



## Guidance for Family Councils and Long-Term Care Home Collaboration

Effective April 11th, 2022, the *Long-Term Care Homes Act, 2007* was repealed and replaced by the [Fixing Long-Term Care Homes Act, 2021](#) (“the Act”). With the Ontario government’s renewed commitment to building modern, safe, and sustainable homes for older adults, the Ministry of Long-Term Care is dedicated to providing ongoing supports to those living, working, and caregiving in LTC communities across the province.

While the Act continues many of the existing obligations of long-term care homes, including requirements for programming and operations, there were recommendations generated from public consultation with residents, families, and staff that are reflected throughout the Act that focus on building and maintaining positive LTC communities. As Family Council involvement remains an important component in legislation, this guidance document highlights promising practices for effective communication, collaboration, and conflict navigation between families of LTC residents, home staff, and licensees.

The information and practices outlined in this document are to be considered in conjunction with any applicable legislation, directives, or orders and is not intended as a substitute and does not constitute legal advice. The views expressed in this document are those of Family Councils of Ontario.

### Guiding Principles

In alignment with the values expressed in the preamble of the *Fixing Long-Term Care Homes Act, 2021*, the following guiding principles are encouraged to create, develop and maintain healthy long-term care communities and collaborative relationships between home staff and Family Councils.

**Prioritizing resident needs:** Striving continuously to respond to the diverse physical, mental, psychosocial, spiritual, and emotional needs of all residents and putting efforts towards improving their quality of life.

**Collective advocacy:** Embodying a collective identity and focus to advocate on behalf of **all** residents and ensuring group efforts are a catalyst for positive change.

**Safety:** Prioritizing the health and safety of residents, staff, caregivers, and visitors by ensuring risks are mitigated while upholding operational standards and Infection Prevention and Control (IPAC) best practices.

**Effective communication** Establishing and implementing effective and user-friendly tools that enable the delivery and receipt of up to date oral and written communications.

**Culture of respect and civility:** Ensuring home communities practice accountability for behaviour at all levels to create and maintain a culture of mutual respect and civility.

**Celebrating diversity, equity, and inclusion:** Creating safe spaces where individuals from different backgrounds and walks of life are positively and proactively acknowledged with the assurance that equitable conditions are achieved and maintained.

## **Role of Family Council**

The health of long-term care residents and their quality of life depend greatly on the integration and collaboration of those living, working, and caregiving in their home communities. The recognition of Family Councils as partners in care is highlighted in the Act and emphasizes their role in identifying and resolving issues that affect the resident experience.

Family Councils continue to be a forum for families and persons of importance to a resident to share their experiences, learn, and exchange information. Active members are encouraged to leverage their knowledge, discuss concerns, make recommendations, and advocate on behalf of residents with one collective voice to improve their home communities. Family Councils are encouraged to collaborate with others in the long-term care community including residents, family members, caregivers, home staff, and volunteers to form positive partnerships aimed at improving resident care and wellbeing.

Section 66 (1) in the *Fixing Long-Term Care Homes Act, 2021* outline the discretionary powers for Family Councils and Section 66 (2) asserts that the Family Council shall comply with the duties provided in regulations. As each Family Council is unique, the mission, goals and objectives of each Family Council will vary. While all Family Councils have the ability to make a positive contribution in their homes, it is important for every Family Council to review and understand the powers outlined in the Act and ensure that their activities align with legislation. It is important to note that while Councils have these powers, they do not have to act on them. For example, while Family Councils have the power to “[a]ttempt to resolve disputes between the licensee and residents,” they do not have to do so unless the Council decides to (as per the Council Terms of Reference or another organizing document). For further clarification, Family Councils can connect with their home licensee and Family Councils Ontario for support and guidance.

