

# **A guide to policy development for feminist anti-violence programs**

## **Policy Development Information**



Ontario Association of Interval and Transition Houses  
2010

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## Introduction

Ontario Association of Interval and Transition Houses (OAITH) is a provincial coalition founded by women's shelter advocates in 1977. Membership includes primarily first stage emergency shelters for abused women and their children, as well as some second stage housing programs and community-based women's service organizations.

The Association works with member agencies to educate and promote change in all areas that abused women and their children identify as important to their freedom from violence.

OAITH operates from an integrated, feminist, anti-racist/ anti-oppression perspective on violence against women. We recognize that violence and abuse against women and children occurs as a result of unequal power and status of women and children in society. We also recognize that all racism and oppression of women is a form of violence.

We are committed to:

- Removing barriers to equality for all women and children
- Ensuring the voices and experiences of all abused women are heard when working for social change
- Increasing awareness through education, public advocacy and empowerment for OAITH member agencies
- Assisting shelters in offering support and services to women
- Offering training of to OAITH member shelters
- Working with our equity-seeking allies in the community to end all forms of violence and oppression of women

## Purpose of the Guide

Through the years member agencies have supported each other in the development of policy through shared information and resources. Recently the OAITH membership has requested that the Board of Directors support that effort by creating a tool that gives an overview of policy writing and provides examples

and templates that will further aid member agencies in their policy revision or development work.

This guide contains some general information about policies, how policy and procedures and other documents work together and offers several samples of policy that might be useful to feminist organizations that are looking at policy in regards to contemporary issues affecting our services.

The information provided here is an example of one way to approach the work of policy writing and revision. This resource does not presume to dictate the contents of policy for individual organizations, nor suggest the types of policies that individual organizations should have.

*Consider this:*

Upon review of the organizations' mission and mandate, the board of directors and shelter workers come to the conclusion that they would like to better serve women who use alcohol and/or drugs as a coping mechanism. They realize that this will involve changing a number of the ways they do their work. To better guide these changes, they correctly decide that it is important to begin with a statement that will guide their decision making in regards to programming and procedures.

A policy statement will demonstrate the intent of this organization's decision and provide definition to the intent. A policy says "this is how we define our work".

*Consider this:*

Controversy has arisen with regard to "eligibility of service" of women's anti-violence organizations, some of the issues include:

- Sex and gender identity
- Immigration status
- Substance use
- Mental health labels
- Physical ability

It is very important that organizations have a policy statement that clearly defines who is eligible for service. A policy is an accountability mechanism for the community and other stakeholders. It provides a rationale for actions.

## General Information

### The Basics

#### **What is a policy and why have one?**

Policies describe how the organization operates; they are the rules or guidelines that let people know what is expected of them and what they can expect.

Policies influence and determine major decisions, actions and activities of the organization.

For each policy there are corresponding procedure(s) that clearly outline how the policy must be enacted in the work.

#### **How does policy relate to procedure? What should be the relationship?**

Policies explain why a procedure exists and reflect a standard of practice that is determined by the organization, as well as legal requirements established by the federal, provincial and municipal governments.

Procedures are the methods, they are action oriented. There should always be many more procedures than policies.

#### **Policies should reflect core-beliefs**

Some policies are woven through all policies as they reflect the core beliefs behind all aspects of the work. For instance, anti-oppression policies should not be treated as a separate document or “issue” but instead should be seen as the driving force behind all policy development.

### Types of Policy

What policies are necessary in an organization largely depend on the type, the structure and the culture of the organization. For example: service oriented or resource based, collective or hierarchy, consensus based or directive. Styles, formats and the categorization of policies will also vary.

Some of examples of types of policies include:

- Board governance policies
- Financial policies
- Personnel policies
- Health and safety policies

- Program policies
- Communication policies

Policies should include the following information:

- Name of policy and identifier (the identifier would go on procedures that are governed by this policy)
- Preamble: an introduction (optional)
- Policy statement/ explanation of the policy
- Rationale: the aims (or objectives) of the policy – this should reflect mission statement, beliefs and aims, relevant documents and legislation, etc.
- In effect date/date of revision
- Scope - who is affected by it – paid staff, collective, volunteers, clients, Board personnel
- Who is responsible for overseeing the policy – for example: finance person, executive director, volunteer coordinator
- Relevant collective agreement section – (if applicable)
- Procedures that are governed by the policy (optional)
- References and definitions (optional attachment)

## Issues to Consider

### **Policy work and anti-oppression framework**

The recognition that power and privilege exist in all of our interactions with all individuals and institutions means safeguards and structures need to be put in place in order to minimize the perpetuation of the very systems feminist anti-violence work aim to dismantle. In other words, dominant systems in which we are situated (such as patriarchy, racism, the perpetuation of class, white-supremacy, etc.) contribute to the systemic oppression of women and we don't want to replicate that oppression in our policies.

Therefore organizations who resist and challenge these systems can engage in consistent collaborative re-evaluation of policies to ensure they align with core beliefs/missions behind the work. With the aim of dismantling oppressive systems and creating new systems that do not support violence against women, which includes the women who access our services.

Consider practical ways constant input from women from across the organization; from women accessing services to Board members, can contribute to policy

development. Community coalitions, committees and grass-roots initiatives often are the first to generate statements, directives and demands concerning issues that remain in the margins of legislative development and reform. In these cases, contacting existing groups for statements you may wish to include in your policies and procedures may consist of some outreach on the part of individuals involved with an agency, including staff, board members, volunteers and women who have used services.

For example, the Don't Ask Don't Tell campaign's aim to develop standards among government agencies concerning the information gathering and sharing of an individual's immigration status and offers suggestions to community based organizations in regards to policy and procedures.

### **Language accessibility**

It is important that policy and procedural documents reflect both the terminology of feminist anti-oppression as well as clear and direct language accessible to a variety of audiences. One way of addressing this in organizational documents is to include a number of sentence types.

