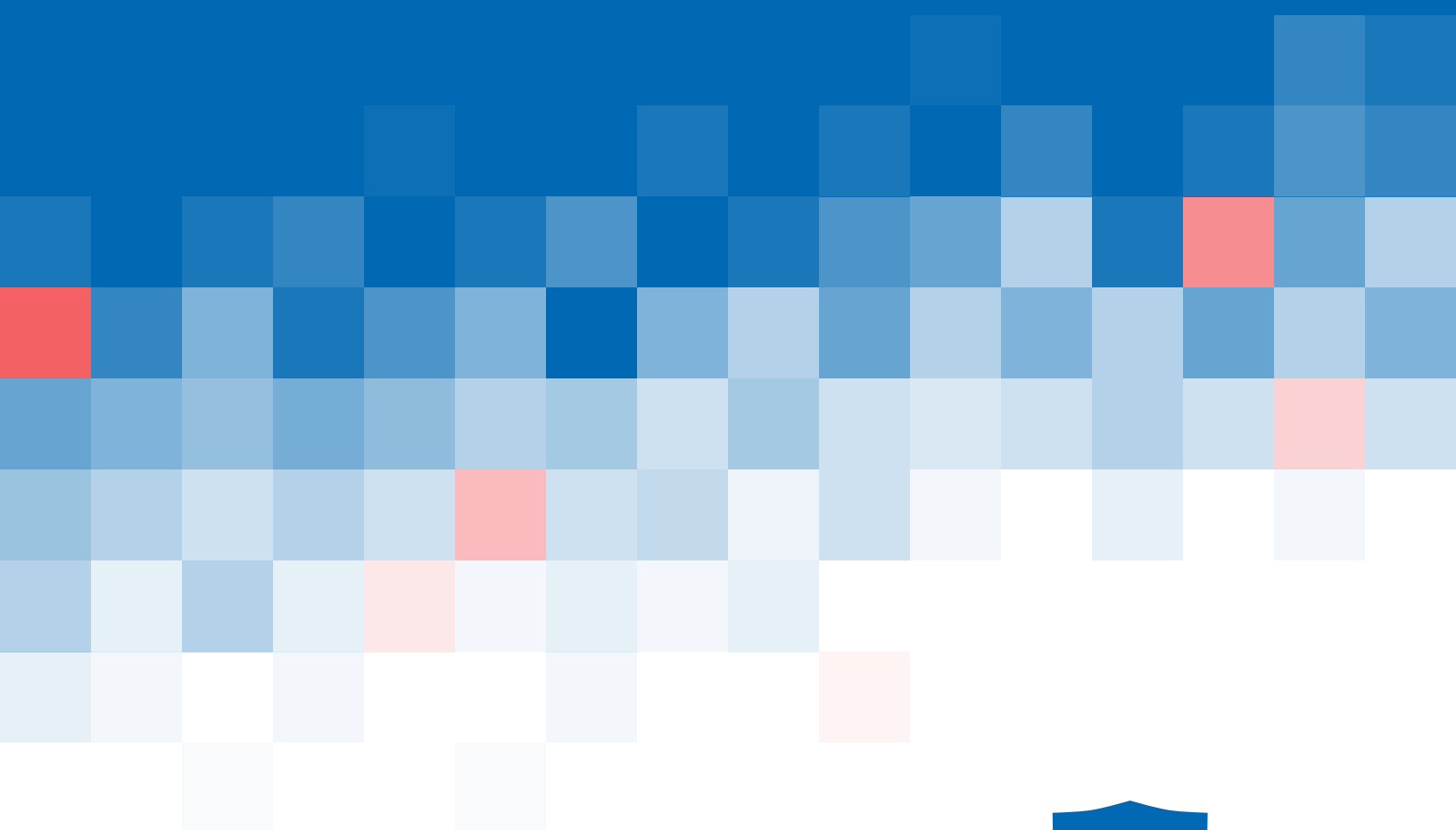


# Sexual Abuse Prevention Plan



2021-22



College of  
Massage  
Therapists of  
Ontario

## **2021-22 Sexual Abuse Prevention Plan**

### **Introduction**

The College of Massage Therapists of Ontario (CMTO/the College) has a strong commitment to preventing and addressing the sexual abuse of clients by Registered Massage Therapists (RMTs/MTs/registrants). CMTO takes this responsibility seriously and has adopted a number of policies and measures that underpin a **zero tolerance** approach to sexual abuse. A comprehensive and effective Sexual Abuse Prevention Plan is crucial to achieving CMTO's public protection mandate, in part because clients are in a vulnerable position when receiving Massage Therapy.

