

COMMUNITY LIVING DURHAM NORTH

SEXUALITY

Policy No: B-3 (Service Delivery)

Effective Date: November 1, 2010

Last Revision: January 17, 2017

Last Review: May 27, 2021

Rationale:

The purpose of this policy is to ensure that the sexuality of adults served by Community Living Durham North is acknowledged and supported in a respectful, coherent and consistent way; it seeks to ensure a proper balance between the person's rights, his physical and emotional safety, and the rights and responsibilities of others, including CLDN staff.

Policy Statement:

CLDN recognizes the significance of intimate personal relationships and of sexual expression for all people. It is the policy of CLDN to promote the rights of adults within our programs to develop and enjoy the personal and/or sexual relationships of their choice (for the purpose of this policy, adults are defined as persons aged 18 or older).

These rights include:

- The right to have opportunities to love and be loved and to engage in consenting relationships, whether sexual or not;
- The right to education and information about their own bodies;
- The right to education and information about personal relationships and sexuality, information that is presented in a manner appropriate to their individual needs;
- The right to information and help with contraception and the maintenance of sexual health, including the right to be included in all sexual screening programs;
- The right not to be sexually exploited;
- The right to opportunities to develop legally acceptable relationships;
- The right to develop consenting intimate relationships, marry, enter into a civil partnership or cohabit - and to receive support in maintaining such partnerships;
- The right to have their sexual orientation respected;
- The right to be treated with respect and dignity;
- The right to information and advice about the responsibilities of parenthood, and support when deciding whether to become a parent or not;
- The right to support during pregnancy and the subsequent upbringing of children (where their capacity to provide proper care can be demonstrated);
- We recognize that adults within our service have and are entitled to sexual feelings, needs and identities, and that they have the right to privacy and sexual expression.

When enabling people to exercise these rights, CLDN recognizes the need for planned, multi-disciplinary approaches that are properly discussed and documented.

Approved by: Colin Kemp
for the Board of Directors

Date: January 17, 2017

COMMUNITY LIVING DURHAM NORTH

SEXUALITY

Procedure No: B-3-1
Sexuality and Education

Effective Date: November 1, 2010
Last Revision: May 27, 2021
Last Review:

- CLDN believes that all people have the option and right to obtain accurate, current and factual education regarding relationships and sexuality. The denial of sexual education to people with disabilities has contributed to abuse and misinterpretation of behaviour.
- The education and information provided to people should include but not be limited to:
 - ✓ Relationships of all kinds, not just sexual relationships;
 - ✓ Interpersonal skills (including, but not limited to communication, decision-making, assertiveness and refusal skills);
 - ✓ Sexual health and personal care;
 - ✓ Sexuality and specific disabilities;
 - ✓ The risk of victimization and abuse;
 - ✓ The risk of unwanted pregnancy and infections.
- People served by CLDN who may require education on sexuality, as identified by themselves, their families or primary support workers, will be offered resources to access education and training from many different sources including internal sexuality courses and external services such as *Lake Ridge Community Support Services, Durham Region Sexual Health Clinics* and individual socio-sexual consultants in private practice. In all cases, the technical and social dimensions of sexuality will be presented in a manner that is in keeping with our organizational premises, values and principles.

Procedure No: B-3-2
**Our Organizational Premises,
Values and Principles**

Effective Date: November 1, 2010
Last Revision: May 27, 2021
Last Review:

Many aspects of human sexuality, like sexual orientation or erotica, are controversial in our society. Therefore, the agency must take certain basic positions. It cannot permit individual support staff to take actions, within the work place, that are based upon their personal and often competing assumptions.

- **Consent:** Any relationship, including a sexual relationship, must be consensual; that is, it must involve the willing participation of those in the relationship. A person's ability to understand the nature of sexual activity and the implications or outcomes of that activity is a key component of consent. Due to varying levels of cognitive ability, as well as the fact that people with disabilities have historically been denied sex education and have had

relatively little opportunity to engage in the normal range of social and sexual activity, questions may arise concerning the ability of a supported person to give (or receive) informed consent in social/sexual situations.

- **Dating:** Pursuing relationships of choice is a basic human right.
- **Gender Identity:** A person's gender identity does not always correspond to the sex a person has been assigned at birth. CLDN will be respectful of a person's preferred pronoun (he/she/they) regardless of their gender at birth. For supported persons who might be transgender, education and medical advice will be sought to assist them to explore the options that are available to them.
- **Sexual Orientation:** CLDN believes that people have the right to be in consensual relationships of choice with people of the same or opposite gender. Although sexual orientation is often subject to divergent attitudes, all persons need to be able to discover and express who they are free from external pressures, prejudices and discrimination. Regardless of orientation or gender, everyone has a right to intimacy within a consensual relationship.
- **Masturbation and Self-Stimulation:** Masturbation is a natural sexual exploration of one's own body that is acceptable when done in a safe, private place. An understanding of privacy, appropriateness, and gentleness is essential. Although people with disabilities are often misinformed about masturbation, and have historically been punished for practicing this form of sexual expression, everyone is entitled to education, support and an atmosphere of comfort and calm regarding this private sexual behaviour.
- **Sexual Contact including Sexual Intercourse:** Sexual contact and intercourse – defined as any physical contact between people that involves genital contact, or contact with breasts or buttocks, including oral, anal and vaginal sex - is a right of consenting adults regardless of their sexual orientation, creed, colour or disability. A sexually intimate relationship is recognized as an exciting and fulfilling experience, as well as a significant developmental and lifestyle marker. With a consenting sexual relationship comes the obligation to make responsible, informed decisions.

