

Excerpts from Alberta Resident and Family Councils Act

(2018)

Section 2: Establishment of a Resident and Family Council

Intent

To set out the requirements respecting the establishment of a resident and family council, including the specific duties required of an operator if a council has not been established.

- 1) Any resident of a residential facility or member of a resident's family may initiate the establishment of a resident and family council for the residents of the facility.
- 2) Where on the coming into force of this Act a group composed of residents or persons of importance to residents or both is in place in a residential facility for any purpose described in section 4, the group is deemed to be a resident and family council for the purposes of this Act.
- 3) Where on the coming into force of this Act there is no resident and family council in place in a residential facility, the operator of the facility must
 - a) post a notice in a conspicuous place in the residential facility advising residents and persons of importance to residents of the right to establish a resident and family council,
 - b) ensure the notice remains posted until a resident and family council is established,
 - c) provide copies of the notice to any person on request,
 - d) within 6 months after the coming into force of this Act and not less than every 6 months thereafter until a resident and family council is established, convene a meeting to inform residents, their families and persons of

importance to residents of the right to establish a resident and family council, and

e) ensure that a notice of every meeting under clause (d) is posted in a conspicuous place in the residential facility for a period of at least 2 weeks before the meeting is held.

4) Where at any time it appears to the operator of a residential facility that there is no functioning resident and family council in place in the facility, the operator of the facility must

a) take the steps described in subsection (3)(a), (b) and (c),

b) as soon as practicable, convene a meeting to inform residents, their families and persons of importance to residents of the right to establish a resident and family council, and convene further meetings not less than every 6 months thereafter until a resident and family council is established, and

c) ensure that a notice of every meeting under clause (b) is posted in a conspicuous place in the residential facility for a period of at least 2 weeks before the meeting is held.

Awareness of Right to Establish Resident and Family Council

Methods of Compliance

Residents and their families are made aware of their right to establish a resident and family council and all steps in 2(3) and 2(4) have been taken

Evidence of Compliance (possible, but not limited to):

- Observation of posted notice communicating right to establish a resident and family council
- Conversations with residents and family regarding their awareness of the notice
- Copies of meeting minutes and agendas where the operator informed residents and their families of their right to establish a resident and family council

- Observation of written notice of meetings to inform residents and family about their right to establish council provided 2 weeks ahead of the scheduled meeting

Section 3: Council Membership and Process

Intent

To set out eligibility for membership in a resident and family council and allow a council to set its own process.

- 1) All residents of a residential facility and their families are eligible to be members of a resident and family council for the facility.
- 2) A resident may identify one or more relatives, friends, guardians, caregivers or other individuals to be considered as the resident's family for the purposes of this Act.
- 3) No person shall receive any remuneration for acting as a member of a resident and family council.
- 4) Subject to this section, a resident and family council may determine its own governance structure and procedures.

Section 4: Purposes of a Resident and Family Council

Intent

To set out the purposes of a resident and family council.

- 2) The purposes of a resident and family council are
 - a) to provide a forum for the residents and their families to discuss ways of maintaining and enhancing the residents' quality of life in the residential facility,
 - b) to provide a forum for the residents and their families to discuss matters relating to their residence in the residential facility, including any requests or concerns they may have and any solutions to the concerns that they may wish to propose,

- c) to present any requests, concerns and proposed solutions to a facility representative or the operator,
- d) to provide opportunities for the residents and their families to develop and participate in projects for the residents' benefit,
- e) to provide a network of support and encouragement for the residents and their families, and
- f) any other purposes provided for in the regulations.

Section 5: Duties of an Operator

Intent

To set out the requirements of an operator to support a resident and family council.

- 1) An operator must
 - a) designate in writing one or more persons as facility representatives for the purposes of this Act,
 - b) attend, or ensure a facility representative attends, all meetings of a resident and family council where invited to do so by the council and all meetings convened by the operator under clause (k) or section 2(3)(d) or (4)(b),
 - c) document, or ensure a facility representative documents, any requests, concerns and proposed solutions expressed to the operator or a facility representative by a resident, a member of a resident's family or a resident and family council,
 - d) take all requests, concerns and proposed solutions expressed by a resident, a member of a resident's family or a resident and family council into consideration when making decisions that affect the residents,
 - e) consult with all resident and family councils in the residential facility regarding the food, services and social and leisure activities provided or made available to the residents,

- f) establish in writing a process for addressing requests and concerns of the residents and their families and for documenting measures taken to address them,
- g) provide copies of the process established under clause (f) to the residents, their families and resident and family councils on request and make a copy available to any other person on request,
- h) provide contact information to residents and their families regarding the complaints officer under the Supportive Living Accommodation Licensing Act, including by posting a notice in a conspicuous place in the residential facility containing the contact information and by providing copies of the notice to residents, their families and resident and family councils on request,
- i) make space within the residential facility available, to the extent reasonably practicable, for meetings of resident and family councils,
- j) provide administrative assistance to resident and family councils, to the extent reasonably practicable, when requested by them,
- k) whenever to the best of the operator's knowledge no resident and family council has met within a 6-month period, convene a meeting before the end of the seventh month to address the purposes described in section 4(a) to (f), and
- l) following every inspection of the residential facility under this Act, the Nursing Homes Act, the Supportive Living Accommodation Licensing Act, the Hospitals Act or the regulations, provide information to residents and their families regarding the results of the inspection, including by posting a notice in a conspicuous place in the facility describing the results and by providing copies of the notice to residents, their families and any other person on request.

Note: This Family Councils Act has established comprehensive lists of methods of compliance with the Act (only one is referenced in this

document). The Act also identifies comprehensive lists of evidence of compliance. Those markers are required upon inspection.

The Alberta Resident and Family Councils Act may be viewed here:

<https://www.alberta.ca/resident-family-councils.aspx>

