



Factsheet for Nurses

Responding to Elder Abuse and Neglect

What is elder abuse and neglect?

Elder abuse refers to any actions that cause physical, psychological, financial or sexual harm to an older adult. Neglect includes situations where a person or organization fails to provide services or necessary care to an older adult.

Examples of elder abuse and neglect include:

- withholding medication
- overmedicating an older adult
- invading privacy
- misusing funds
- physical assault
- non-consensual sexual contact
- neglecting an older adult's basic needs
- threats of harm
- causing or supporting social isolation
- inappropriately gaining access to an older adult's money
- not getting appropriate consent
- harassment
- forced confinement

Sometimes, elder abuse and neglect results in a criminal offence.

How can nurses identify elder abuse and neglect?

Indicators of elder abuse will vary, depending on an older adult's experience. Knowing what is important to the older adult, what support and assistance is available, and what risk factors exist will help identify abusive situations.

Some hospitals and health authorities have developed diagnostic tools to help health care professionals identify elder abuse.

The National Initiative for the Care of the Elderly (NICE) has published user-friendly versions of the following tools:

- **IOA:** Indicators of Abuse (by Myrna Reis and Daphne Nahmiash)
- **CASE:** Caregiver Abuse Screen (by Myrna Reis and Daphne Nahmiash)
- **EASI:** Elder Abuse Suspicion Index (by Mark J. Yaffe, Maxine Lithwick, Christina Wolfson)
- **IN HAND:** An Ethical Decision-Making Framework (by Marie Beaulieu)

These tools are available online at: www.nicenet.ca
Refer to the *Charting Sheet: Responding to Elder Abuse and Neglect* for a helpful way to document facts, concerns and risks related to elder abuse and neglect.



How should nurses respond to elder abuse and neglect?

The appropriate response to elder abuse and neglect is to offer the most effective, but least restrictive and intrusive, support or assistance. Any support must recognize the older adult's right to privacy and right to make decisions.

Refer to the brochures *Confidential Patient and Client Information: Responding to Elder Abuse and Neglect* and *Mental Capacity and Consent: Responding to Elder Abuse and Neglect* for more information.

What about consent?

Nurses need to seek consent from the older adult before initiating a care plan, implementing a plan of support or assistance, or disclosing personal or health care information.

An adult with mental capacity has the right to refuse treatment. Likewise, the mentally capable older adult who has experienced abuse or neglect, or is at risk of abuse or neglect, is entitled to decide what assistance or support is necessary. Refer to the brochure *Mental Capacity and Consent: Responding to Elder Abuse and Neglect* for more information.

Is there a legal obligation to notify someone else?

The laws are different in each province and territory. The legal obligation to respond to elder abuse or neglect will depend on:

- which province or territory the older adult lives in employment role or professional responsibility
- whether the older adult is living in the community or in care
- whether the older adult is in need of support or assistance, or is unable to care for himself or herself

In some provinces, nurses must notify a delegated person or government authority about incidents of abuse or neglect when an older adult is receiving assistance from a health care facility or living in a long-term care home. In other provinces, the person who operates the care facility is legally obligated to notify the patient's representative, medical employees, funding program or health authority.

In some provinces and territories, nurses must notify an appointed person or organization when an older adult is being abused or neglected and is in need of assistance or support, or is unable to care for himself or herself.

In some provinces, nurses also have a legal obligation to notify a designated person or government authority when an older adult is *at risk* of abuse or neglect.

Refer to the comparative table *Summary of the Law in Each Province and Territory: Responding to Elder Abuse and Neglect* for details about when to notify the appropriate person, organization or government body.

What about elder abuse and neglect in the workplace?

Elder abuse and neglect may occur at home, in the community or in institutions (e.g. hospitals, health care facilities and long-term care homes). Nurses will sometimes need to notify a designated person, organization or government body about incidents that occur at work.

Employers cannot discipline or discharge a nurse for fulfilling a legal requirement to notify a designated person, organization or authority about elder abuse, neglect or risk. Workplace policies should provide clear, practical guidance about when and how to respond to elder abuse and neglect.