People should be fully informed and able to consent before they begin a sexual relationship. Unwanted pregnancy, infections and abuse are all legitimate concerns related to sexual contact. However, these risks should not automatically preclude individuals from experiencing sexual contact. Providing education and experience regarding sexuality and relationships to people with intellectual disabilities, who have historically been denied access to both, will help them to make responsible decisions.

- **Pregnancy Prevention:** For those who choose to engage in heterosexual behaviour, pregnancy prevention is a critical issue. Everyone has a right to choose birth control options as a way of preventing pregnancy. CLDN will provide very basic education regarding the importance of pregnancy

prevention, and will support the birth control method chosen by people once they have accessed medical and/or family planning services.

- **Pregnancy:** The decision to become a parent and raise a child must be made with an understanding of the financial, emotional, and time commitments involved. The parent(s) should also be aware of the risks involved if these commitments are not kept. However, having a disability does not necessarily mean that a person cannot be a responsible parent. CLDN will provide basic education, counselling and support surrounding the decision of a woman with regard to pregnancy. Additional resources and services will be accessed as necessary. We will also provide similar information to any partner of the pregnant woman with regard to his role and responsibilities. CLDN, however, is not licensed to provide support to individuals under the age of 18.
- **Sexually Transmitted Infections and AIDS:** Everyone who is sexually active is at risk of Sexually Transmitted Infection (STI) and has the right to education, information and resources to protect himself. People with STI's - known diseases that can be transmitted through sexual contact and/or exchange of bodily fluids - and/or HIV will not be subject to any discrimination. CLDN supports the use of condoms and dental dams as safe-sex practices.
- **Co-Habitation/ Marriage/Union:** Everyone has the right to have the opportunity for a consensual live-in partnership with a person of their choice. This is a significant developmental and lifestyle marker and one of the most important decisions a person can make. It is especially crucial that people receive education to help them make safe and healthy decisions regarding the long-term partnerships in their lives.
- **Erotica:** A broad range of sexually explicit material is available. Therefore, adults may need assistance in accessing material that is enjoyable but does not present sexual violence or illegal activity. CLDN will provide support to any adult requesting access to legal erotica provided that he or she commits to use the material responsibly and privately and without the potential for criminal behaviour.
- **Pornography:** Pornography, as defined by CLDN, is clearly distinct from erotica. It is the depiction of sexual images or activities through photographs, literature or other media, in a manner that debases or humiliates, or promotes violence, abuse or other illegal actions. Material depicting children or violence against women or others will be considered pornographic. Pornography will not be allowed on CLDN property. Notwithstanding people's right to self-determination, pornographic material, if discovered, will be removed from CLDN property and people will not be reimbursed for material that is removed.
- **Abuse, Harassment and Exploitation:** Everyone has a right to be free from abuse, coercion, exploitation and harassment. People with disabilities are recognized as one of the most vulnerable and victimized groups in society - with those providing care the primary abusers. People with disabilities must be

made aware that they have a right to be safe and to be supported by respectful CLDN staff. They must also learn how to understand, recognize and report abuse.

- **Personal Boundaries; Contact between Staff and Supported People:** Touch and informal conversation can easily be misinterpreted by the people directly involved and/or by observers. Understanding physical and emotional boundaries helps to ensure that people will develop and maintain effective relationships. This understanding also helps people to recognize potentially unsafe contact and to avoid behaviour that may be misinterpreted.

People providing services will model socially acceptable touch and speech in every situation. Sexual contact between those providing and those receiving services is prohibited at all times.

- **Privacy:** Everyone is entitled to privacy regarding their body and their personal space. This is critical to mental and emotional well-being. It is also the pre-condition of being able to respect the privacy and personal boundaries of other people.
- **Sexual Self-Advocacy:** Everyone has the right to advocate for themselves in areas that impact their lives. Relationships and intimacy are two critical areas in which people have the right to speak for themselves to get their needs met.
- **Guardianship:** Guardianship may be necessary when a person cannot make safe, responsible decisions on his own. Effective guardianship involves the participation of the person to the highest degree possible when decisions are being made about his life or well-being. CLDN will support people in securing competent and responsive guardians to help them make informed decisions if this becomes necessary to ensure their health and safety.

Approved by: Glenn Taylor

CEO

Date: May 27, 2021