Such as, broader theoretical terms followed by practical terms, for example:

XYZ agency is dedicated to working within an anti-oppression framework that recognises the intersectionality of power/privilege and oppression faced by all women.

**And**

XYZ agency understands that even within our organization there are different levels of power and privilege between us that will influence the ways we work with each other and with women who use our services. XYZ agency will continue to educate ourselves and our community on issues of oppression and power and push ourselves to find ways to work together that recognize and challenge social inequality.

Another way to address language issues is to add an attachment to the policy that defines key terms.

### **Government legislation and regulation**

All policies need to meet the standards of government legislation relevant to the work, such as human rights, labour and privacy laws. For a list of current information regarding government legislation that should influence policies see appendix A.

The government legislation is the minimum standards under the law, they are too broad to detail the specific needs of each sector, agency and community and it is important that we try to exceed these expectations where service provision, housing and staffing are concerned.



## Other Documents of Influence

### Vision statement

An organization's vision statement refers to the change the organization works to see happen in the world (e.g. to end violence against women). The vision is a larger call to action addressed to all.

### Mission/mandate statement

A mission or mandate statement outlines the specific role of the organization in achieving that larger vision, it answers the questions; **how will we do this work?** And, **what populations will benefit from this work?** Organizations may serve specific groups or take on specific work that they see relating to the larger vision, some may do direct service work while others advocate for legislative reform, others may work providing service(s) and towards systemic reform with one specific group in mind (e.g. children, adults, sex trade workers, Indigenous women, etc.).

An organization's mission/mandate also answers the question; **Who are we and how do we see/identify ourselves?** (e.g. diverse women and trans folk, survivors of violence, a collective of legal advocates, etc.).

A mission statement may also name funding sources, community partners and speak to how their work intersects and overlaps in relation to the populations they serve or the vision they share.

### Statement of principles or statement of aims and beliefs

A statement of principles, aims or beliefs further clarifies the "how" outlined in the mission by making direct statements from the perspective of the organization. This can be an effective way of offering practical declarations of what the work looks like through the lens of the mission and vision statement.

### By-law

A bylaw is a legally binding regulation or rule of a local government (such as that of a town or city) as well as a governance rule adopted by an agency/organization.

The function of a by-law is to prescribe the rights and duties of the members with reference to the internal government of the agency, the management of its affairs, and the rights and duties existing between the members. For example, by-laws often identify the duties of officers, the fiscal year end of the organization, and when meetings must be held.

### Collective agreements

Trade unions bargain with employers on behalf of employees to create **collective agreements** that regulate working conditions and standards such as wages, work rules, complaint procedures, rules governing hiring, firing and promotion of workers, benefits, workplace safety and policies. The union may negotiate with a single employer or may negotiate with a grouping of agencies as well as lobby

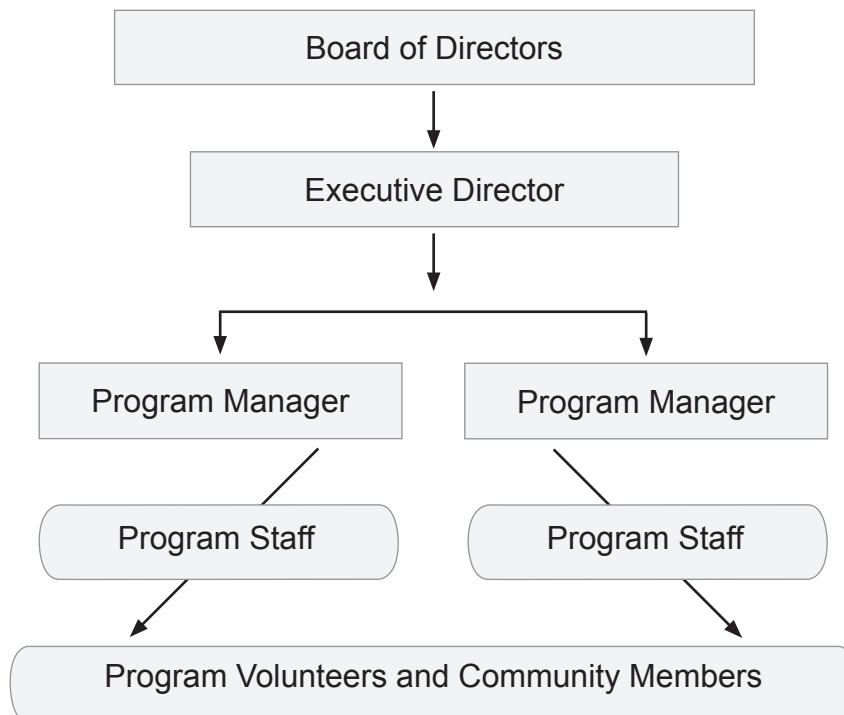
government, to reach an industry wide agreement.

An organization can be non-unionized and employ union and non-union staff members, but all union members will have union representatives to negotiate working conditions with their employer. A workplace can become **unionized** when a majority of staff sign union authorization cards. Union members pay annual fees towards the union operation costs, called union dues.