The College's Sexual Abuse Prevention Plan is reviewed and updated annually by the Client Relations Committee (CRC), which reports to CMTO's Council. Each year's plan is carefully reviewed and informed by an evaluation of the previous year's results and changes in the legislative environment.

CMTO's Sexual Abuse Prevention Plan complies with legislated requirements under the [Regulated Health Professions Act, 1991](#) (RHPA). The Plan was reviewed and updated following the passage of amendments to the RHPA contained in the [Protecting Patients Act, 2017](#). CMTO also released a new [Standard for Maintaining Professional Boundaries and Preventing Sexual Abuse](#) in 2017 to align with the new legislation. The purpose of this Plan is to outline CMTO's activities to prevent sexual abuse and to address its prevention through the following initiatives:

- 1) [Education for Massage Therapy Students](#)
- 2) [Registrant Education](#)
- 3) [Training for College Administration](#)
- 4) [Funding for Therapy and Counselling](#)
- 5) [Provision of Information to the Public](#)
- 6) [Evaluation of the Sexual Abuse Prevention Plan](#)

#### **Written Consent for Treating Sensitive Areas**

As a regulator, CMTO must take all reasonable steps to prevent sexual abuse. While CMTO recognizes that it is impossible to completely prevent sexual abuse from occurring, the College made its recommended written consent process for treating sensitive areas a mandatory requirement in 2017. In 2019 and 2020, CMTO [updated the sample consent form](#) to increase client understanding around breast massage. The requirement for written consent may prevent some cases of abuse, and where it cannot prevent abuse, it may make it easier to prove that sexual abuse occurred.

Each initiative is described below, including selected highlights from 2018, 2019 and 2020, and planned enhancements for 2021 and 2022. A summary table of deliverables planned for 2021-22 is available in [Attachment A](#).

## 1) Education for Massage Therapy Students

In 2016, CMTO worked with other provincial Massage Therapy regulators to update the [Inter-jurisdictional Practice Competencies and Performance Indicators for Massage Therapists at Entry-to-Practice](#). This is an important document for educators. It is a guiding tool for Massage Therapy education and includes concepts related to understanding and preventing sexual abuse.

Although it does not currently approve Massage Therapy educational programs, CMTO strives to ensure students gain a clear understanding of what constitutes sexual abuse, sexual abuse prevention and the obligations of healthcare professionals to report it when it does happen. CMTO does this in several ways:

- CMTO supports the [Canadian Massage Therapy Council for Accreditation](#), which has sexual abuse prevention components included in the accreditation standards for educational programs.
- CMTO has provided guidance documents (such as the Standard for Maintaining Professional Boundaries and Preventing Sexual Abuse which is discussed throughout this document) to educational programs to use as teaching resources; and, from time-to-time, the College surveys programs on whether and how these tools are used.
- CMTO informs educators that the Certification Examinations are based on the Inter-jurisdictional Practice Competencies and Performance Indicators for Massage Therapists at Entry-to Practice, including the obligations of RMTs to prevent sexual abuse and to meet regulatory requirements, such as reporting sexual abuse when it does happen.

### 2018

In 2018, CMTO launched an Open House series to engage with RMTs across Ontario (up to three districts per year, determined by the Council election schedule). CMTO has also been promoting the Open House events to educational programs in the districts so that Massage Therapy students can participate and learn about regulation of the profession. RMTs who have

attended the Open House events have also been asked to share their experience with CMTO's written consent for treating sensitive areas requirement.

CMTO also surveyed educational programs in 2018 about teaching the prevention of sexual abuse. Representatives of Massage Therapy educational programs were asked about their current curriculum regarding sexual abuse prevention, including which CMTO and legislative documents are used, how they teach to the relevant Inter-jurisdictional Massage Therapy Practice Competencies and Performance Indicators, how they test/assess competency, and what additional resources may be helpful.

### 2019

In 2019, CMTO initiated a review and update of all [Standards of Practice](#), which set out expectations for professional Massage Therapy care, including sexual abuse prevention and maintaining professional boundaries.

In 2019, CMTO also developed an education strategy outlining the College's role in providing education and identifying opportunities to work with system partners to ensure knowledge of regulatory responsibilities is understood by the profession and by future registrants of the profession.

