



# The Prince Albert and Area Community Threat Assessment and Support Protocol

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## VTRA PROTOCOL

This Community Threat Assessment Protocol reflects the work of J. Kevin Cameron, Director of the Centre for Trauma Informed Practices CTIP, and all of the Prince Albert Community Violence Threat Risk Assessment (VTRA) Partners.

## PARTNERS

**Community members include the following agencies and organizations:**

Catholic Family Services of Prince Albert, Inc.

Child and Family Programs, Ministry of Social Services

Parkland Ambulance Care

Prince Albert Fire Department

Prince Albert Police Service

Prince Albert Roman Catholic Separate School Division

Conseil des écoles fransaskoises

Saskatchewan Ministry of Corrections, Policing and Public Safety – Community Corrections

Saskatchewan Health Authority

Saskatchewan Indian Institute of Technologies

Saskatchewan Polytechnic

Saskatchewan Rivers Public School Division

YWCA Prince Albert

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## RATIONALE

The Prince Albert and Area Community Threat Assessment and Support Protocol (CTASP) supports collaborative planning among community partners to reduce violence and reflect safe, caring and restorative approaches. It fosters the timely sharing of information about individuals in the community who pose a risk for violence towards themselves or others. The protocol promotes the development of supportive and preventive plans.

The CTASP has been expanded to include area experts that respond to our diverse community. The CTASP demonstrates our commitment to creating safe learning and work environments in our community.

The strength of this CTASP lies in the multidisciplinary composition of the Community Threat Assessment Team. The team members strive to promptly share and review relevant information and details of the threatening situation or evidence. They collaborate effectively and make use of a broad range of expertise. This collaborative process will respect rights to privacy and the safety of all, to the fullest extent possible.

\*The term "partner" in this document is not intended to mean a legal partnership, but rather a collaborative arrangement.

## VISION

Violence prevention is a shared community responsibility. All community partners work collaboratively to promote and maintain safety, and to strive to prevent violence.

## RESPONSIBILITIES OF PROTOCOL PARTNERS

To ensure the ongoing vitalization and effectiveness of the CTASP and VTRA process, Community Partners agree to:

- Work together for the benefit of any Individual of Concern (IOC) (child, youth, or adult) to:
  - Work in ways that promote safe, caring and restorative practices for protocol partners and the community as a whole
  - Prioritize the need for promotion, prevention, and intervention strategies that demonstrate effectiveness in providing support for each IOC and their family
- Develop organizational policies and procedures relating to the activation and response to the VTRA process
- Commit to ongoing staff development in VTRA training, ensuring that each agency has trained personnel at level 1 and 2 to engage and support the VTRA process.
- Protocol partners will maintain a trained team of facilitators for level 1.
- Attend CTASP meetings to be held a minimum of twice a year.
- Ensure that fair notice of policies and procedures is provided to all stakeholders of protocol partners to inform individuals of the VTRA collaborative process
- Participate in the implementation of a support plan following a VTRA as appropriate for your organization

## SHARING INFORMATION

The general intent of access to information and protection of privacy legislation is to regulate the collection, storage, use and disclosure of personal information. Wherever possible and reasonable, consent to disclose personal information should be obtained. Valid consent does not exist unless the individual knows what he/she is consenting to, and understands the consequences of the intended disclosure. The individual must be made aware that he/she can withdraw consent at any time by giving written or verbal notice. Community partners are committed to the sharing of relevant information to the extent authorized by law.

The presumption is that all information shared by partners should be treated with a high level of confidentiality. Once sharing of information has occurred, each partner who receives the information will be responsible for ensuring appropriate storage, use and disclosure of such information in accordance with the laws, regulations, policies and procedures applying to that partner. Each partner will be responsible for the education of their staff in this regard.

CTASP partners will inform their clients/students/parents of the VTRA protocol in a letter of fair notice. (Appendix D and E)

*It is vital to note that legislation allows the release of personal information if there is imminent threat to health and safety.*

### Sharing Information: Legislation and Case Law

Each partner involved in an assessment will be responsible for determining their own threshold for sharing information with other partners. Each partner will be responsible for ensuring compliance with the legislation that applies to them.

In order to meet the requirements of sharing of information, the following guidelines should be applied:

- there must be a reasonable expectation of probable harm;
- the harm must constitute damage or detriment, and not mere inconvenience;
- and there must be a causal connection between disclosure and the anticipated harm.

#### **Local Authority Freedom of Information and Protection of Privacy Act (LAFOIP)**

“Disclosure of personal information: Subject to any other Act or regulation, personal information in the possession or under the control of a local authority may be disclosed: where necessary to protect the mental or physical health or safety of any individual.” (L-28 (2) (l))

## **Health Information Protection Act (HIPA)**

“A trustee may disclose personal health information in the custody or control of the trustee without the consent of the subject individual in the following cases: where the trustee believes, on reasonable grounds, that the disclosure will avoid or minimize a danger to the health or safety of any person.” (1999, cH-0021, s27 (4) (a))

## **Mental Health Services Act**

Section 38 requires that no person shall disclose any information concerning a patient except when consented to by the patient; when required by law; when ordered by the Minister; in the course of administering the Act; or “when required to assist a person who is receiving services pursuant to the Act to receive services which are necessary to maintain or restore the mental health of that person.”

## **Freedom of Information and Protection of Privacy Act (FOIP)**

FOIP applies to all provincial government ministries and agencies in Saskatchewan including Child and Family Services and the Ministry of Justice. It’s terms are similar to LAFOIP and allow disclosure of information when the public interest in disclosure clearly outweighs any invasion of privacy or when disclosure would clearly benefit the individual to whom the information relates.