## Organizational Structures

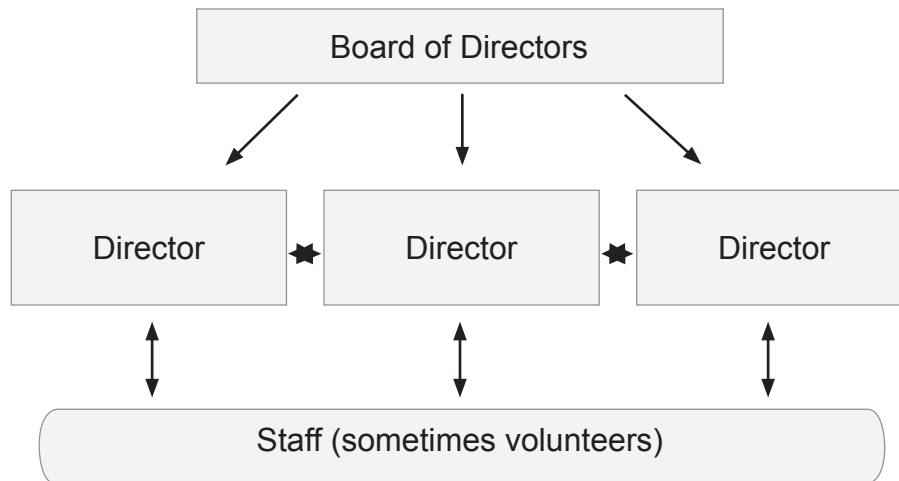
### A hierarchy

A hierarchy is a structure in which power is stratified/organized by a chain of command that stretches from the position with the most authority to the one(s) with the least. A hierarchy may have different departments that replicate that chain of command with all departments being overseen by the position of most authority (such a position is often titled Executive Director or Director). In a hierarchy, the ultimate decision making power and accountability lies on those with higher/est authority within that department.



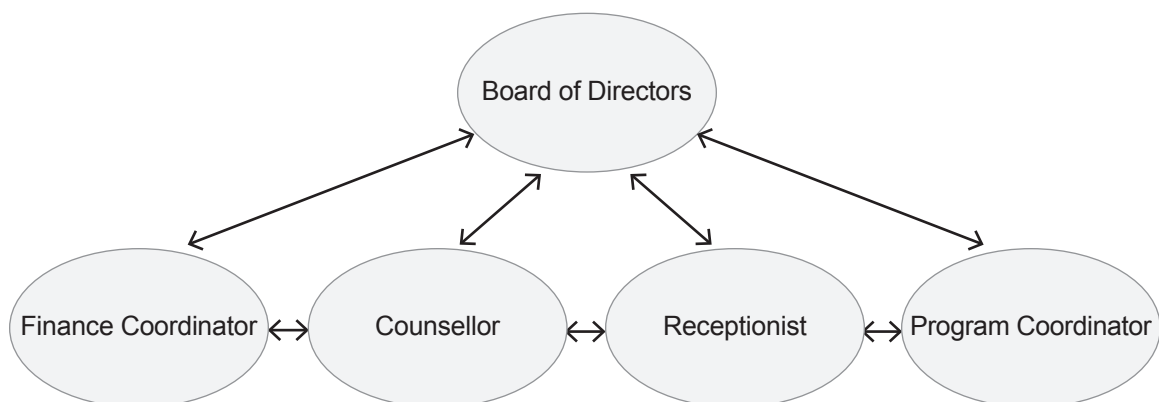
### Modified hierarchy

There are different types of modified hierarchies. What they have in common is a flattened structure with fewer levels of authority in the chain of command. They may have multiple executive directors who are ultimately accountable to the board of directors. They may also departmentalize certain work or program responsibilities and decision making.



### A collective

A collective is an organization that structures itself as a group who (may) serve different roles but share equal decision making power and sometimes or, ultimately, pay (based on a pay scale determined by number of years with the organization). Final decisions are made using consensus building mechanisms/ models and/or with majority rule. A collective does not departmentalize staff communications or make decisions that affect the organization without all staff members having the choice to contribute.



## Policy Template

**Name of the policy or set of policies**

**Policy Identifier**

### **Preamble**

A policy preamble is an introduction that speaks to the objectives of the policy and reflects the mission, beliefs and aims of the agency.

### **Policy statement**

The policy statement describes the rules, guidelines, boundaries of a specific issue. This statement should demonstrate the organization's position or decision about how the organization will carry out its activities.

### **Rationale**

The rationale represents a statement of reasons/aims/objectives that detail why the policy has been developed and are important to the service. The rationale gives context (political or organizational) to the policy development.

### **Relevant documents**

Here you may want to include specific references to other policies, contractual obligations, statements/positions and collective agreements that influence this policy(s).

### **Relevant legislation**

In this area list the relevant legislation by document and section. You may want to attach an appendix that shows the section in full for reference.

### **Scope**

The scope lists all those who are affected by the policy

### **Relevant procedures:**

You may want to list the procedures that are generated from the policy depending on how many you have. Or you may instead want to write the policy identifier on the procedure. Either way it is important to demonstrate the link between the procedure(s) and the policy that governs them.

**Policy created date** <date>

**Policy review date** <date>

**Policy designate / overseen by:** <name>

**References and definitions:** define some of the jargon or terms and add a list of references to further understanding of the rationale

## Sample Policies

### Sample: Organization Operation Policy

#### Service Eligibility Policy

Identifier: PO123A

##### Preamble

We/Agency XYZ believe all women who flee or experience violence and who access shelters and other social and community services have a right to protection from further violence and full access to confidential support services. Further we believe that all women accessing our services deserve to be treated with dignity and respect. It is our mission to create safe spaces for all women escaping violence and our intention to remove barriers to women accessing our residences and programs.

##### Policy statement

Services of Agency XYZ are reserved for individuals who identify as women over the age of 18 and their children who identify as being currently in danger of continued or continuing abuse from an intimate partner(s), family member(s), caregiver(s) or member(s) of the community. Individuals who identify as male or who are children under the age of 18 without an accompanying a woman eligible for service are not eligible for services.

Women will not be denied service on the basis of: color, religion, creed, ability, marital status, national origin, race, pre or post operative sex-reassignment surgery status, health status, sexual orientation, income level, immigration status or lack thereof, mental health status, substance use status, criminal record or type of employment.

