

Home-related – Triggered

Home Name: _____ Inspection Number: _____ *(hard copy use only)*
 Date: _____
 Inspector ID: _____

Definition / Description

- Complaint:** An allegation of non-compliance with a requirement under the LTCHA.
- Goals of the complaint inspection process:**
- To provide the public with a means to register and receive a response to complaints.
 - To provide consistent direction on the type of complaint inspections to be conducted.
 - To ensure compliance associated with the complaint.

Use

This IP is a home-related triggered task, used to review the home’s complaint procedures and reporting requirements during the annual inspection of the LTC home.

The inspector may also select and complete this IP when a concern(s) related to reporting and complaints is raised while conducting any type of inspection.

The inspection focuses on the licensee’s obligations to:

- Develop complaint procedures
- Respond to complainants
- Document complaint information
- Copy and report written complaints to the Director.

Note: There is a transitional regulation related to this IP. Inspectors will identify any non-compliance related to the transitional regulations through Ad Hoc Notes. LTCHA, r.102

Procedure

Each section within this IP contains statements that provide guidance to the inspector in the collection of information during an inspection and may not be applicable in every situation. The information collected will be used to determine whether a home is in compliance with the LTCHA.

This IP contains five (5) parts:

- Part A: Complaint procedures in the LTC home
- Part B: Response to complainant

- Part C: Record of complaint information kept in the home
- Part D: Licensee's continuous quality improvement (CQI) practices
- Part E: Copy of written complaint and report to Director

During the Annual Inspection:

1. Assigned inspector(s) will open and complete the triggered task, using one (1) IP only.
2. The inspector must answer the applicable questions in all five (5) Parts.
3. The inspector must document evidence to support non-compliance in the 'Notes' section when answering 'No'.

Record Review

Review the following LTC home records as appropriate:

- Complaints policies and procedures to determine compliance with ministry requirements including:
 - records of complaint received
 - complaint investigation
 - action taken for resolution
 - response to complainant
 - written complaints to the Director
 - written report documenting the response made to the complainant and timelines
- Records related to the specific complaint received and actions taken by the licensee.

Information Gathering

Record Review

Notes

Staff Interviews

Interview management staff and staff who provide direct care on various shifts where appropriate to determine:

- Whether the licensee has written complaint procedures in place and implemented, consistent with ministry reporting requirements as outlined in the LTCHA
- Whether the licensee has provided training with clear directions to home staff on following reporting procedures, and how reporting practices are monitored, evaluated, and analyzed for improvement
- Front line staff understanding of and practice of the home's complaint procedures.

Information Gathering

Staff Interviews

Notes

Part A: Complaint Procedures in the LTC Home

No.	Yes	No	N/A	Question	Act/Reg.
1.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the licensee have written procedures that comply with the regulations for initiating complaints to the licensee and for how the licensee deals with complaints?	s. 21
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the licensee have written complaint procedures in place that incorporate the requirements set out in section 101 for dealing with complaints?	r. 100
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
3.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Has every written or verbal complaint made to the licensee or a staff member concerning the care of a resident or operation of the home: <ul style="list-style-type: none"> • been investigated, resolved where possible, and response provided within 10 business days of receipt of the complaint, and • where the complaint alleges harm or risk of harm to one or more residents, has the investigation commenced immediately? 	r. 101 (1) 1
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
4.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	For the complaint that cannot be investigated and resolved within 10 business days: <ul style="list-style-type: none"> • has an acknowledgement been provided within 10 business days of receipt of the complaint, including the date by which the complainant can reasonably expect a resolution, and • was a follow-up response made to the complainant as soon as possible in the circumstances? 	r. 101 (1) 2
Notes					

Part B: Response to Complainant

No.	Yes	No	N/A	Question	Act/Reg.
5.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	For every written or verbal complaint made to the licensee or a staff member concerning the care of a resident or operation of the home, has a response been made to the person who made the complaint, indicating:	r. 101 (1) 3. i. and ii.

				i. what the licensee has done to resolve the complaint, or ii. that the licensee believes the complaint to be unfounded and the reasons for the belief?	
Notes					

Part C: Record kept by home, excluding verbal complaint(s) resolved within 24 hours

No.	Yes	No	N/A	Question	Act/Reg.
6.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the licensee 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: (d) the date of the action, time frames for actions to be taken and any follow-up action required (e) the final resolution, if any (f) every date on which any response was provided to the complainant and a description of the response, and (g) any response made by the complainant?	r. 101 (2) (a-f)
Notes					

Part D: Record for CQI purpose, excluding verbal complaint(s) resolved within 24 hours

No.	Yes	No	N/A	Question	Act/Reg.
7.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Has the licensee ensured that: (a) the documented record (of complaints received) 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?	r. 101 (3) (a) (b) and (c)
Notes					

Part E: Copy of written complaint and report to Director

No.	Yes	No	N/A	Question	Act/Reg.
8.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Has the licensee immediately forwarded any written complaints that have been received concerning the care of a resident or the operation of the home to the Director?	s. 22 (1)
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
9.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Has the licensee submitted to the Director:</p> <ul style="list-style-type: none"> a copy of the written complaint that was received relating to a matter that the licensee reports (or reported) to the Director under section 24 of the Act, and a corresponding written report documenting the response the licensee made to the complainant? <p>Note: Section 24 (1) of the Act</p> <p>A person who has reasonable grounds to suspect that any of the following has occurred or may occur shall immediately report the suspicion and the information upon which it is based to the Director:</p> <ol style="list-style-type: none"> Improper or incompetent treatment or care of a resident that resulted in harm or a risk of harm to the resident. Abuse of a resident by anyone or neglect of a resident by the licensee or staff that resulted in harm or a risk of harm to the resident. Unlawful conduct that resulted in harm or a risk of harm to a resident. Misuse or misappropriation of a resident's money. Misuse or misappropriation of funding provided to a licensee under this Act or the <i>Local Health System Integration Act, 2006</i>. 	r. 103 (1)
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
10.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>For written complaints related to section 24 of the Act, did the licensee submit a report documenting the response the licensee made to the complainant immediately upon completing the licensee's investigation into the complaint?</p>	r. 103 (2)
Notes					

Based on information collected during the inspection process, the inspector may determine the need to select and further inspect other related care/services areas. When this occurs, the inspector will document reason(s) for further inspection in Ad Hoc Notes, select and complete other relevant IPs related to Reporting and Complaints, for example:

- Admission Process
- Continence Care and Bowel Management
- Critical Incident Response
- Dignity, Choice and Privacy
- Falls Prevention
- Infection Prevention and Control
- Medication
- Minimizing of Restraining
- Nutrition and Hydration
- Pain
- Personal Support Services
- Prevention of Abuse, Neglect and Retaliation
- Quality Improvement
- Responsive Behaviours
- Safe and Secure Home
- Skin and Wound Care
- Sufficient Staffing
- Training and Orientation