

# Policy Guidelines for the Adult Protective Service Worker Program 2012

Ministry of Community and Social Services

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## About These Policy Guidelines

The purpose of these guidelines is to set out the policies for the mandate and role of the Adult Protective Service Worker (APSW). They also assist service providers that administer the APSW program to develop procedures that promote the program objectives, reflect the guiding principles, are consistent with the mandate and role of the APSW and meet administrative and legislated requirements.

The format for these Guidelines is designed to be easy to use and update. The Policy Guidelines are intended to be:

- Read in their entirety for a full understanding of the intent and context of the APSW program
- Referenced when looking for specific direction on a particular topic.

A term in UPPERCASE letters is defined in the Glossary.

# 1. Program History

## Overview

The Adult Protective Service Program was established in 1974 following a pilot program called the Hamilton Guardian Project. The Hamilton Guardian Project was initiated primarily to address concerns at that time for the well-being of adults who have a DEVELOPMENTAL DISABILITY who were capable of living independently in the community, but who lacked typical parental or other social support and guidance.

While Ontario's early history of developmental services focused exclusively on a medical model in which people with a developmental disability were cared for in large institutional settings, by the late 1960s, the concept of "normalizing" the lives of people who have a developmental disability, and the move to integration into the general community, were gaining worldwide favour.

The introduction of the APSW program followed soon after the enactment of the new *Developmental Services Act* in 1974 which transferred responsibility for services for people who have a developmental disability from the Ministry of Health to the Ministry of Community and Social Services.

The Minister of Community and Social Services at that time stated that the new legislation would be the first phase of implementing a policy which called for the integration of all programs for people who have a developmental disability and stated the Ministry's belief that many people who were living in provincially-operated institutions could benefit from living as an integral part of the community. The Ministry stated, "Community participation is the cornerstone on which the philosophy of community care for people [who have a developmental disability] has been established".

The focus of program development during this time was to enhance the extent of community living opportunities available for people with a developmental disability. Of particular importance during this period was the introduction of programs aimed at improving community supports available to people who have a developmental disability and at promoting as much individual independence as possible. The APSW program can trace its roots to these fundamental milestones in the evolution of developmental services in Ontario.

The Hamilton Guardian Project suggested that the support needs of people who have a developmental disability were largely social and that it was important to establish a service to provide people with social support, guidance and follow-up as an alternative to a more restrictive approach of legal guardianship.

The APSW program was designed to create this alternative by providing direct support to people who have a developmental disability, advocating on behalf of individuals in their efforts to access generic community services and actively promoting the development of expanded community supports.

As the developmental services system evolves, the APSW program and the role of the APSW will continue to evolve with it.

## **Legislation**

The APSW program is funded under the authority of the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008* (SIPDDA). The SIPDDA gives the Ministry of Community and Social Services the authority to fund specified services and supports or assistance for or on behalf of adults with a developmental disability. APSWs are identified as a Ministry-funded professional and specialized service.

The *Developmental Services Act* was repealed and its regulation revoked on July 1, 2011.

## **2. Program Objectives**

The fundamental objective of the APSW program is to support ADULTS with a developmental disability who are living ON THEIR OWN to live as independently, safely and securely as possible in the community.

APSWs interact directly with the adult who has a developmental disability to help them access and maintain services and supports including GENERIC SERVICES AND SUPPORTS available to any member of the community. The APSW helps by supporting the individual to learn ways of managing their life in the community.

The underlying intent of the program is for the APSW to work directly alongside individuals who have a developmental disability to develop a trusting, respectful working relationship with them in order to understand the person's strengths, areas for development and goals. This partnership should encourage active participation and self-determination on the part of the person who has a developmental disability in setting and working towards their goals.

### 3. Guiding Principles

The APSW program is based on the over-arching principle that adults who have a developmental disability are people first, and focuses on social inclusion, independence, dignity, and self-reliance for people with a developmental disability. The following guiding principles were created to help shape the TRANSFORMATION OF DEVELOPMENTAL SERVICES. The five underlying service principles also support the delivery of developmental services, including the work of the APSW program as follows:

- Citizenship
- Fairness and equity
- Accessibility
- Safety and security, and
- Accountability.

