

CHSLD Bayview Centre Inc.

Local Service Quality and Complaints Commissioner

Annual Report 2020-2021

It is a great pleasure to present you with the CHSLD Bayview Centre's Local Service Quality and Complaints Commissioner's annual report.

The functions and role of the Complaints Commissioner are the following:

- Receive and manage complaints, consultations, requests for assistance and interventions, as per the Health Act,
- Conduct equitable, impartial and compassionate investigations and resolve complaints,
- Promote residents' rights and the complaints system at CHSLD Bayview Centre,
- Ensure all reports/complaints of suspected maltreatment are addressed in an appropriate and timely manner, and
- Make recommendations, of a systemic nature, to improve the care and services for all.

The Annual Report of the CHSLD Bayview's Local Service Quality and Complaints Commissioner reflects the events of 2020-2021 (from April 1st, 2020 to March 31st, 2021). In accordance with the Health Act and Bill 115 (An Act to combat mistreatment of seniors and other persons of full age in vulnerable situations).

This report includes:

- The number of cases referred to the "Protecteur du citoyen",
- The number of cases referred to the Medical Examiner, and
- The number of suspected or founded cases of mistreatment.

This year has been one of many challenges for CHSLD Bayview as everyone dealt with the coronavirus health pandemic. My hat off to those (residents, families, staff and volunteers) who have worked so very hard to ensure that all were safe. Thanks to all for your efforts. My sincere condolences to all families who have lost loved ones this year.

During the year, I attended three (3) "Comité de vigilance" meetings (known at the CHSLD Bayview Centre as "The Watchdog Committee") where any complaints, requests for assistance from residents and/or families, requests for consultation from staff and any suspected events of maltreatment were reviewed.

The following data reflect the Local Service Quality and Complaints Commissioner's activities during the 2020-2021 fiscal year:

Number of Formal Complaints	4 (reports of suspected maltreatment – see below)
Number of Requests for Assistance (residents and/or families)	2
Number of Requests for Consultation (staff)	3
Number of Days Between Receipt of Complaint/Request for Assistance/ Consultation and Commissioner's Response	Within 24 hours
Number of Complaints Refused	0
Number of Complaints Sent to the "Protecteur de citoyen"	1* (exceptional situation: see complaints section below)
Number of Complaints Sent to the Medical Examiner	0
Number of reports of suspected maltreatment	Founded and Resolved: 0 Unfounded: 1

In all these cases, measures were taken in a personalized manner to respond to the individual's situation or issue.

Complaints

There were 2 separate formal complaints, received mid-April 2020, which arose as a result of the Quebec government's directives on coronavirus pandemic approaches in all long-term care facilities (CHSLDs). At that time, CHSLD Bayview was required to ban caregivers from entering their establishment (unless there were exceptional circumstances). This raised family concerns as many family members, as a result of Bayview's person-centered approach, participated actively in the care of their loved one. Additionally, at that time, the public was bombarded by reports of abuse in long-term care facilities that only increased families' concern.

- The first formal complaint was sent by one family member then, three (3) days later, an additional one was received from another family member. These complaints were addressed simultaneously and, ultimately, were counted as one (1) formal complaint as the concerns of both were identical.

The complainants expressed concerns as to the cause of their loved one's death and understanding the specific treatments their loved one had received.

Intervention: After a thorough investigation, my request that the family be contacted was followed up immediately by Bayview's physician, nurses and administrators so they could directly address the complainants' concerns. Although, in the end, the family expressed some scepticism, they accepted all clarifications.

- The second formal complaint was from a family member who, concerned and distressed by the circumstances of her loved one's death, alleged mistreatment.

Intervention: Ultimately, it was concluded, because of the nature of the loved one's illness and after two (2) independent and thorough investigations, mistreatment could not be established and, therefore, the allegation of mistreatment was determined to be unfounded.

Later in the fiscal year, the following formal complaints were received:

- A family member, on behalf of a Bayview resident, sent the Director General a complaint about staff not respecting the expressed needs of a resident who was cognitively able to make care decisions. This was viewed by the complainant as an affront and perceived to be disrespectful. This complaint was immediately forwarded to me.

Intervention: Staff were unaware of the perception of the resident and his/her family and, when staff were informed and comprehended the resident's understanding and feelings, immediately apologized.

- A complaint was received from a family member of a new resident. The complainant was not the resident's first contact. It alleged that his/her loved one was not receiving correct treatments and interventions. The complaint was received while Bayview staff were still assessing and implementing specific treatments. Final treatment and care decisions had not yet been determined. Additionally, the resident's team meeting was not to take place for another two (2) weeks.

Intervention: The complainant was requested to wait the two (2) weeks so that treatment and care decisions could be finalized and discussed with the first contact, who was the representative of the family. In the meantime, it was requested that the complainant speak to the resident's first contact to outline his/her concerns so they can be addressed at the team meeting and that he/she re-contact me post-meeting to inform me on the outcome. This resulted in the complainant lodging a complaint to the "Protecteur de citoyen" seven (7) days later stating that that I had refused to accept his/her complaint. Once it was clarified with the Protecteur that this, in fact, was not the case, the complainant was re-directed to the resident's first contact, as had been originally requested.

The complainant did not contact me post-team meeting until two (2) weeks later when another formal complaint was received by email stating the same care and treatment concerns. The complainant involved the Ministry who referred him/her to the CIUSSS which then contacted CHSLD Bayview for follow-up.

A thorough investigation revealed that the family had little communication among its members and, therefore, family members had differing expectations and understandings of interventions and care for the resident. To illustrate this, the first contact was not aware, until advised by me, post-team meeting, that any complaint had been received. This created chaotic circumstances, misunderstandings and discord between all parties including staff. This issue was addressed by following Bayview's processes and procedures and involving relevant staff and the resident's first contact to coordinate communications and the resident's care.

Assistance Requests

- An assistance request was received from a family member who expressed concern that, as of May 11, 2020, caregivers were going to be permitted to visit Bayview residents under certain conditions.

Intervention: It was explained that Bayview was following the directives of the Quebec government and Public Health leaders as well as the reasons behind these directives. The family member said she still was concerned and was re-directed to her MNA to express these concerns.

- An assistance request was received from a family member who was having difficulty contacting staff to ensure a resident would be able to leave the building in order to walk outdoors with accompaniment.

Intervention: Spoke to staff who expressed concerns about the resident's level of mobility and wanted to ensure that the family member understood these risks. This was explained to the family member who agreed to assume the risk.

Solutions to the above were sought by all parties in a mutually respectful manner.

Response Time

All the above issues were responded to in a timely manner, i.e. within 24 hours.

Other Activities

During this fiscal year, advertisements explaining my role and providing my contact information was included in each issue of the Bayview Breeze making this information accessible to all – residents, families

and staff.

In conclusion, I would like to thank all those who have collaborated to ensure the highest quality of care and services for the CHSLD Bayview Centre's residents and their families during these exceptional times.

Mona Beck

Local Service Quality and Complaints Commissioner