



IF AN EMPLOYEE IS SUSPECTED OF ABUSE

PURPOSE

In the case where an employee, contractor, or volunteer (herein “employee”) is accused of an incident of abuse or neglect (as defined by the California Penal Code, Section 11164-11174.3, the Child Abuse and Neglect Reporting Act, as taken from www.leginfo.ca.gov, February 2014), the following actions will be taken to protect the rights and well being of the victim(s) and families involved, comply with federal and state laws, and protect Healthy Minds Consulting, Inc. (HMC).

SCOPE

This policy applies to all employees, contractors, partners, and volunteers of HMC. This policy applies for reported or reasonably suspected incidents of abuse by an associate of HMC against any other employee/colleague, client, or minor.

DEFINITIONS

This policy shall refer to and wholly abide by the California Penal Code, Section 11164-11174.3 (the Child Abuse and Neglect Reporting Act, as taken from www.leginfo.ca.gov, February 2014). The definitions provided shall also be applied to adults as described in Scope above.

- “Minor” and “Child” shall both be used to describe a person under the age of 18 years.
Serious Physical Injury: injury causing severe pain or significantly impairing functioning, either temporarily or permanently.
Serious Mental Injury: a condition that renders the individual chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic, or in reasonable fear that his/her safety is threatened, or seriously interferes with the individual’s ability to accomplish age-appropriate developmental and social tasks.

- **Sexual Abuse or Exploitation:** the use or coercion of any individual to engage in any sexually explicit conduct, or any simulation of any sexually explicit conduct for the purpose of producing any visual depiction, or the rape, sexual assault, involuntary sexual intercourse, aggravated indecent assault, molestation, incest, indecent exposure, prostitution, sexual abuse, or sexual exploitation of any individual.
- **Serious Physical Neglect:** any condition that arises from prolonged or repeated lack of supervision or the failure to provide essentials of life, including adequate medical care, which endangers an individual's life or development or impairs the individual's functioning.
- **Imminent Risk:** any act, or failure to act, that creates an imminent risk of serious physical injury or sexual abuse and exploitation of any individual.

POLICY

Any report of an incident involving an associate of Healthy Minds Consulting, Inc. brought to the attention of any HMC personnel shall result in the following actions:

1. If an individual is in immediate danger, an HMC representative will contact police at 911 to obtain immediate protection for the individual.
2. Contact an executive of HMC immediately and provide a full report of the incident.
3. A report must be filed in accordance with the laws of California.
4. Any person or official required by law to report a case of suspected abuse who willfully fails to do so shall be held accountable to the laws of California and will be reported immediately by the executives of HMC. This person is also subject to disciplinary action by HMC up to and including immediate dismissal, superseding any other agreement or condition of employment.
5. If the employee is:
 - A. **Accused but not formally charged with a crime**, the accused employee will be put on suspension effective immediately upon HMC learning of the report. The employee will be allowed no direct contact or interaction with any client, minor, or HMC-contracted agency/organization. All direct-interaction work duties will be shifted to another representative of HMC until such time as the incident is investigated and the employee cleared by authorities.

- B. **Formally charged with a crime (related to Abuse or Neglect)**, the charged employee will be put on suspension effective immediately upon HMC learning of the report. The employee will be allowed no direct contact or interaction with any client, minor, or HMC-contracted agency/organization. All direct-interaction work duties will be shifted to another representative of HMC until such time as the charges are dropped or the employee is otherwise exonerated by authorities.
 - C. **Found Guilty of a crime (related to Abuse or Neglect)**, the employee will be immediately dismissed, and is not eligible for re-hire with Healthy Minds Consulting, Inc.
6. All interactions with third parties, news agencies, and social media outlets regarding the incident and any particulars shall be handled only by the President of HMC or a representative designated by the President.
- A. Under no circumstances are any details to be discussed or shared by any employee in any manner to anyone other than in cooperation with the authorities.
 - B. Any violation of the above puts the employee and the company at risk, and may result in immediate disciplinary action up to and including dismissal.