#### i) Citizenship

Services and supports for people who have a developmental disability should:

- Contribute to the development of thriving communities sustained by the economic and civic contributions of Ontarians who have a developmental disability
- Enhance the community perception of people who have a developmental disability and promote their participation and inclusion in the local community
- Wherever possible, integrate with generic, community-based supports and services generally available to members of the community
- Recognize that people who have a developmental disability have the same rights as other members of society for participation and inclusion in community life and to realize their individual capacity for physical, social, emotional, intellectual and spiritual development.

ii) Fairness and equity

Services and supports for people who have a developmental disability should:

- Focus on increased independence, employment, voluntary and recreational opportunities, and inclusion in the community
- Be tailored to meet their individual needs and goals
- Be appropriate to their age and disability.

iii) Accessibility

People who have a developmental disability should have:

- Supports that are flexible and tailored to individual needs
- Opportunities to participate in decision-making about the use of funding or supports they receive.

iv) Safety and security

Services and supports for people with a developmental disability should:

- promote safety
- have regard for the benefits of activities which prevent the occurrence or worsening of disabilities
- be designed and administered so as to respect the rights of people who have a developmental disability to privacy and confidentiality.

v) Accountability

Services and supports for people who have a developmental disability should:

- Be accountable to people who use the services and to the Ministry for providing information to assess the quality and outcomes of their services
- Be characterized by meaningful engagement with the public and those affected by any proposed changes to programs (e.g., changing the way a program is delivered or how and by whom the individual may receive supports or funding) and provide opportunities for people who use the services to participate in the planning and delivery of the services they receive.

## **4. The Client**

### **Eligibility for the APSW program**

Eligibility for adult developmental services and supports, including the APSW program, is the first determination to be made. Confirmation of eligibility is a legislated function of DEVELOPMENTAL SERVICES ONTARIO, called application entities in the legislation.

Under the authority of the SIPDDA, all individuals wishing to apply for services and supports for the first time must contact their local Developmental Services Ontario (DSO) organization to have their eligibility confirmed and to complete the Application Package for adult developmental services.

The DSO will refer eligible individuals to local APSW agencies, following the prioritization process and within available resources.

## **Applying for the APSW Program**

DSO is the single point of access for Ministry-funded adult developmental services and supports.

When people apply for Ministry-funded adult developmental services and supports for the first time, including APSW services and supports, they **must** contact their local DSO organization to have their eligibility confirmed and complete the Application Package.

Each local DSO organization will:

- confirm eligibility for those applying for Ministry-funded adult developmental services and supports for the first time;
- complete the Application Package to assess each individual's service and support needs; and
- link eligible and prioritized adults to available services and supports.

Policy Directives for DSOs (referred to as "Application Entities" in SIPDDA) are available on the Ministry's website. A link to the Policy Directives, which provide information on the role and functions of the DSO, is provided in these guidelines under the section entitled **Useful Web Links**.

## **Suitability for APSW Supports**

Eligible adults 18 years of age or older with a developmental disability are suitable for the APSW program if the involvement of the APSW would not duplicate or replace a similar program that is currently in place or available to support an individual's needs, and they:

- currently live on their own or plan to move to a more independent (non-Ministry-funded developmental services) community setting, and
- have limited or no significant social supports, and
- need, and request, the type of assistance that is within the mandate of the APSW program.

Note: there is no upper age limit for applying to receive APSW services and supports.

## **Exceptional Circumstances**

### **Living Situations**

The primary focus of the APSW program is supporting eligible adults who have a developmental disability who live on their own in the community. APSWs support people living in a range of community residential settings, some of which may be

subsidized or operated by various levels of government, some may be at market-value rent, and others may be owned by the individual themselves.

Ongoing support for individuals living in Ministry-funded developmental services residential settings is not the intent of the APSW program.

However, there are two exceptional circumstances where the APSW may assist individuals in other types of living situations:

- Living at home with FAMILY

The APSW may be asked to assist an eligible adult who has a developmental disability whose primary residence is with their family if:

- on a time-limited basis as determined by the APSW or their supervisor, the involvement of the APSW is requested specifically to help the adult with their plan to move towards independence and take up residence on their own in the community; or
- with the permission of the individual who has a developmental disability, the involvement of the APSW is specifically an advocacy role with the individual in their relationship with the family, and the primary focus is on the safety and security of the adult with a developmental disability within the family unit.

Ongoing service provision for eligible adults who continue to live at home with their family is not the focus of the APSW program. In situations where an adult who is living at home with their family needs ongoing assistance with locating services and supports, the APSW should refer the individual and their family to their local DSO which can assist with service navigation.

- Living in MCSS or Ministry of Health and Long-Term Care (MOHLTC)-funded residential settings

The APSW may be asked to assist an eligible adult who has a developmental disability whose primary residence is in a Ministry-funded developmental services residential setting (e.g. supported independent living, host family (Family Home program), supported group living or intensive support residence) or MOHLTC-funded long-term care setting if:

- the involvement of the APSW is requested specifically to help the adult with their plan to move towards more independence and take up residence on their own in the community; and/or
- the involvement of the APSW is specifically an advocacy role of speaking on behalf of the individual in their relationship with the service provider of the person's accommodation, and the primary focus is on the safety and

security of the adult with a developmental disability within their accommodation.

### **Voluntary Relationship**

The relationship between the APSW and the person who has a developmental disability is voluntary which means that the person is not compelled to accept the services of the APSW program. The APSW is expected to provide services, within their mandate, to people who have a developmental disability who seek their help. The APSW does not have guardianship or legislated custodial authority for the individuals they support.

## **5. The APSW**

### **Mandate**

The APSW works directly with adults who have a developmental disability who are living on their own in the community to assist them in strengthening their capacity to manage and acquire the skills necessary for daily living, and help them enhance their support network, awareness of generic community-based resources and government-funded services and supports.

The APSW program establishes a voluntary working relationship based upon mutual accountability between the adult who has a developmental disability and the APSW. Adults who have a developmental disability are active participants in all steps of the working relationship.

The APSW facilitates an individual's involvement primarily with generic community supports wherever possible, but also with government-funded services and supports (e.g. the Ontario Disability Support Program, Passport Program, Legal Aid, Ontario Works etc.). The APSW supports the person to develop a network of supports that will foster greater personal independence and social inclusion. With the consent and direction of the capable adult who has a developmental disability, the worker will provide assistance with planning and accessing these supports based upon individual needs and goals.

### **Overview of Functions**

The APSW conducts regular face-to-face meetings with adults who have a developmental disability to provide:

- Advocacy on their behalf to help them access and maintain generic community supports, apply for government-funded services, and supports and to help them live safely and securely in the community.
- Help support the individual identifying their strengths and needs and providing information and referrals at the direction of the adult who has a developmental disability.
- Coordination and case management of community resources, service plans, mediation, and liaison with other service providers.
- Support with problem-solving, life skills counselling (such as personal budgeting, use of transportation), general education and awareness-building on abuse prevention, help resolving landlord/tenant issues, guidance and group facilitation.

There are a number of settings where meetings between the APSW and the adult who has a developmental disability would take place. These include the individual's home, their place of employment or appointments (e.g. doctor, lawyer). Since the program is intended to support people in the community, it is not a best practice for the majority of meetings to routinely take place in the APSW's office. However, the APSW has the discretion to determine those individual circumstances where it may be more appropriate for many of the meetings to take place in the APSW's office such as when there are precautionary concerns regarding the safety of the APSW or to help reinforce professional boundaries of the APSW Client relationship.

The APSW may also provide 'outreach' in the community; providing information to adults who have a developmental disability who are receiving little or no service in the community. In such situations, the APSW would provide the adult with a suspected developmental disability with contact information for their local DSO.

### **Working with Children**

The APSW program is for adults aged 18 years or older who have a developmental disability.

### **Adults with a Developmental Disability who are Parents**

The APSW may also offer services and supports to eligible adults with a developmental disability who are parents, including providing information about the type of services and supports that are available to their children. The focus of ongoing assistance from the APSW is on the needs of the parent(s) who have a developmental disability, which may include services that specialize in teaching parenting skills.

For more intensive help with CASE MANAGEMENT specifically related to the children's needs, the APSW would support the adult to make inquiries about case management or other services for children, including child protection services or those that specialize in teaching parenting skills.

### **Trusteeship**

In exceptional circumstances and as a solution of last resort, where an individual does not already have a legally authorized substitute (e.g. Office of the Public Guardian and Trustee, guardian of property, power of attorney for property), the APSW may, with the consent of the capable adult who has a developmental disability, apply to be appointed by the Director of the Ontario Disability Support Program (ODSP) as trustee for management of the individual's ODSP income support.

The role of trustee by the APSW should be **temporary** while seeking other service alternatives to assume the role of trustee for management of the person's ODSP income support. It is recommended that this temporary trusteeship on the part of the APSW should not exceed six months, or as agreed to by the individual, the APSW and the service agency.