#### **CMTO's Standard for Maintaining Professional Boundaries and Preventing Sexual Abuse**

*CMTO's Standard for Maintaining Professional Boundaries and Preventing Sexual Abuse* was developed to align with new sexual abuse prevention provisions in the *Regulated Health Professions Act, 1991*. The Standard addresses a number of topics that impact Massage Therapy education, such as professional communication, boundaries, use of recording devices, and the treatment of sensitive areas such as the gluteal region, inner thighs, chest and breasts.

### 2021-22

In 2021-22, CMTO will develop and launch a new online jurisprudence program. This online jurisprudence program will inform applicants and RMTs of their obligations as regulated health professionals under federal and provincial legislation, and can also be used by educators for Massage Therapy students.

CMTO is in the process of developing additional learning resources.

## 2) Registrant Education

Massage Therapists have access to guidance from CMTO on sexual abuse prevention and reporting requirements, through College policies, guidelines and Standards of Practice. These documents are publicly available on the CMTO website. An overview of CMTO's commitment to zero tolerance for any form of abuse, as well as its sexual abuse prevention policies and obligations are highlighted for RMTs in CMTO's e-newsletter, [TouchPoint](#). CMTO publishes the number of complaints and reports of sexual abuse received each year in the [Annual Report](#). CMTO also publishes all discipline hearing summaries on the [CMTO website](#). Full versions of discipline decisions and reasons from January 1st, 2016, onward are published on the [Canadian Legal Information Institute \(CanLII\) website](#) to provide information for the public and other stakeholders of the College.

Information on professional boundaries, the definition of sexual abuse, and prevention of sexual abuse are also included in CMTO's Professionalism Workshop. The Professionalism Workshop is an education and remediation tool. Registrants who are required to complete this workshop participate in group discussions on professional and mandatory obligations (including reporting of sexual abuse), client-therapist relationships, boundaries and ethical decision-making. CMTO's Standards and Regulations e-Workshop, which is open to all registrants, also provides information about abuse prevention and reporting obligations.

The College also offers practice advice to registrants with questions about preventing sexual abuse, boundary crossings and reporting requirements through the College's Practice Specialist, who can be contacted by email at [practicespecialist@cmto.com](mailto:practicespecialist@cmto.com) or by phone at (416) 489-2626/1-800-465-1933 extension 4124.

### 2018

Following the passage of the *Protecting Patients Act, 2017*, CMTO developed a new *Standard of Practice for Maintaining Professional Boundaries and Preventing Sexual Abuse* for registrants that contains comprehensive guidance on professionalism, boundary crossings and preventing and reporting sexual abuse. A comprehensive set of Frequently Asked Questions was subsequently issued after tracking practice advice questions and feedback from the public and other stakeholders. To help registrants maintain professional boundaries, the updated Standard of Practice also provided clarity regarding treating friends and family.

Registrants were frequently updated about boundary issues and sexual abuse prevention in the *TouchPoint* e-newsletter. The College provided references to existing sources of guidance on treating sensitive areas, treating sexual partners and CMTO's Professional Misconduct Regulation.

## 2019

In 2019, CMTO launched STRiVE, the new Quality Assurance (QA) Program. As part of the redesign of CMTO's QA Program, 15 Career-Span Competencies were identified for the profession. Several of the Career-Span Competencies (e.g. acting with professional integrity; functioning in a client-centered manner) are linked to sexual abuse prevention. One of the Career Span Competencies is to "Apply the Principles of Sensitive Practice".

As an annual reminder about the importance of sexual abuse prevention, registrants were asked to declare, at renewal in 2019, that they understand their responsibilities as regulated health professionals for reporting and preventing sexual abuse. This declaration will be required at renewal each year going forward.

CMTO also refreshed its [Code of Ethics](#) in 2019. The Code of Ethics and accompanying [Glossary of Terms](#) are resources to support Massage Therapists (MTs or RMTs) in understanding and applying the ethical principles and values which are foundational to the practice of the profession. As regulated health professionals, RMTs must ensure they maintain the public's confidence in the profession and provide the highest level of safe, ethical and quality Massage Therapy care. This is accomplished by exercising professional judgement and integrity.

CMTO's Code of Ethics is grounded in four ethical principles:

- Benefit Clients and Serve Their Best Interests
- Treat all Clients with Respect and Dignity
- Not Harm Clients
- Be Responsible and Accountable

With the success of three Open House events in 2018, three more Open House events took place in 2019, and included answering registrants' questions about practice dilemmas, consent and sexual abuse prevention.

