



*SECTION 1: PREAMBLE*

**For Residents, By Residents**

## **SECTION 1**

### **Inside you will find...**

- 1.1. Introduction to the Ontario Association of Residents' Councils
- 1.2. Residents' Bill of Rights
- 1.3. Acknowledgements
- 1.4. How to Use this Resource Guide



## 1.1 The Ontario Association of Residents' Councils

### Who We Are

The Ontario Association of Residents' Councils (OARC) is a non-profit association formed in 1981 by residents, to act as a collective voice for Residents' Councils in all long-term care (LTC) homes in Ontario.

#### *OARC's Mission*

Through relationships, education and awareness, OARC:

- assists Residents' Councils in improving their effectiveness and sustainability;
- encourages residents to participate in decisions affecting them;
- provides a collective voice for Residents' Councils; and
- works with government and other organizations interested in improving quality of living in LTC homes.

#### *OARC's Vision*

A future where supported and self-governing Residents' Councils are respected for their positive contributions to maintaining quality of living in LTC homes.

#### *OARC's Values*

OARC believes that respect is core to quality of living and that Residents' Councils provide opportunities for **residents** to explore and promote:

- Relationships
- Education
- Self-determination
- Positive mutual support
- Environments which feel like home
- Collective voices
- Ties with the community

### OARC Governance



OARC is governed by a Board of Directors, all of whom are residents nominated by our member homes across Ontario. Their term of office is three years.

The members of the Board elect an Executive from among themselves to direct the activities of the association between Board meetings.

The OARC provides a strong, unified network through which the activities of individual Councils are enhanced. This is vital to their continued existence and effectiveness.

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## 1.2 Residents' Bill of Rights

In Ontario, the rights of residents in LTC homes are protected through the *Long-Term Care Homes Act, 2007* (LTCHA). These rights have been strengthened and expanded to reflect our province's fundamental values. The rights are listed below and, for ease of understanding, some include clarifications from a booklet developed by the Advocacy Centre for the Elderly entitled, "*Every Resident: Bill of Rights for people who live in Ontario long-term care homes.*"

### *Residents' Bill of Rights*

1. Every resident has the right to be treated with courtesy and respect and in a way that fully recognizes and respects their individuality and dignity.
2. Every resident has the right to be protected from abuse. (In other words, no one is allowed to abuse you physically, financially, sexually, verbally, or emotionally).
3. Every resident has the right not to be neglected by the home's owner, the home's management team, or the staff.
4. Every resident has the right to be properly sheltered, fed, dressed, groomed, and cared for in a manner that meets their individual needs.
5. Every resident has the right to live in a safe and clean environment.
6. Every resident has the right to exercise the rights of a citizen.
7. Every resident has the right to be told who is responsible for, and who is providing, their direct care. (In other words, you have the right to know who is looking after you no matter who they work for or how they are employed).
8. Every resident has the right to be given privacy when receiving a treatment and when their personal needs are being looked after.



Every licensee of a long-term care home shall ensure that the following rights of residents are fully respected and promoted. [2007, c. 8, s. 3(1)]

Every licensee of a long-term care home shall ensure that the required information is posted in the home, in a conspicuous and easily accessible location. [2007, c. 8, s. 79 (1)(a)]



9. Every resident has the right to have their participation in decision-making respected. (In other words, you have the right to be involved in decision-making about all aspects of your life in your home).
10. Every resident has the right to keep and display their personal belongings, pictures, and furnishings in their room depending on safety requirements and the rights of other residents within their community.
11. Every resident has the right to,
  - i) fully participate in the development, implementation, review, and revision of their plan of care. In other words, you have the right to be fully involved in your plan of care, from the making of your plan, right through to when it's being performed or changed;
  - ii) give or refuse consent to any treatment, care or services for which their consent is required by law and to be told of any consequences of giving or refusing consent;
  - iii) fully participate in making any decision concerning any aspect of their care, including any decision concerning moving into their new home, permanently leaving the home, or transferring to or from their home or a secure unit and to obtain an independent opinion with regard to any of those matters. (In other words, you have the right to take part in all decisions about moving into the home, leaving it, or moving into another room within it); and
  - iv) have their personal health information within the meaning of the Personal Health Information Protection Act, 2004 kept confidential and to have access to their records of personal health information, including their plan of care. (In other words, you have the right to have your health and medical records kept private and confidential).
12. Every resident has the right to receive care and assistance towards independence based on a restorative care philosophy to maximize their independence to the greatest extent possible.