It is also recommended that service agencies seek legal advice on the duties, obligations and risks of the APSW, APSW agency or other agency staff assuming trusteeship for any individuals supported by an APSW program.

ODSP Policy Directive 10.2 provides guidance on the role of an ODSP trustee in managing a recipient's income support. A link to the Ontario Disability Support Program Policy Directives is provided in these guidelines under the section entitled **Useful Web Links**.

## **Advocacy**

In the role of advocate, the APSW works with community-based services and agencies to:

- Ensure, within the scope of the APSW's mandate and authority, that the rights of the adult who has a developmental disability are acknowledged and respected, and
- Inform the adult who has a developmental disability of their rights.

Before acting as an advocate, the APSW determines the level at which the individual who has a developmental disability understands a potentially harmful or complex situation and can speak on their own behalf. The following are broad examples to guide the APSW in advocating on behalf of individuals:

- **The adult who has a developmental disability has limited ability to make personal decisions or respond.** For example, the individual may have been seriously exploited and their rights violated. In this instance, the APSW could intervene and communicate the situation to the appropriate authorities (e.g. police).
- **The adult who has a developmental disability may be aware of exploitation (by family, friends, employers, or landlord) but is unable to speak on their own behalf.** The role of the APSW is to intervene and provide the individual with guidance on how to minimize their risk and avoid similar situations in the future and/or communicate the situation to the appropriate authorities.
- **The adult who has a developmental disability does not understand their rights or what action may be necessary when their rights have been violated.** In these situations, the APSW could intervene to assist the individual with taking the appropriate action.
- **The adult who has a developmental disability is aware of abuse, exploitation or disservice but needs guidance in bringing their concerns before the appropriate authority and in following the most appropriate process to do so.** The APSW could provide guidance on the proper level of

authority given the specific situation and the appropriate process to follow as per requirements outlined in Regulation 299/10, Quality Assurance Measures.

- **The adult who has a developmental disability is capable of self-advocacy and can use the appropriate services independently because they understand them and can communicate effectively.** The APSW could offer guidance and emotional support to the individual as they advocate on their own behalf.

Since adults who have a developmental disability are obliged, like all citizens, to abide by society's laws, the advocacy role may involve the APSW in court proceedings. If the adult who has a developmental disability is involved in legal proceedings, the APSW can help the individual to access Intensive Case Management services that may be available in the person's community.

The Intensive Case Manager provides referral resources to assist the court support workers and discharge planners in the appropriate case management of individuals. The Intensive Case Manager establishes collaborative contacts with community-based services to divert individuals with dual diagnosis in conflict with the law to community-based developmental (MCSS-funded) and mental health (Ministry of Health and Long-Term Care-funded) resources and services. The APSW and Intensive Case Manager should work together to support the individual because the APSW might have a long term relationship with the individual while the Intensive Case Manager might not be as familiar with the individual.

In some communities, the APSW has also been designated as the Intensive Case Manager and can assist the individual. In other communities, the services of a separate Intensive Case Manager may not be available. The APSW should not provide legal advice but rather direct the individual to a lawyer for legal advice and assistance.

Where there is no Intensive Case Manager support available, the APSW can:

- Help provide information to the individual about their rights and responsibilities
- Help the individual to receive the services of a lawyer including help with the process for making an application for legal aid
- With the individual's permission, discuss the situation with the Crown Attorney and defense counsel (Note: the APSW does not talk with the judge on the client's behalf or provide paralegal representation)
- Explain court proceedings to the individual during the trial process
- Help to clarify for the individual, the legal advice given to them by their lawyer
- Assist the probation officer in compiling a pre-sentence report or develop recommendations in the report.

When determining whether the APSW is the primary support in assisting individuals in legal proceedings, it is important to note the APSW is not to duplicate or replace the services offered by the Intensive Case Manager supports where they are available to support individuals.

## **Case Management**

Case management is a collaborative process to assess, plan, implement, coordinate, monitor and evaluate the options and services required to meet the individual's service needs.

In the case management role, the APSW facilitates the achievement of individual wellness and autonomy through advocacy, skills assessment, planning, communication, education, resource management and service facilitation. Planning and service facilitation are based on the needs and values of the individual who has a developmental disability. The results of the needs assessment (Supports Intensity Scale) from the individual's application for adult developmental services and supports can provide guidance for the APSW.

The underlying premise of sound case management is that everyone benefits when people who have a developmental disability reach their optimum level of self-management and functional capability.

The role of the APSW as case manager is to meet regularly with adults who have a developmental disability to identify and access the necessary supports and services appropriate to their needs. The APSW's objective is to help people access generic community services wherever possible, and to support people in applying for government-funded and operated services to address individuals' needs.

The process should begin with a person-centred planning approach to develop, implement and maintain an INDIVIDUAL SUPPORT PLAN (ISP) with and for the individual. The ISP is to be developed jointly between the adult who has a developmental disability and the APSW. The ISP must promote the concepts of choice, individualized services and supports, consumer satisfaction and build on the strengths and abilities of individuals.

The functions of the APSW may include (but are not limited to):

- Monitoring and assisting with revisions to the ISP
- Facilitating community access and inclusion (i.e. locating or developing opportunities, providing information about resources etc.)
- Assisting with completing the appropriate applications for services in the community
- Monitoring the provision of services to individuals including activities such as interviews and monitoring visits with the individual and service provider

- Engaging in activities aimed at building capacity in the broader community
- Maintaining current, accurate, complete and timely documentation of progress in the individual's agency records
- Supporting the individual to contact their local DSO organization as necessary, for example, if the individual plans to move away from the APSW agency's service area, or their needs change and they request other Ministry-funded adult developmental services and supports.

### **Limitations on the Role of the APSW**

Participation in the APSW program is strictly voluntary. The APSW cannot compel an unwilling or disinterested individual to accept the services of the program or advice from the APSW.

APSWs do not have a mandate to provide care or to compel compliance to treatment or to other recommended support services. While the APSW can assist people in making healthy and safe decisions, ultimately the final decision belongs to the adult who has a developmental disability and who is capable of making those decisions.

Situations that require direct observation of an individual after medical treatment or care, assistance with medical treatment, enforcement of treatment guidelines or orders, or other more intrusive or intensive measures fall beyond the scope of what the APSW is mandated to provide. The APSW does not serve in a guardianship or power of attorney capacity for the individuals they support and does not make personal care or financial/property decisions on their behalf. In addition, the APSW cannot assume legal responsibility for the adult or supervise their children.

### **Caseload**

APSW caseloads fall into two categories:

- Active, and
- Closed

All adults with a developmental disability whose eligibility has been confirmed by their local DSO organization and have subsequently been referred from the DSO, request help from an APSW **and** have been accepted for involvement in the APSW program are considered Active until closed.

There are two broad categories of Active situations:

- Service situations in which the person who has a developmental disability and the APSW have begun working toward agreed-upon goals identified in the person's ISP. These situations are considered to be high priority for Adult

Protective Services and require extensive, ongoing meetings and assistance from the APSW, and

- Service situations that require monitoring but less frequent contact with the individual and minimal ongoing support. These situations are also those that involve minimal temporary intervention. Although still considered Active, these situations may be classified as 'support' situations because:
  - The adult who has a developmental disability has achieved the goals they originally identified but still needs the support of an APSW to help address temporary issues when they arise, or
  - It is considered advisable to maintain regular contact with the individual in order to maintain their stability in their current situation and to identify and minimize risk or prevent further issues from arising, or
  - The adult who has a developmental disability requests regular contact and monitoring by the APSW as a form of 'social safety net' for emotional support and advice.

Each person who has a developmental disability has unique needs and circumstances. Therefore, there is no prescribed time limit that an individual may be considered Active for the services provided by the APSW program. The practice of setting time limits for involvement in the Adult Protective Service program is inconsistent with the fundamental principles of fairness and equity that require services to be tailored to meet individuals' needs and goals.

Files are closed when:

- The adult who has a developmental disability has decided they no longer need or want the services of the APSW.
- The adult who has a developmental disability has moved out of the area that is served by the APSW. With the permission of the individual who has a developmental disability, the APSW is responsible for contacting their local DSO organization, linking the individual with the DSO in the new community and, as directed by the DSO, their APSW counterpart in the area to which the individual has moved or will be moving in order to facilitate the transition. This may include transferring appropriate documentation (with the consent of the individual who has a developmental disability).
- Follow up and service for the person who has a developmental disability has been undertaken by another developmental services agency (following successful referral from a DSO organization).
- The behaviour of the person who has a developmental disability poses a risk to the APSW's safety and security.

- The person's whereabouts is unknown for four to eight months, depending on the individual and in consultation with the APSW supervisor, or the person is deceased.