Proposed changes to the Professional Misconduct Regulation were also approved by Council in 2019 and submitted to the Ministry of Health for consideration in 2020. One of the proposed amendments to the Professional Misconduct Regulation will make failing to take reasonable steps to prevent sexual abuse of a client or sexual misconduct toward a client by any person working under a registrant's direction or supervision, an act of professional misconduct.

### 2020

In 2020, CMTO updated all CMTO Standards of Practice. The Standards of Practice were approved for implementation in January 2022. The new Standards include a Standard of Practice for Prevention of Sexual Abuse, Professional Boundaries and Draping and Physical Privacy. The Standards were consulted on broadly and feedback was provided by RMTs, members of the public and other stakeholders. The Standard of Practice for Draping and Physical Privacy was consulted on twice (due to the number of changes) and feedback was sought from the Citizen's Advisory Group during the second consultation.

### 2021-22

Throughout 2021, a number of education-focused initiatives will be introduced, including an online jurisprudence program and additional e-learning modules to address a variety of topics (e.g. [Code of Ethics](#), prevention of sexual abuse). CMTO will also develop an education strategy that introduces RMTs to the new Standards of Practice for the profession.

CMTO also plans to develop and launch an awareness campaign about mandatory reporting requirements for registrants who have reasonable grounds, obtained in the course of their practice, to believe that a patient/client has been sexually abused by an RMT or by another regulated health professional in Ontario. This awareness campaign will also focus on the mandatory reporting obligations of employers of RMTs, and of facility owners where registrants work.

### 3) Training for College Administration

All CMTO staff and Council/Committee members undergo regular training by experts in sexual abuse prevention and counselling. This training ensures that those involved with complaints or reports about sexual abuse have current knowledge of College responsibilities around sexual abuse, understand the impact of sexual abuse on individuals, families and society, and are equipped to assist individuals who have been abused by a registrant and to carry out this work in an appropriately sensitive manner.

#### 2018-2021, and beyond

In 2018-2020, all CMTO staff and relevant Council/Committee members received training on sexual abuse from a legislative perspective and a College-specific perspective.

Experts on sexual abuse in provider-patient/client relationships attended and delivered the training sessions to highlight sources of support for individuals who have been sexually abused, and to offer advice on how to interact, in a sensitive way, with individuals who have been sexually abused. CMTO also incorporated new recommendations received from the [Health Profession Regulators of Ontario \(HPRO\)](#) into training sessions.

A new communications protocol was developed in 2016, and is reviewed annually, to ensure a clear organizational understanding of how calls and queries from those who may be affected by sexual abuse are to be addressed in a respectful and appropriate way. A draft script is also provided to staff to liaise with a member of the public who may have a complaint of sexual abuse.

Staff were surveyed in 2019 to ensure they have the preparation required to deal sensitively and appropriately with patients/clients who may have experienced sexual abuse. CMTO's annual training will continue in 2020 and beyond, and will be enhanced and updated going forward.



#### 4) Funding for Therapy and Counselling

Under the *RHPA*, all health regulatory colleges must establish programs to provide funding for therapy and counselling for patients/clients who have alleged being sexually abused by registrants.

Under the *RHPA*, CMTO's Client Relations Committee is responsible for overseeing this process, determining eligibility and administering the fund.

#### 2018

In February 2018, CMTO's Council updated its [Funding for Therapy and Counselling Program](#) by passing a new policy that broadened the College's ability to provide funding to patients/clients who have been sexually abused by registrants. Applicants are now eligible for funding for therapy and counselling if:

- (a) it is alleged, in a complaint or report, that the applicant while a client, was sexually abused by a registrant or former registrant;
- (b) there has been a finding by a panel of the College's Discipline Committee that the applicant, while a client, was sexually abused by a registrant or former registrant;
- (c) a registrant or former registrant enters into an undertaking with the College to provide funding for therapy and counselling;
- (d) there is an admission made by a registrant in a statement to the College or in an agreement with the College that he or she sexually abused the applicant while the applicant was a client of the registrant or former registrant;
- (e) a registrant or former registrant has been convicted under the Criminal Code (Canada) of sexually assaulting the applicant while the applicant was a client of the registrant or former registrant and the facts supporting the sexual assault constitute sexual abuse within the meaning of the [Health Professions Procedural Code](#);
- (f) there is a statement, contained in the written reasons of a Committee of the College given after a hearing, that the applicant, while a client, was sexually abused by a registrant or former registrant; or
- (g) there is sufficient evidence presented to the Client Relations Committee to support a reasonable belief that the applicant, while a client, was sexually abused by a registrant or former registrant.

