



# Sexual Abuse Prevention Plan

## Statement of Philosophy

The College of Denturists (the “**College**”) has a zero-tolerance policy for any form of abuse – verbal, physical, emotional or sexual – of clients by denturists. Sexual abuse by denturists while providing oral health care will not be tolerated under any circumstances.

The College has had a Sexual Abuse Prevention Plan in place for over a decade. It is updated from time to time, with the approval of Council, in order to address the College’s commitment to preventing sexual abuse by its members.

## Summary of the Prevention Plan Elements

The College’s Sexual Abuse Prevention Plan contains the following elements:

1. Education for Members
2. Education for Students
3. Guidelines for the Conduct of Members
4. Training for College Staff
5. Provision of Information to the Public
6. Funding for Therapy and Counselling
7. Evaluation of Program’s Effectiveness

## Sexual Abuse Definition

Some people may believe that a definition of sexual abuse is subjective. This is not the case in Ontario when it comes to the sexual abuse of patients by regulated healthcare providers. The *Regulated Health Professions Act, 1991* (the “RHPA”) sets out a clear definition of the sexual abuse of patients.

According to Section 1(3) of the Health Professions Procedural Code, being Schedule 2 to the RHPA (the “Code”), the definition of “sexual abuse” of a patient by a member means:

- (a) sexual intercourse or other forms of physical sexual relations between the member and the patient,
- (b) touching, of a sexual nature, of the patient by the member, or
- (c) behaviour or remarks of a sexual nature by the member towards the patient.

For clarity, and according to the Code, “sexual nature” does not include touching, behaviour, or remarks of a clinical nature appropriate to the service provided. Behaviour or remarks of a sexual nature can include sexual comments or

jokes, even if a sexual relationship is not intended by the member. Even intimate relations where a member has or think that they have the patient's consent are strictly prohibited by the RHPA.

The Code has defined a "patient" for the purposes of sexual abuse offences. "Patient", without restricting the ordinary meaning of the term, includes,

- (a) an individual who was a member's patient within one year or such longer period of time as may be prescribed from the date on which the individual ceased to be the member's patient, and
- (b) an individual who is determined to be a patient in accordance with the criteria in any regulations made under clause 43 (1) (o) of the *Regulated Health Professions Act, 1991*.

## Prevention Plan Elements

### 1. Education for Members

The College recognizes the importance of ongoing professional education with respect to the issue of sexual abuse of patients by Denturists. Accordingly, the following kind of initiatives will be incorporated into the College's Quality Assurance Program:

- The development of continuing education programs, including:
  - an online Sexual Abuse Prevention module;
  - a Peer Circle program that will include a number of different scenarios around which participants discuss the risks that could be related to sexual abuse, sexual abuse prevention strategies/competencies as well as professional boundaries;
- The provision of seminars concerning the subject of sexual abuse by Denturists.

The College will ensure that it provides easy access on its website to policies, guidelines, standards of practice and legislation related to the sexual abuse of patients.

The Patient Relations Committee is developing for inclusion on the College's website, Frequently Asked Questions (FAQs) about sexual abuse, including questions about:

- Mandatory reporting requirements;
- Maintaining appropriate boundaries;
- Professional vs. social settings;
- The need for and how to obtain patient consent;
- When intimate relationships with patients are permissible (i.e. one year after termination of the relationship) and how to terminate a dentist-patient relationship; and
- Explaining a dentist's obligations to pay for funding and therapy (e.g., discipline decisions).

### 2. Education for Students

The College will reach out to the Faculties of Denturism to engage program coordinators in conversations regarding the modification of existing curricula with respect to the prevention of sexual abuse of patients and

appropriate sexual abuse prevention training.

The College is developing new entry to practice competencies related to sexual abuse that will be incorporated into the existing College's provincial competencies document. The inclusion in the provincial competencies provides guidance to the Faculties of Denturism when developing curriculum and means that these competencies can be included in any entry to practice registration examination.

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- Maintaining appropriate boundaries;
- Professional vs. social settings;
- The need for and how to obtain patient consent;
- When intimate relationships with patients are permissible (i.e. one year after termination of the relationship) and how to terminate a denturist-patient relationship; and
- Explaining a denturist's obligations to pay for funding and therapy (e.g., discipline decisions).

### 3. Guidelines for the Conduct of Members

The College has had Guidelines for the Conduct of Members with respect to the sexual abuse of patients in place for many years. Recently, the Patient Relations Committee reviewed the existing guidelines in order to update them consistent with changes in the law, the practice of denturism and current knowledge and understanding of sexual abuse prevention.