## **Youth Criminal Justice Act (YCJA)**

Section 125(6), YCJA enables information in a Youth Criminal Justice Act record to be shared, within the access period, with any professional or other person engaged in the supervision or care of a young person – including the representative of any school division, or school or any other educational or training institution only in limited circumstances. Information may be shared to ensure the safety of staff, students or others, to facilitate rehabilitation/reintegration of the young person, or to ensure compliance with a youth justice court order or any order of the provincial director respecting reintegration leave. Such sharing of information does not require the young person’s consent.

The recipient of youth justice information is responsible for ensuring compliance with legislated restrictions on its use, storage and disposal under the YCJA ss.126 (7). This provision requires that the information must be kept separate from any other record of the young person, that no other person must have access to the information except as authorized under the YCJA or for the purposes of ss.125 (6), and that it must be destroyed when it is no longer needed for the purpose for which it was disclosed.

## **Supreme Court Decision: R. V. M. (M. R.), (1998) 35. C. R. 398**

“The Supreme Court of Canada (1998) has established legal precedent by ruling (in R. vs M (M. R)) that in certain situations, the need to protect the greater student population supersedes the individual rights of the students. The ruling explicitly acknowledges that school officials must be able to act quickly and effectively to ensure the safety of the students and to prevent serious violations of the school rules.” (p. 15)

Reference: Cameron, K. (2011) Community Protocol for Violence Threat Risk Assessment (VTRA) and Intervention (9th Edition)

## VTRA Committees and Protocol Maintenance

Every organization and community jurisdiction has unique factors that must be considered by the CTASP. These include number of people, locations (inner city or rural), organizational structure and dynamics, and availability of community resources to maintain:

- A multidisciplinary CTASP Committee
- An effective community protocol.
- Trained Level I and II VTRA teams within each organization that can support both Stage 1 and 2 VTRA's.

Each organization is committed to being a learning organization that adapts to the contextual needs of professional and community partners. It is incumbent on each organization to take the lead in working towards ensuring that a minimum level of training and understanding of the VTRA model is maintained both within your organization, as well as within any of the supporting agencies/professionals.

VTRA Community Partners are committed to ensuring that the CTASP hosts multidisciplinary "Practice Review and Update" meetings at least twice a year. On such occasions de-identified VTRA cases can be shared at CTASP meetings as a way of keeping the process and concepts of VTRA in the forefront.

## Documentation

Each CTASP partner is responsible for setting and having in place procedures and protocols for the safe and secure storage of VTRA documentation.

### Documentation in a School Setting

The Threat Assessment Report Form completed by the principal is the official written record of the threat assessment and is stored in a confidential file in the principal's office. This information may be shared with others at the discretion of the school superintendent. A note acknowledging that the assessment was conducted will be included in the Cumulative file. A copy of this form appears in appendix G. Requests to access this information will be addressed in accordance with the legislation applying to the agency to whom the request is made.

A copy of each VTRA conducted shall be forwarded to the appropriate Superintendent as soon as possible.

## Appendix A – Application of VTRA in PreK-Grade 12 Schools

Every school should have a Stage I VTRA team and every school division should have a division wide team or personnel who can support schools when required. The divisional VTRA team leader or designate must be notified of all activations of the Stage I or II protocol. School superintendents and other upper administrative personnel who are providing direction to school principals regarding threat/risk assessment must be trained in VTRA.

During the Initial Screening Data Collection and Stage I Assessment of Risk to Others (ARTO) – Micro Assessment, team members are focused on the collection of readily available data that denotes the Individual of Concern (IOC) as “engaged in behavior consistent with their threat” (e.g. locker check, police check, student file/record, etc.). Gathering information from partner agencies is initiated during Stage I Micro Assessment.

During the ARTO process otherwise confidential information regarding immediate risk may be shared between protocol partners. Upon receipt of information, partner agencies check to see if the IOC is or was a client and then the agency determines if they are in possession of information that requires them to “disclose”. Typically, agency partners will report that a record check has been completed and that there is nothing to report or they will report that there is information relevant to the case that needs to be disclosed as per the VTRA Protocol (significant risk of harm to the health or safety of others is present). If the risk is not immediate a Release of Information Form should be requested to allow for a full disclosure of the contents of the file relevant to the case at hand.

### **Stage I Assessment of Risk to Others (ARTO) Team Leadership and Team Activation**

Each partner should have an identified team leader who is responsible for leading the initial screener that determines the need for a Stage 1 VTRA. Once the Stage I Team is activated, leadership is shared and collaborative as the team decides initial steps that need to be taken for immediate data collection and any immediate risk reducing interventions.

In school-based VTRA cases the principal and or their designate (V.P.) is the team leader in that it is their responsibility to maintain a safe and caring learning environment and therefore their responsibility to activate the protocol when other(s) provide them with information that suggests a student or other has engaged in violent or threat making behaviors. However, once the Stage I Team is activated, leadership is shared and collaborative as the team decides initial steps that need to be taken for immediate data collection and any immediate risk reducing interventions. School principals are responsible for disciplinary measures that may need to be addressed and the overall safety of students and staff and police are still responsible for determining if a parallel investigation focusing on the criminal aspect of the case will go forward as well as public safety concerns. School principals must notify the responsible superintendent(s) of any behavior that activates an initial screening for a Stage 1 ARTO. As well, other team members (school social workers, psychologists, police, etc.) must promptly notify their line supervisors of any behavior that activates or should activate the protocol.

## Appendix A – Assessment of Risk to Others (ARTO)



### Assessment of Risk to Others (ARTO), Three - Pronged Process:

