertively that their behaviour is annoying and asking them to stop.
- If the bullying continues, the counsellor or volunteer needs to intervene. Prompt intervention by a strong respected leader is most effective in eliminating bullying.
- When the counsellor or volunteer confronts the bully, find a private, quiet place. Determine that the attack was deliberate. Help the bully to understand that the behaviour is unacceptable, to accept responsibility for his/her behaviour and to appreciate the victim's feelings. Guide the bully to make amends and prevent a reoccurrence
Find a way to channel the bully's leadership abilities in a positive direction.
- Bystanders must be told that they have a responsibility to try to stop the bullying by speaking up and then reporting the bullying incident to an adult.
- If bullying persists, it may be necessary to send the camper home.

Safety Policies

At all times, the safety of campers, employees and volunteers is the first priority. Campers, employees and volunteers are made aware of the safety rules relevant to each activity and program and are expected to follow them. No person will be placed at undue risk in any program. A person's refusal to participate in any activity beyond their risk-taking, comfort level must be respected.

Communication Policy

Camps should educate employees and volunteers on appropriate communication with campers on and off season. Employees and volunteers should restrict camper access to their personal online sites. Any content or pictures shared with campers through email, My Space, Facebook or other online sites should be acceptable to the administration and respect the camp's reputation, rules and regulations. Employees or volunteers must not use online methods to harass, bully or intimidate other staff, volunteers or campers.

Procedure in Response to a Disclosure

Because campers feel safe at camp and develop a trusting relationship with their counsellor, they may disclose abuse in their life outside of camp.

- Listen sympathetically and calmly.
- Try not to show dismay or shock.
- Avoid making judgmental statements.
- Do not question the veracity of the child's disclosure or ask the individual for details. Leave further questioning to the professionals.
- Assure the individual that the situation is not his/her fault.
- Explain that you are obliged to report the abuse and ask the camper to accompany you to tell the appropriate adult who can help you both cope with this serious matter.
- If a child should ask you, "If I tell you a bad secret will you promise not to tell?" do not agree. Explain in advance that there are some secrets that must not remain hidden and unreported.
- A child who discloses any form of abuse needs to be assured of safety, support and confidentiality beyond the reporting required by law.

Procedure for Reporting Abuse and Resulting Action

Victims of harassment should be advised, at the time of the incident, to clearly state his/her discomfort and disapproval. Depending on the severity, he/she should ask the harasser to stop, preferably in the presence of a witness. If harassment continues, the victim should make a detailed report to a person in authority with whom he/she is comfortable.

Communicate to employees and volunteers that any employee or volunteer with any knowledge of abusive behaviour is obligated to report it. Failure to take action to stop the behaviour and to report it will be subject to disciplinary action.

The camp has a written procedure to follow if any individual reports abuse or harassment. The procedure includes:

- a commitment to investigate all harassment and abuse complaints promptly, sensitively, confidentially and thoroughly with the goal of stopping the unacceptable behaviour and changing negative attitudes
- the understanding that complainants are free from any retaliation
- an investigation process which is fair to all parties and allows adequate opportunity for a response to all allegations
- interviews with the victim, harasser and all witnesses to obtain the complete facts
- a review of the facts, a determination of appropriate action and the communication of the results of the investigation to concerned parties
- an expectation that the complainant and all involved are truthful, accurate and co-operative
- the understanding that anyone making a complaint, which is found to be clearly unfounded, false or malicious, may be subject to discipline or dismissal
- the understanding that any employee who commits harassment or abuse or knowingly condones such behaviour will be subject to disciplinary action or dismissal. The consequences would depend, at the director's discretion, on the

nature and extent of the harassment or abuse. The graduated scale might include: a verbal warning, a written warning, a formal apology, a temporary suspension from involvement in camp activities and expulsion.

Procedure if an employee or volunteer is accused of child abuse:

- Remove the individual from working directly with children.
- Inform the government department or the children's aid society
- Support the accused by allowing him/her to communicate with his/her parents.
- Communicate the essential facts of the incident to the employees and volunteers and campers who are directly involved. Discourage further discussion, gossip or speculation about the incident among themselves or other employees and volunteers and campers. Employees and volunteers should not communicate with the media.

SAMPLE QUESTIONS suggested for inclusion in Provincial Standards

1. Does the camp's hiring process include at least two reference checks?
2. Does the camp's hiring process include a Criminal Record Check?
3. Does the camp have a written policy to prevent physical abuse?
4. Does the camp have a written policy to prevent emotional abuse?
5. Does the camp have a written policy to prevent sexual abuse?
6. Does the camp have a written policy to prevent bullying?
7. Does the camp have a written policy to prevent harassment?
8. Does the camp have a written Code of Conduct for employees and volunteers?
9. Does the camp have a written policy for reporting abuse, harassment or bullying or suspected abuse, harassment or bullying with procedures to follow in the event of such a report?
10. Have all policies been approved by the camp owners or Board of Directors or the camp's lawyer?
11. Does the camp have a mandatory training program for all employees and volunteers in all camp policies and require all employees and volunteers to sign that they have received, reviewed, understand and will adhere to all camp policies?

12. Does the camp train the employees and volunteers in recognition of physical, sexual, emotional abuse and neglect, the appropriate response to disclosure and their obligation under law to report child abuse or suspected child abuse?

13. Does the camp enforce adequate supervision of any individuals working with “vulnerable persons”?

A vulnerable person is one, who because of diminished mental capacity or physical state, is at heightened risk of harm to their health or well-being and is less capable of protecting themselves from risk.

14. Does the camp comply with all human rights legislation?

15. Does the camp comply with all provincial and federal labour legislation?