

**Inspection Report under
the Long-Term Care
Homes Act, 2007****Rapport d'inspection en vertu de
la Loi de 2007 sur les foyers de
soins de longue durée****Long-Term Care Operations Division
Long-Term Care Inspections Branch****Division des opérations relatives aux
soins de longue durée
Inspection de soins de longue durée**Central East Service Area Office
33 King Street West, 4th Floor
OSHAWA ON L1H 1A1
Telephone: (905) 440-4190
Facsimile: (905) 440-4111Bureau régional de services de
Centre-Est
33, rue King Ouest, étage 4
OSHAWA ON L1H 1A1
Téléphone: (905) 440-4190
Télécopieur: (905) 440-4111**Public Copy/Copie du rapport public**

Report Date(s) / Date(s) du Rapport	Inspection No / No de l'inspection	Log # / No de registre	Type of Inspection / Genre d'inspection
Oct 22, 2021	2021_815623_0019	006773-21	Complaint

Licensee/Titulaire de permisThe Corporation of the City of Kawartha Lakes
26 Francis Street P.O. Box 9000 Lindsay ON K9V 5R8**Long-Term Care Home/Foyer de soins de longue durée**Victoria Manor Home for the Aged
220 Angeline Street South Lindsay ON K9V 4R2**Name of Inspector(s)/Nom de l'inspecteur ou des inspecteurs**

SARAH GILLIS (623)

Inspection Summary/Résumé de l'inspection

The purpose of this inspection was to conduct a Complaint inspection.

This inspection was conducted on the following date(s): September 17, 20 - 24, 28, 29, October 6 - 8, 12 and 13, 2021

The following intake was inspected:

Complaint log #006773-21 related to qualifications of food service workers.

During the course of the inspection, the inspector(s) spoke with the Executive Director, the Food Services Manager, Dietary Aides and residents.

The Inspector also toured the home, reviewed internal human resources records, observed dining and snack services, observed staff and resident interactions.

The following Inspection Protocols were used during this inspection:

Food Quality

During the course of this inspection, Non-Compliances were issued.

1 WN(s)

1 VPC(s)

0 CO(s)

0 DR(s)

0 WAO(s)

NON-COMPLIANCE / NON - RESPECT DES EXIGENCES

<p>Legend</p> <p>WN – Written Notification VPC – Voluntary Plan of Correction DR – Director Referral CO – Compliance Order WAO – Work and Activity Order</p>	<p>Légende</p> <p>WN – Avis écrit VPC – Plan de redressement volontaire DR – Aiguillage au directeur CO – Ordre de conformité WAO – Ordres : travaux et activités</p>
<p>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).</p> <p>The following constitutes written notification of non-compliance under paragraph 1 of section 152 of the LTCHA.</p>	<p>Le non-respect des exigences de la Loi de 2007 sur les foyers de soins de longue durée (LFSLD) a été constaté. (une exigence de la loi comprend les exigences qui font partie des éléments énumérés dans la définition de « exigence prévue par la présente loi », au paragraphe 2(1) de la LFSLD.</p> <p>Ce qui suit constitue un avis écrit de non-respect aux termes du paragraphe 1 de l'article 152 de la LFSLD.</p>

WN #1: The Licensee has failed to comply with O.Reg 79/10, s. 78. Food service workers, training and qualifications

Specifically failed to comply with the following:

78. (1) Every licensee of a long-term care home shall ensure that food service workers hired on or after July 1, 2010, other than cooks to whom section 76 applies,

(a) have successfully completed or are enrolled in a Food Service Worker program at a college established under the Ontario Colleges of Applied Arts and Technology Act, 2002 or a Food Service Worker program provided by a registered private career college and approved by the Superintendent of Private Career Colleges under the Private Career Colleges Act, 2005;

(b) have successfully completed an apprenticeship program in the trade of Cook, Institutional Cook or Assistant Cook under the Apprenticeship and Certification Act, 1998 or the Ontario College of Trades and Apprenticeship Act, 2009; or