The individual with a developmental disability or the APSW on behalf of the individual must contact their local DSO organization when the individual moves or wishes to move from one location to another. The DSO can assist with service navigation in the new community.

APSW agencies are required to report service availability to the DSO.

The caseload size for each APSW will vary based on agency capacity and resources, but ultimately depends on:

- the individual needs of the people being supported by the APSW, including the type and level of involvement individuals need;
- the administrative responsibilities directly related to the support of the individuals on the APSW's caseload; and
- the availability of community resources and the amount of time the APSW is dedicating to help the individuals acquire the supports they need.

Caseloads should be managed so that APSWs can effectively fulfil their roles and responsibilities supporting those on their caseloads. Supports are tailored to individuals' needs while encouraging as much independence in the community as possible.

### **Developing Community Capacity and Inter-agency Relationships**

An important role for the APSW is to help individuals use natural supports as one of the primary and most meaningful ways of enhancing the lives of people with a developmental disability. Natural support refers to the support and assistance that flows from the associations and relationships typically developed in environments such as the family and community.

To accomplish this goal, the APSW should play an active part in enhancing their community's capacity to connect with, include and involve adults who have a developmental disability. The APSW should also seek to increase community awareness and develop partnerships for supporting people who have a developmental disability.

The characteristics and opportunities for enhancing community capacity will vary from one community to the next. The APSW may use a number of strategies to improve community capacity starting with developing a good understanding of the range of opportunities and services and supports that exist in their communities and the organizations that function within them. The APSW should look for opportunities to

work with community groups to identify barriers to accessing some aspects of the community and could begin by developing strategies to overcome them.

The APSW is encouraged to establish positive working relationships with all sectors of the community as an essential component to developing community capacity. These relationships give the APSW an opportunity to provide information to the range of community networks and organizations to raise awareness about the valued social roles and positive contributions that people who have a developmental disability can make.

At the broader community level, the APSW could participate in networks and organizations that have decision-making responsibility for the delivery of generic community services, programs, or the allocation of resources. This could influence the degree to which decisions made at the community level reflect the diversity of the community by responding to the needs of adults who have a developmental disability.

### **Best Practices**

A useful approach may be to develop partnerships with organizations that represent people who have other forms of disability to aid in informing and educating local business, recreation and social networks about the rich diversity of people that are part of their community. Depending on the community, some examples of strategies for developing community capacity could include engaging local business improvement associations or social planning councils.

At an individual level, opportunities could be sought for linking individuals with other people, groups and activities in the community that meet the individual's personal goals and needs.

Greater participation in natural, generic community supports and programs promotes the concept of social inclusion, enhances individuals' valued social roles and places people with a developmental disability in the life of the community, to the benefit of all.

## **6. Sponsoring Agencies**

### **Recommended Procedure**

Typically, the agency that sponsors the APSW program would meet the following criteria:

- The agency offers 'generic' community services rather than delivering developmental services. The rationale is to mitigate against conflict of interest situations where the APSW, in advocating on behalf of an individual, comes into conflict with the services offered by the sponsoring agency. Where it is not possible to locate the APSW program an agency that offers generic services, the developmental services agency would develop a written policy that sets out the process for resolving potential conflict of interest situations in a manner that does not restrict the APSW from fulfilling their mandate and role as set out in these guidelines. The sponsoring agency could also be one that offers developmental services that are primarily support services such as case management versus those agencies that provide 'core' services such as residential or community participation supports.
- The agency expresses a commitment to the APSW program and develops a written mission statement, service principles and a statement of individuals' rights that supports the role and function of the Adult Protective Worker as set out in the policy guidelines and legislation.
- The agency is appropriate in terms of the type of services offered, geographic location, is barrier free and is accessible by public transit (where available).
- The agency does not charge a fee to individuals who are supported by the APSW program.
- NOTE: The APSW program is base-funded by the Ministry and APSW services and supports, like other professional and specialized supports, are excluded from direct funding provisions as outlined in the SIPDDA (i.e. individuals cannot receive direct funding to purchase APSW supports).

### **The Adult Protective Service Manager**

The APSW program would have the benefit of a manager who is available to provide frequent and regular supervision of the APSWs.

The program manager should have thorough knowledge, and be supportive of, the mandate as well as the role and function of the APSW.

The program manager should have a thorough knowledge of the legislative requirements under the SIPDDA, including all mandatory requirements of the Quality Assurance Measures Regulation 299/10 for service agencies.

