



Regional Municipality of Durham
 Social Services Department
 Long Term Care (LTC) and Services for Seniors

Title: Public Code of Conduct	
Policy #: ADM-01-01-23	
Reviewed:	
Revised:	
Peer Group Approval:	Date:
Also reviewed by: (other peer group)	
Senior Leadership Approval: <i>Laura MacDermaid</i>	Date: January 24, 2024

1. Policy

- 1.1 The Long-Term Care and Services for Seniors (LTC and SS) Division is committed to ensuring a respectful, and harassment-free workplace and space for Residents, Staff, Volunteers, and Visitors.
- 1.2 Inappropriate behaviour by any member of the public may result in the application of restrictions against that member of the public. Any restrictions applied shall be reasonable, consistent, and appropriate to address the inappropriate behaviour, and communicated in a manner that is clear and understandable. **Note:** Inappropriate behaviour is not limited to in-person interactions and includes interactions that are written, over the telephone, and all forms of electronic/virtual communication.
- 1.3 For information on visiting requirements in our Homes, please see [IC-05-13-04 Visitation to Long-Term Care](#) policy.
- 1.4 In the event of a violent person, please follow the [Code White](#).
- 1.5 At any time, if there is immediate risk of harm to self or others, or there is a visible weapon/perceived threat, call 911.

2. Purpose

- 2.1 Establish expectations for appropriate behaviour for anyone interacting with Residents, Staff, Volunteers, and Visitors.
- 2.2 To create a safe and respectful environment for everyone within the Homes and Adult Day Programs (ADPs).
- 2.3 To be used in conjunction with the Region of Durham Corporate Public Code of Conduct Policy and the Visitor Code of Conduct (see Appendix 1).

3. Definitions

3.1 Inappropriate Behaviour

A. Behaviour that is damaging physically or psychologically, is illegal, or would otherwise not be welcomed in a regular place of business, and includes, without limitation:

- (1) Abusive, disrespectful, or demeaning comments including the use of profanity.
- (2) Insulting, demeaning, or derogatory remarks including but not limited to racist, anti-Indigenous, sexist, ageist, homophobic, transphobic, and ableist comments.
- (3) Acting towards any other individual in a threatening, intimidating, abusive and/or violent manner.
- (4) Engaging in a physical altercation with any other individual on the property.
- (5) Possessing a weapon or prohibited substance while on the property.

Note: This list is not exhaustive. For more examples of inappropriate behaviour, please see the Region of Durham Corporate Public Code of Conduct Policy.

3.2 Letter of Warning

A. A letter issued to a member of the public informing them of instances of inappropriate behaviour, including a caution that further inappropriate behaviour may result in restrictions. See Appendix 2.

3.3 Notice of Restrictions

A. A letter issued to a member of the public informing them of instances of inappropriate behaviour and the application of restrictions. See Appendix 3.

3.4 Public Conduct Review Panel

A. A Region of Durham Panel comprised of Region of Durham employees whose function is to review the applications of restrictions that specifically limit access to Region of Durham Properties or Public Meetings.

4. Procedures

4.1 Response to Inappropriate Behaviour

A. In response to one or more instances of inappropriate behaviour, a Letter of Warning and/or restrictions may be applied to a member of the public in accordance with this policy and the Region of Durham Corporate Public Code of Conduct. Consult with legal when issuing the below measures.

B. **Supervisors/Mangers, in consultation with the Home's Senior Leadership may:**

- (1) Issue a Letter of Warning (see Appendix 2)
 - (a) To advise of instances of inappropriate behaviour and give notice that further inappropriate behaviour may result in the application of restrictions in accordance with this policy and the Region of Durham Corporate Public Code of Conduct.
 - (b) A Letter of Warning is used at the discretion of the Home, but some examples would include, first time offences, lower risk/severity to Residents, Staff, Volunteers, and other Visitors.
- (2) Issue a Notice of Restrictions (see Appendix 3)
 - (a) If deemed warranted, prepare a Notice of Restrictions to the member of the public.
 - (b) Used at the discretion of the Home, but some examples would include, a previously issued a Letter of Warning, or inappropriate behaviour that poses high risk/severity to safety of Residents, Staff, Volunteers, or other Visitors.

