



<b>POLICY ON MISTREATMENT OF SENIORS AND VULNERABLE ADULTS</b>	Page 1 of 3
<b>Sources:</b> Director of Professional Services and Quality Assurance – Psychosocial and Service Quality and Complaints Commissioner	Initial Date in effect: August 31, 2020
<b>Addressee:</b> All CBHSSJB employees and professionals, including medical residents, trainees, volunteers, patient escorts and other persons providing services to a client on behalf of the CBHSSJB. Any external person or entity that the CBHSSJB calls on for the provision of health or social services to an adult client.	<b>Code:</b> TBD
<b>Approved by:</b> Board of Directors Resolution CBHSSJB #01/032/20 Resolution CBHSSJB #01/107/25	Last revision: February 14, 2025 In effect as of: March 11, 2025

### Part I. Context

1. An Act to combat maltreatment of seniors and other persons of full age in vulnerable situations (**Act**)<sup>1</sup> provides for measures to address mistreatment of seniors and other vulnerable adults.
2. This Act requires all health and social service institutions of Quebec to have their own policy regarding mistreatment of seniors and other vulnerable adults. The Cree Board of Health and Social Services of James Bay (**CBHSSJB**) also recognizes the fundamental importance of protecting Elders, which in turn contributes to protecting Cree knowledge, teachings and language.
3. In the context of this Policy, the CBHSSJB promotes an approach of “wellness care” that values respect for all individuals, their needs, demands and choices, including refusals. This approach is expressed through attentions and attitudes, know-how and collaborative skills, respectful of people's values, culture, beliefs, life experience and their human rights and freedoms. It is exercised by individuals, organizations or collectivities who, through their actions, place people's well-being at the heart of their concerns. It is built through interaction and a continuous search for ways to adapt to others and their environment.<sup>2</sup>

### Part II. Definitions

4. In this Policy, in addition to the capitalized terms defined herein, the following words or expressions mean:
  - a) **Mistreatment:** a single, or repeated act, or lack of appropriate action, that occurs in a relationship where there is an expectation of trust, and that intentionally or unintentionally causes harm or distress to a person.<sup>3</sup>
  - b) **Vulnerable adult:** a person of full age (over 18 years of age) whose ability to request or obtain assistance is temporarily or permanently limited because of factors such as a restraint, limitation, illness, disease, injury, impairment or handicap, which may be physical, cognitive or psychological in nature, such as a physical or intellectual disability or an autism spectrum disorder.<sup>4</sup>

### Part III. Purpose, Application and Interpretation

5. The purpose of this Policy is to establish measures to prevent and combat mistreatment of seniors and other vulnerable adults, including to support them to end mistreatment. This Policy shall be applied in a manner consistent with their right to culturally safe care and services.
6. The CBHSSJB shall not tolerate any form of mistreatment of seniors and vulnerable adults.

<sup>1</sup> CQLR, c. L-6.3.

<sup>2</sup> Adapted from unofficial translation of the *Plan d'action gouvernemental pour contrer la maltraitance envers les personnes âgées (PAM) 2022-2027*, p. 26.

<sup>3</sup> Act, section 2.

<sup>4</sup> Act, section 2.

7. This Policy must be read together with the Act. The terms defined in the Act have the same meaning for the purpose of this Policy.<sup>5</sup>
8. This Policy applies to vulnerable adults, including seniors, who receive health or social services through the CBHSSJB in one of its facilities or through in-home services.
9. This Policy also applies with the necessary adaptations to any intermediate resource or family-type resource, including a foster home, that receives clients of full age and any operator of a seniors' residence, or their equivalents in Region 18.
10. The CBHSSJB must take any required measures to ensure that any external person or entity that it calls on for the provision of its health or social services is subject to this Policy, with any necessary adaptations.