The role of the program manager is to lead and be actively involved in building community capacity in their area.

### **Staff Development**

Typically, the sponsoring agency for the APSW program would make training available to APSWs to:

- Provide orientation and training to new staff as the agency deems necessary and appropriate.
- Provide regular, individual training opportunities for existing APSWs to enhance their skills and knowledge about disability-related issues and broader community issues. This may include supporting an APSW's participation in professional associations.
- Provide regular training opportunities to managers of the APSWs that would enhance their skills and knowledge in the supervision of the program.

## **7. Program Administration**

### **Recommended Procedures**

The APSW, the manager of the program and the sponsoring agency have a joint responsibility to complete and maintain accurate and up-to-date records with respect to individuals involved in the program (active and closed).

In addition, there is a shared responsibility for maintaining accurate and current statistics on overall program volume and activity as required by the service agency and/or Ministry through its service contract.

### **Serious Occurrence Reporting**

APSWs, the manager of the program and the sponsoring agency are responsible for following the procedures outlined in the Ministry of Community and Social Services' policy for Serious Occurrence Reporting. The sponsoring agency should contact their program supervisor to obtain a copy of the policy and ensure that the APSW and manager of the program fully understand their responsibilities for reporting serious occurrences.

### **Regulation on Quality Assurance Measures**

Service agencies and DSO organizations must comply with requirements outlined in Regulation 299/10, Quality Assurance Measures, under the SIPDDA. The Regulation describes requirements related to:

- Promoting social inclusion
- Developing individual support plans
- Help with day-to-day finances
- Health promotion, medical services and medication
- Preventing and reporting abuse
- Confidentiality and privacy
- Safety in agency-owned or operated places
- Keeping people safe
- Human resource practices
- Service records
- Behaviour intervention strategies

- Supporting the well-being of the individual

It is incumbent on agencies providing an APSW program to ensure that APSWs are aware of the expectations outlined in the Quality Assurance Measures regulation.

As well, it may be helpful for the APSW to inform new and existing clients about their obligation to report disclosures of abuse when it is believed that it may constitute a criminal offence.

## Records

### Records about Individuals

Section 35 of the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008* provides the Ministry with authority to collect and use individuals' personal information in some circumstances. For specific details, refer to the Act.

As well, any applicable privacy legislation must be adhered to in the collection, use and disclosure of personal information and personal health information, including obtaining consents and providing notice where required (e.g., the *Freedom of Information and Protection of Privacy Act*; the *Personal Health Information Privacy and Access Act*.)

In order to create a consistent approach to the administration of the APSW program, the following records and information related to individual service delivery should be kept in an individual's file:

- **Intake/referral:** There should be detailed documentation of the individual's request for assistance from the program, the nature of the involvement by the APSW (including the individual's goals and needs) and involvement with other services (both government-funded and generic community services). The documents also should include personal information such as name, address and telephone numbers, employment details/sources of income and any documentation received from the DSO.
- **Notes/ Contact Reports:** The reports should contain up-to-date information that is relevant and necessary to the understanding of the APSW's involvement with the individual. The information must be detailed enough to allow a colleague of the primary APSW to provide support in the event of absence or change in staffing. The information could include the individual's social history if relevant to the involvement by the APSW, significant contacts made with the individual or on their behalf, documentation of events in an advocacy situation.

Reports should also document the progress being made towards helping the individual achieve their goals or changes to the individual's needs or goals.

- **Consent to Obtain/Release Information:** The APSW, the program manager and the sponsoring agency should carefully consider whether any information

requested from the individual or others is directly related to the individual's involvement with the program. It is the responsibility of the APSW to explain to the individual the reasons for requesting specific information and the intended use of the information before asking an individual to sign a consent form.

- **Closed Report:** This report closes the involvement of the APSW and should include a summary of the involvement by the APSW, the reason for no longer actively working with the individual and recommendations, if any, for future action. If the file is permanently closed, the APSW's sponsoring agency must notify their local DSO organization.
- **Other documents:** Any other documents relevant to the support provided to the individual by the APSW (e.g. ODSP trustee documents).

#### **Program Records and Statistics:**

Sponsoring agencies must retain an individual's records in a secure location in order to protect the privacy of the information.

Sponsoring agencies are required to collect statistics regarding its delivery of the APSW program. The agency and Ministry use this information to capture APSW service activity.