##### Rationale

Agency XYZ understands and recognizes that violence is rooted in, and enabled by, systemic and social oppression and that all people who identify as female are at risk of violence. In addition we recognize that women face increased levels of vulnerability to violence when they live outside socially established norms. In our attempts to work using a feminist anti-oppression framework we wish to ensure that our services seek out and engage with all women who are in need of safety and support. The aim of this policy is to ensure we will consistently review our programs and procedures to ensure they are inclusive of the needs of all women specifically women who are most vulnerable to violence.

##### Relevant documents

Ministry of Community and Social Services Transfer Payment Service Contract  
Agency XYZ Statement of Beliefs and Aims

OAITH Statement of Principles

Opening the Door to the Inclusion of Transgender People

Access Without Fear: Don't Ask Don't Tell (DADT) policy recommendation

DAWN: Full Access Checklist

Needs Assessment for at Risk Populations

### **Relevant legislation**

Ontario Human Rights Code

Canadian Human Rights Act

Accessibility for Ontarians with Disabilities Act

### **Scope**

All program areas and program personnel

### **Relevant procedures:**

This policy influences all agency program development and procedures in the organization; which are too numerous to list here. This policy identifier will be listed on procedures and program outlines where appropriate.

**Policy created date:** January, 2011

**Policy review date:** January, 2014

**Policy designate / overseen by:** Board of Directors and their designate the Executive Director

### **References and definitions**

The *Canadian Human Rights Act*, R.S.C. 1985, c. H-6, prohibits discrimination based on the following grounds: "race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, and conviction for which a pardon has been granted." Section 14(1) of the Act prohibits harassment on the basis of a prohibited ground in the "provision of goods, services, facilities, or accommodation customarily available to the general public; in the provision of commercial premises or residential accommodation; or in matters related to employment."

The *Ontario Human Rights Code*, R.S.O. 1990, CHAPTER H.19, ensures that every person has a right to equal treatment under the law without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability. This protection applies to services, goods and facilities; contracts, accommodation, employment, and vocational associations. The *Code* also provides that "every person who occupies accommodation has a right to freedom from harassment because of sex" as well as "every person who is an employee has a right to freedom from harassment in the workplace because of sex by his or her employer or agent of the employer or by another employee."

The *Accessibility Standards for Customer Service, Ontario Regulation 429/07* (also referred to as the accessible customer service regulation or the "customer

service standard”), came into force on January 1, 2008. It is the first accessibility standard created under the authority of the AODA and is a significant step toward the overarching goal of a barrier-free Ontario. The Government of Ontario is required to be compliant with the regulation by January 1, 2010.

Ontario Human Rights Commission: Policy on discrimination and harassment because of gender identity

<http://www.ohrc.on.ca/en/resources/Policies/PolicyGenderIdent/pdf>

Culturally Competent Approaches to Serving Transgender Populations

<http://www.lgbt-tristar.com/pdfs/09%20report%20trans.pdf>

Opening the Door to the Inclusion of Transgender People

[http://transequality.org/Resources/opening\\_the\\_door.pdf](http://transequality.org/Resources/opening_the_door.pdf)

OAITH Statement of Principles

<http://www.oaith.ca/about-us/principles.html>

Shelter Sanctuary Status

<http://toronto.nooneisillegal.org/ssss>

DAWN: Full Access Checklist

[http://dawn.thot.net/access\\_checklist\\_full.html](http://dawn.thot.net/access_checklist_full.html)

Needs Assessment for At Risk Populations

<http://www.bayswan.org/hlthstudiessw.html>



## Sample: Program Policy

### Substance Use Policy

Identifier: PP123

#### Preamble

We, Agency XYZ are committed to working with women who experience violence. We recognize the complex ways in which substance-use can be a barrier to women seeking support for the violence they experience in their lives. Agency XYZ believes that substance use is a complex social issue which should be approached from a supportive non-punitive position that recognizes women's skill and agency in their own survival of violence and oppression.

#### Policy statement

Agency XYZ is committed to working from an adapted harm reduction model of service delivery. Our adapted model will accept the woman's decision to use substances as her choice without moralistic judgment that condemns or supports the use of substances, regardless of level of use or mode of intake. The dignity and rights of the person who uses substances will be respected.

Women who require services will not be required to abstain from using substance while accessing any program including residential programs. Agency staff will work with each individual on a case by case basis to find ways to support women in the ways that they require, which may include assisting them to find safe ways to use.

#### Rationale

Harm reduction is based on a philosophical foundation that is non-judgmental and that takes into account individual needs and the diversity of approaches when dealing with substance use issues. This philosophy closely resonates with a feminist anti-oppression framework which recognizes substance use as among other things, a viable coping mechanism for women who have experienced violence. The aim of this policy is to ensure our services work with women in the ways that they require as led and directed by them as the experts of their own experience. In keeping with our aims and beliefs we work to maintain a non-judgemental safe space for women to address their survival needs. As advocates for social justice we also have a responsibility to challenge oppressive belief systems, including our own, by expanding our understanding of how institutional violence occurs and reviewing our own practices to ensure we are not recreating oppressive institutional policy and practice.

#### Relevant documents

Agency XYZ Beliefs and Aims

National Framework for Action to Reduce the Harms Associated with Alcohol and Other Drugs and Substances in Canada, First Edition, Fall 2005

Ontario Human Rights Commission: Human Rights Mental Health Strategy, 2009



**Relevant legislation**

Ontario Human Rights Code

**Scope**

All women accessing services.

**Relevant procedures:**

Storage of drugs and alcohol

Needle exchange

Medical marijuana use

Smoking areas

Emergency procedures

**Policy created date:** January, 2011

**Policy review date:** January, 2014

**Policy designate / overseen by:** Executive Director and middle management positions

**References and definitions**

**Harm Reduction:** A model of service directed toward decreasing the adverse health, social and economic consequences of substance use without requiring abstinence from substance use.

