



**Inspection Report
under the *Long-Term
Care Homes Act, 2007***

**Rapport d'inspection
prévue le *Loi de 2007
les foyers de soins de
longue durée***

Ministry of Health and Long-Term Care
Health System Accountability and Performance Division
Performance Improvement and Compliance Branch

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**Ministère de la Santé et des Soins de
longue durée**

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|---|------------------------------------|--|
| Dates of inspection/Date de l'inspection | Inspection No/ d'inspection | Type of Inspection/Genre d'inspection |
| December 1, 2, 3, 2010 | 2010_193_2955_01Dec103519 | Complaint/ T- 1865 |
| Licensee/Titulaire Southlake Residential Care Village, 640 Grace St., Newmarket, ON, L3Y2L1 | | |
| Long-Term Care Home/Foyer de soins de longue durée Southlake Residential Care Village, 640 Grace St., Newmarket, ON, L3Y2L1 | | |
| Name of Inspector/Nom de l'inspecteur Monica Klein | | |
| Inspection Summary/Sommaire d'inspection | | |
| <p>The purpose of this inspection was to conduct a complaint inspection.</p> <p>During the course of the inspection, the inspector spoke with: registered staff, Personal Support Workers (PSW), Administrator, Director of Care and Social Worker.</p> <p>During the course of the inspection, the inspector: reviewed health records, home's policies, staff training schedule, orientation program, admission package for residents and families.</p> <p>The following Inspection Protocols were used during this inspection: Prevention of abuse, neglect and retaliation and Training and orientation.</p> <p><input checked="" type="checkbox"/> Findings of Non-Compliance were found during this inspection. The following action was taken:</p> <p>5 WN 2 VPC 1 CO: CO # 001</p> | | |



NON-COMPLIANCE / (Non-respectés)

Definitions/Définitions

WN – Written Notifications/Avis écrit
VPC – Voluntary Plan of Correction/Plan de redressement volontaire
DR – Director Referral/Régisseur envoyé
CO – Compliance Order/Ordre de conformité
WAO – Work and Activity Order/Ordre travaux et activités

The following constitutes written notification of non-compliance under paragraph 1 of section 152 of the LTCHA:

Non-compliance with requirements under the *Long-Term Care Homes Act, 2007* (LTCHA) was found. (A requirement under the LTCHA includes the requirements contained in the items listed in the definition of "requirement under this Act" in subsection 2(1) of the LTCHA.)

Le suivant constitue un avis d'écrit de l'exigence prévue le paragraphe 1 de section 152 de la Loi de 2007 des foyers de soins de longue durée.

Non-respect avec les exigences sur le *Loi de 2007 des foyers de soins de longue durée* a été trouvé. (Une exigence dans la loi comprend les exigences contenues dans les points énumérés dans la définition de "exigence prévue par la présente loi" au paragraphe 2(1) de la loi.)

WN #1: The Licensee has failed to comply with 19 (1) of the LTCHA, 2007, S.O. 2007, c.8. Every licensee of a long-term care home shall protect residents from abuse by anyone and shall ensure that residents are not neglected by the licensee or staff.

Findings:

- A resident could not reach the call bell after it was positioned by a staff member. The resident was not checked again for five hours.

Inspector ID #: 198

Additional Required Actions:

CO # - 001 will be/was served on the licensee. Refer to the "Order(s) of the Inspector" form.

WN #2: The Licensee has failed to comply with 20(2) (d) (e) (f) of the LTCHA, 2007, S.O. 2007, c.8. At a minimum, the policy to promote zero tolerance of abuse and neglect of residents, (d) shall contain an explanation of the duty under section 24 to make mandatory reports; (e) shall contain procedures for investigating and responding to alleged, suspected or witnessed abuse and neglect of residents; (f) shall set out the consequences for those who abuse or neglect residents;

Findings:

- The home's policies to promote zero tolerance of abuse and neglect of residents do not contain an explanation of the duty under section 24 to make mandatory reports regarding 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, procedures for investigating and responding to alleged, suspected or witnessed neglect of residents and no set out consequences in either policies for those who neglect residents.

Inspector ID #: 198

Additional Required Actions:

VPC - pursuant to the *Long-Term Care Homes Act, 2007*, S.O. 2007, c.8, s.152(2) the licensee is hereby requested to prepare a written plan of correction for achieving compliance by developing and implementing an



abuse policy that refers to neglect as a form of abuse, contains explanation of the duty under section 24 of the Act to make mandatory reports, contains procedures for investigating and responding to alleged, suspected or witnesses neglect of residents and sets out the consequences for those who neglect residents, to be implemented voluntarily.

WN #3: The Licensee has failed to comply with s23 (2) of the LTCHA, 2007, S.O. 2007, c.8.
A licensee shall report to the Director the results of every investigation undertaken under clause (1) (a), and every action taken under clause (1) (b).

Findings:

- The result of an investigation and the action taken in relation to a resident neglect incident was not reported to the Director.

Inspector ID #: 198

WN #4: The Licensee has failed to comply with s24 (1)2 of the LTCHA, 2007, S.O. 2007, c.8.
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:
2. 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.

Findings:

- An incident of resident neglect was not reported to the Director.

Inspector ID #: 198

WN # 5: The Licensee has failed to comply with 96(a) (b) (d) (e) (i) and (ii) of the O. Reg.
Every licensee of a long-term care home shall ensure that the licensee's written policy under section 20 of the Act to promote zero tolerance of abuse and neglect of residents,
(a) contains procedures and interventions to assist and support residents who have been abused or neglected
(b) contains procedures and interventions to deal with persons who have abused or neglected or allegedly abused or neglected residents, as appropriate
(d) identifies the manner in which allegations of abuse and neglect will be investigated, including who will undertake the investigation and who will be inform of the investigation
(e) Every licensee of a long-term care home shall ensure that the licensee's written policy under section 20 of the Act to promote zero tolerance of abuse and neglect of residents, identifies the training and retraining requirements for all staff, including,
(i) training on the relationship between power imbalances between staff and residents and the potential for abuse and neglect by those in a position of trust, power and responsibility for resident care, and
(ii) situations that may lead to abuse and neglect and how to avoid such situations.

Findings:

- Home's abuse policies do not contain procedures and interventions to assist and support residents who have been neglected or allegedly neglected. The term "neglect" is not mentioned in the investigation process. The investigation process refers strictly to abuse complaints.
- Home's abuse policies do not contain procedures and interventions to deal with person who have neglected or allegedly neglected residents.

