
HALDIMAND COUNTY

Report GVL-04-2022 Grandview Lodge Committee of Management For Consideration by Council in Committee on December 6, 2022



OBJECTIVE:

To designate a Committee of Management for Grandview Lodge Long Term Care Facility to fulfill the requirement under the Fixing Long Term Care Homes Act.

RECOMMENDATIONS:

1. THAT Report GVL-04-2022 Grandview Lodge Committee of Management be received;
2. AND THAT the Council of Haldimand County be designated as the Committee of Management for Grandview Lodge to fulfill the requirement under section 135 (1) of the *Fixing Long Term Care Act, 2021*;
3. AND THAT staff report back to Council with Terms of Reference for the Committee of Management and/or proposed revisions to the Procedure By-law to enact the requirements under the *Fixing Long Term Care Act, 2021*.

Respectfully submitted: Cathy Case, General Manager of Corporate & Social Services

Approved: Craig Manley, MCIP, RPP, Chief Administrative Officer

EXECUTIVE SUMMARY:

The Fixing Long Term Care Act that came into effect in 2021 requires municipal long term care homes to formalize a Committee of Management to oversee the management of the home. Staff is recommending that Council as a whole be designated as the Committee of Management and that all business related to Grandview Lodge be presented at Council in Committee meetings or Council meetings as required.

BACKGROUND:

The Fixing Long Term Care Act that came into effect in 2021 requires municipal and First Nations long term care homes to formalize Committees of Management to oversee the management of the homes. The Act states that:

The council of a municipality establishing and maintaining a municipal home or the councils of the municipalities establishing and maintaining a joint home shall appoint from among the members of the council or councils, as the case may be, a committee of management for the municipal home or joint home.

This report is presented to Council with recommendations on the composition and designation of the Committee of Management for Grandview Lodge, the only long term care facility owned and operated by the municipality.

ANALYSIS:

Although the legislation requires municipal homes to formally establish a Committee of Management for long term care homes under their control, the only specific requirement within the regulations is that the composition of the committee must be no fewer than three members of Council.

After review of what other municipal homes have in place in terms of a Committee of Management, it appears the two main types of committees are as follows:

1. Council as a whole is designated the Management Committee for the home.

Under this format, any business or reporting requirements of the home come through the normal Council meeting process and decisions are made by a vote of all members of Council. This is how all Grandview Lodge business has been handled in the past with the only difference being that there had never been a formal resolution passed to designate Council as the Committee of Management.

This format may see a slight change to the agenda whereby all Grandview Lodge business will be under it's own heading within the Corporate & Social Services Department section so that it is clear and transparent to the public that Council is the Committee of Management and business is clearly identified under that area.

This is the recommended approach. It allows Grandview Lodge business to continue to be brought forward to all of Council for approvals. This is beneficial in that every Ward Councillor will be apprised and participate in the decision making process as it may relate to constituents in their wards who use the services of Grandview Lodge.

An advantage of designating Council as the Management Committee is that the meeting schedule is much more frequent than it would be if the committee were independent. This allows staff to bring reports to Council in a much more timely fashion than would be possible under a different format.

It is the option that represents the least amount of change and is a format utilized by many other municipal homes.

2. Three or four members of Council are appointed as a separate committee of Council to be the Management Committee.

This format sees a few members of Council appointed to be the Management Committee for the home, meeting separately and in addition to the existing Council meeting schedule. Typically this type of committee meets only four times per year, making decisions independent of the Council as a whole. The meetings would not be part of a Council agenda, but rather would be held independently with Grandview Lodge staff preparing agendas, determining a location to meet that public and media could attend, and taking carriage of the minutes and administrative follow up with respect to procedure.

Although this format is utilized by some municipal homes, it is not being recommended by staff. Grandview Lodge continues to be in a critical staff shortage, much the same as most long term care homes in the province today. This shortage, along with continuing pandemic related provisions from the Ministry of Long Term Care, continue to be taxing on all staff, including the management team, at Grandview Lodge. The additional responsibility of administering separate meetings from Council with Grandview Lodge staff as the primary resources is not feasible at this time when all positions at Grandview are currently maximized in terms of capacity.

Additionally, this format does not allow for all members of Council to stay as involved in Grandview Lodge matters as they would if the reports were presented within the regularly scheduled Council meeting cycle.

For these reasons, **this format is not recommended.**

Police Check Required

Both of the above formats require that members of the Grandview Lodge Management Committee obtain and submit a police check at the beginning of the term. All candidates in the recent municipal election were advised of this requirement in advance. The Act indicates that the police check must be received within one month of each Council members' term of office beginning which will be December 15, 2022. Due to the timing of the first CIC meeting, this deadline is approaching quickly however staff are hopeful that the Ministry will allow some flexibility in meeting it.

Ontario Regulation 246/22 stemming from the *Fixing Long Term Care Act, 2021* describes in detail the requirements for screening of all staff, volunteers and Committee of Management members. The regulation indicates that the police record check is to be conducted to determine the person's suitability to be a member of the Committee of Management. It is notable that the *Municipal Elections Act* does not have a requirement for successful candidates to submit a police check. The police check will screen for various violations of the law within the past five years. The legislation is silent on what is to happen if a police check reveals a violation, however it is reasonable to expect that the individual would be required to remove themselves from any decisions being made by the Committee of Management.

As staff progress through the new legislation and in particular the requirement for a management committee, we will continue to research best practices. Staff will consider if the best approach is to have independent Terms of Reference or if changes to the Procedure By-law would be better suited to allow for the Committee of Management items to be placed on CIC and Council agendas will be proposed. Staff are also recommending that a subsequent report be brought back to Council for approval of Terms of Reference or a by-law amendment related to the Committee of Management, if necessary.

FINANCIAL/LEGAL IMPLICATIONS:

Not applicable.

STAKEHOLDER IMPACTS:

Not applicable.

REPORT IMPACTS:

Agreement: No

By-law: No

Budget Amendment: No

Policy: No

REFERENCES:

None.

ATTACHMENTS:

None.