**Substance:** alcohol or drugs including prescribed or un-prescribed drugs

**Substance Use:** the use or ingestion of alcohol or drugs including prescribed or un-prescribed drugs (There is no universally accepted definition for the phrase “substance use” so this definition will be used for our context)

National Framework for Action to Reduce the Harms Associated with Alcohol and Other Drugs and Substances in Canada, First Edition, Fall 2005

[http://canadianharmreduction.com/readmore/Nat\\_FRA\\_1st\\_edition\\_EN.pdf](http://canadianharmreduction.com/readmore/Nat_FRA_1st_edition_EN.pdf)

Superior Points Harm Reduction Program

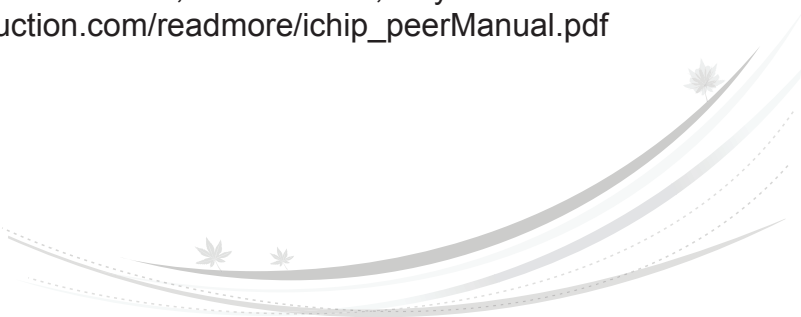
<http://canadianharmreduction.com/readmore/SPHRP+Training+Manual+-+Master+Copy+zip.pdf>

Ontario Human Rights Commission: Human Rights Mental Health Strategy, 2009

[http://www.ohrc.on.ca/en/resources/discussion\\_consultation/mentalhealth/pdf](http://www.ohrc.on.ca/en/resources/discussion_consultation/mentalhealth/pdf)

Toronto Harm Reduction Task Force; Peer Manual; July 2003

[http://canadianharmreduction.com/readmore/ichip\\_peerManual.pdf](http://canadianharmreduction.com/readmore/ichip_peerManual.pdf)



## Sample: Financial Policy

### Expense Reimbursement Policy

Identifier: PF123

#### Preamble

Agency XYZ encourages all staff and volunteers to use agency funds to pay for agency related expenses whenever possible; however the agency acknowledges that from time to time agency staff and volunteers will find it expedient and practical to pay upfront with personal financial resources for goods and services and then be reimbursed.

#### Policy statement

Agency XYZ will reimburse staff and volunteers when they use their personal financial resources for the purchase of work related goods and services. All requests for reimbursement must be accompanied by an original receipt except in the case of mileage, parking meters and gratuities paid in cash. Reimbursement requests without a receipt will **not** be reimbursed. Staff and volunteers must make every effort to make the most economical use of all agency resources when travelling by considering cost, time spent traveling, and convenience.

Travel Advances may be obtained for third party payments, out-of-pocket expenses that are required to be paid in advance of the trip, and for expenses incurred during the trip. No additional advances or reimbursements of any kind will be made if the settlement of a prior advance is overdue. In addition, an amount outstanding after three months will require a meeting with the Executive Director to discuss payment options up to and including pay cheque deductions.

Legitimate expenses include:

**When travelling on agency business:** accommodation, transportation, meals, telephone calls (including one call home per day), car rental, toll fees, HST and relevant taxes, tips and gratuities at the rate of 15%-20% of fee, mileage at the ministry standard and parking

**Professional development and training:** books, journals, conference and training registration fees, tuition (all require pre-approval)

**Accessibility:** translation and interpretation services, transportation, equipment (all require pre-approval unless special circumstances arise)

**Program costs:** pre-approved program expenses such as food for workshops, child care for participants, etc.

No policy can anticipate every situation that might give rise to legitimate business expenses. Reasonable and necessary expenses, which are not listed in the section above, may be incurred. Each volunteer, employee and supervisor must use her best professional judgment in determining if an unlisted expense is

reimbursable under this policy.

### **Rationale**

Agency XYZ as a registered charity is accountable to community stakeholders and government funders and as such will demonstrate care and integrity in the use of its resources for charitable purposes. The aim of this policy is to ensure: all staff and volunteers have a clear and consistent understanding of what constitutes legitimate expenses, that all staff and volunteers are reimbursed appropriately and to ensure the organization has the appropriate level of accounting and business control over its resources.

### **Relevant documents**

Primer for Directors of Not for Profit Corporations, 2002

Canada Revenue Agency: Policies and Guidance about Operating a Registered Charity

### **Relevant legislation**

Canadian Charities Act

Charities Accounting Act

Employment Standards Act

### **Scope**

All agency staff and volunteers

### **Relevant procedures:**

**Policy created date:** January, 2011

**Policy review date:** January, 2014

**Policy designate / overseen by:** The Board of Directors and their delegate the Executive Director

### **References and definitions**

Primer for Directors of Not for Profit Corporations, 2002

[http://www.ic.gc.ca/eic/site/cilp-pdci.nsf/vwapj/Primer\\_en.pdf/\\$FILE/Primer\\_en.pdf](http://www.ic.gc.ca/eic/site/cilp-pdci.nsf/vwapj/Primer_en.pdf/$FILE/Primer_en.pdf)

Canada Revenue Agency: Policies and Guidance about Operating a Registered Charity

<http://www.cra-arc.gc.ca/chrts-gvng/chrts/plcy/prtng-eng.html>

Government of Ontario: Not for Profit Incorporator's Handbook

[http://www.attorneygeneral.jus.gov.on.ca/english/family/pgt/nfpinc/Not\\_for\\_Profit\\_Incorporators\\_Handbook\\_EN.pdf](http://www.attorneygeneral.jus.gov.on.ca/english/family/pgt/nfpinc/Not_for_Profit_Incorporators_Handbook_EN.pdf)

Canadian Charities Act

<http://www.gov.pe.ca/law/statutes/pdf/c-04.pdf>

Charities Accounting Act R.S.O. 1990, CHAPTER C.10

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90c10\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90c10_e.htm)

## Sample: Program Policy

### Service User Confidentiality Policy

Identifier: PP124

#### Preamble

Agency XYZ in keeping with a feminist anti-oppression framework believes the right to privacy asserts that individuals have a legitimate interest in controlling what information about themselves they will reveal to others and what uses may be made of this information. For its part Agency XYZ has a legitimate interest in obtaining information necessary to carry out its functions and to fulfil its obligations to its service users and to the funders which have direct authority over the organization.

