



BURNABY FAMILY LIFE

POLICY & PROCEDURE MANUAL

THE RIGHTS OF PERSONS SERVED POLICY

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TABLE OF CONTENTS

Contents

ORGANIZATIONAL STATEMENTS	1
K1. PROFESSIONAL PRACTICE AND SERVICE DELIVERY	2
K2. RIGHTS OF PERSONS SERVED	2
K3. RESPONSIBILITIES OF PERSONS SERVED	3
K4. INFORMING PERSONS SERVED OF THEIR RIGHTS AND RESPONSIBILITIES	4
K5. CONFIDENTIALITY OF INFORMATION AND PRIVACY	4
K6. EXCEPTIONS TO CONFIDENTIALITY OF INFORMATION AND PRIVACY	4
K7. MINORS AS PERSONS SERVED	5
*K8. BEHAVIOR INTERVENTIONS WITH PERSON SERVED	5
K8.1. Positive Behavior Interventions	5
*K8.2. Restrictive Behaviour Interventions	6
K9. FREEDOM FROM ABUSE INVOLVING PERSON SERVED	6
K10. REPORTING OF CHILD ABUSE	8
K11. MISSING AND WANDERING CHILD.....	8
K12. COMPLAINT AND GRIEVANCE	9

Organizational Statements

Mission	Burnaby Family Life's mission is to deliver high quality services that meet the current and emerging needs of individuals, families and the community in all its diversity. We facilitate and empower collaborative community solutions to enable all to reach their full potential.
Vision	Burnaby Family Life envisions a healthy and inclusive community where individuals and families can thrive.
Values	<p><i>Collaboration:</i> BFL believes that the results of working together are the greatest reward.</p> <p><i>Empowerment:</i> BFL supports everyone in finding their own voice and developing their strengths.</p> <p><i>Professionalism:</i> BFL is committed to quality services with high ethical standards of confidentiality and honesty.</p> <p><i>Learning:</i> BFL embraces and encourages lifelong personal and professional growth and development.</p> <p><i>Respect and Inclusion:</i> BFL is a welcoming place where differences and similarities are shared and honoured.</p> <p><i>Advocacy:</i> BFL is committed to advocating for building programs and services for the community.</p> <p><i>Leadership:</i> BFL is committed to leading the discussion to provide comprehensive community solutions for all.</p>

Outcomes of Services

Families and individuals will have skills, abilities, information & resources to thrive.

- Newcomers, including refugees and new immigrants have skills and resources to integrate, cope and flourish
- Parents have parenting skills
- Those who have suffered abuse have coping skills
- People develop life skills
- Women have healthy pregnancies and healthy babies
- Individuals and families are integrated into the community
- Children are well developed

A. Professional Practice and Service Delivery

In efforts to standardize service delivery, each program and service provided by Burnaby Family Life (BFL) is guided by the following policies. Every program has a manual which documents the structure and method of service delivery. Each program manual interprets the policies of BFL as it applies to the program.

B. Rights of Persons Served

Clients have the following rights while participating in BFL services:

1. Be treated with courtesy, dignity and respect and without regard to race, gender, religion, age or disability.
2. To be free from any humiliation, abuse, harassment and physical punishment. Personnel must refrain from any actions that could be considered as harassment or abuse of clients.
3. To access their records at any time, unless prohibited by any other policy in (F), or elsewhere in this manual. Access to information is granted by the program supervisor. All staff must inform persons served of this policy.
4. Privacy and confidentiality, except for legal and ethical limitation, or when the client has given written informed consent to obtain or release information.
5. Be considered the experts in their own life experience which will be demonstrated by:
 - a) Gathering information primarily from the clients in assessment of the issues.
 - b) Including the clients in planning services and setting goals, and in regular review of those.
 - c) Accepting the clients decision to participate in or to refuse some or all services offered (unless under a court order).
 - d) Being part of the decision to end services and any follow-up planning.
 - e) Information about and the clients consent to any fees charged prior to beginning a program.
 - f) Express a complaint about any aspect of the services provided to the person working with the client and their supervisor.
 - g) File a formal grievance if informal conflict resolution is not satisfactory.
 - h) Clients have the right to informed refusal, or expression of choice in regards to the services they participate in, such as: the refusal to release information, to participate in concurrent services, and the composition of the service delivery team. In refusing any of the above, the client is informed by BFL personnel how their refusal may affect and limit the services they may receive from BFL.

- i) BFL from time to time is approached by organizations conducting their own research projects that our clients have the right to participate in on their own behalf. If a client chooses to participate the client must sign a consent form prepared by the organization conducting the research.

