

DOM LIPA SLOVENIAN LINDEN FOUNDATION

Complaint/Concern/Issue Policy

Intent

The intent of the Complaint/Concern/Issue Policy is to demonstrate DOM LIPA's commitment to its residents and employees by providing a formal complaint procedure that is compliant with the *Long Term Care Homes Act, 2007*.

Scope

The Complaint/Concern/Issue Policy shall apply to all DOM LIPA's employees, management team and residents of DOM LIPA at all times and without exception.

Definition

Complaint – A statement that something is unsatisfactory or unacceptable (Oxford Universities Press, 2011).

Concern – A cause of anxiety or worry (Oxford Universities Press, 2011).

Issue – An important topic or problem for debate or discussion (Oxford Universities Press, 2011).

General Guidelines

DOM LIPA has a Zero Tolerance Policy for contraventions of any section, subsection or otherwise of the Long Term Care Homes Act. Any contravention by a DOM LIPA employee, manager or person conducting business on behalf of DOM LIPA will not be tolerated and shall result in disciplinary action up to and including termination of employment.

DOM LIPA residents, employees or managers who wish to discuss or raise a concern or issue (i.e. dissatisfaction with meal times) shall do so with their direct supervisor or resident care attendant.

Complaints include but are not limited to the abuse, mistreatment or neglect of a resident, are outlined in detail within the Act and shall be brought to the immediate attention of the licensee or staff member in charge. In accordance with the [Long Term Care Homes Act, Section 101 \(1\)](#), "every licensee shall ensure that **every written or verbal complaint made to the licensee or a staff member concerning the care of a resident or operation of the home** is dealt with" as outlined in the Formal Complaint Procedure.

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Formal Complaint Procedure

1. The complaint shall be investigated and resolved where possible, and a response that complies with paragraph 3 provided within 10 business days of the receipt of the complaint, and where the complaint alleges harm or risk of harm to one or more residents, the investigation shall be commenced immediately.
2. For those complaints that cannot be investigated and resolved within 10 business days, an acknowledgement of receipt of the complaint shall be provided within 10 business days of receipt of the complaint including the date by which the complainant can reasonably expect a resolution, and a follow-up response that complies with paragraph 3 shall be provided as soon as possible in the circumstances.
3. A response shall be made to the person who made the complaint, indicating:
 - a. What the licensee has done to resolve the complaint; or
 - b. That the licensee believes the complaint to be unfounded and the reasons for the belief.

Record Keeping

With respect to record keeping and documentation, the Long Term Care Homes Act, Section 101(2) states: "the licensee shall ensure that a documented record is kept in the home that includes":

- a) The nature of each verbal or written complaint;
- b) The date the complaint was received;
- c) The type of action taken to resolve the complaint, including the date of the action, time frames for actions to be taken and any follow-up action required;
- d) The final resolution, if any;
- e) Every date on which any response was provided to the complainant and a description of the response; and
- f) Any response made in turn by the complainant.

Section 101 (3) of the Long Term Act states: "the licensee shall ensure that:

- a) The documented record is reviewed and analyzed for trends at least quarterly;
- b) The results of the review and analysis are taken into account in determining what improvements are required in the home; and
- c) A written record is kept of each review and of the improvements made in response".

Section 101(4): Subsections (2) and (3) do not apply with respect to verbal complaints that the licensee is able to resolve within 24 hours of the complaint being received.

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Transitional Complaints

Where a complaint was made before the coming into force of this section, but not finally dealt with, the complaint shall be dealt with as provided for in Section 101 (Service Ontario, 2010).

Reporting to the Director

Reporting certain matters to the Director, Section 103 of the Act, shall occur in the following manner:

1. Every licensee of a long-term care home who receives a written complaint with respect to a matter that the licensee reports or reported to the Director under section 24 (see attachment) of the Act shall submit a copy of the complaint to the Director along with a written report documenting the response the licensee made to the complainant under subsection 101 (1).
2. The licensee shall comply with subsection (1) immediately upon completing the licensee's investigation into the complaint, or at an earlier date if required by the Director.