#### Policy statement

It is the responsibility of Agency XYZ to use all reasonable means at its disposal to keep all records pertaining to service users confidential. All employees and volunteers of the organization must respect the confidentiality of information about service users which they acquire in the course of their work. Staff and volunteers who have access to confidential student information will exercise their access and use the information only to the extent necessary to carry out their responsibilities.

Service users will be fully informed on their rights to confidentiality, the limits of confidentiality in relation to service use, the purpose for which their information is collected and the organization's information retention and security measures.

#### Information Collection, Maintenance and Retention

Information which the agency may wish to collect from a service user prior to intake, at the time of intake, or at any other time, is classified in one of two categories: either mandatory information or voluntary information. Mandatory information is that information which the agency believes to be essential to determining eligibility for service and to carry out work obligations and responsibilities; voluntary information is that information considered desirable but not essential to determine eligibility for service.

The agency has determined mandatory information as: name, age, nature of abuse experience that led to intake, name and ages of children that will access service and language of service required. This information will be recorded in an electronic file and kept in a secure location as a permanent record. In addition mandatory records include documentation of the staff or volunteer's work with a service user. This will include such things as: safety plans and advocacy plan notes. These documents will be retained in a secure location for a period of three years after the service user has left the program.

Voluntary information may include notes on verbal disclosures of personal

information, legal or financial documents, and other documentation such as personal letters. This information will be considered to belong to the service user, not part of agency information collection and therefore will not be held in the service user file.

#### Disclosure of Information

Agency XYZ provides team support to women and children accessing services and as such disclosure of service user information will occur within the staff team which includes program supervisors. All other disclosure with the exception of legislated breach of confidentiality (mandatory reporting) will only occur at the direction of the service user and with a signed consent to release information document including information collected for the purposes of fulfilling funder contract agreements. Information collected for funder contract agreements shall be for the purpose of statistical data and will not contain personal identifiable information that connects statistical data to individual service users.

#### Legislated Disclosure of Information

Staff and volunteers are legally obligated to disclose service users' information in these circumstances only:

- Court order;
- once a worker or volunteer comes to believe within the capacity of her workplace understanding and judgement that a child is at risk of harm;
- once a worker or volunteer comes to believe within the capacity of her workplace understanding and judgement that the service user is going to commit the crime of assault or murder on another person;
- once a worker or volunteer comes to believe within the capacity of her workplace understanding and judgement that the service user will kill herself

#### **Rationale**

Agency XYZ works with women who have experienced violence both in interpersonal relationships and systemically, therefore it is of paramount importance that agency staff build a trust relationship built on transparency and honesty. Our goal with this policy is to set out clear guidelines about confidentiality that will allow women who access service the ability to feel fully informed and in control of the ways their personal information will be used.

A feminist anti-oppression analysis of violence against women and intersectional oppression requires an understanding of how women's information can often be used as a source of social control and abuse, both systemically and in interpersonal abusive relationships. Another aim of this policy is to ensure that this organization is not reaffirming or recreating oppressive institutional control over women thereby diminishing their autonomy and right to privacy and security.

#### **Relevant documents**

Access Without Fear: Don't Ask Don't Tell (DADT) policy recommendation  
CAS/VAW Protocol

Canadian Civil Liberties Association: Know Your Rights Booklet

**Relevant legislation**

Freedom of Information and Protection of Privacy Act R.S.O. 1990, Chapter F.31

Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990, Chapter M.56

Personal Health Information Protection Act S.O 2004, Chapter 3 Schedule A

Canadian Charter of Rights and Freedoms PART I OF THE CONSTITUTION ACT, 1982

**Scope**

All women accessing service.

**Relevant procedures:**

Intake

Client File Documentation

Maintenance and Storage of Client Files

Performance Appraisals

Protocols for Dealing with Police or Border Patrol Presence

Steps for Responding to Court Orders

Reporting a Child Protection Issue

Informed Consent

**Policy created date:** January, 2011

**Policy review date:** January, 2014

**Policy designate / overseen by:** The Board of Directors and their delegate the Executive Director

**References and definitions**

Freedom of Information and Protection of Privacy Act R.S.O. 1990, Chapter F.31

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90f31\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90f31_e.htm)

Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990,

Chapter M.56

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90m56\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90m56_e.htm)

Personal Health Information Protection Act S.O 2004, Chapter 3 Schedule A

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_04p03\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_04p03_e.htm)

Canadian Charter of Rights and Freedoms PART I OF THE CONSTITUTION ACT, 1982

<http://laws.justice.gc.ca/en/charter/>

DAWN: Disclosure of Records for Women with DisAbilities and Deaf Women

<http://dawn.thot.net/workshops/disclosure.html>

Canadian Civil Liberties Association: Know Your Rights Booklet

<http://ccla.org/wordpress/wp-content/uploads/2010/04/Know-Your-Rights-Booklet1.pdf>