BFL does not conduct its own research involving clients, with the exception of Outcome Evaluation Data Collection in which anonymity of participants is secured.

- j) BFL will refer clients looking for information pertaining to their legal rights to the appropriate legal entity. BFL may assist the client to establish the first connection by setting up an appointment.

C. Responsibilities of Persons Served

Clients have the following responsibilities while participating in BFL services:

1. Supply information reasonably requested to allow BFL to determine service needs and to assist with developing and carrying out the service plans.
2. Be actively involved in all aspects of their services.
3. Inform staff of any medical condition, disability or cultural need that requires our awareness or accommodation in service provision.
4. Treat others with fairness, honesty and respect, including:
 - a) Maintaining the confidentiality and privacy of other clients
 - b) Refraining from any activity, which threatens or endangers other clients, staff members or visitors
 - c) Complying with BFL rules, policies and requests
5. Inform staff if:
 - a) the client's contact information has changed
 - b) the client is late or unable to attend an appointment
 - c) the client is going to terminate services
 - d) the parent/guardian is unable to pick up their child before program closure time. In that case, staff will contact the alternative person(s) to pick up the child. If that person is unavailable BFL is required to notify Emergency Services of MCFD.
6. Express complaints and grievances to the proper authority.
7. In order for BFL to continue to provide services, it is requested that clients not be impaired by drugs or alcohol while receiving services and that clients attend appointments consistently.

D. Informing Persons Served of Their Rights and Responsibilities

Rights and Responsibilities are communicated to person served at the beginning of or initiation of service delivery with BFL in a way that is understandable to them.

Rights and Responsibilities are communicated to person served in the following ways:

- a) Given to all persons served in writing
- b) They are posted at all locations in English and additionally in other languages

Clients have the right to review the Clients Rights and Responsibilities policy and seek clarification at any time.

E. Confidentiality of Information and Privacy

1. Clients have the right to Confidentiality of Information and Privacy.
2. It is the responsibility of BFL to ensure that the protection of the client's privacy is balanced with the need to share information in order to provide individuals with safe, effective care.
3. All discussion about clients should be consistent with the following guidelines:
 - a) The well-being of the client is always the paramount consideration.
 - b) The discussion relates to continuity of care/service with a view to facilitating the most appropriate care plan.
 - c) The sharing of personal information about the client will occur only when the use is reasonably consistent with and directly related to the purpose for which it was collected, or it is necessary to enable a public body to perform its duties.
 - d) All information shared must remain in confidence with the team members and/or on a need-to-know basis with their agency colleagues.

F. Exceptions to Confidentiality of Information and Privacy

1. In situations as specified below, where information must be disclosed because it is required by law or by counselling ethics an exception will be made to client confidentiality.
 - According to the Child, Family and Community Service Act, 1995:
 - *"A person who has reason to believe that a child has been or is likely to be physically harmed, sexually abused, or sexually exploited by a parent or other person, must promptly report the matter to the MCFD"*
2. BFL must comply with any investigation of our clients conducted by the MCFD, with or without the client's consent.

3. Harmful behavior - information received regarding harmful behavior such as threat of suicide, homicide or self-mutilation but not limited to, will be reported to the appropriate authorities immediately.
4. Police investigations
5. Subpoenas
6. Exceptions will also be made in the following circumstances, with client knowledge:
 - a) In intra-agency consultation and clinical supervision
 - b) In collaborative planning and case management with service providers
 - c) Supervision, quality improvement or accreditation processes at BFL. All personnel involved will maintain strict confidentiality.
 - d) If the client is a minor under the age of 14, the client's parent(s) will have access the file. (Exceptions within which BFL will work with a minor without parental consent or information are laid out in section F)
 - e) The client will be informed in writing should there be other expectations in the specific program(s) you attend.

G. Minors as Persons Served

Minors have the right to access services with BFL without parental consent in some circumstances. BFL asserts its right to provide services to children without explicit parental consent where:

- a) It is deemed that the services are important for the child to receive; and
- b) Securing parental permission may otherwise compromise access or participation.
- c) The child is capable of comprehending the nature and content of the services being provided.

H. Behavior Interventions with Person Served

H.1. Positive Behavior Interventions

The following positive intervention techniques should be used in order to protect clients' rights:

- a) Being proactive by trying to prevent or avoid situations where aggression is known to occur. If particular behaviors are preceded by identified circumstances (e.g. noise, crowd), denial of certain things, aggression or disruption from others, then intervene before the behaviour gets out of hand.
- b) Ignoring attention-seeking behaviour, unless the behaviour becomes threatening or injurious.