#### **Part IV. Measures, Responsibilities and Reporting**

11. The CBHSSJB must implement the following preventive and other measures in a manner that reflects traditional Cree values and promotes cultural safety, and in accordance with any procedures to implement this Policy:
  - a) Activities and materials to identify and prevent mistreatment of seniors and vulnerable adults, including awareness and information tools and activities directed to community members, CBHSSJB personnel and external service providers;
  - b) Trainings for CBHSSJB personnel and external service providers, including foster families who receive adults, to identify and prevent mistreatment of seniors and vulnerable adults;
  - c) Mechanisms for seniors and vulnerable adults receiving health and social services to file a complaint with the Service Quality and Complaints Commissioner if they believe that they are victims of mistreatment;
  - d) Mechanisms for any other person to report alleged cases of mistreatment of seniors and vulnerable adults receiving health and social services to the Service Quality and Complaints Commissioner or to the personnel members designated by the AED-Miyupimaatisiun, with the support of the Advisor – Elder Wellness, including health and social service providers and professionals obliged to report certain cases of mistreatment under section 21 of the Act;
  - e) Support to help persons to make complaints or reports under this Policy, or to refer them to other external resources as required, subject to the consent requirements of the Act;
  - f) Measures to ensure confidentiality of information that could identify a person making a complaint or report; and
  - g) Sanctions for mistreatment, including disciplinary sanctions for personnel, subject to applicable law, collective agreements, by-laws, policies and similar instruments, and whereby sanctions and related measures also seek to promote restorative healing among relevant persons where appropriate.
12. The Advisor – Elder Wellness must inform CBHSSJB personnel of the content of this Policy, including its prevention measures, and the possibility or obligation of reporting mistreatment of vulnerable adults under this Policy and the Act, as applicable.
13. The Advisor – Elder Wellness acts as the resource person designated by the CBHSSJB for the concerted intervention process pursuant to section 17 of the Act, and supports the persons designated pursuant to section 11d) in relation to this process. The Advisor – Elder Wellness also provides support for the other matters addressed by this Policy.
14. The Service Quality and Complaints Commissioner may take action concerning cases of mistreatment on his or her own initiative in the absence of a complaint or report, including on the recommendation of the Department of professional services and quality assurance – psychosocial.

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<sup>5</sup> The following terms of this Policy and the Act are used interchangeably: (i) “mistreatment”, “maltreatment” and “abuse”; (ii) “vulnerable person”, “vulnerable adult” and “person in a vulnerable situation”; and (iii) “personnel” and “person working for the institution”.

15. Reprisals and threats of reprisals are prohibited against a person who, in good faith, files a complaint, reports mistreatment or cooperates in an examination of a complaint or report under this Policy.
16. The Department of professional services and quality assurance – psychosocial must ensure that this Policy is displayed in Cree Health Board facilities and on its website, and make this Policy known to relevant clients and their close family members, including those served by the resources set out in section 9.
17. The Service Quality and Complaints Commissioner must include a section on complaints and reports received under this Policy in any report submitted to the Board of Directors of the Cree Health Board regarding complaints and related matters. The Department of professional services and quality assurance – psychosocial shall assist the Service Quality and Complaints Commissioner for this part of the report.

**Part V.                Procedures**

18. The procedures to implement this Policy may address related administrative matters, and in addition must address:
  - a) The procedure to make a complaint or report under this Policy regarding alleged mistreatment of a vulnerable adult receiving health or social services;
  - b) The follow-up required in response to any complaint or report made under this Policy, and the time limit for carrying it out, which may vary according to seriousness of each case; and
  - c) The procedure to make a complaint or report to the persons designated pursuant to section 11(d) for a person not covered by the application of the Policy, and related modalities.
19. Procedures for complaints and reports under this Policy may be addressed through the existing CBHSSJB complaints process, with the necessary adaptations.

**Part VI.              Implementation**

20. The Executive Director, in collaboration with the Executive Committee, must adopt procedures to implement this Policy. These procedures must be consistent with this Policy.
21. The Department of Professional Services and Quality Assurance – Psychosocial, under the direction of the DPSQA-Psychosocial, and the Service Quality and Complaints Commissioner are responsible for the implementation of this Policy and may be contacted at [R18.complaints@ssss.gouv.qc.ca](mailto:R18.complaints@ssss.gouv.qc.ca) or 1-866-923-2624.
22. The Director of Corporate Services keeps the official version of this Policy.

**VII.                    Review**

23. This Policy must be reviewed at least every 3 years.