## Resources

### « Legislation »

**The Accessibility Standards for Customer Service/Ontario Regulation**

**429/07.** <[http://www.e-laws.gov.on.ca/html/source/regs/english/2007/elaws\\_src\\_regs\\_r07429\\_e.htm](http://www.e-laws.gov.on.ca/html/source/regs/english/2007/elaws_src_regs_r07429_e.htm)>

*This Regulation establishes accessibility standards for customer service, applicable to every public sector organization and organizations providing goods or services to the public.*

**The Canadian Charities Act.** <<http://www.gov.pe.ca/law/statutes/pdf/c-04.pdf>>

*This Act outlines the regulations that must be followed by charitable organizations, such as registration, duties and, termination.*

**The Canadian Charter of Rights and Freedoms.**

<<http://laws.justice.gc.ca/en/charter/>>

*The Charter guarantees the rights and freedoms that can be demonstrably justified in a free and democratic society, such as the right to vote and freedom of association.*

**The Canadian Human Rights Act.** <<http://www.laws.justice.gc.ca/en/H-6/>>

*This purpose of this Act is to ensure equality of opportunity and freedom from discrimination on prohibited grounds such as sex, race, age, in areas under federal jurisdiction.*

**The Charities Accounting Act.** <[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90c10\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90c10_e.htm)>

*This Act outlines the accounting rules and regulations that must be followed by charitable organizations.*

**The Freedom of Information and Protection of Privacy Act.** <[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90f31\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90f31_e.htm)>

*This Act provides a right of access to information under the control of government institutions, protects the privacy of personal information and gives the right to access individual personal information.*

**The Municipal Freedom of Information and Protection of Privacy Act.**

<<http://www.ipc.on.ca/english/decisions-and-resolutions/the-acts/default.aspx>>

*This Act provides a right of access to information under the control of government institutions, protects the privacy of personal information and gives the right to access individual personal information.*

**The Ontario Employment Standards Act.** <[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_00e41\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_00e41_e.htm)>

*This Act sets out the minimum standards that employers and employees must*



*follow, such as compensation, hours of work, termination.*

**The Ontario Human Rights Code.** <[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90h19\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90h19_e.htm)>

*The Ontario Human Rights Code gives Ontarians equal rights and opportunities without discrimination in areas such as employment, housing and services.*

**The Personal Health Information Protection Act.** <[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_04p03\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_04p03_e.htm)>

*This Act protects the confidentiality of personal health information, gives the right to access individual personal information and the right to seek correction of such information.*

## ◀ Other Resources ▶

**Alexander, M. (2008). 'An Integrated Anti-Oppression Framework for Reviewing and Developing Policy: A Toolkit for Community Service Organizations.'** Springtide Resources, Toronto: ON.

<<http://www.springtideresources.org/resources/show.cfm?id=241>>

*This is a toolkit intended to help organizations review and consider policies to ensure they are equitable to all employees and members, and their community.*

**Amundson, W, Burke-Robertson, J, Carter, T, Connor, J, Martel, P & Stevens, D. (2002). 'Primer for Directors of Not for Profit Corporations.'** Industry Canada, Ottawa: ON. <[http://www.ic.gc.ca/eic/site/cilppdci.nsf/vwapj/Primer\\_en.pdf/\\$FILE/Primer\\_en.pdf](http://www.ic.gc.ca/eic/site/cilppdci.nsf/vwapj/Primer_en.pdf/$FILE/Primer_en.pdf)>

*This document alerts directors of non-profits to their rights, obligations, responsibilities and the roles of the various members of the corporation.*

**Bonisteel, M & Green, L. (2005) 'Implications of the Shrinking Space for Feminist Anti Violence Advocacy.'** Presented at the 2005 Canadian Social Welfare Policy Conference, Forging Social Futures, Fredericton, New Brunswick, Canada. <[http://www.crvawc.ca/documents/ShrinkingFeministSpace\\_AntiViolenceAdvocacy\\_OCT2005.pdf](http://www.crvawc.ca/documents/ShrinkingFeministSpace_AntiViolenceAdvocacy_OCT2005.pdf)>

*This paper discusses the implications of attempts to regulate and undermine feminist anti-oppressive activism in Canada and Ontario, through such things as cuts to programs, changes in funding and social perceptions and restrictive definitions.*

**Bay Area Sex Workers Advocacy Network. 'Needs Assessment for At Risk Populations'.** <<http://www.bayswan.org/hlthstudiessw.html>>

*This page summarizes a report on the demographic characteristics and service modalities for street-based female populations.*

**Canada Revenue Agency. 'Policies and Guidance about Operating a Registered Charity.'**



<<http://www.cra-arc.gc.ca/chrts-gvng/chrts/plcy/prtng-eng.html>>

*This page outline policies applicable to the operation of a registered charity, including the purpose of the various policies and related commentary.*

**Canadian Civil Liberties Association. 'Know Your Rights: A Citizen's Guide to Rights When Dealing with Police.'** Canadian Civil Liberties Association, Toronto: ON. <<http://ccla.org/wordpress/wpcontent/uploads/2010/04/Know-Your-RightsBooklet1.pdf>>

*This document provides information on what to do and what you do not have to do in situations involving the police.*

**Cross, Pam. 'Disclosure of Records Workshop for Women with DisAbilities and Deaf Women'. Ontario Women's Justice Network.**

<<http://dawn.thot.net/workshops/disclosure.html>>

*This workshop assists disabled and deaf women make informed decision regarding their medical, therapeutic and personal records as they relate to legal proceedings as a result of experienced violence.*

**DisAbled Women's Network Ontario. 'Full Access Checklist.'**

<[http://dawn.thot.net/access\\_checklist\\_full.html](http://dawn.thot.net/access_checklist_full.html)>

*This page provides instructions on how women's groups can make their events accessible to disabled women.*

**Health Canada and Canadian Centre on Substance Abuse. (2005).**

**'National Framework for Action to Reduce the Harms Associated with Alcohol and Other Drugs and Substances in Canada, First Edition.'**

<[http://canadianharmreduction.com/readmore/Nat\\_FRA\\_1st\\_edition\\_EN.pdf](http://canadianharmreduction.com/readmore/Nat_FRA_1st_edition_EN.pdf)>

*This document outlines a coordinated framework to meet the challenges associated with substance abuse and its associated harmful effects.*

**Hodgins, H.H. (2005). 'Superior Points Harm Reduction Program: Harm Reduction Training Protocol for Staff, Volunteers and Community Agencies.'** Superior Points Harm Reduction Program, Thunder Bay: ON.