Communications materials for individuals who allege sexual abuse by a registrant have been updated to reflect the new funding policy. New provincial regulations were also enacted in 2018 that broaden clients' access to funding for therapy and counselling where an allegation of sexual abuse has been made. As a result of the policy/regulatory change, CMTO has experienced a sharp increase in the number of applications received for the Funding for Therapy and Counselling Program.

### 2020-2022

#### **Important Changes to CMTO's Complaints and Discipline Process Made as a Result of Ontario's Sexual Abuse Task Force (SATF) Report**

In 2016, the Minister's Task Force on the Prevention of Sexual Abuse of Patients and the *Regulated Health Professions Act, 1991* made a number of recommendations to eradicate sexual abuse of patients/clients in Ontario. Some changes have been made by government via legislation, and CMTO has moved forward with others on its own accord, including:

- Staff - To address a SATF report recommendation, CMTO has designated a specific point person with the requisite expertise on abuse for each complaint at the point of intake regarding sexual abuse. Information regarding the Funding for Therapy and Counselling Program and application is provided to every client that meets the eligibility criteria.
- Support for Witnesses - CMTO may cover the expenses for a support person for vulnerable witnesses that are testifying during a Discipline Committee hearing. In addition, the [Discipline Committee Rules](#) allow for a support person to be present and to sit near a witness while testifying. A Discipline Panel may allow a vulnerable witness to provide their testimony without seeing or being seen by the registrant if the Discipline Panel is of the opinion that this is necessary to obtain a full and candid account.
- Amicus Curiae – CMTO's Discipline Committee Rules provide for the appointment of amicus counsel for sexual abuse matters in which the registrant is self-represented, so a witness is not cross-examined by their alleged perpetrator of that abuse. Where a witness is vulnerable, and a registrant is not represented, the College will apply to have a representative appointed to conduct the cross-examination.

CMTO also plans to review the effectiveness of the funding for therapy and counselling process in 2021-22, and develop new plain language, user-friendly materials for patients/clients and therapists to explain the program. A plain language information package for clients could also include a list of support resources (e.g. crisis support resources).

## 5) Provision of Information to the Public

CMTO's website provides information regarding sexual abuse prevention, an outline of the [complaints process](#), funding for therapy and counselling information and application, and contact information for the dedicated staff members responsible for responding to any questions or concerns. An annual "[Look Before You Book](#)" campaign also helps ensure that the public is aware of the College's [public register](#).

CMTO publishes all discipline hearing summaries on the [CMTO website](#). Full versions of discipline decisions and reasons from January 1, 2016, onward are published on the [Canadian Legal Information Institute \(CanLII\) website](#) to provide information for the public and other stakeholders of the College.

### 2018-19

In 2018, CMTO devoted increased resources to providing information to the public and building public engagement. New articles and videos were produced on topics such as:

- [what to expect when visiting a Massage Therapist](#);
- [professional boundaries](#);
- [Look Before You Book](#); and
- post-termination relationships.

The articles and videos were disseminated through community news and social media. [A PDF document](#) (that can be printed and posted in registrants' practices) was also developed to inform clients that Massage Therapy Standards of Practice are the same across all practice settings, that clients have specific rights and that the College is here to help with concerns clients might have.

In 2019, CMTO looked to build public awareness by promoting the "Look Before You Book" campaign via social media and using video promotion on Spotify. The video on professional

boundaries was made more accessible for individuals with visual or auditory impairments. Content was drafted for a new web page that will contain information for members of the public. CMTO staff engaged with members of Ontario's Citizen Advisory Group (to discuss health professions' regulation in Ontario) and attended the Zoomer show (a trade show for Ontarians 45 and over) to promote public awareness of the health regulatory colleges.

### 2020-22

In 2020, CMTO developed a "For Clients" section of the CMTO website that focuses on information for clients of Massage Therapy and members of the public, including information about client rights, what to expect during Massage Therapy treatment and how CMTO can help.

In 2020, CMTO continued to promote the informational resources developed in 2018-19. In 2021-22, CMTO will continue its public awareness activities through a digital campaign.

