



**POLICY:** Resident Rights

**Program Area:** Personal Care Home

**Section:** General

**Reference Number:** CLI.6410.PL.031

**Approved by:** Regional Lead – Community & Continuing Care

**Date:** Issued 2024/May 28, 2024  
Revised yyyy/mmm/dd

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**PURPOSE:**

The purpose of this policy is two-fold:

- To detail the legislative requirements that are to be incorporated into the Resident Bill of Rights at each personal care home in the region.
- To outline accountability measures for monitoring compliance of the Resident Bill of Rights at each personal care.

**BOARD POLICY REFERENCE:**

Global Executive Restraint & Risk Management (Executive Limitation 1)  
Treatment of Clients (Executive Limitation 2)  
Quality, Patient Safety & Risk Management (Governance Process-19)

**POLICY:**

The operator of each personal care home is to develop its' own Resident Bill of Rights with consultation from residents and their designates.

The Resident Bill of Rights is to be posted in standard CNIB print (Arial 14 font) in locations that are easily accessible by residents, their designates, staff and volunteers. The Bill of Rights is to be posted at a height that a person in a wheelchair is able to easily read it.

The Resident Bill of Rights are to contain, at minimum, the following principles:

- Residents are to be treated with courtesy and respect and in a way that promotes their dignity and individuality.
- Residents are to be sheltered, fed, dressed, groomed and cared for in a manner consistent with their needs.
- Residents or their legal representatives have the right to give or refuse consent to treatment, including medication, in accordance with the law.
- Subject to safety requirements and the privacy rights of other residents, residents are to be encouraged to exercise their freedom of choice whenever possible, including the freedom to do the following:
  - Exercise their choice of religion, culture and language.

- Communicate with, and have contact with and visits to and from friends, family and others in private if desired.
- Choose their recreational activities.
- Choose the personal items to be kept in their room, where space permits
- Select the clothing to be worn each day.
- Residents are to be afforded reasonable privacy while being treated and care for.
- Residents are to be provided with a safe and clean environment.
- Residents may communicate and meet with their legal representative as often as necessary and in private, if desired.

The operator is to employ the following measures to show evidence that the Resident Bill of Rights is respected and promoted in the personal care home:

- Residents and designates are to receive a copy of the Regional Admission Handbook, before admission as it includes information on *Resident Rights & Safety, as well as*, the site handbook that includes the site-specific Resident Bill of Rights.
- The Resident Bill of Rights is to be included in staff, physician, and volunteer site orientation.
- Each staff member, physician and volunteer are to acknowledge and document that a review of the Resident Bill of Rights has taken place at site orientation.
- Each staff member and volunteer are to review the Resident Bill of Rights on an annual basis and to document that a review has taken place.
- The Resident Bill of Rights is to be presented initially and on an annual basis to the Resident Council for their input and approval. The review is to be documented in the Resident Council meeting minutes annually.
- Observational audits are to be undertaken twice per year to monitor compliance with the Resident Bill of Rights. Audits are to be documented utilizing the regional audit tool, Observational Audit Tool: Resident Rights (CLI.6410.PL.031.FORM.01).

### **DEFINITIONS:**

**Resident:** a person admitted to and residing in a personal care home

### **IMPORTANT POINTS TO CONSIDER:**

In accordance with Southern Health-Santé Sud's core values and the Resident Bill of Rights, no resident, whether deemed competent or incompetent, are to receive care against their will.

Residents are to be given the freedom of choice and have the right to make decisions that affect their life and to have those decisions respected, even if there is some risk, whether this be perceived or actual risk (this is referred to as ***dignity of risk***).

## **PROCEDURE:**

### ***For Residents/Designates:***

- The staff person who is completing the resident's admission, is to provide the Regional Admission Handbook and site handbook to the resident and/or designate prior to admission and outline details in the handbooks including the Resident Rights & Safety section.
- The operator of the personal care home is to exercise oversight by monitoring that the Resident Bill of Rights is reviewed annually with the Resident Council and documented in the minutes at the site. Where gaps are noted, corrective action is to be taken.

### ***For Staff/Physicians/Volunteers:***

- The operator of personal care home is to monitor, on an *annual* basis, that the Resident Bill of Rights is being reviewed:
  - at the site orientation with staff, physicians, and volunteers at the site. Where gaps are noted, corrective action is to be taken.
  - by all staff and volunteers at the site. Where gaps are noted, corrective action is to be taken.

### **Auditing & Follow-up:**

- The operator of the personal care home is to exercise oversight by monitoring that the Observational Audit Tool: Resident Rights is completed twice per year.
- Where gaps are noted in completing the audit or in complying with the Resident Bill of Rights, corrective action is to be taken which may include auditing more frequently.

## **SUPPORTING DOCUMENTS:**

[CLI.6410.PL.031.FORM.01](#) Observational Audit Tool: Resident Bill of Rights

## **REFERENCES:**

Health Services Insurance Act (C.C.S.M. C. H35). *Personal Care Homes Standards Regulation*. Retrieved on October 31, 2023 from: [Personal Care Homes Standards Regulation, M.R. 30/2005 \(gov.mb.ca\)](#)  
Manitoba Health (2023). *Personal Care Home Standards*