

# LUTHERAN URBAN MINISTRY CORPORATION

## Policy and Procedure Manual

### **Policy 002                      Protection of Vulnerable Persons**

#### **1. Effective Date**

This policy will become effective on March 1, 2023, subject to the Transition Period noted below.

#### **2. Transition Period**

There will be a 90-day transition period from the Effective Date to allow for Lutheran Urban Ministry ("LUM") to comply with the application and screening requirements of this policy for LUM Employees and Regular Volunteers who are in place prior to the Effective Date.

#### **3. Purpose and Scope**

The purpose of this policy is to reduce the risk of physical or sexual abuse of Children, Youth and Vulnerable Adults who participate in Programs provided by LUM. The policy is intended to reduce the risk of abuse by LUM Employees and Volunteers by outlining requirements related to:

- the screening and orientation of LUM Employees and Regular Volunteers,
- supervision of unscreened Volunteers and Contractors,
- identification of LUM Employees, Volunteers and Contractors,
- supervision of Children and Youth, including reducing the risk of isolation,
- an incident reporting system.

#### **4. Background**

LUM provides Programs to Winnipeg's inner-city residents, which often include Children, Youth, and Vulnerable Adults. These persons may be considered vulnerable to physical or sexual abuse ("Vulnerable Persons"). LUM's board of directors acknowledges that LUM has a legal obligation to exercise reasonable care when providing its Programs to Vulnerable Persons, whether through Employees or Volunteers. While LUM's Programs are predominantly provided in supervised group settings, a risk of unsupervised settings and/ or abusive conduct still exists. This policy includes several requirements which are intended to reduce this risk.

#### **5. Definitions**

The following words and phrases will have the meanings specified below.

Child(ren): means a person 12 years of age or younger.

**Contractor:** means a person who is not a LUM Employee, but is hired by LUM on a one-time basis, or from time to time, to act as the leader or facilitator of a Program. Contractors are paid fees by LUM on a per project basis, such as the facilitator of a sharing circle.

**EIA Disability Volunteer:** means a person who assists a LUM Employee in administering programs and who receives payment from the Province of Manitoba through the Employment and Income Assistance program for persons with disabilities.

**LUM:** means Lutheran Urban Ministry Corporation.

**LUM Clientele:** means the persons who participate in Programs offered by LUM.

**LUM Employee:** means a person retained and paid by LUM on a full-time or part-time basis to administer or assist in the administration of LUM Programs. Examples of Employees include the Ministry Manager, an assistant to the Ministry Manager and a security guard.

**Ministry Manager:** means the LUM Employee who is primarily responsible for overseeing and administering Programs on a day-to-day basis.

**Occasional Volunteer:** means a person who volunteers to assist with LUM Programs less than once per month.

**Program:** means any goods, services or events administered or provided by LUM either on its rented premises or off-site, such as the provision of meals or food items, worship services, sharing circles, one-on one counselling and social events.

**Regular Volunteer:** means

- (i) a person who assists a LUM Employee in administering Programs on at least a monthly basis during months when Programs are offered, and who is not paid by LUM for their services (excluding small monetary sums given to some Volunteers as honoraria). For clarification, Regular Volunteers may include EIA Disability Volunteers.
- (ii) active or retired clergy who volunteer to lead or assist in worship services on at least a monthly basis during months when Programs are offered.

**Volunteer:** means a Regular Volunteer or Occasional Volunteer.

**Vulnerable Adult:** means an adult living with a mental or physical disability.

**Youth:** means a person between 13 and 17 years of age.

## 6. Requirements

### 6.1 Screening

- a. Except as provided in section 6.1.b below, all LUM Employees and Regular Volunteers who will be directly interacting with LUM Clientele must submit a written application to LUM, in accordance with LUM Policy 001 Recruitment of Volunteers and Staff, that includes the person's consent to LUM conducting or receiving the results of the following checks at the time of application and every three years throughout their employment or volunteer service:
  - (i) police records check,
  - (ii) Child Abuse Registry check.
  
- b. If a person is already a LUM Employee or Regular Volunteer as of the Effective Date:
  - (i) results of the checks referenced in s. 6.1.a, conducted within the previous three years, must be provided to, or on file with, LUM: or
  - (ii) within 45 days of the Effective Date of this policy, the LUM Employee or Regular Volunteer must submit a Volunteer Application Form pursuant to LUM Policy 001 and complete all the requirements of a new applicant, with the exception of providing references.
  
- c. For LUM Employee positions, LUM's Director of Human Resources, or other director appointed by the LUM board of directors, must conduct or receive the results of the checks referenced in section 6.1.a or 6.1.b before the person will be considered eligible for consideration, or continued retention, as a LUM Employee.
  