<<http://canadianharmreduction.com/readmore/SPHRP+Training+Manual+Master+Copy+zip.pdf>>

*This document outlines the protocol that should be followed by staff and volunteers of needle exchange and other harm reduction services.*

**Mottet, L & Tanis, J. (2008). 'Opening the Door to the Inclusion of Transgender People.'** National Gay and Lesbian Task Force Policy Institute, New York: NY. <[http://www.transequality.org/Resources/opening\\_the\\_door.pdf](http://www.transequality.org/Resources/opening_the_door.pdf)>

*This guide gives practical steps LGBT organizations can take to provide a welcoming environment for transgender people, and the challenges and opportunities that are part of this process.*

**Ontario e-Laws.** <<http://www.e-laws.gov.on.ca>>

*This website provides access to official copies of Ontario's statutes and regulations.*

**Shelter Sanctuary Status.** <<http://toronto.nooneisillegal.org/sss>>

*This is the website for the Shelter Sanctuary Status campaign, which was organized to support abused women lacking full immigration status.*

**The Canada Gazette.** <<http://www.gazette.gc.ca>>

*The Gazette contains formal public notices, official appointments, proposed regulations, regulations and public Acts of Parliament from government departments and agencies. It also contains miscellaneous public notices from the private sector.*

**The Canadian Legal Information Institute.** <<http://www.canlii.org>>

*This website provides access to provincial, federal and international law through various links and searchable databases.*

**The Office of the Information and Privacy Commissioner of Ontario.**

<<http://www.ipc.on.ca>>

*This website provides resources intended to assist the public with protecting their privacy and access of information.*

**The Ontario Association of Interval and Transition Houses. ‘OAITH Statement of Principles.’** <<http://www.oaith.ca/about-us/principles.html>>

*This page provides an outline of OAITH’s principles, such as its perspective, purpose and role in combating violence against women and supporting survivors.*

**The Ontario Human Rights Commission.** <<http://www.ohrc.on.ca>>

*This website contains information and resources on the Ontario Human Rights Code and related issues.*

**The Ontario Human Rights Commission. ‘Policy on discrimination and harassment because of gender identity’.**

<<http://www.ohrc.on.ca/en/resources/Policies/PolicyGenderIdent/pdf>>

*This policy outlines how the Human Rights Code protects against discrimination and harassment due to gender identity and the related responsibilities of employers and service/accommodation providers.*

**The Ontario Human Rights Commission. (2008). ‘Guidelines on Developing Human Rights Policies and Procedures.’ The Queen’s Printer.**

<<http://www.ohrc.on.ca/en/resources/Policies/gdpp/pdf>>

*This publication provides practical guidance to organization in developing effective and fair ways to prevent human rights infringements and to respond to human rights issues.*

**The Ontario Human Rights Commission. (2009). ‘Human Rights Mental Health Strategy: Public Consultation Paper.’ The Queen’s Printer.**

<[http://www.ohrc.on.ca/en/resources/discussion\\_consultation/mentalhealth/pdf](http://www.ohrc.on.ca/en/resources/discussion_consultation/mentalhealth/pdf)>

*This document describes protections offered to people with mental health disabilities by the Human Rights Code, describes the Commission’s work in this area and issues that have and are being considered.*

**The Ontario Ministry of Government Services and The Ontario Ministry of the Attorney General. ‘Not for Profit Incorporator’s Handbook.’ The**

**Queen's Printer.** <[http://www.attorneygeneral.jus.gov.on.ca/english/family/pgt/nfpinc/Not\\_for\\_Profit\\_Incorpoators\\_Handbook\\_EN.pdf](http://www.attorneygeneral.jus.gov.on.ca/english/family/pgt/nfpinc/Not_for_Profit_Incorpoators_Handbook_EN.pdf)>

*This handbook provides general information on the nature of non-profits, guidelines on how to incorporate these corporations, and basic information on how to incorporate charitable corporations.*

**The Ontario Ministry of Labour.** <<http://www.labour.gov.on.ca/>>

*This website contains information about the Ministry and its key jurisdictional areas such as occupational health and safety, employment rights and labour relations.*

**The Ontario Ministry of Labour. (2000). 'Your Guide to the Employment Standards Act, 2000.' The Queen's Printer.**

<<http://www.labour.gov.on.ca/english/es/pubs/guide/>>

*This document provides information on the key areas of the Employment Standards Act.*

**Toronto Harm Reduction Task Force. (2003). Peer Manual: A Guide for Peer Workers and Agencies. Toronto Harm Reduction Task Force, Toronto: ON.** <[http://canadianharmreduction.com/readmore/ichip\\_peerManual.pdf](http://canadianharmreduction.com/readmore/ichip_peerManual.pdf)>

*This document is a guide for drug users, peer workers and agencies who serve/employ them on peer work for drug users.*

**Wilkinson, W. (2009). 'Best Practices Report: Culturally Competent Approaches to Serving Transgender Populations.' LGBT Tristar, San Francisco: CA.** <<http://www.lgbt-tristar.com/pdfs/09%20report%20trans.pdf>>

*The article addresses terms and identities within the transgendered population, health disparities and best practices for a nondiscriminatory environment for substance abuse service providers.*

