

Chapter:	Health, Safety & Security Management		
Title:	Commitment to Non-Violence		
Policy: <input checked="" type="checkbox"/>	Review Cycle: Triennially	Adopted Date: 08.2020	Related Policies: Client Rights and Responsibilities Mandatory Reporting: Abuse, Neglect and Exploitation of Children and Vulnerable Adults Prohibition of Sexual and Other Unlawful Harassment and Discrimination Relationship with Clients Response to Family Violence, Domestic/Dating Violence, Sexual Violence and Salking Weapons- Free Facilities
Procedure: <input type="checkbox"/>	Author: CEO/Designee	Review Date: 07.2024	

Purpose:

Hopeful Horizons (HH) is committed to preventing violence and maintaining a safe environment for employees, volunteers, clients, and visitors. This policy provides clarification on how HH demonstrates its commitment.

Scope:

This policy applies to

- All HH Staff
- Selected HH Staff, as specified:
- HH Board Members
- HH Volunteers
- Other: Clients of Service, Sub-contract Providers, Visitors, Student Interns

Policy:

HH endeavors to maintain a workplace and service/treatment environment free of violence. Threats, stalking, abusive behavior or acts of violence against employees, visitors, or clients by anyone on HHs' property, or in connection with HHs' employment or business will not be tolerated (even those made in jest). HHs' policy extends to abusive language including threats of violence, sexist statements, homophobic or racist language, ethnic slurs, or harassment. This includes but is not limited to raising one's voice at a client (adult or child), colleague, volunteer, or speaking in a threatening or intimidating manner.

- A. **Prohibited Conduct:** HHs' has zero tolerance for abuse, neglect or exploitation or any person and will not tolerate mistreatment or abuse of any client in its service/treatment programs. HHs' commitment to non-violence also applies to care-giver interactions with other clients, children and vulnerable adults. No child/vulnerable adult shall be physically punished or threatened with physical punishment or be spoken to in an abusive, threatening or intimidating manner. In keeping with the agency's commitment to non-violence, movies, television shows and toys that promote or glorify violence (including toy guns/weapons) are not allowed on HH premises.
- B. **Required Reporting:** Any observed or suspected abuse of clients including children and vulnerable adults shall be reported to the employee's supervisor in accordance with HHs' approved procedures, [Reporting Abuse, Neglect and Exploitation](#). Staff are also required to document their observations or the conduct/behavior that has led to suspicions in accordance

with HHS' [Unusual and Critical Incidents](#) policy and its related procedure, [Universal Incident Reporting](#).

- C. **Policy Violation:** Violations of this policy including any mistreatment or abuse of a client by an employee, volunteer or another client shall lead to corrective action, up to and including termination of employment, volunteer service or service/treatment. Further, the organization shall fully cooperate with enforcement agencies throughout any related investigation and resolution of mistreatment including compliance with [Mandatory Reporting: Abuse, Neglect and Exploitation](#) of a child or vulnerable adult as stipulated by South Carolina Law and HHS' policy and related procedure. HH shall adopt appropriate emergency incident procedures to prevent, mitigate and stabilize incidents involving violence. As appropriate, referral to appropriate law enforcement agencies shall occur.

Communication and Training:

This policy shall be reviewed at the time of initial employee orientation and during the periodic review process. Once the policy is approved/reaffirmed by the Board, employees will be notified of substantive changes. HH policies are available on the website and procedures are available on the employee portal. Clients shall receive notice of this policy when provided notice of their Rights and Responsibilities at the start of treatment.

Staff shall be advised of this policy and points for responding to “red flag behavior” for identifying suspected abuse (Attachment A) as part of new employee/volunteer orientation.

