

FINAL INSPECTION REPORT
Under the *Retirement Homes Act, 2010*

Inspection Information	
Date of Inspection: October 11, 2022	Name of Inspector: Pam Hand
Inspection Type: Mandatory Reporting Inspection	
Licensee: Lutheran Homes Kitchener-Waterloo / 2727 Kingsway Drive, Kitchener, ON N2C 1A7 (the "Licensee")	
Retirement Home: Trinity Village Studios / 2711 Kingsway Drive, Kitchener, ON N2C 2T2 (the "home")	
Licence Number: T0008	

Purpose of Inspection
The RHRA received a report under section 75(1) of the <i>Retirement Homes Act, 2010</i> (the "RHA").

NON-COMPLIANCE
<p>1. The Licensee failed to comply with the RHA, S.O. 2010, c. 11, s. 67; Policy to promote zero tolerance. The Licensee failed to comply with the RHA, S.O. 2010, c. 11, s. 75; Reporting certain matters to Registrar.</p> <p>Specifically, the Licensee failed to comply with the following subsection(s):</p> <p>67. (4) Without in any way restricting the generality of the duties described in subsections (1) and (2), the licensee shall ensure that there is a written policy to promote zero tolerance of abuse and neglect of residents and shall ensure that the policy is complied with.</p> <p>75. (1) A person who has reasonable grounds to suspect that any of the following has occurred or may occur shall immediately report the suspicion and the information upon which it is based to the Registrar:</p> <p style="padding-left: 40px;">2. Abuse of a resident by anyone or neglect of a resident by the licensee or the staff of the retirement home of the resident if it results in harm or a risk of harm to the resident.</p>
<p>Inspection Finding</p> <p>The Licensee reported an incident of resident-to-resident sexual abuse to the RHRA on October 5, 2022. The Inspector interviewed staff, as well as reviewed records of the incident in the home, the Licensee's policies, staff training records and aggressor resident's care file. The Inspector found that although management was aware of the allegations of sexual abuse on September 23, 2022, they did not follow the home's zero tolerance of abuse and neglect policy as the Licensee did not report the allegation of sexual abuse to the RHRA, or the police until October 5, 2022.</p>


<p>Outcome</p> <p>The Licensee submitted a plan to achieve compliance by December 5, 2022. RHRA to confirm compliance by inspection.</p>
<p>2. The Licensee failed to comply with the RHA, S.O. 2010, c. 11, s. 67; Protection against abuse and neglect.</p> <p>The Licensee failed to comply with O. Reg. 166/11, s. 23; Behaviour management.</p> <p>Specifically, the Licensee failed to comply with the following subsection(s):</p> <p><u>67. (1)</u> Every licensee of a retirement home shall protect residents of the home from abuse by anyone.</p> <p><u>23. (1)</u> Every licensee of a retirement home shall develop and implement a written behaviour management strategy that includes,</p> <ul style="list-style-type: none"> (a) techniques to prevent and address resident behaviours that pose a risk to the resident or others in the home; (b) strategies for interventions to prevent and address resident behaviours that pose a risk to the resident or others in the home;
<p>Inspection Finding</p> <p>As part of the above-mentioned inspection, the Inspector interviewed staff and reviewed the home’s policies including the behaviour management strategy. The Inspector found the home did not implement adequate behaviour management strategies to address and mitigate the resident’s known sexual behaviours that posed a risk of harm, particularly toward cognitively impaired residents. Heightened monitoring of the aggressor could not be demonstrated on the day of the incident. The Licensee’s failure to fully implementing the home’s behaviour management strategy for a resident who had a history of sexual behaviours towards other residents, led to the home’s failure to protect a resident from abuse in the September 23, 2022, incident.</p>
<p>Outcome</p> <p>The Licensee submitted a plan to achieve compliance by November 30, 2022. RHRA to confirm compliance by inspection.</p>

NOTICE

The Final Inspection Report is being provided to the Licensee, the Registrar of the Retirement Homes Regulatory Authority (the "RHRA") and the home's Residents' Council, if any.

Section 55 of the RHA requires that the Final Inspection Report be posted in the home in a conspicuous and easily accessible location. In addition, the Licensee must ensure that copies of every Final Inspection Report from the previous two (2) years are made available in the Home, in an easily accessible location.

The Registrar's copy of the Final Inspection Report, as it appears here, will be included on the RHRA Retirement Home Database, available online at <http://www.rhra.ca/en/retirement-home-database>.

Signature of Inspector 	Date November 10, 2022
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