Every licensee of a long-term care home shall ensure that there are written procedures that comply with the regulations for initiating complaints to the licensee and for how the licensee deals with complaints. [2007, c. 8, s. 21]



13. Every resident has the right not to be restrained, except in the limited circumstances identified by law and subject to specific criteria. (In other words, you have the right to be free of restraints except in the few situations where the law allows restraints to be used).
14. Every resident has the right to communicate in confidence, receive visitors of their choice, and consult in private with any person without interference.
15. Every resident who is dying or who is very ill has the right to have family and friends present 24 hours per day.
16. Every resident has the right to designate a person to receive information concerning any transfer or any hospitalization of the resident and to have that person receive that information immediately.
17. Every resident has the right to raise concerns or recommend changes in policies and services on behalf of themselves or others to the following persons and organizations without interference and without fear of coercion, discrimination or reprisal, whether directed at the resident or anyone else:
  - i) the Residents' Council,
  - ii) the Family Council,
  - iii) the licensee, and, if the licensee is a corporation, the Directors and Officers of the corporation, and, in the case of a home approved under Part VIII, a member of the committee of management or the Board of management for the home.
  - iv) staff members,
  - v) government officials, or
  - vi) any other person inside or outside the residents' home.
18. Every resident has the right to have friendships and relationships and to fully participate in the life of the long-term care home.
19. Every resident has the right to have their lifestyle and choices respected.
20. Every resident has the right to fully participate in the Residents' Council.
21. Every resident has the right to meet privately with their spouse or another person in a room that assures privacy. (In other words, you have the right to be alone with your spouse or a person who is important to you).





22. Every resident has the right to share a room with another resident according to their mutual wishes, if appropriate accommodation is available.
23. Every resident has the right to participate in social, cultural, religious, spiritual, and other interests, to develop their potential and to be given reasonable assistance by the licensee to pursue these interests and to develop their potential. (In other words, you have the right to do things that interest you and things that are important to you, either inside or outside your home).
24. Every resident has the right to be informed in writing of any law, rule, or policy affecting their services and of the procedures for initiating complaints.
25. Every resident has the right to manage their personal financial affairs unless lacking the legal capacity to do so.
26. Every resident has the right to access protected outdoor areas in order to enjoy outdoor activities unless the physical setting makes this impossible. (In other words, you have the right to go outside to enjoy nature, fresh air, and outdoor activities whenever and wherever possible).
27. Every resident has the right to have any friend, family member, or other person of importance to them attend any meeting with the home's management team or the staff of the home.



Every resident has the right to participate in the Residents' Council. [2007, c. 8, s. 3 (1)]





## *1.3 Acknowledgements*

Have you ever experienced challenges in establishing, maintaining or supporting your home's Residents' Council? We hope that you will find the information in this resource guide to be helpful in addressing your questions and challenges, in order to maximize your Council's effectiveness.

We encourage the Residents' Council's leadership team, the Residents' Council assistant as well as home Administrators, to use this guide as a source of creative ideas to help strengthen and support your home's Council. The guide borrows heavily from our experiences and our work, as well as from what hundreds of residents, team members and colleagues have taught us over the years since OARC was formed. It reflects a collection of ideas and best practices from provincial and international groups, and we would like to thank and acknowledge all of our contributors.

We especially want to thank the members of OARC's Advisory Group, a dedicated group of residents and team members who work with the Residents' Councils in their respective long-term care homes and who generously volunteered their time to develop the content for the original publication of this resource guide. We would also like to thank OARC's former Executive Directors for their pioneering endeavors, ideals and vision. Additional material for this resource guide was developed through consultation with the Ontario Family Councils' Program of and residents and team members from the following homes: Village of Aspen Lake, Thornton View LTC, Sunnyside Home, Pleasant Manor Retirement Village, Extendicare Bayview, Woods Park Care Centre, Bob Rumball Home for the Deaf, and Providence Manor. Everyone's comments, ideas and practices shaped the development of this guide, and we appreciate the commitment they have shown in helping our province's Residents' Councils flourish.

OARC gratefully acknowledges the Ontario Ministry of Health and Long-Term Care (MOHLTC) for its ongoing support of OARC activities and programs, including the development and distribution of this guide.



*Advisory Group Membership for the Original Publication of this Resource Guide:*

The Advisory Group consisted of OARC team members, long-term care home residents and team members. We are appreciative of their efforts and hard work to create this essential guide to forming and maintaining effective Residents' Councils in long-term care homes.



## 1.4 How to Use this Resource Guide

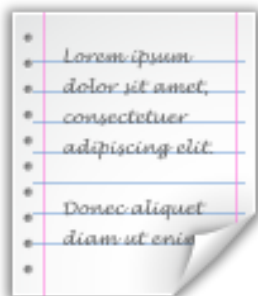
This resource guide is designed to be user-friendly and comprises four main sections:

1. **Section One: Preamble**
2. **Section Two: Supporting the Establishment of Your Residents' Council**
3. **Section Three: Supporting the Operations of Your Residents' Council**
4. **Section Four: Supporting the Sustainability of Your Residents' Council**

Each section explores topics meaningful to a Residents' Council, while also respecting the unique needs of the resident's home. As you read each topic, begin to think about how it applies to your home. What information do you think could be useful? Are there any suggestions that you believe could help to improve the effectiveness of your Residents' Council or strengthen relationships within your home?

