

How to report a concern or complaint about a long-term care home

On July 1, 2010, the Long-Term Care Homes Act, 2007 came into effect. It reinforces that long-term care homes are where residents live, and must be places where they feel safe, secure and comfortable, and receive care that meets their needs – including physical, psychological, social, spiritual and cultural needs.

To help support a high quality of life for all residents in long-term care homes, we have established a process people can use to report concerns or complaints. You can also use the same process to tell us about things that homes are doing well.

Who can report a concern or complaint?

Anyone who is concerned about any resident's situation can report a concern or complaint, including:

- a resident
- a family member
- someone employed by the home
- anyone providing services to the resident
- any member of the public.

How do I report?

Use any or all of the following options:

Follow the home's complaint procedures.

Reporting your concern directly to the home is usually the best and fastest way to solve the problem.

Under the Long-Term Care Homes Act, 2007, all long-term care homes in Ontario must have written procedures for making complaints, and post these procedures where people can see them.

If a complaint is about possible harm to a resident, the home must investigate the complaint immediately.

Homes must respond to a verbal or written complaint about the care of a resident or the operation of the home within 10 business days, if possible. If the home cannot investigate and resolve your complaint in 10 business days, it must let you know that it has received your complaint and give you the date when you can expect the complaint to be resolved.

When a home responds to a complaint, it must explain:

- what it has done to resolve the complaint or
- why, in the home's view, there is no cause for the complaint.

Contact the Ministry of Health and Long-Term Care.

You can do this in one of two ways:

Call the Ministry of Health and Long-Term Care's toll-free Long-Term Care ACTION Line at 1-866-434-0144.

The person answering the ACTION Line will take down your information, ask you some questions, assess the problem, and give the information to an inspector for follow-up.

The Ministry of Health and Long-Term Care's Long-Term Care ACTION Line is open seven days a week, from 8:30 a.m. to 7:00 p.m.

OR

Send a written letter, by mail, to the responsible Director at the Ministry of Long-Term Care at the following address:

Director, Performance Improvement and Compliance Branch
Ministry of Health and Long-Term Care,
55 St. Clair Avenue West, 8th Floor, Suite 800
Toronto ON M4V 2Y7

You will receive a letter or phone call to let you know that the ministry has received your complaint. The Director will refer your complaint to an inspector who will look into the matter.

What information should I give the ministry when I report a concern or complaint?

The more details you provide, the easier it will be for our inspectors to look into the problem.

At a minimum, your complaint should include:

- name of the long-term care home
- address of the long-term care home (including city)
- a description of your concern.

Please provide the following information if it is available:

- who was involved
- what happened
- when it happened
- where in the home or outside of the home the incident happened
- your name, address and telephone number (optional).

If we have your contact information, the inspector can call you for more information and notify you when the inspection is done.

However, you do not have to provide your name, address or phone number. You can make your complaint anonymously.

What will the ministry do?

An inspector will conduct an inquiry and visit the long-term care home immediately if the complaint indicates that any of the following may have occurred:

- Improper or incompetent care or treatment, abuse, neglect or unlawful conduct that resulted in serious harm or a risk of serious harm to a resident
- Retaliation against a resident or any other person for reporting information to the ministry or testifying in a proceeding

In all other cases, an inspector will contact you to talk about the problem and how to resolve it.

When looking into the problem, the inspector may talk to residents, families, staff or other people. He or she may also review documents and watch the way the home operates. It is the inspector's role to ensure the home is complying with the Long-Term Care Homes Act, 2007 (the Act).

If the inspector finds the home is NOT complying with the Act, he or she will describe the problem in an inspection report. The home will be expected to fix the problem and comply with any orders from the inspector or the responsible Director at the Ministry of Health and Long-Term Care.

Once the inspection is complete, the ministry will contact you and tell you about the findings and actions taken. We are careful to respect the privacy of residents when reporting on our inspections. When telling you what has been done to resolve your complaint, the inspector will only provide information permitted by the Personal Health Information Protection Act, 2004.

What about privacy?

People making complaints do not have to give their name or any contact information. If you do provide your name, we are committed to protecting people's privacy and all complaints are treated as confidential. Information about complaints is only disclosed if a law requires or allows the ministry to disclose it.

Long-term care homes are not told who has complained; however, the home may be able to identify the person based on the nature of the complaint.

To encourage people to report any concerns, the Long-Term Care Homes Act, 2007 provides protection for residents as well as anyone else who makes a complaint from any retaliation. If you feel that you or anyone else is being treated unfairly because you complained, contact the ministry right away.

Members of the public can request information about inspection reports for a long-term care home. In the future, the ministry also plans to post information about inspections on a website. In these cases, the ministry will only disclose the information permitted or required by law.

Questions?

If you want more information about reporting a concern or complaint, ask the home for its complaints procedure or call the ministry's confidential toll-free number.

Long-Term Care ACTION Line
1-866-434-0144
7 days a week, 8:30 a.m. - 7:00 p.m.