



GENERAL MANUAL POLICY

APPROVED BY:

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CATEGORY: Supports and Services

TOPIC: Rights Restrictions

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POLICY

The Internal Rights Review Committee has been established by Community Living Thunder Bay to safeguard the human, civil and legal rights of all individuals while receiving support. Where rights have been restricted, the External Voting Group will review the reasons for the restrictions. Community Living Thunder Bay believes in treating people fairly and is committed to providing people with due process.

The Internal Rights Review Committee will act as a resource to Community Living Thunder Bay in order to safeguard and support the human, civil and legal rights as well as the daily personal freedoms of all people who receive support from Community Living Thunder Bay. This will be done in accordance with Canadian and Ontario laws as well as policies established by Community Living Thunder Bay.

The Internal Rights Review Committee will review all perceived rights restrictions that are imposed on people who receive supports from Community Living Thunder Bay and ensure that plans are developed to enable people to regain their rights. If an internal resolution is not reached, the IRRC will look at other avenues, which may include Human Rights Northwest or Human Rights Commission.

Rights limitations or restrictions can only be imposed with approval by the Internal Rights Review Committee or other legal means for *due process*. In an emergency situation, a rights limitation or restriction can be put in place pending review of the referral by the Internal Rights Review Committee.

Examples include, but are not limited to:

- a creation of a barrier
- a locked area (room, closet, etc.)
- removal of full access to the person's home
- perceived punishment as discipline
- the use of a Psychotropic drug to alter the person's behaviour (without an approved updated action plan/protocol in place)

Any type of behavioural action plan shall be referred to the Internal Rights Review Committee for review and recommendations.

GENERAL MANUAL PROCEDURE

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PROCEDURE

A review of any rights restriction is requested by sending a referral to the Internal Rights Review Committee. This may be done in the following ways:

1. Delivering the referral to any Team Leader/Coordinator at Community Living Thunder Bay, who shall immediately forward it to the Chairperson of the Internal Rights Review Committee.
2. Sending the referral to Community Living Thunder Bay, 1501 Dease Street P7C 5H3, or fax 807-622-8528, addressed to the Chairperson of the Internal Rights Review Committee.

The Chairperson of the Internal Rights Review Committee shall arrange to review the restriction at the next scheduled meeting.

A referral should be discussed with the person before it is submitted to the Internal Rights Review Committee and consent obtained from the person for disclosure of any relevant material by Community Living Thunder Bay to the Internal Rights Review Committee.

The referral should include the following information if applicable to the specific restriction being reviewed:

- a) referral form
- b) any other information pertaining to the restriction (i.e., Serious Occurrence information, clinical reports, action plans, PRN protocols, etc.)
- c) psychotropic medication information

The referral and accompanying information will then be reviewed by the Internal Rights Review Committee and intake will be completed and forwarded to the External Voting Group.

When the recommendation is to remove a restriction, employees will be given a timeline to develop a plan regarding how to remove the restriction.

A recommendation that does not propose complete removal of a rights restriction shall contain a provision for a review of the rights restriction within a period of not more than six months.

On an annual basis a Rights Assessment Form is to be completed by all people who receive support in order to determine if the rights of people are being restricted in any capacity by Community Living Thunder Bay.

A copy of the completed Rights Assessment form will be kept in each person's individual binder for reference.