

June 2023

## Retirement Homes Regulatory Authority Response to the 2022-23 Risk Officer Annual Report

### Introduction

Nav Sandhawalia was appointed as the Retirement Homes Regulatory Authority (RHRA) Risk Officer by the RHRA Board of Directors in March 2018. He was subsequently re-appointed by the Board for a second three-year term, effective June 1, 2021. The Risk Officer reports to the Board and exercises an independent role in assessing the effectiveness of the RHRA’s administration of the [Retirement Homes Act, 2010](#) (RHA) and [Ontario Regulation 166/11](#).

The Board accepted the Risk Officer’s 2022-23 report in June 2023. The report focused on: Reviewing RHRA’s transparency posture. This report can be found here: [Risk Officer Annual Reports](#).

The Board thanks Mr. Sandhawalia for his work and welcomes his report, which provides an opportunity for further improvements within the RHRA to advance the safety and protection of retirement home residents.

Risk Officer Annual Report 2022-23 Recommendations	RHRA Response to Risk Officer Annual Report
<p><b>1) Develop summarized snapshot of all retirement homes</b></p> <p><b>Recommendation:</b> RHRA should summarize and condense information currently available on retirement homes so that it is clear, concise, and easier to comprehend. RHRA should also take this opportunity to assess whether there is other information which is currently not in the public domain, but perhaps should be. For example, this may include disciplinary action details.</p> <p><b>Context:</b> Although a large volume of information is available on RHRA’s website in relation to each retirement home, it is cumbersome to review and understand. Residents and prospective residents must undertake numerous ‘clicks’ and review documentation that does not provide an easy overall story of each retirement home. A clear, concise, and easy to understand</p>	<p>The RHRA agrees that there is room for improvement in summarizing/interpreting information about the 775 plus licensed retirement homes in Ontario so that prospective residents and their families can make informed decisions. RHRA has identified the need to rebuild its website as part of its new Strategic Plan. This will include content development to ensure it is written in plain language, a more intuitive design and enhanced functionality in order to improve the overall user experience.</p>

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<p>approach would help residents, prospective residents, and their families quickly assess each retirement home. Furthermore, RHRA should also assess the balance between summarizing factual information and whether subjective information should also be shared publicly. This is a difficult consideration and one that should be assessed against the principles of transparency, privacy, and other cost/benefit considerations.</p>	
<p><b>2) Update RHRA website</b></p> <p><b>Recommendation:</b> RHRA should revamp the website to enhance user friendliness, while also taking the opportunity to alter content to be clear, concise, and easy to understand.</p> <p><b>Context:</b> Although there is a lot of information currently available on the website, it can be difficult to find, as such there is an opportunity to enhance user friendliness. Some examples of information that RHRA may want to consider making more prominent includes the purpose and guiding principles of RHRA with a keen focus on the primary audience of residents and prospective residents. These core fundamentals of RHRA are important to be front and centre, especially for those visiting the website for the first time. If undertaking a revamp of the website, RHRA can also take the opportunity to implement other recommendations noted within this report.</p>	<p>The RHRA agrees with the recommendation and as noted there are plans to replace the current website as part of the Strategic Plan to improve the user experience. This will be a multi-year exercise focused on plain language content development, improved navigation and functionality to make it easier for visitors to find the information they require.</p>

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<p><b>3) Broaden familiarity of RHRA’s existence and role</b></p> <p><b>Recommendation:</b> Consider further opportunities to broaden awareness of RHRA with residents, prospective residents, and others who may support or advise these groups. RHRA should focus on targeted efforts as opposed to mass media/advertising.</p> <p><b>Context:</b> It is difficult for RHRA to be successful in their mandate if residents and prospective residents are unaware of their existence. Currently there is fairly limited knowledge of RHRA and even less knowledge of RHRA’s key function, principles, support offered, etc. This finding was prevalent not only in conversations that led to the creation of this report but is also supported by Innovative Research Group’s January 2022 research study, which noted that ‘Fewer than 30% of retirement home residents in Ontario have heard of the RHRA<sup>1</sup>. RHRA should take a focused and targeted communication/advertising approach in this regard, partnering with community senior centres, doctors, and geriatric nurses to name a few examples. Messaging should be clear, concise, easy to understand, and targeted at residents, prospective residents and their families.</p>	<p>The RHRA agrees with this recommendation. RHRA is taking a focused approach leveraging existing partnerships and seeking out new partnerships to help distribute resources (existing and new plain language content) to help residents and prospective residents and their families make informed decisions – including health care workers, seniors’ organizations and others who interact directly with residents/prospective residents.</p>
<p><b>4) Enhanced proactive relationship directly with retirement home residents</b></p> <p><b>Recommendation:</b> RHRA should create channels of communication by which there is a direct proactive relationship with residents. This can come in various forms but may include</p>	<p>RHRA continues to explore opportunities to outreach and engage with retirement home residents. To that end we are encouraging retirement home operators to help connect/introduce RHRA staff directly to residents’ councils where they exist. We also continue to leverage our existing Residents’ Network to help us connect directly with residents.</p>