- d. For Regular Volunteer positions, LUM's Ministry Manager or other LUM Employee authorized by the LUM board of directors must conduct or receive the results of the checks referenced in section 6.1.a or 6.1.b, before the person will be considered eligible for consideration, or continued retention as a Regular Volunteer.
  
- e. A person will not be considered eligible for a new position or continued position as a LUM Employee or Regular Volunteer if the screening conducted or received by LUM indicates that the person appears on a Child Abuse Registry.
  
- f. If a police records check received by LUM indicates that the person has a police record, the person may only be retained as a LUM Employee or Regular Volunteer with:
  - (i) approval of the board of directors, provided the board is unanimously of the opinion that the person does not present a significant risk to the safety of LUM Clientele given the nature of the offence(s) committed, the severity of the offence(s) committed and the length of time that has passed without recurring offences;
  - (ii)

except for situations where the record in question relates to the Ministry Manager, the Ministry Manager must provide a written recommendation to the board of directors supporting the retention of the person as a LUM Employee or Regular Volunteer, after the Ministry Manager has conducted an interview with the person.

#### 6.2 Supervision of Unscreened Volunteers and Contractors

- a. Unscreened Volunteers (i.e. Regular Volunteers who do not normally interact directly with LUM Clientele or Occasional Volunteers) and Contractors must always be supervised by a screened LUM Employee or screened Regular Volunteer.
- b. Supervision, as mentioned above, requires the screened LUM Employee or Regular Volunteer to be in the presence of the unscreened Volunteer or Contractor whenever the Volunteer or Contractor is interacting with LUM Clientele in the performance of their responsibilities.

#### 6.3 Identification of Employees and Volunteers

- a. All LUM Employees, Volunteers and Contractors must wear name tags with their first name (and initial of their last name if duplication occurs) and title/position when on duty.

#### 6.4 Reducing Opportunities for Isolation

- a. All Programs provided in person will normally be supervised by the Ministry Manager and at least one other screened LUM Employee or screened Regular Volunteer. In limited circumstances where the Ministry Manager cannot be available, the Ministry Manager may designate an experienced, screened Regular Volunteer to act in their place.
- b. The Ministry Manager will ensure that all the doors on the premises rented by LUM are locked during Programs except for: (i) the washrooms; (ii) the kitchen, (iii) a room that is in use to provide Programs.

#### 6.5 Supervision of Children and Youth

- a. LUM Employees and Volunteers must not allow a Child or a person whom they reasonably believe to be a Youth to attend LUM Programs in person inside LUM premises, or on an excursion, without being accompanied by their parent or adult guardian.
- b. At the beginning of each Program where Children or Youth are in attendance, the Ministry Manager must announce that Children and Youth must not leave the room where the Program is being offered, or location of an excursion, without being accompanied by their parent or adult guardian.
- c. A screened LUM Employee or screened Regular Volunteer must supervise the entrances to the washrooms when Programs are being held to ensure that Children and Youth are accompanied by their parent or adult guardian.

## 6.6 Orientation

- a. All LUM Employees and Regular Volunteers must attend an orientation session on the requirements of this policy before starting their position. Orientations must be repeated on a periodic basis while holding their position, as further detailed in LUM Policy 001 Recruitment of Volunteers and Staff.

## 6.7 Reporting Incidents of Physical or Sexual Abuse

- a. If a LUM Employee or Volunteer either suspects, witnesses or is informed by LUM Clientele of the physical or sexual abuse of LUM Clientele by a LUM Employee or Volunteer occurring during a Program, a Suspected Abuse Report Form (Attachment A to this policy) must be completed and submitted (see s. 6.7.b below) by the LUM Employee or Volunteer most directly involved in the incident within 24 hours of the LUM Employee or Volunteer first becoming aware of, or suspecting, the potential abuse.
- b. A Suspected Abuse Report Form must be submitted to the Chair of the LUM board of directors. A Suspected Abuse Report Form must also be submitted to the Ministry Manager unless the report relates to potential abuse by the Ministry Manager.
- c. The LUM board of directors (or those directors at least constituting a quorum) will meet within 48 hours of receiving a Suspected Abuse Report Form to determine appropriate steps to be taken to investigate the claim. The Ministry Manager will attend the board meeting unless the report relates to the Ministry Manager.
- d. The LUM Employee or Volunteer suspected of abuse will be temporarily suspended until the issue is resolved. The LUM board of directors will determine whether the suspension should be with or without pay.

**Date Approved at Board of Directors Meeting: February 28, 2023**