



HEALTH AND SAFETY PLANS DURING INVESTIGATIONS

COMMUNITY CARE FACILITIES LICENSING PROGRAM

During an investigation, there may be times when a Licensee will be requested to submit a Health and Safety Plan to a Licensing Officer. The Licensee is required by legislation to submit a Health and Safety Plan when requested. If a Health and Safety Plan is not submitted to Licensing on request, the Licensee will be in non-compliance with the legislation. The purpose of a Health and Safety Plan is to reduce the potential for harm and ensure the health and safety of persons in care during an investigation. It is a written plan of action developed by a Licensee, when an allegation of abuse, neglect or inappropriate conduct, or a complaint that the facility is operating in non-compliance with the *Community Care and Assisted Living Act*, Child Care Licensing Regulation, Residential Care Regulation or a Director of Licensing Standard of Practice is received at the Community Care Facilities Licensing office. The plan must demonstrate the Licensee's efforts to minimize risk and prevent serious incidents from occurring, and in some instances from re-occurring. The ultimate goal is to ensure the health, safety and well-being of the persons in care.

When is a Health and Safety Plan required?

When an investigation is initiated, a Licensing Officer will analyze the information received to determine the risk level and whether a Health and Safety Plan is warranted. The following are some examples:

- Your facility and/or staff are under investigation for abuse/neglect or other areas of non-compliance that potentially puts persons in care at immediate risk to their health and safety.
- An incident has occurred that poses an immediate risk to persons in care.
- A complaint is received that the physical facility poses an immediate risk to persons in care.

When developing a Health and Safety Plan, it is important for the Licensee to ask themselves the following questions:

- Who is the plan being developed for? Identify those who will be protected by the plan.
- What needs to happen to ensure the health and safety of the persons in care and what are you expecting to accomplish by carrying out the plan? For example, will suspending an employee alleged to have been abusive safeguard the persons in care?
- Why does the plan need to be developed? Was it an issue identified as a result of an investigative process?
- Where does the plan apply? Be specific.
- When is the plan being implemented and for how long? Provide the anticipated start and completion dates for which the Health and Safety Plan is required. Is the plan short term or long term?
- How is the plan going to be carried out? Do you need assistance to implement your Health and Safety Plan? Do staff members, parents, family members, advocates, physicians, or the funding agency have a role to play? Identify specific tasks that need to be completed in order to execute the Health and Safety Plan. For example, if an allegation of abuse has been made regarding the conduct of a facility staff member, what will be a reasonable course of action undertaken by the Licensee to prevent further allegations being made against that staff member, and/or to prevent further harm being experienced by a person in care?

The Licensee will be asked to submit the written Health and Safety Plan to Licensing within a specific time frame. Licensing staff will review the Health and Safety Plan for its appropriateness in response to the perceived risk to the persons in care, and for assurance that health and safety will be maintained regardless of the presence of a potentially hazardous situation. Licensing staff will provide a written response to the Licensee indicating Licensing's approval or non-approval, and whether the Health and Safety Plan meets the requirements of the legislation. If the plan is not acceptable, Licensing staff will provide the reasons and request an amendment to the plan. If the Licensee fails to address the risks sufficiently, the Medical Health Officer may take immediate action on the Licence, such as imposing conditions on the Licence to ensure health and safety during an investigation.

If as a result of the investigation findings, the Health and Safety Plan can be amended or removed, Licensing staff will verbally communicate this information as soon as possible. The goal of this verbal communication of findings is to allow the facility to return to normal operation and function.

In summary, the Health and Safety Plan represents the Licensee's intent to provide the safest possible care to vulnerable children and adults in the event of unusual or unforeseen circumstances.

Please contact your Licensing Officer if you require further information.

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