**Family Council's power to act on concerns and complaints is not unlimited. For example, Councils do not have the power to manage staff performance, access confidential Human Resource information or request operational budgets. That is the role of the licensee and leadership team that manages the home.**

**When Family Councils work collaboratively with their home to fulfill their role and perform their discretionary powers in accordance with legislation they can:**

- Act on concerns and complaints affecting long-term care home residents
- Serve as a sounding board and advisory body on new ideas and improvements
- Advocate for positive change and educate and inform families about issues relating to residents, the home, and the long-term care system
- Sponsor and plan activities that benefit all residents'

**Cultivating a positive and high functioning Family Council dynamic will lead to positive outputs including:**

- Greater sense of satisfaction, group development and increased peer support
- Perceptions of fairness and positive morale
- Proactive problem solving and engagement with members
- Strengthened relationships with families, residents, and home staff

**Fostering Positive Family Council & Home Partnerships**

**Ongoing Communication with Long-Term Care Administrator and Home Staff**

The Family Council should have a method for communicating with home administration and staff that is both effective and efficient. Due to the variance in staff schedules and responsibilities, Councils members are encouraged to discuss the best approaches and opportune times to connect with the Administrator and home management leaders.

**Examples of Family Council to Home Management Communication practices:**

- Electronic correspondence (e.g., email, group messaging apps, google forms, etc.)
- Accessible family & resident suggestion and complaint drop box
- Virtual meeting platforms (e.g., Zoom, GotoMeeting, Microsoft Teams, etc.)
- In-person town hall meetings and Family Council meeting attendance upon invitation

**Appropriate Staff Assistant tasks include:**

- Supporting the Family Council in carrying out its powers as per the *Fixing Long-Term Care Homes Act, 2021*.
- Helping new families and residents connect with the Family Council
- Advising families on changes within the home and explaining the home's policies and procedures
- Helping the Council communicate its questions and ideas to, and receive responses from, appropriate staff and administration
- Bolstering Council members' self-confidence and enthusiasm and seeing they receive recognition for their efforts
- Helping members learn the skills needed to achieve their goals and access resources
- Encouraging the Council as a whole address collective concerns
- Helping to book guest speakers and facilitating communication with outside stakeholders upon request

**The following tasks are best suited to be spearheaded by Council members:**

- Developing Terms of Reference and Code of Conduct
- Recording, storing and disseminating meeting minutes
- Scheduling and running meetings and activities
- Speaking on or sending correspondence on behalf of the Council

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Communication needs to be a two-way street to ensure families can inform the home of Council efforts, needs, questions, and concerns. In turn, the home should do its best to relay important updates, changes in operations, and to seek Council input. Family Councils can also explore setting a mutually agreed upon time during in-person and virtual meetings for home staff to attend, present materials, and allow for questions. Developing a system and re-evaluating its effectiveness on a regular basis will enable clear and consistent lines of communication and help in maintaining a positive working relationship. According to Section 67(1) of the Act, a home is required to work cooperatively with the Family Council and to appoint a “Family Council Assistant” to work with a Council, where a Council makes this request. The person in this role takes instructions from and reports to the Council and ensures confidentiality is upheld 67(2). Councils are encouraged to build strong and respectful connections with the Family Council Assistant as they can be a great asset to enhancing family involvement and relaying concerns to the licensee.

## **Recommendations for Effective Communication**

### Active Listening & Interpersonal Awareness:

- Listening attentively with the aim of understanding the communicator’s needs and wants
- Ask appropriate and relevant questions to gain further perspective
- Avoiding reactive behaviours such as interrupting, finishing the communicator’s sentences or prematurely planning a response
- Be aware of both verbal and non-verbal cues
- Cultivate an intention to understand the emotional, physical, and intellectual state of the individuals you are speaking with including those that may be behind a screen
- Assess how your words are being interpreted and be willing to adapt or regulate your response based on the direction of the conversation/interaction

### Mindful Speech:

- Be mindful of the impact words have in everyday interactions
- Take time to convey thoughts and feelings tactfully and avoid using irrational or reactionary statements
- Know when to disengage from interactions that have reached a counterproductive impasse and return when appropriate

### Anti-oppressive Lens:

- Build knowledge of diversity, equity, and inclusion as it pertains to your home and Council
- Develop an understanding of anti-oppressive language and terminology
- Be mindful of unconscious bias, pre-judgments and generalization that may influence your ability to understand others’ perspectives

