

Whistle-blowing Protection and Retaliation

Inspection Guide

This Inspection Guide provides *guidance* to the inspector during the initial planning of an inspection. Not all sections will be applicable in every situation and the inspector may need to adjust the inspection based on information collected.

PROFILE FOR RESIDENT

- Name, room number, home area
- Date of birth, date of admission, date of discharge (if applicable)
- Diagnoses
- Other resident information, as applicable: Physician, SDM, Advanced Directives, Activities of Daily Living, and RAI-MDS Outcome Scores, e.g., CPS

CLINICAL RECORD REVIEW (ELECTRONIC AND HARD COPY)

PROGRESS NOTES

- Pertaining to specific incident, i.e., incident notes, resident involvement, SDM involvement
- Incident notes/risk management
- Any documentation of altercations and verbalization of concerns
- Ongoing monitoring

OBSERVATIONS

- Resident and staff interactions resident appears comfortable/uncomfortable; signs of distress, hesitancy interacting or speaking
- Observe resident and staff during interviews discusses concerns or shows hesitancy

INTERVIEWS

RESIDENT/SDM

 Discuss if able to bring forward concerns/issues without retaliation, if specific incident request to provide details, e.g., felt threatened or discriminatory treatment



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STAFF

- Discuss education/training provided on Whistle-blower protection and retaliation policy, procedures, and awareness of who to report to
- Discuss if able to bring forward incident or concerns without fear of retaliation
- Discuss details regarding specific allegations of retaliation
- Discuss how the resident interacts with others, do they demonstrate hesitation -if yes, with who, what situations, have they voiced concerns?

MANAGEMENT

Director of Care, Administrator/Delegate

- Discuss policy and procedures for Whistle-blowing protection program training to staff/residents/families/volunteers, investigation process, and corrective actions taken
- Discuss specific incident actions taken and outcome
- Discuss areas of legislative NC if found

OTHER RECORD REVIEW

- CI report (if applicable)
- Internal investigation notes (if applicable)
- Staff members personnel file, e.g., disciplines, education, etc.
- Review applicable policies: Whistle-blower Protection and Retaliation, Abuse/Neglect Prevention, and Reporting, etc.
- Reports from Police, Ministry of Labour, Training and Skills Development (MLTSD), or Union involvement (if applicable)
- Complaint log complaints submitted re: retaliation, harassment, etc.

FOR FURTHER GUIDANCE

Please refer to policies, guidance documents, and job aids available in the elnspectors' Handbook.