

RESIDENTS' COUNCILS

Meeting Membership Ontario Long-Term Care Homes

The *Fixing Long-Term Care Act, 2021*, mandates that:

- s. 3(1)28. Every resident has the right to participate in the Residents' Council.
- s. 62(2) Only residents of the long-term care home may be members of the Residents' Council.

Residents' Councils are formal advisory bodies, independent of the home and other councils. The *Fixing Long-Term Care Homes Act, 2021* requires that all long-term care homes have a Residents' Council, and specifies who may attend meetings. Residents' Council meetings are scheduled regularly to ensure continuity and to enhance resident attendance. Council meetings provide the opportunity for residents to participate actively in matters that affect their daily lives and where they can exercise decision-making autonomy. Councils attempt to cultivate a safe environment that encourages unity, partnership, mutual support and contribute to increased quality of living for all residents in the home.

WHO CAN ATTEND RESIDENTS' COUNCIL MEETINGS?

Residents: All **residents** living in Ontario Long-Term Care homes are members of their Residents' Council and are encouraged to attend meetings, get involved in Council activities, vote in elections, and volunteer to serve on their Residents' Council leadership team.

Residents' Council Assistant: The **Residents' Council Assistant's** role is to assist the Council's leadership with planning and facilitating meetings. The Assistant works for the Council and takes direction from them. It is recommended that the Residents' Council Assistant is a staff/team member from the Long-Term Care home. However, they may not share what goes on in the Residents' Council with other home staff or management without the consent of the Council.

Administrators: The **Administrator's** role is to support the Residents' Council's processes and outcomes. Administrators do not have a role in attending meetings without an invitation and must not interfere with Residents' Council elections, posting of minutes, financial management and Residents' Council activities.

Guests: Occasionally a **guest** will be invited to attend a Residents' Council meeting. Guests are not regular attendees of the meetings and can only attend if invited by the Council's leadership for a specific purpose and are approved by the Council's leadership in advance of the meeting. Guests include people like educators, community leaders, home management, Administrators, etc. Guests should have a set time on the Council's agenda and attend only during that time.

SUBSTITUTE DECISION MAKERS AND RESIDENTS' COUNCILS

Many residents have appointed someone to act as their attorney (often called Power of Attorney) for personal care or property or may have someone acting under a different authority as their substitute decision maker. While that person may have some authority, that person does not have authority to stand in for the incapable person in every situation. The membership of a Residents' Council remains exclusive to residents only and no one can attend Residents' Council meetings on behalf of a resident.

THE ROLE OF THE RESIDENTS' COUNCILS AND FAMILY COUNCILS

Residents' Councils are formal advisory bodies, independent of the home and other councils. The *Fixing Long-Term Care Act, 2021* requires that all Long-Term Care homes have a Residents' Council, and specifies who may attend meetings. Residents' Councils and Family Councils are independent, self-determining groups, that are supported by, but not run by, the Long-Term Care home. Meetings are intended to be private, safe spaces for these members to come together to share openly and support one another as peers. A family member is unable to accompany a resident to a Residents' Council meeting or attend on a resident's behalf. The same is true of residents attending closed Family Council meetings. On occasion, the Councils may extend an invitation to have a guest present or attend part of the meeting, however, the *Fixing Long-Term Care Act, 2021* is clear that residents and families are to maintain their separate Councils in order to be most effective and true to their intended purpose. This does not prevent or preclude Councils from working together. Both the Residents' Council and Family Council play an integral role in promoting a resident-centred culture within a home and enhancing the resident and family experience.

Further clarification can be obtained from the
Long-Term Care Family Support and Action Line 1-866-434-0144

Sources:

- Government of Ontario. (2021). [Fixing Long-Term Care Act, 2021](#). Ontario, Canada.
- McVie, M., & Peck, S. [Residents' Councils and Family Councils: Key Distinctions and Opportunities for Collaboration](#) Webinar, 2019
- McVie, M., & Peck, S. (2019). [Residents' Councils and Family Councils - Working Towards a Better Understanding](#). Seasons. Ontario Association of Residents' Councils.
- Ontario Association of Residents' Councils. (2016). [Can Family Members Attend Residents' Council Meetings?](#) Seasons.
- Advocacy Centre for the Elderly. (2016, 04). Ace Library. [Tip Sheet #2 HIERARCHY of Substitute Decision Makers \(SDMs\) in the Health Care Consent Act](#). Toronto, Ontario. Retrieved from Advocacy Centre for the Elderly http://www.acelaw.ca/ace_library.php
- Government of Ontario. (2000). A Guide to the Substitute Decisions Act. Ontario, Canada: Publications Ontario. Retrieved from <https://www.attorneygeneral.jus.gov.on.ca/english/family/pgt/pgtsda.pdf>

For Residents, By Residents

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