<sup>1</sup> [https://www.rhra.ca/wp-content/uploads/2022/04/RHRA-2021-Multi-Stakeholder-Research-Report-FINAL-REPORT-SUMMARY-January-2022\\_Mar-25-2022.pdf](https://www.rhra.ca/wp-content/uploads/2022/04/RHRA-2021-Multi-Stakeholder-Research-Report-FINAL-REPORT-SUMMARY-January-2022_Mar-25-2022.pdf)  
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<p>options such as: a resident newsletter published by RHRA or routine proactive meeting with resident councils. RHRA should assess whether this is currently within their ability, otherwise work with the Ministry to alleviate any hurdles.</p> <p><b>Context:</b> As noted earlier in this report, the Act’s fundamental principle focuses on the resident, however RHRA currently has little direct proactive communication with residents. Augmenting this communication channel would help residents better understand their rights, potential risks, and other opportunities to enhance their standard of living. Although residents can reach-out directly to RHRA (for example the complaints process), there is currently no formal direct proactive relationship between RHRA and residents. This recommendation also supports recommendation #3, which in-part, focuses on increasing RHRA’s awareness with retirement home residents. In this regard, RHRA should balance the outreach strategy to ensure the right type of information is provided, at the right time, and in an appropriate manner.</p>	
<p><b>5) Update information access and privacy code and related policies/protocols</b></p> <p><b>Recommendation:</b> RHRA should review, update/enhance, and clearly communicate the information access and privacy code, which is designed to outline what information and in what circumstances information can be shared with residents and other relevant third parties. RHRA should also take this opportunity to assess whether proactive communications/information sharing</p>	<p>The RHRA is in the final stages of developing an updated Access and Privacy Code, which will provide additional clarity to individuals and entities outside the RHRA about what information they may be entitled to receive upon request. It will also, among other things, create procedural mechanisms to challenge RHRA decisions denying requests for information.</p>

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<p>(based on historical evidence) is warranted in certain circumstances.</p> <p><b>Context:</b> There are various categories of information, some of which are clearly confidential, some of which are not confidential and can be shared, and other information which RHRA has classified as confidential. Although each situation is unique, RHRA should work on documentation and clearly communicate what information is considered confidential and for what reason. Clear, concise, and understandable version of such guidance should be provided on RHRA’s website to ensure stakeholders have a clear understanding of how to request information, what type of information will be provided, and rationale for what type of information will not be provided due to privacy and/or confidentiality reasons. It should be noted that at the time of writing of this report, an updated draft access and privacy code had been developed and was being reviewed.</p>	<p>The Access and Privacy Code creates the high-level framework for disclosing information. It will not set out a detailed list of all the documents a requester may or may not receive. The RHRA will prepare to implement the Access and Privacy Code by developing the policies and processes required to execute. This will include developing policies around determining what specific types of documents can be disclosed to different requesters. In due course, the RHRA will determine to what extent those policies can be made publicly available so that potential requesters have an even better idea of what types of documents they may be entitled to receive.</p> <p>The RHRA conducts proactive communications and information sharing, particularly in the context of serious incidents occurring in retirement homes. This includes information sharing with other regulators (e.g., College of Nurses of Ontario), Public Health, or law enforcement. The RHRA will continue to assess whether any changes to its proactive information sharing protocols are necessary and appropriate.</p>