- c) Distracting by attempting to direct attention onto something else away from the problem situation.
- d) Redirecting, stay focused and on task. Utilizing verbal redirection.
- e) A gentle reminder to the aggressive individual such as a verbal prompt or a verbal reminder.
- f) Following through with set limits that are clear, simple, reasonable and enforceable. State the positive first. State the consequence of non-compliance.
- g) Removing the acting out client to a designated area under supervision, if required, to allow them time to calm down. If the client refuses, then, remove the audience and harmful objects to prevent injury or damage.

H.2. Restrictive Behaviour Interventions

BFL prohibits the use of isolation; locked seclusion; mechanical; chemical or manual restraint with any person it serves.

The following punishments or disciplining of clients are prohibited:

- a) Corporal punishment
- b) Interventions that involve withholding nutrition or hydration, or which inflict physical or psychological pain
- c) Isolation
- d) Ignoring the child
- e) Labeling the child “good “ or “bad”
- f) The use of demeaning, shaming or degrading language or activities
- g) Group punishment or discipline for individual behaviour
- h) The use of aversive stimuli such as electric shock devices
- i) Forced physical exercise to eliminate behaviours
- j) Punitive work assignments
- k) Punishment by peers
- l) In addition, the use of any intervention will be discontinued if it produces adverse side effects such as illness, severe emotional or physical stress or physical damage; and/or is deemed unacceptable according to prevailing community standards; and/or is ineffectual or detrimental to meeting services goals and objectives.

I. Freedom from Abuse Involving Person Served

Abuse is defined as an action or behavior which may result in physical, emotional, mental, or financial harm to a client. Clients of the organization have a right to expect an environment which is safe and free from any abuse or neglect. This includes that persons served are protected from physical, sexual, psychological, physical punishment, humiliation, threatening or exploiting actions. Sexual abuse or harassment may include: verbal comments, physical gestures, sexual acts, or objectify the individual sexually. There shall also be no exploitation of the person served for financial gain.

The relationship between a client and an employee should always remain a professional one. Employees shall not use their position of trust to initiate any purchase or sale of goods and services to clients or visitors. Money, gifts or other gratuities will not be accepted for a referral to any BFL program nor will BFL staff do any such thing in order expedite a referral out to another agency.

BFL makes every effort to protect clients from abuse.

1. BFL protects clients by having the following staff qualifications and requirements in place:

- a) Child care staff has either their Early Childhood Educator certificate and license issued by the Province of B.C. or an Assistant Early Childhood Educator certificate and license issued by the Province of B.C. and related work experience.
- b) Counsellors have a master level of education in either counselling psychology, art therapy, or an equivalent degree along with related work experience.
- c) Child care staff is required to have valid first-aid certification and additionally, at each BFL location, at least one staff must have occupational first-aid certificate.
- d) BFL requires all staff and volunteers to read, follow and sign Statements of Confidentiality, Statement of Professionalism and BFL's Code of Ethics.
- e) BFL processes reimbursements in a timely manner.
- f) BFL identifies the basis of the fee structure and evaluate the current fees and their structures based on the cost of delivering service and bench market analysis in local area.
- g) All BFL employees are required to complete a criminal record check before beginning their employment. There must be no criminal record found for the purpose of working with children or vulnerable adults.

2. BFL has the following procedures in place to protect clients:

- a) Any staff, employee or volunteer who, upon investigation, has inflicted abuse or neglected a client may be terminated.
- b) Any staff that has knowledge of an incident of suspected abuse has the responsibility to report such an incident immediately to their supervisor. Failure on the part of any witness to report such an incident will result in severe disciplinary action and may result in termination of employment.
- c) This policy does not negate a staff's right to move away from a client who is acting in a way which might harm the staff provided that the client is left in a safe situation. The expectation in those instances is that the employee will immediately report incidents to the supervisor.
- d) In order to maintain an atmosphere in which clients and staff may live and work without fear of abuse, every possible effort will be made to ensure that all reported incidents are thoroughly investigated and dealt with immediately.

- e) When a client/stakeholder approaches a staff with a complaint, the staff follows up with the steps described in Client Complaint and Grievance Process in section J of this policy immediately.
- f) If a child is seriously injured at our licensed childcare center's staff will fill out an incident report form along with the licensing incident report form and submit it to their supervisor who will then submit it to the center's licensing officer who represents the Fraser Health Authority.
- g) Clients are asked for their feedback on a regular basis from the programs they participate in by filling out client surveys.

J. Reporting of Child Abuse

As a service provider working with young families, BFL plays a key role in helping to keep children safe. According to 'The B.C. Handbook for Action on Child Abuse and Neglect', all suspected child abuse and neglect has to be reported to MCFD.