As you read through the guide, you will find many additional resources, such as checklists, sample agendas and templates. The most current versions of OARC tools and templates referenced in this guide can also be accessed online at [www.ontarc.com](http://www.ontarc.com). Most tools are available in a range of font sizes to best meet the needs of your Council members. You may photocopy, print and/or customize any of these resources to suit your needs, except for the Residents' Bill of Rights, which is provincial legislation and cannot be altered. We also encourage you to add your own documents, such as copies of policies or official Council documents, at the end of the section that contains related topics.

It should be noted that the suggestions in this resource guide are not rules that must be strictly followed, nor are they intended to provide a prescriptive, one-size-fits-all approach. Rather, the guide discusses different issues you may experience and presents a number of ideas that you may decide to try.



### Taking Notes

In Section One, you will find one blank, lined sheet of paper for taking notes. You can photocopy this page, if you need additional paper.

### *Our Home's Policy or Law?*



Please speak with your home's management team to find out what practices are the policies of the home/organization. This will help you to differentiate home-based practices from practices required by law.

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## Helpful Icons Used in this Resource Guide

The following icons are used throughout this guide to highlight important information and helpful ideas for you to consider with your Council.



This icon appears next to legislative requirements that **must** be in place in your home.



This icon can be found beside information the Staff Assistant may find helpful.



This icon suggests inserting copies of documents specific to your home.



This icon shares a story about an experience relevant to Residents' Councils.



This icon appears next to key information that is important, but not critical.



This icon can be found beside information about money.



This icon points to helpful tips and suggestions from OARC.



This icon flags recommended questions from OARC.



## Glossary of Terms Used in this Resource Guide

**Board of Directors:** Refers to a type of Residents' Council's leadership team made up of the Council's Executive and all Home Area Representatives. Each Council is responsible for recording these positions in their Bylaws. The Board of Directors is responsible for the general administration of the Council.

**Executive:** Refers to the team of residents elected or officially appointed to serve as Officers for the positions of President, Vice-President, Secretary and Treasurer of the Council.

**Home Area Representative:** Refers to a resident who has been elected or recruited to represent a particular area of the home, such as a floor or residential neighbourhood, at Residents' Council meetings. Each Council is responsible for recording this position in Bylaws.

**Home's Management Team** (also known as a management team): Refers to the people who have managerial and administrative responsibilities enabling them to support residents and team members, while ensuring that the day-to-day operations of the home are strong and stable.

**Leadership Team\*:** A broad-spectrum expression that refers to every type of leadership structure a Residents' Council may choose to adopt. Council members are responsible for determining the composition of their leadership team, which may take the form of an Executive, a Board of Directors, Shared Leadership, or any other leadership structure that performs the responsibilities of the people who lead the Council's operations. There are many variations on this model. ?

*\*For ease of reading, this guide uses "leadership team" as a generic term referring to all possible structures.*

**Licensee:** Refers to the person who holds the licence for the home. A licensee may assign a designate who assumes responsibility for the day-to-day operations of the home. The designate is typically the home's Administrator or Executive Director.

**Resident:** Refers to a person living in a particular place—regardless of length of stay—either for an extended period, such as in a convalescent, respite or rehab home, or permanently in a LTC home.



***Robert's Rules of Order:*** The authoritative guidebook on parliamentary procedure designed to help anyone smoothly conduct orderly meetings in a fair manner. The book can be purchased at a bookstore or you can familiarize yourself with the full text of this book electronically by typing the following in your Internet browser: <http://www.rulesonline.com/index.html>.

**Staff/Team Members:** Refers to all persons employed by the home and is inclusive of your home's management team.

**Residents' Council Assistant:** The term used to describe the person who assists the Residents' Council as necessary. This person is not a member of the Council and they are not part of the Council structure. If the Council determines that assistance from a team member is needed, the LTC home licensee is required to appoint a Residents' Council assistant who is acceptable to that Council through a negotiated process with the Council. Duties may include (but are not limited to) assisting with agenda preparation, organizing the meeting space, recording minutes, facilitating discussion, and assisting with elections. The intent of the LTCHA is for the home to appoint a non-managerial staff member to fulfil the role of Residents' Council assistant. If the assigned Council assistant is not acceptable to the Council, the Residents' Council Executive and the administration discuss possible alternatives. The acceptance of a Residents' Council assistant should be documented in the minutes of the meeting during which the decision was made. The OARC Minute template provides an opportunity for Councils to review the suitability of the assistant on an annual basis (recommended).

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