(c) have entered into a registered training agreement in the trade of Cook, Institutional Cook or Assistant Cook under the Apprenticeship and Certification Act, 1998 or the Ontario College of Trades and Apprenticeship Act, 2009.

s. 78. (2) The licensee shall cease to employ as a food service worker a person who was required to be enrolled in a program described in subsection (1) if,

(a) in the case of a program referred to in clause (1) (a), the person ceases to be enrolled in the program or fails to successfully complete the program within three years of being hired; or

(b) in the case of a program referred to in clause (1) (c), the registration of the person's training agreement is cancelled, suspended or revoked, or the person fails to receive his or her statement of successful completion of a program under the Apprenticeship and Certification Act, 1998, or certificate of successful completion of a program under the Ontario College of Trades and Apprenticeship Act, 2009, as the case may be,

(i) within three years of being hired, in the case of an apprenticeship program in the trade of Assistant Cook, or

(ii) within five years of being hired, in the case of an apprenticeship program in the trade of Cook or Institutional Cook.

Findings/Faits saillants :

The licensee failed to ensure that all food service workers hired after July 1, 2010, other than cooks, have (a) successfully completed or are enrolled in a Food Services Worker program at a college established under the Ontario Colleges of Applied Arts and

Technology Act, 2002 or a Food Service Worker program provided by a registered private career college and approved by the Superintendent or Private Career Colleges under the Private Career Colleges Act, 2005.

A complaint was received by the Ministry of Long-term Care which alleged that Food Service Workers were being hired in the home without a Food Services Worker diploma and/or without being enrolled in the Food Services Worker program.

Review of the licensee's internal records of hire including qualifications for all food service workers who were hired in the home after July 1, 2010 was completed. It was identified that Dietary Aides (DA) #114, #116 and #117 were each hired and began to work in the position of a Dietary Aide, without being enrolled in or having completed a Food Services Worker Program.

Dietary Manager (DM) #104 indicated that upon hire the DA's were informed of the requirement, but it was not verified that DA #114, #116 and #117 had successfully completed or were enrolled in a Food Services Worker program. Upon review of the internal records and confirmation with the staff, it was determined that DA #114 was not registered for two months after hire, DA #116 was not registered for five months after hire and DA #117 was not registered at the time of the inspection but had been working in the home for two months.

The licensee failed to ensure that all DA #114, #116 and #117 had successfully completed or were enrolled in a Food Services Worker program at the time of hire.

Sources: Internal record review, staff interviews. [s. 78. (1)]

2. The licensee failed to ensure that they cease to employ as a food service worker, a person who was required to be enrolled in a Food Services Worker program and failed to provide proof of successful completion of the program within three years of being hired.

A complaint was received by the Ministry of Long-term Care which alleged that Food Service Workers were hired in the home without a Food Services Worker diploma and/or without being enrolled in the Food Services Worker Program.

A review of the licensee's internal records identified that there were no records on file to confirm that Dietary Aide (DA) #110 and #115 had completed the Food Services Worker program within 3 years of being hired.

During an interview the Dietary Manager confirmed that DA #110 began working as a Dietary Aide in 2017 and had not provided proof of course completion as of the time of the inspection. DA #115 began working in the home in 2011 and had not provided proof of course completion to the Dietary Manager as of the time of the inspection. DA #110 and DA #115 both continue to be employed in the home as a food service worker. The Dietary Manger confirmed they did not follow up with DA #110 or DA #115 to verify they had completed the required program.

The licensee failed to comply with O. Reg 78. (2) (a) when they did not cease employment as a food service worker, DA #110 and DA #115 when proof of successfully completing the Food Services Worker program within three years of being hired, was not provided.

Sources: Internal record review, staff interviews. [s. 78. (2)]

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 ensuring that all food service workers have successfully completed or are enrolled in a Food Services Worker program and complete it within three years or being hired, to be implemented voluntarily.

Issued on this 15th day of November, 2021

Signature of Inspector(s)/Signature de l'inspecteur ou des inspecteurs

Original report signed by the inspector.