The following is the process of reporting:

- a) After notification is made to the supervisor/manager, MCFD must be called and the client's social worker requested for conversation. If the client does not have a social worker, the report will be made to a duty or intake worker.
- b) If the social worker is not available, a message (voice or with a person) will be left and a duty or intake worker will be requested.
- c) If there is no duty or intake worker free, a message will be left and a supervisor will be requested.
- d) If there is no supervisor free, the MCFD receptionist will be informed that there is a report regarding a protection concern and that a report needs to be made, even if it is necessary to hold for an available worker.
- e) If there is nobody available, the employee's supervisor must be contacted.
- f) All steps must be documented in the client file immediately, and the supervisor informed of any difficulties
- g) The Incident Report form is to be completed and handed in to the supervisor by the end of the working day.

K. Missing and Wandering Child

BFL strives to protect the health and safety of the children and adults it serves. The safety of children is of utmost importance in the child care programs.

If a child is missing from one of our programs, staff will notify the senior staff present who will then notify all other relevant adults. The senior staff member will designate a person to search and a person to supervise the other children.

Staff will contact the police if a search of the immediate area is unsuccessful. The senior staff will then notify the parent/guardian and BFL management. When the police arrive, the senior staff will provide a description/picture of the child.

The senior staff will stay at the search venue until the child is found. The senior staff will record and report all relevant details of the search, including an incident report.

Child care staff will not issue any information to the media without the written consent of both the Executive Director and the parent/guardian of the missing child. Senior staff will debrief as soon as possible with the children, families, staff and police/ emergency personnel involved. Resources will be offered to all who have difficulty dealing with the incident.

L. Complaint and Grievance

Persons served have the right to express complaints about the services provided to them without any worry that their complaint will result in retaliation towards them or create a barrier to access services with BFL. It is the responsibility of BFL team members to be sure that privacy protection is balanced with the need to share information in order to provide individuals with safe, effective care. Client confidentiality will be maintained except for in situations where information must be disclosed because it is required by law or by counselling ethics; exceptions to client confidentiality will be made for in certain situations. There is a difference between formal and informal client complaints.

Informal complaints arise verbally and may be dealt with satisfaction between both parties at the program level.

Formal complaints are those informal ones that were not solved with satisfaction between both parties at the program level and those complaints that were submitted in writing to staff. If someone approaches the ED directly, it is considered automatically a formal complaint.

The procedure for expressing and resolving complaints is:

1. A client can bring forward their complaint by discussing it with the person they have a disagreement with or speak to the supervisor directly. If possible, an attempt to resolve the matter by talking with the employee involved should be made. If the client wishes, another employee may be asked for assistance.
2. If the complaint is not resolved to the client's satisfaction, staff needs to inform the client about the client's rights and responsibilities along with the formal grievance process in a way that is understandable to the client and provide a **Complaint and Grievance Form**, which can be accessed through the public server and through any administrative office of the agency.
3. If the client refuses to submit a written complaint, the staff that the complaint was made to needs to fill the document and ask for the client's signature or make a note of the client's refusal to sign it.
4. The completed form is to be given to the Supervisor or to the Director of Operations if the Supervisor is the subject of the complaint.

5. The Supervisor or the Director of Operations will have 10 working days to attempt to resolve the problem. If resolved, the form will be signed and filed and a copy will be given to the Supervisor or Director of Operations and to the person who made the complaint, if requested. If the complaint is not resolved it will be referred to the Executive Director.
6. The Executive Director will contact all parties involved and within 10 working days will provide a written agreed upon resolution or a written statement about why the complaint cannot be resolved.
7. Should the matter still be unresolved the client may appeal to the Board of Directors. The Board of Director's will have thirty (30) days to respond to the complaint. That is the final level to which a complaint at BFL may be addressed.
8. After the complaint and grievance process is completed, BFL will contact the client/stakeholder for feedback on the resolution of their complaint and their level of satisfaction for the entire process. The form to be given to the client/stakeholder is called the **Complaint and Grievance Resolution Form**.
9. There are complaint procedures available through some Ministry or funding offices. Clients will be given any applicable information about that system along with the agency **Complaint and Grievance Form**.
10. Documentation of **Informal complaints** is filled out on the **Incident Report Form**. The compiled annual summary of these informal complaints will be provided to leadership through the annual H&S report.
11. Documentation of **Formal complaints** is filled out on the **Complaint and Grievance Form**. The compiled annual summary of these formal complaints will be provided to leadership through the annual HR report.
12. All feedback given to the organization from clients/stakeholders, including complaints will be used for quality improvement purposes. Leadership will review trends annually and recommend and implement any changes as needed.