Definitions:

1. Abuse: Abuse is an action that intentionally causes harm or injures another person. This can refer to physical abuse, psychological abuse, mental abuse, sexual abuse and bullying.
2. Abuse or Neglect or Harm of a Child: SC Code § 63-7-20(6) states that "abuse or neglect or harm" of a child occurs when:
 - a) the parent, guardian, or other person responsible for the child's welfare:
 - i) inflicts or allows to be inflicted upon the child physical or mental injury [see definitions below] or engages in acts or omissions which present a substantial risk of physical or mental injury to the child, including injuries sustained because of excessive corporal punishment, but excluding corporal punishment and physical discipline which:
 - (A) is administered by a parent or person in loco parentis;
 - (B) is perpetrated for the sole purpose of restraining or correcting the child;
 - (C) is reasonable in manner and moderate in degree;
 - (D) has not brought about permanent or lasting damage to the child; and is not reckless or grossly negligent behavior by the parents.
 - ii) commits or allows to be committed against the child a sexual offense as defined by the laws of this State or engages in acts or omissions that present a substantial risk that a sexual offense as defined in the laws of this State would be committed against the child.
 - iii) fails to supply the child with adequate food, clothing, shelter, or education as required by state law, supervision appropriate to the child's age and development, or health care though financially able to do so or offered financial or other reasonable means to do so and the failure to do so has caused or presents a substantial risk of causing physical or

mental injury. However, a child's absence from school may not be considered abuse or neglect unless the school has made efforts to bring about the child's attendance, and those efforts were unsuccessful because of the parents' refusal to cooperate;

iv) abandons the child;

v) encourages, condones, or approves the commission of delinquent acts by the child, including but not limited to sexual trafficking or exploitation, and the commission of the acts are shown to be the result of the encouragement, condonation, or approval; or

vi) has committed abuse or neglect as described in subsections (a) through (e) such that a child who subsequently becomes a part of the person's household is at substantial risk of one of those forms of abuse or neglect; or

b) a child is a victim of trafficking in persons as defined in Section 16-3-2010, including sex trafficking, regardless of whether the perpetrator is a parent, guardian, or other person responsible for the child's welfare. Identifying a child as a victim of trafficking in persons does not create a presumption that the parent, guardian, or other individual responsible for the child's welfare abused, neglected, or harmed the child.

3. **Bullying:** Bullying is aggressive behavior that is intentional, is repeated over time, and involves an imbalance of power or strength. Bullying can take on various forms including physical bullying, verbal bullying, nonverbal or relational bullying, cyberbullying, sexualized bullying, and hazing.
4. **Child:** South Carolina law defines a child as a person under the age of eighteen. Note: (In *Whitner v. State*, 492 S.E.2d 777 (1997), the SC Supreme Court held that a viable fetus is included under this definition of a child.)
5. **Client:** Is any person, including any adult, youth, child, or family who contacts HH or receives any services from HH, whether those services are received by telephone, fax, electronically, or in person and whether those services are sought for themselves or for someone else.
6. **Exploitation of a Vulnerable Adult:** " means:
 - a. Causing or requiring a vulnerable adult to engage in activity or labor which is improper, unlawful, or against the reasonable and rational wishes of the vulnerable adult.
Exploitation does not include requiring a vulnerable adult to participate in an activity or labor which is a part of a written plan of care, or which is prescribed or authorized by a licensed physician attending the patient;
 - b. An improper, unlawful, or unauthorized use of the funds, assets, property, power of attorney, guardianship, or conservatorship of a vulnerable adult by a person for the profit or advantage of that person or another person; or
 - c. Causing a vulnerable adult to purchase goods or services for the profit or advantage of the seller or another person through: (i) undue influence, (ii) harassment, (iii) duress, (iv) force, (v) coercion, or (vi) swindling by overreaching, cheating, or defrauding the vulnerable adult through cunning arts or devices that delude the vulnerable adult and cause them to lose money or other property.
7. **Mental Injury to a Child:** For purposes of determining child abuse, SC Code § 63-7-20(17) defines "mental injury" as "injury to the intellectual, emotional, or psychological capacity or functioning of a child as evidenced by a discernible and substantial impairment of the child's ability to function when the existence of that impairment is supported by the opinion of a

mental health professional or medical professional.