## **Expressing Concerns and Recommendations**

The Family Council is encouraged to develop and adopt a system that involves placing concerns and recommendation in writing so that they are shared, discussed, and resolved as effectively as possible. This helps to promote accurate communication and permits better tracking and follow up. This documentation should include things such as the date, to whom it is addressed, clear and constructive language, and relevant information pertaining to the subject. Once a Council advises a licensee of a concern or

recommendation under paragraph 8 or 9 of sub-section (1) of Section 66, the licensee shall within 10 days of receiving the advice, respond to the Family Council in writing. For optimal results and feedback Family Councils should allow adequate time for a response from the home and should refrain from overloading departments with multiple submissions.

### **Effective Tips for Submitting Concerns & Recommendations**

- Be factual and document everything to the best of your abilities
- Ensure submissions reflect a shared Council concern or recommendation
- Be timely in submitting information and responding to communications
- Do not use inflammatory language or presumptive statements
- Establish a point person from the Family Council to receive and acknowledge communications from the Home (via email or print mail)
- Provide practical recommendations to resolve complaints and enhance home quality improvement

**Example:** ABC Family Council has implemented a system where Family Council members discuss collective concerns and suggestion and has one contact person summarize key points to share with Long-Term Care home management team. ABC Family Council then waits for a response from the home and follows up for additional feedback when appropriate.

The Council has designated a communications point person to submit the concern to the home management and receive the response (by email or print). The point person responds to the home staff person to indicate that the response has been received and will be discussed at the next Council meeting. At the next meeting, Council discusses the response and determines if they find it acceptable. If they do, the communications point person responds to the home staff person to thank them for addressing the situation and that Council considers the issue closed. If not, the communications point person shares with the home management why the Council remains concerned.

This process is helpful as it streamlines communication between the Council and home and ensures that the responses from the home are received, responded to, and logged properly.

### **Developing and Following a Code of Conduct**

Individual actions and behaviours of Family Council members can reflect on the Council as a whole, fuel tension between members, and strain relationships with home staff. Establishing group rules is essential to making sure a Family Council runs smoothly and that conflict is minimized. A “Code of Conduct” has

proven to be successful in outlining how Council members wish to act and be represented both individually and collectively.

A Code of Conduct should outline the criteria for an effective Family Council member, the types of behaviour that are/are not conducive and actions that may be taken if a members' conduct is not aligned with group expectations. Creating a Code of Conduct should be a collaborative effort and reviewed on a regular basis, or when a Council is going through major change. Respect for residents, home staff, visitors

**As Councils are independent and autonomous groups, it is up to Councils to manage and respond to the behaviour of members. Council leaders should be prepared to address problematic behaviour, such as racist, homophobic, sexist, or ableist language; breaching confidentiality (e.g., sharing comments, stories, or concerns with staff or anyone outside of Council without consent); speaking over or interrupting others at meetings; being rude or dismissive towards Council members or home staff; monopolizing discussion time at meetings; or other breaches of the Code of Conduct.**

**Contact Family Councils Ontario for information, support, and training on addressing problematic behaviour or conflict resolution.**

and volunteers, confidentiality and rules of engagement, and adhering to home policies and rules are examples of topics often included in Family Council Codes of Conduct. It is suggested that each member be provided with a copy to ensure that members are aware of collective expectations and abide by the Code.

### **Interpersonal Dynamics and Managing Conflict**

As Family Councils and long-term care communities are comprised of individuals with different values, beliefs, attitudes and expectations, interpersonal conflict that arises is a natural outcome of human interaction. Reoccurring themes at the root of most Family Council conflict include misunderstanding of Family Council functions and powers, poor communication skills, differing perspectives, lack of formal structure and breaches of confidentiality. Managing interpersonal conflict in a timely manner is imperative to maintain decorum and avoid future escalation.

