

# JUDITH MARCUSE PROJECTS

<b>B2</b>	<b>Safety and Protection of Children, Youth, and Vulnerable Adults</b>	
Initial Approval: December 16, 2020	Last Revised On: --	Last Reviewed On: --
Review Timeline: This policy will be reviewed at least annually		

## 1.0 PURPOSE

This policy sets out the commitment of Judith Marcuse Projects Society and its subsidiary The International Centre of Art for Social Change (“JMP/ICASC”) to ensuring the safety and protection of children, youth, and vulnerable adults who take part in activities implemented solely by JMP/ICASC or collaboratively by JMP/ICASC and other organizations.

This policy also defines the roles and responsibilities each member of the JMP/ICASC Community has in contributing to the safety and protection of children, youth, and vulnerable adults.

## 2.0 POLICY STATEMENT

JMP/ICASC is committed to ensuring the safety of children, youth, and vulnerable adults who take part in our programs as program participants, staff, contractors, service providers, or volunteers.

Each member of the JMP/ICASC Community has an obligation to protect children, youth, and vulnerable adults who take part in JMP/ICASC programs and to report suspected abuse or neglect of a child, youth, or vulnerable adult.

JMP/ICASC prohibits the use of corporal punishment.

## 3.0 SCOPE AND APPLICATION

This policy applies to all members of the JMP/ICASC Community and operates in conjunction with JMP Policy **B1 Respectful Work Environment**.

This policy applies to conduct that happens in person, as well as to both synchronous and asynchronous technology-mediated interactions, and regardless of whether the actions involved the use of JMP/ICASC resources or personal equipment/devices.

## 4.0 ROLES AND RESPONSIBILITIES

Under this policy, every person acting on behalf of JMP/ICASC or participating in JMP/ICASC programming has specific responsibilities for contributing to the safety of children, youth, and vulnerable adults.

The **Board of Directors** will:

- Provide oversight of a protection framework that includes establishing policies and procedures and regular monitoring
- Establish consistent recruitment and screening processes, including criminal record check procedures, as required
- Require appropriate training for all new staff, contractors, service providers, and volunteers
- Conduct an annual review of this policy and any related appendices, procedures and forms.

The **Artistic Producer** will:

- Inform the Chair of the Board of Directors of any complaints brought forward under this Policy.

The **Program Manager** will:

- Make this policy accessible to all members of the JMP/ICASC Community
- Ensure staff, contractors, service providers, and volunteers have read, understood, and agree to this policy and have specifically indicated this in writing (e.g., by submitting a signed copy or confirming by email)
- Ensure recruitment, screening and onboarding are followed
- Assist Complainants in identifying the relevant reporting agency (e.g., in British Columbia, *every individual* who believes a child or youth under 19 years of age may be being abused or neglected has a *legal duty* to report their concerns directly to a child welfare worker)
- In cases of suspected abuse/neglect by JMP/ICASC staff, contractors, service providers, and volunteers, initiate an internal investigation and report findings of fact, conclusions, and recommendations and/or remedies for the Artistic Producer (or Chair of the Board of Directors if the Artistic Producer is a Respondent).
- Keep accurate records of the initial complaints, subsequent information gathered, and resolutions.

**Staff, contractors, service providers, and volunteers** will:

- Read the JMP/ICASC Policy B2: Safety and Protection of Children, Youth, and Vulnerable Adults and confirm agreement in writing
- Provide criminal record checks and recheck clearances, as required, and immediately inform the Program Manager when their criminal record check clearance may be in jeopardy
- Participate in training on this policy (as applicable)
- Create a safe and caring environment for children and vulnerable adults

- Ensure there are at least two adults present when working with children or youth
- Promptly fulfill all legal obligations regarding reporting a child or vulnerable adult who is in need of protection to the relevant agency
- Call 911 if a child or vulnerable adults is in immediate danger
- Notify the Program Manager when a report has been made to an external agency; this notification should include **only** the date the report was made, the agency to which the report was made, and, if applicable, the JMP/ICASC event or activity that led to the report. (E.g., “On November 30, 2020, I contacted the British Columbia Ministry of Children and Family Development in connection with the JMP/ICASC ASC workshop held that afternoon.”)
- Report incidents of suspected abuse/neglect **by JMP/ICASC staff, contractors, service providers, and volunteers** to the Program Manager

**Program participants, external guests, and visitors** are expected to:

- Comply with this policy by not engaging in abusive or neglectful behaviour
- Report incidents of suspected abuse/neglect **by JMP/ICASC staff, contractors, service providers, and volunteers** to the Program Manager
- Fulfill any legal duties to report suspected abuse or neglect of children, youth, or vulnerable adults – whether perpetrated by a JMP/ICASC community member or not – to the appropriate authority (e.g., child welfare)

## 5.0 PRIVACY AND CONFIDENTIALITY

### Privacy

All parties to a complaint are expected to respect the privacy and confidentiality of all other parties involved and to limit the discussion of a complaint to those who need to know.

### Confidentiality

In most cases in British Columbia, the duty to report suspected child abuse or neglect overrides privacy requirements. If in doubt, contact the relevant reporting agency for guidance.