8. **Neglect of a Vulnerable Adult:** For purposes of determining neglect of a vulnerable adult, South Carolina Code § 43-35-10(6) defines “neglect” as “the failure or omission of a caregiver to provide the care, goods, or services necessary to maintain the health or safety of a vulnerable adult including, but not limited to, food, clothing, medicine, shelter, supervision, and medical services and the failure or omission has caused, or presents a substantial risk of causing, physical or mental injury to the vulnerable adult. Noncompliance with regulatory standards alone does not constitute neglect. Neglect includes the inability of a vulnerable adult, in the absence of a caretaker, to provide for his or her own health or safety which produces or could reasonably be expected to produce serious physical or psychological harm or substantial risk of death.”
9. **Physical Abuse of a Vulnerable Adult:** For purposes of determining physical abuse of a vulnerable adult, South Carolina Code § 43-35-10(8) defines “physical abuse” as “Intentionally inflicting or allowing to be inflicted physical injury on a vulnerable adult by an act or failure to act. Physical abuse includes, but is not limited to, slapping, hitting, kicking, biting, choking, pinching, burning, actual or attempted sexual battery as defined in Section 16-3-651, use of medication outside the standards of reasonable medical practice for the purpose of controlling behavior, and unreasonable confinement. Physical abuse also includes the use of a restrictive or physically intrusive procedure to control behavior for the purpose of punishment except that a therapeutic procedure prescribed by a licensed physician or other qualified professional or that is part of a written plan of care by a licensed physician or other qualified professional is not considered physical abuse. Physical abuse does not include altercations or acts of assault between vulnerable adults.”
10. **Physical Injury to a Child:** For the purposes of determining child abuse, SC Code § 63-7-20(21) defines “physical injury” as “Death or permanent or temporary disfigurement or impairment of any bodily organ or function.”
11. **Psychological Abuse of a Vulnerable Adult:** For purposes of determining abuse of a vulnerable adult, South Carolina Code § 43-35-10(10) defines “psychological abuse as “Deliberately subjecting a vulnerable adult to threats or harassment or other forms of intimidating behavior causing fear, humiliation, degradation, agitation, confusion, or other forms of serious emotional distress.”
12. **Vulnerable Adult:** As defined by SC Code § 43-35-10(11), a “vulnerable adult” is “A person eighteen years of age or older who has a physical or mental condition which substantially impairs the person from adequately providing his or her own care or protection. This includes a person who is impaired in the ability to adequately provide for the person's own care or protection because of the infirmities of aging including, but not limited to, organic brain damage, advanced age, and physical, mental, or emotional dysfunction. A resident of a facility is a vulnerable adult.

Other Related Materials:

Client Rights and Responsibilities Notice

References/Legal Authority:

Grant Award Condition, Office on Violence Against Women, June 2020.

Preventing Abuse Together, Model Policies for Selective Insureds, Praesidium, 2023

Victims of Crime Act/Violence Against Women’s Act Award Terms and Conditions, Department of Crime Victims Assistance Grants, 2024.

Change Log:

Date of Change	Description of Change	Responsible Party
4.2023	Updates the policy to the new template; Includes Communication & Training	N. Miller, Prog. Eval. Consultant
04.2024	Updated policy statement to clarify application to the workplace; adds requirement for emergency procedures; and adds policy reference for Response to Family Violence, Domestic/Dating Violence, Sexual Violence and Stalking.	N. Miller, Prog. Eval. Consultant
07.2024	Updates the policy to address an insurance audit and related compliance requirements including more specificity about abuse or mistreatment of clients. Added related definitions and policy references.	N. Miller, Prog. Eval. Consultant

Responding to Red Flag Behaviors and Incidents of Abuse

Creating a safe environment goes a long way toward preventing all types of abuse and responding to suspicious or inappropriate behaviors is HHs' first line of defense against abuse. Suspicious or inappropriate behaviors can include but are not limited to:

- Policy violations,
- Boundary violations, and
- Red flag behaviors that mimic the way an offender typically interacts with clients.

HHs' staff training shall include information on how to respond to suspicious or inappropriate behaviors within the organization, including:

How to recognize red flags and boundary violations;

High-risk circumstances for boundary violations;

Steps for how employees and volunteers should respond to boundary violations, suspicious or inappropriate interactions, or policy violations; and

How to prevent false allegations

Responding to allegations or incidents of abuse training shall include information on how to respond to allegations or incidents of abuse within HH, including:

- Why reporting suspected abuse or neglect is critical
- Who is a mandated reporter of suspected abuse and neglect
- What types of conduct must be reported
- The responsibilities of a mandated reporter
- How to respond if a consumer discloses abuse or neglect