In June 2019 the Council of the College approved updated Guidelines: *Conduct for the Prevention of Sexual Abuse* (the "**Guidelines**"). The Guidelines are part of the College's commitment to providing denturists with information and resources to assist them in treating their clients responsibly, consistent with the *Regulated Health Professions Act* (the "RHPA"), and in a manner that reflects the profession's commitment to respecting the personal dignity of every individual who is entrusted to their care.

The Guidelines include information and requirements for Denturists including:

- Definition of sexual abuse;
- Definition of a patient;
- Guidance to govern appropriate behaviour to prevent sexually inappropriate and/or abusive conduct; and
- Information on the legal requirements for filing mandatory reports.

The Guidelines have been posted to the College website and can be accessed [here](#). They will be distributed to all members of the profession.

When the Council approved the Guidelines, it committed to reviewing the document again no later than June of 2022.

#### **4. Training for College Staff**

Staff training will be provided to ensure that it reflects the current legislation and best practices for dealing with victims of sexual abuse by a member. The training will include training in:

1. The nature of sexual abuse, the magnitude of the problem, the consequences to victims and issues of race, gender and class related to abuse.
2. The range of ways the victim of sexual abuse may initiate a complaint and how to facilitate and handle complaints in an appropriate, empathetic and supportive manner.
3. How to fully and appropriately explain the complaints and discipline process of the College to potential or actual complainants.
4. The options available to a complainant to lodge a complaint of sexual abuse through the criminal and civil justice systems.
5. How to address victims of sexual abuse and those making inquiries with sensitivity and respect (for example, not implying that the problem is the victim's fault).
6. Assisting complainants during the complaints or discipline process;
7. Assisting victims of sexual abuse to access available funding from the College;
8. The collection of data to facilitate reporting on trends, identification of solutions to problems, etc.;
9. Informing patients who have been sexually abused of effective treatment centres and counseling resources;
10. How to inform survivors of sexual abuse of effective treatment centers and counseling resources.

#### **5. Provision of Information to the Public**

The College is committed to providing the public with information about appropriate conduct by Denturists and what they should expect when being cared for by a Denturist. The College also recognizes the importance of providing the public with information about what to do if they are sexually abused by a Denturist and the supports available to them through the College.

The College's website includes information about:

- Definition of sexual abuse;
- Definition of a patient;
- The College's complaints and discipline process;
- How to contact the appropriate College staff person;
- Mandatory reporting requirements;
- The availability and eligibility for funding for therapy and counselling and other ancillary funding to support such therapy and counselling;
- Forms for applying for funding for therapy and counselling and other ancillary funding.

## 6. Funding for Therapy and Counselling

The College maintains a separate reserve fund to ensure that there are sufficient funds in place to pay for legally mandated funding for therapy and counselling.

The College made policy changes related to eligibility for funding, so that all patients who complain that a member sexually abused them or if they are named in a mandatory report, they are now eligible for funding for therapy and counselling within the patient relations program. This funding is available as soon as the complaint or the report is made.

After considering the recommendations made to the government by the Task Force on Sexual Abuse in 2015, the College Council approved an expansion in the types of expenses for which funding may be provided to patients who allege to have or have been sexually abused by a Denturist.

With respect to additional expenses the policy:

- supports the findings of the Sexual Abuse Task Force that recognized that accessing therapy, even if the therapy itself is funded, may be challenging for patients if they do not have funding for other ancillary related expenses;
- provides a lump sum amount that patients may utilize for the expenses that are most needed (e.g., if a patient needs childcare they may use it for that purpose; if travel costs are challenging, they may use the funding for those costs) – importantly – it allows patients to determine their needs.
- The lump sum may be used towards any of the following expenses:
  - Medication, treatments and remedies;
  - Dependent care; and
  - Travel expenses

The College website provides information to members of the public on the funds available and how to apply for the funding. FAQs related to the funding for therapy and counselling and expenses to support such therapy will be added to College website.

## 7. Evaluation of Program's Effectiveness

The program will be evaluated using survey tools and reporting on measures that have been introduced and implemented.

### Related Legislation and Documents

[Bill 87, Protecting Patients Act, 2017](#)

[Regulated Health Professions Act, Schedule 2, Section 1 \(3\) to \(6\) and Section 1.1](#)

[Guidelines: Conduct for the Prevention of Sexual Abuse](#)

**Revision Control**

<b>Date</b>	<b>Revision</b>	<b>Effective</b>
September 6, 2019	Approved by Council	September 6, 2019