## 6.0 DEFINITIONS

JMP is located in British Columbia, Canada, but our activity participants may be located anywhere in Canada, and, occasionally, outside of Canada. The definitions below are applicable to British Columbia. If in doubt as to whether a definition differs in the jurisdiction where a participant is located, assume the more conservative definition and seek guidance from JMP or child / youth / vulnerable adult protection services in the relevant jurisdiction. E.g., in some provinces a person becomes an adult on their 18<sup>th</sup> birthday; in British Columbia, a person is not legally an adult until their 19<sup>th</sup> birthday; choosing the more conservative definition would mean considering an 18 year old to be a youth when planning activities / initiating reports, unless explicitly advised otherwise by JMP or the relevant protection service.

## **Abuse – Children and Youth**

(Source: <https://www2.gov.bc.ca/gov/content/safety/public-safety/protecting-children/keeping-kids-safe>)

- **Physical abuse** is any physical force or action that results, or could result, in injury to a child. It's stronger than what would be considered reasonable discipline.
- **Sexual abuse** is the use of a child for sexual gratification. It includes sexual touching as well as non-touching abuse, such as making a child watch sexual acts.
- **Emotional abuse** is a pattern of destructive behaviour or verbal attacks by an adult on a child. It can include rejecting, terrorizing, ignoring, isolating, exploiting or corrupting a child.
- **Neglect** is failure to provide for a child's basic needs: food, clothing, adequate shelter, supervision and medical care. Neglect is the form of abuse most frequently reported to the Ministry of Children and Family Development.”

## **Abuse - Vulnerable Adults**

(Source: British Columbia *Adult Guardianship Act*)

The deliberate mistreatment of an adult that causes the adult

- (a) physical, mental or emotional harm, or
- (b) damage or loss in respect of the adult's financial affairs,

and includes intimidation, humiliation, physical assault, sexual assault, overmedication, withholding needed medication, censoring mail, invasion or denial of privacy or denial of access to visitors.

## **Child/Youth**

A person under 19 years of age.

## **Duty to Report**

In British Columbia, the *Child, Family, and Community Service Act* requires that anyone who has reason to believe that a child or youth has been or is likely to be abused or neglected, or is for any other reason in need of protection, to make a report to a child welfare worker. (24-hour reporting line: **1 800 663-9122**)

## **Self-Neglect – Vulnerable Adults**

(Source: British Columbia *Adult Guardianship Act*)

Any failure of an adult to take care of himself or herself that causes, or is reasonably likely to cause within a short period of time, serious physical or mental harm or substantial damage or loss in respect of the adult's financial affairs, and includes

- (a) living in grossly unsanitary conditions,
- (b) suffering from an untreated illness, disease or injury,
- (c) suffering from malnutrition to such an extent that, without intervention, the adult's physical or mental health is likely to be severely impaired,
- (d) creating a hazardous situation that will likely cause serious physical harm to the adult or others or cause substantial damage to or loss of property, and

- (e) suffering from an illness, disease or injury that results in the adult dealing with his or her financial affairs in a manner that is likely to cause substantial damage or loss in respect of those financial affairs.

### **Vulnerable Adult**

(Source: British Columbia Patient Safety & Learning System <http://bcpslscentral.ca/react-protecting-vulnerable-adults-from-harm/>)

A vulnerable adult is anyone 19-years of age or older who is impaired, encumbered or incapacitated in some way, either by mobility, mental illness, cognition, age or frailty.

## **7.0 RESOURCES AND REFERENCES**

### **Children and Youth**

- British Columbia *Child, Family and Community Services Act*  
[https://www.bclaws.ca/civix/document/id/complete/statreg/96046\\_01](https://www.bclaws.ca/civix/document/id/complete/statreg/96046_01)
- British Columbia Guidebook: Responding to Child Welfare Concerns  
[https://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/public-safety/protecting-children/childabusepreventionhandbook\\_generalpublicbooklet.pdf](https://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/public-safety/protecting-children/childabusepreventionhandbook_generalpublicbooklet.pdf)
- Reporting Child Abuse in British Columbia  
<https://www2.gov.bc.ca/gov/content/safety/public-safety/protecting-children/reporting-child-abuse>
- Keeping Kids Safe <https://www2.gov.bc.ca/gov/content/safety/public-safety/protecting-children/keeping-kids-safe>

### **Vulnerable Adults**

- British Columbia *Adult Guardianship Act*  
[http://www.bclaws.ca/civix/document/id/complete/statreg/96006\\_01](http://www.bclaws.ca/civix/document/id/complete/statreg/96006_01)
- Abuse in Vulnerable Adults <https://www.healthlinkbc.ca/health-topics/abs2272>
- A Practical Guide to Elder Abuse and Neglect Law in Canada (Canadian Centre for Elder Law)  
[http://www.bcli.org/sites/default/files/Practical\\_Guide\\_English\\_Rev\\_JULY\\_2011.pdf](http://www.bcli.org/sites/default/files/Practical_Guide_English_Rev_JULY_2011.pdf)
- Responding to Elder Abuse and Neglect <http://seniorsfirstbc.ca/for-professionals/responding-elder-abuse-neglect/>
- Re:Act (Recognize and Report: Act on Elder Abuse and Neglect) Program Resources
- <http://bcpslscentral.ca/react-protecting-vulnerable-adults-from-harm/>
- <http://www.vch.ca/Documents/ReAct-Manual.pdf> (First Nations Edition)

I, [print name] \_\_\_\_\_ acknowledge that I  
have read, understand, and agree to abide by the JMP/ICASC Safety and Protection of Children,  
Youth, and Vulnerable Adults Policy, signed [signature] \_\_\_\_\_  
this day of \_\_\_\_\_ 20\_\_\_\_\_.