

Family Council

Family Council

65 (1) Every long-term care home may have a Family Council.

Request for Family Council

(2) If there is no Family Council, a family member of a resident or a person of importance to a resident may request the establishment of a Family Council for a long-term care home.

Licensee to assist

(3) The licensee shall assist in the establishment of a Family Council within 30 days of receiving a request from a person mentioned in subsection (2).

Notification of Director

(4) When a Family Council is established, the licensee shall notify the Director or anyone else provided for in the regulations of the fact within 30 days of the establishment.

Right to be a member

(5) Subject to subsection (6), a family member of a resident or a person of importance to a resident is entitled to be a member of the Family Council of a long-term care home.

Who may not be a member

(6) The following persons may not be members of the Family Council:

1. The licensee, and anyone involved in the management of the long-term care home on behalf of the licensee.

2. An officer or director of the licensee or of a corporation that manages the long-term care home on behalf of the licensee or, in the case of a home approved under Part IX, a member of the committee of management for the home under section 135 or of the board of management for the home under section 128 or 132 as the case may be.
3. A person with a controlling interest in the licensee.
4. The Administrator.
5. Any other staff member.
6. A person who is employed by the Ministry or has a contractual relationship with the Minister or with the Crown regarding matters for which the Minister is responsible and who is involved as part of their responsibilities with long-term care home matters.
7. Any other person provided for in the regulations.

Licensee obligations if no Family Council

(7) If there is no Family Council, the licensee shall,

- (a) on an ongoing basis advise residents' families and persons of importance to residents of the right to establish a Family Council; and
- (b) convene semi-annual meetings to advise such persons of the right to establish a Family Council.

Powers of Family Council

66 (1) A Family Council of a long-term care home has the power to do any or all of the following:

1. Provide assistance, information and advice to residents, family members of residents and persons of importance to residents, including when new residents are admitted to the home.
2. Advise residents, family members of residents and persons of importance to residents respecting their rights and obligations under this Act.
3. Advise residents, family members of residents and persons of importance to residents respecting the rights and obligations of the licensee under this Act and under any agreement relating to the home.
4. Attempt to resolve disputes between the licensee and residents.
5. Sponsor and plan activities for residents.
6. Collaborate with community groups and volunteers concerning activities for residents.
7. Review,
 - i. inspection reports and summaries received under section 152,
 - ii. a written plan for achieving compliance, prepared by the licensee, that the Director has ordered in accordance with clause 155 (1) (b) following a referral under paragraph 4 of subsection 154 (1),

- iii. the detailed allocation, by the licensee, of funding under this Act, and the Connecting Care Act, 2019 and amounts paid by residents,
 - iv. the financial statements relating to the home filed with the Director under the regulations, and with the Agency, and
 - v. the operation of the home.
- 8. Advise the licensee of any concerns or recommendations the Council has about the operation of the home.
 - 9. Report to the Director any concerns and recommendations that in the Council's opinion ought to be brought to the Director's attention.
 - 10. Exercise any other powers provided for in the regulations. 2021, c. 39, Sched. 1, s. 66 (1), 203 (14, 15).

Duties

(2) The Family Council shall comply with any duties provided for in the regulations. 2021, c. 39, Sched. 1, s. 66 (2).

Duty to respond

(3) If the Family Council has advised the licensee of concerns or recommendations under either paragraph 8 or 9 of subsection (1), the licensee shall, within 10 days of receiving the advice, respond to the Family Council in writing. 2021, c. 39, Sched. 1, s. 66 (3).

Minister to consult

(4) The Minister shall consult, in a manner the Minister considers appropriate, with organizations that represent the interests of Family Councils on an annual basis. 2021, c. 39, Sched. 1, s. 66 (4).

Section Amendments with date in force (d/m/y)

Family Council assistant

67 (1) If the Family Council so requests, the licensee shall appoint a Family Council assistant who is acceptable to that Council to assist the Family Council.

Duties

(2) In carrying out their duties, a Family Council assistant shall take instructions from the Family Council, ensure confidentiality where requested and report to the Family Council.