CMTO is working with Ontario's other health regulatory colleges on a new public awareness brochure and ways to broaden public awareness. The College is also working to update its website and will ensure that client-centered information on sexual abuse prevention remains front and centre.

## **6) Evaluation of Sexual Abuse Prevention Plan**

The following information will be compiled and used to evaluate the effectiveness of CMTO's Sexual Abuse Prevention Plan, and to continue to improve it going forward. An internal audit will be prepared annually and will include the following:

- collection and analysis of statistics from the Inquiries, Complaints and Reports Committee (ICRC) and discipline matters relating to sexual abuse;
- information on topics and number of incoming practice advice questions that relate to sexual abuse/boundaries;
- annual statistics on the "Look Before You Book" campaign;
- any advice from Health Profession Regulators of Ontario (HPRO) and other stakeholders on staff and Council/Committee training, and CMTO's evaluation of its own training;
- any available data about educational programs' delivery of sexual abuse prevention curriculum and reporting requirements; and



- the number of participants in CMTO's Professionalism Workshop.

CMTO's Council will continue to receive updates from the Client Relations Committee, and CMTO will monitor the effectiveness of the measures and policies outlined above, and will discuss longer-term goals as part of its commitment to **zero tolerance** of sexual abuse.

**Attachment A: Initiatives Planned for 2021-22**

<b>Initiative</b>	<b>Initiative Type</b>	<b>Completion Date</b>	<b>Lead Department</b>
<p>An online jurisprudence program will be developed and launched.</p> <p>The course will be shared with Massage Therapy educational programs.</p>	<p>Applicant and Registrant Education</p> <p>Massage Therapy Student Education</p>	2021-22	Professional Practice
<p>E-learning modules on topics like the Code of Ethics will be developed and launched.</p> <p>These e-learning modules may be shared with Massage Therapy educational programs.</p>	<p>Registrant Education</p> <p>Massage Therapy Student Education</p>	2021-22	Professional Practice
<p>Open House webinar for registrants and other stakeholders.</p> <p>Webinar content will include new Standards of Practice.</p>	<p>Registrant Education</p> <p>Massage Therapy Student Education</p>	2021 Open House Webinar	Policy and Communications/ All departments
<p>Launch an awareness campaign about mandatory reporting requirements.</p>	<p>Registrant Education</p>	2021-22	Policy and Communications/ Professional Conduct
<p>As an annual reminder about the importance of sexual abuse prevention, registrants will be asked to declare, at each renewal period, that they understand their responsibilities</p>	<p>Registrant Education</p>	Ongoing (annually)	Registration Services

<b>Initiative</b>	<b>Initiative Type</b>	<b>Completion Date</b>	<b>Lead Department</b>
as regulated health professionals for reporting and preventing sexual abuse.			
Undertake annual training for College administration and incorporate recommendations from the Health Profession Regulators of Ontario and other stakeholders.	Training for College Administration	Ongoing (annually)	Policy and Communications
Undertake annual training for Committees involved with sexual abuse matters (i.e. ICRC and Discipline)	Training for College Administration	Ongoing (annually)	Professional Conduct
The College will monitor the effectiveness of the new funding policy in order to determine required changes and whether to seek new regulations in the future.	Funding for Therapy and Counselling	2021-22	Policy and Communications
Develop a plain language, user-friendly information package for clients and therapists to explain the Funding for Therapy and Counselling Program, including a list of support resources for clients.	Funding for Therapy and Counselling	2021-22	Policy and Communications/ Professional Conduct/ Corporate Services
Digital campaign aimed at the public, on topics such as: <ul style="list-style-type: none"> <li>• what to expect when visiting a Massage Therapist;</li> <li>• professional boundaries;</li> <li>• Look Before You Book;</li> </ul>	Provision of Information to the Public	2021-22	Policy and Communications



Initiative	Initiative Type	Completion Date	Lead Department
<ul style="list-style-type: none"> <li>• post-termination relationships; and</li> <li>• a client-facing printable PDF to inform clients of their rights and the role of the College.</li> </ul>			
Enhance data reporting on the number of incoming practice advice questions that relate to sexual abuse/boundaries.	Evaluation of Sexual Abuse Prevention Plan	Ongoing	Policy and Communications
Monitor and evaluate CMTO's Sexual Abuse Prevention Plan annually and discuss goals of the Plan for the subsequent year.	Evaluation of Sexual Abuse Prevention Plan	Ongoing	Client Relations Committee