Critical Incident Reporting Procedure

The Long Term Care Homes Act states, in Section 107:

1. Every licensee of a long-term care home shall ensure that the Director is immediately informed, in as much detail as is possible in the circumstances, of each of the following incidents in the home, followed by the report required under subsection (4):
 - a. An emergency, including loss of essential services, fire, unplanned evacuation, intake of evacuees or flooding.
 - b. An unexpected or sudden death, including a death resulting from an accident or suicide.
 - c. A resident who is missing for three hours or more.
 - d. Any missing resident who returns to the home with an injury or any adverse change in condition regardless of the length of time the resident was missing.
 - e. An outbreak of a reportable disease or communicable disease as defined in the *Health Protection and Promotion Act*.
 - f. Contamination of the drinking water supply.
2. Where a licensee is required to make a report immediately under subsection (1) and it is after normal business hours, the licensee shall make the report using the Ministry's method for after-hours emergency contact.
3. The licensee shall ensure that the Director is informed of the following incidents in the home no later than one business day after the occurrence of the incident, followed by the report required under subsection (4):
 - a. A resident who is missing for less than three hours and who returns to the home with no injury or adverse change in condition.
 - b. An environmental hazard, including a breakdown or failure of the security system or a breakdown of major equipment or a system in the home that affects

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- c. the provision of care or the safety, security or well-being of residents for a period greater than six hours.
 - d. A missing or unaccounted for controlled substance.
 - e. An injury in respect of which a person is taken to hospital.
 - f. A medication incident or adverse drug reaction in respect of which a resident is taken to hospital.
4. A licensee who is required to inform the Director of an incident under subsection (1) or (3) shall, within 10 days of becoming aware of the incident, or sooner if required by the Director, make a report in writing to the Director setting out the following with respect to the incident:
 - a. A description of the incident, including the type of incident, the area or location of the incident, the date and time of the incident and the events leading up to the incident.
 - b. A description of the individuals involved in the incident, including,
 - i. Names of any residents involved in the incident,
 - ii. Names of any staff members or other persons who were present at or discovered the incident, and
 - iii. Names of staff members who responded or are responding to the incident.
 - c. Actions taken in response to the incident, including,
 - i. What care was given or action taken as a result of the incident, and by whom,
 - ii. Whether a physician or registered nurse in the extended class was contacted,
 - iii. What other authorities were contacted about the incident, if any,
 - iv. For incidents involving a resident, whether a family member, person of importance or a substitute decision-maker of the resident was contacted and the name of such person or persons, and
 - v. The outcome or current status of the individual or individuals who were involved in the incident.
 - d. Analysis and follow-up action, including,
 - i. The immediate actions that have been taken to prevent recurrence, and
 - ii. The long-term actions planned to correct the situation and prevent recurrence.
 - e. The name and title of the person who made the initial report to the Director under subsection (1) or
 - f. The date of the report and whether an inspector has been contacted and, if so, the date of the contact and the name of the inspector.
5. The licensee shall ensure that the resident's substitute decision-maker, if any, or any person designated by the substitute decision-maker and any other person designated by the resident are promptly notified of a serious injury or serious illness of the resident, in accordance with any instructions provided by the person or persons who are to be so notified.
6. Where a matter occurred before the coming into force of this section and the matter was required to be reported to the Director as an occurrence or unusual occurrence under

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7. any of the following, the licensee shall report the matter to the Director in accordance with the requirements that existed at the time the matter occurred:
- a. Section 96 of Regulation 832 of the Revised Regulations of Ontario, 1990 (General) made under the *Nursing Homes Act*.
 - b. Section 31.1 of Regulation 69 of the Revised Regulations of Ontario, 1990 (General) made under the *Charitable Institutions Act*.
 - c. Section 25.1 of Regulation 637 of the Revised Regulations of Ontario, 1990 (General) made under the *Homes for the Aged and Rest Homes Act*.
 - d. An agreement made under an Act mentioned in paragraphs 1 to 3.

Administration

This document was created on January 1, 2011 and revised January 12, 2017 and is to be used as the Complaint/Concern/Issue Policy for DOM LIPA.

Acknowledgement & Agreement

I, _____ (Employee Name),
acknowledge that I have read and understand the Complaint Policy of DOM LIPA. Further, I agree to adhere to this Policy and adhere to these guiding principles. I understand that if I violate the rules/procedures outlined in this Policy, I may face corrective action, up to and including termination of employment.

Name: _____

Signature: _____

Date: _____

Witness: _____