#### **Unresolved conflict may expose a Family Council to the following weaknesses:**

- Low participation and engagement
- Feelings of anxiety, resentment, or hostility
- Increased complaints and inability to meet goals and objectives
- Negative first impressions for new families
- Breaches of confidentiality

### **Managing Conflict between Family Council Members and Home**

Family Councils are organized and self-led groups that determine their own group norms and expectations. While it is common for there to be disagreements and differing perspectives on certain topics, it is recommended that Councils have procedures in place to manage conflict. When Family Council members,

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Administrators, and Family Council assistants feel respected and valued, they look forward to meeting and benefit from an ongoing relationship. Group dynamic is enhanced when interactions are meaningful and stress free.

**The following may constitute as staff interference in Family Council operations:**

- Raising concerns about Council functions and member conflicts without Council knowledge
- Sending communications and inviting guests to attend meetings on behalf of the Council without being requested
- Requesting to approve Council materials such as minutes or email communications
- Making decisions on Council practices and policies (e.g. meeting frequency, membership requirements, leadership models, etc.)

**Strategies to effectively manage conflict between Family Council members and home staff:**

- Address disagreements in a timely manner to avoid further escalation
- Commit time to discussing the conflict with all individuals involved and understanding different perspectives on the root cause
- Doing joint group exercises on active listening to enhance collaboration and build rapport
- Connect with Family Councils Ontario for guidance and support

**The following approaches are recommended to diffuse interpersonal conflict and maintain a high functioning conducive environment:**

- Provide those involved in the matter with the opportunity and a safe space to share their viewpoints without judgment
- Refrain from unproductive arguing, venting, and narration at Council meetings and organize a separate time to discuss ongoing conflict
- Encourage all members and Family Council Assistants to review and develop an understanding of what is outlined in the Act pertaining to Family Council (e.g. powers, role, duties, etc.)
- Keeping detailed records and minutes to refer to avoid miscommunication
- Using clear, concise, and respectful language to communicate concerns and recommendations to the licensee
- Articulating the type of support the home can offer to enhance the Family Council and evaluating the effectiveness of support systems on a regular basis
- Scheduling a meeting with members and the home where the conflict can be addressed, and possible solutions can be discussed
- Connecting with Family Councils Ontario for resources and support

## External Support for High Risk Circumstances

If a conflict that could not be de-escalated reaches a level of hostility that may hinder the safety and wellbeing of a family member, resident or staff member, it is recommended that external support is sought immediately. This may include connecting with

- Senior Long-Term Care Home Management
- Ministry of Long-Term Care Action Line
- Local Authorities

## Connecting with LTC Organizations

The following page includes links and contact information to assist long-term care communities in obtaining resources and supports that may help in upholding Family Councils relation, improving communications and obtain sector related updates and directives.

<b>Advocacy Centre for the Elderly (ACE)</b> 416-598-2656 <a href="http://www.advocacycentreelderly.org">www.advocacycentreelderly.org</a>	<b>Long-Term Care Family Support and Action Line</b> TF: 1-866-434-0144
<b>Elder Abuse Prevention Ontario</b> 416-916-6728 <a href="http://www.eapon.ca">www.eapon.ca</a> <a href="mailto:admin@eapon.ca">admin@eapon.ca</a>	<b>Ontario Association of Residents' Councils</b> TF: 1-800-532-0201 <a href="http://www.ontarc.com">www.ontarc.com</a> <a href="mailto:info@ontarc.com">info@ontarc.com</a>
<b>Family Councils Ontario</b> 647-427-5551 TF: 877-622-9968 <a href="http://www.fco.ngo">www.fco.ngo</a> <a href="mailto:info@fco.ngo">info@fco.ngo</a>	<b>Ontario Caregiver Organization</b> <a href="http://www.ontariocaregiver.ca">www.ontariocaregiver.ca</a> <a href="mailto:info@ontariocaregiver.ca">info@ontariocaregiver.ca</a> Ontario Caregiver Helpline 1-833-416-2273.
<b>Health Quality Ontario</b> <a href="http://www.hqontario.ca">www.hqontario.ca</a> <a href="mailto:info@ontariohealth.ca">info@ontariohealth.ca</a> 416-323-6868 TF: 1-888-668-4584	<b>Patient Ombudsman</b> 416-597-0339 TF: 1-888-321-0339 <a href="http://www.patientombudsman.ca">www.patientombudsman.ca</a>

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