Data to be collected are included in the agency's service contract with the Ministry and are explained in detail in the Transfer Payment Reporting Standards document. APSW program managers should discuss requirements and contact their Ministry program supervisor to ensure a thorough understanding of data collection requirements.

## 8. Useful Web Links

- Ministry of Community and Social Services (for information on Ministry-funded programs such as Passport, Ontario Disability Support Program and contact information for the Ministry's nine regional offices):

[www.ontario.ca/community](http://www.ontario.ca/community)

- Developmental Services Ontario (for contact details and information on the role, functions and locations of the single points of access for adult developmental services)

[www.dsontario.ca](http://www.dsontario.ca)

- Policy Directives for Application Entities (Developmental Services Ontario) and Policy Directives for Service Agencies:

[www.mcass.gov.on.ca/en/mcass/publications/developmentalServices/developmentalServices.aspx](http://www.mcass.gov.on.ca/en/mcass/publications/developmentalServices/developmentalServices.aspx)

- Persons with Disabilities Online (information for person with disabilities, family members and caregivers):

[www.pwd-online.gc.ca](http://www.pwd-online.gc.ca)

Human Resources and Skills Development Canada (links to federal employment programs, disability benefits, Canada Pension Plan, Old Age Security, literacy programs):

[www.hrsdc.gc.ca](http://www.hrsdc.gc.ca)

- Ontario Disability Support Program (link to the ODSP Policy Directives):

[www.mcass.gov.on.ca/en/mcass/programs/social/directives/index.aspx](http://www.mcass.gov.on.ca/en/mcass/programs/social/directives/index.aspx)

- Adult Protective Service Association of Ontario

[www.apsao.org](http://www.apsao.org)

## 9. Glossary of Terms

### Adult

A person who is 18 years of age or older.

### Case Management

Case management is a collaborative process to assess, plan, implement, coordinate, monitor and evaluate the options and services required to meet the individual's service needs.

The process often uses a person-centred planning approach to develop, implement and maintain an individual service plan with and for the individual. The process promotes the concept of choice, individualized services and supports, and individual satisfaction.

### Child/Children

A person under 18 years of age.

### Developmental Disability

Under the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008* and Regulation 276/10, a person has a developmental disability if the person has the prescribed significant limitations in cognitive functioning **and** adaptive functioning and those limitations:

- Originated before the person reached 18 years of age;
- Are likely to be life-long in nature; and
- Affect areas of major life activity, such as personal care, language skills, learning abilities, the capacity to live independently as an adult or any other prescribed activity.

Under Regulation 276/10, a person has significant limitations in cognitive functioning if the person meets **one** of the following criteria:

- The person has an overall score of two standard deviations below the mean, plus or minus standard error measurement, on a standardized intelligence test; **OR**
- The person has a score of two standard deviations below the mean in two or more subscales on a standardized intelligence test and the person has a history of requiring habilitative support; **OR**
- On the basis of a clinical determination made by a psychologist or a psychological associate, the person demonstrates significant limitations in cognitive functioning and the person has a history of requiring habilitative support.

A person has significant limitations in adaptive functioning if the person has a score of at least two standard deviations below the mean, plus or minus standard error measurement, in at least one of the areas of conceptual skills, social skills or practical skills, as measured on a standardized test of adaptive behaviour.

## **Family**

Persons related by kinship as recognized in law including but not limited to: parents, siblings, grandparents, children, grandchildren, aunts, uncles and cousins, and including step-parents and step-siblings where there has been a settled intention to treat the individual as a member of the family.

## **Generic Supports and Services**

Supports and services that are widely accepted and available for use by the general public. They are generally not designed for any particular group but are generic in nature such as community recreation programs, employment centres, or public libraries.

## **Developmental Services Ontario (referred to as Application Entity in the Act)**

The single point of access to adult developmental services and supports. Each of the Ministry's nine regions has a DSO organization.

## **On their Own**

Individuals living "on their own" may live independently in single occupancy housing, with a room-mate or partner, or with their children (or the children of their partner/room-mate). For purposes of the APSW program, individuals living on their own do NOT live in Ministry-funded developmental services residential settings.

## **Transformation of Developmental Services**

In 2004, the Ministry announced it would transform the developmental services system into one that was more fair and equitable, accessible and sustainable for the future.

## **Individual Support Plan**

A written document that is developed by a service agency with the adult with a developmental disability that identifies specific strategies that are to be undertaken to help the person with a developmental disability to achieve their goals, and the services and supports that are to be provided to the person.