


MOMIJI HEALTH CARE SOCIETY

	Developer: Program & Service Committee	Category: Operations-Corporate	Domain: Community Service/Support Service	Policy Number: OPS-CS/SS-(#)
	Effective Date: April 2020	Subject Title: Whistle Blowing Protection of Tenants and Clients		Approval: Executive Director
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POLICY

Momiji is committed to addressing tenants'/clients'/substitute decision-makers'/volunteers' concerns and complaints in a prompt, fair, thorough, and expedited manner in order to improve quality of care.

Effective protection of tenants/clients/substitute decision-makers/volunteers (whistle blowers) against retaliation and reprisal is a reflection of Momiji's culture of commitment to ensuring openness, transparency, and accountability. Momiji has **Zero Tolerance** for retaliation against whistle blowers. All allegations of retaliation will be handled in a confidential manner and shall be carefully investigated and appropriate action shall be taken.

SCOPE

This policy applies to all staff, volunteers, students, and contracted service providers. At the same time, the staff and volunteers in charge of partnered long-term care facilities should be protected by their Whistle blowing policy so that they are able to conduct advocacy role for residents/clients.

DEFINITIONS

Whistle blowing

The disclosure of information, filing a complaint or expressing a concern by a tenant/client/substitute decision-maker/volunteer, and staff members about a perceived wrong doing committed by Momiji or by individual or group of staff or service providers of the Momiji centre or risk thereof. The disclosure can be made internally to Momiji staff, service provider, volunteer or externally to Ministry or other entities believed to be able to effect action.

Whistle blower

Tenants, Clients, substitute decision-maker, volunteer, family members, or staff members who whistle blow.

Retaliation

Any action that aims at silencing, isolating, threatening, intimidating, ridiculing, humiliating, and/or marginalizing the whistle blower. It also includes but not limited to intentionally denying, delaying or providing substandard care to whistle blower.

PROCEDURES

1. All staff/volunteers/service providers will be informed of this policy during orientation. Annual review of the policy is mandatory.
2. All new tenants/clients will be provided with copies of this policy upon admission.
3. On becoming aware of retaliation, the person(s) first having knowledge of this shall immediately inform the Executive Director.
4. The Executive Director will immediately notify the Substitute Decision Makers of the tenant/client about the suspected retaliation and assure them that an investigation has proceeded, following the Momiji's policy and the tenant/client will be protected during the process.
5. The person(s) first having knowledge of this shall immediately prepare a signed, dated statement, indicating all information witnessed or acquired after verbally reporting the incident. The written report shall include:
 - Name(s) of the individual who committed the suspected retaliatory action.
 - Name(s) of the tenant/client against whom the suspected retaliatory action was committed.
 - Description of retaliatory action.
 - Time and location of the suspected retaliatory action.
 - Witnesses to the suspected retaliatory action and/or names of individuals who may have knowledge of the incident.
 - Any other significant information pertaining to the incident.
6. Executive Director shall follow the Momiji's Zero Tolerance of Abuse Policy (exist?) if abuse is suspected.
7. If the alleged retaliatory action is conducted by contracted service provider, the Executive Director shall inform the service provider and their employer if applicable immediately.
8. If the alleged retaliatory action is conducted by student, the Executive Director shall inform the education institution immediately.
9. If the alleged retaliatory action is conducted by volunteer, the Executive Director shall inform volunteer manager immediately.

10. Executive Director or his/her designate shall conduct investigation within 24 hours with support from Human Resources department, as appropriate.
11. Where abuse or an incident of suspected retaliation occurs, the employee(s) shall immediately be placed on a Leave of Absence with pay from active duty pending further investigation. Volunteer(s) who conducted suspected retaliation will not be permitted to carry out volunteer activities pending further investigation with the possibility of termination of volunteer activities with the Momiji Centre to follow. Contracted service providers who have been suspected of abuse shall not be permitted to provide service to the complainant pending investigation.
12. The Executive Director will notify the Chair of the Momiji Board of Directors of all suspected/alleged retaliation.
13. Investigation shall be completed within 10 business days.
14. Executive Director/designate shall inform tenant/client/substitute decision-maker/volunteer of results of investigation.
15. Executive Director shall take disciplinary actions, including and up to termination in according to Human Resources Policy if retaliatory action conducted by staff is confirmed.
16. Executive Director shall inform Volunteer Manager if retaliatory action conducted by volunteer is confirmed. Sanctions taken may include and up to banning the volunteer from the Momiji Centre.
17. Executive Director shall inform service provider and his/her employer if applicable if retaliatory action conducted by contracted service provider is confirmed. Follow up actions shall be taken in according to terms of service agreement. Sanctions may include and up to banning the individual from the Momiji Centre.
18. Executive Director shall inform education institution if retaliatory action conducted by student is confirmed. Sanctions may include and up to banning the student from the Momiji Centre.
19. Executive Director or Support Service Director will keep the family/substitute decision maker, or others specified in the tenant/client's plan of care, informed within the guidelines of the Freedom of Information and Protection of Privacy Act.
20. Where applicable, Support Service Director will report the confirmed incident to the staff member's professional regulatory bodies.
21. Referral to support resources will be made available to all parties involved in the alleged retaliation. Resources for tenants/clients include:
 - The tenants'/clients'/families' places of worship
 - The tenants'/clients'/families' physician

- The social worker
- The consulting psychiatrist
- The Advocacy Centre for the Elderly or other legal clinics

The staff person involved will be referred to the Employee Assistance Program.

22. Executive Director shall complete all necessary reports according to Momiji's policies as well as the requirements from Ministry of Health. Executive Director shall provide a written report to the Chair of the Momiji Board of Directors within one month of the conclusion of the incident.