Note: It is not a requirement to issue a Letter of Warning Prior to the application of restrictions.

- (c) The following restrictions may be applied for a duration of time at the discretion of the Supervisor/Manager and Home's Senior Leadership:
 - (i) Require any in-person interaction with staff to be in the presence of another staff member or other representatives of the Home;
 - (ii) Limit correspondence to a particular format, time, duration;
 - (iii) Require any communication to be directed only through specific individuals;
 - (iv) Limit the number of responses that may be provided regarding an active complaint or inquiry;
 - (v) Removal from or limited access to specific programs or services or areas of the Home.
- (3) As per the Region of Durham Corporate Public Code of Conduct policy, the Commissioner of Social Services, the Chief Administrative Office, and the Public Code Review Panel, may apply the following restrictions for a duration of up to 365 days:
 - (a) Prohibit attendance at the one or more specified Durham Region Properties; and
 - (b) Prohibit attendance at one or more Public Meetings.

4.2 **Where a Member of the Public is Subject to Restrictions**

- A. The Manager/designate shall attempt to provide them with a written Notice of Restrictions delivered by e-mail or letter mail (see Appendix 3).
- B. The Notice of Restriction will describe the following:
 - (1) The inappropriate behaviour that occurred;
 - (2) The name and contact information
 - (3) The name and contact information of the Region of Durham Employee or representative of the Region that they may contact during the restriction period, as well as the form of communication to be used (if applicable).
 - (4) Instructions for submitting a Request for Review form; and
 - (5) Any other information the Issuer deems necessary.
- C. Where the Manager/designate is unable to deliver the required notice, the Manager/designate shall complete an affidavit noting the failed attempt to deliver the required notice, which shall satisfy the notice requirements of this policy.
- D. If the Letter of Warning or a Notice of Restrictions is issued to a minor, the Manager/designate may direct the document to the Minor's parent or guardian (if known).
- E. Where a member of the public is being prohibited from entering on to one or more specific Region of Durham Properties for a period of time, the Home may issue a Notice of Trespass to Property. Consult with Durham Region Police Services to assist when a Notice of Trespass to Property is violated.
- F. A member of the public who is subject to restrictions may request a meeting with the Manager to review the restrictions. Requests for meetings may be accepted or denied at the Home's discretion. For more information on a review of restrictions, please see the Region of Durham Corporate Public Code of Conduct Policy.

4.3 **Expiration of Restrictions**

- A. Prior to the expiration of any restrictions, the Manager shall advise the member of the public in writing of the date that their restrictions shall expire and may require that the member of the public participate in a meeting to review the inappropriate behaviour that occurred and discuss expectations of conduct after the restrictions are lifted (see Appendix 4).

- B. After the meeting, the Manager, in consultation with the Home's Senior Leadership may choose to extend the restrictions and shall notify the member of the public in writing of their decision.
- C. Where the restrictions prohibit attending Region of Durham Properties or Public Meetings, the Manager shall meet with the Public Conduct Review Panel to consider whether to extend the restrictions or allow them to expire. The decision of the panel in this matter is final.

5. Roles and Responsibilities

5.1 All Staff Will:

- A. Respond to interactions with members of the public in accordance with their applicable training, departmental protocols, and appropriate de-escalation techniques.
- B. Report any interactions with a member of the public that they believe constitutes inappropriate behaviour to their direct Supervisor/Manager. Provide any supporting material or evidence.

5.2 Supervisors and Managers

- A. It is the responsibility of all Supervisors and Managers to receive reports of inappropriate behaviour and engage in the enforcement steps outlined in this policy where necessary, in consultation with the Home's Senior Leadership.
- B. Supervisors and Managers shall also ensure that staff that experience inappropriate behaviour are provided with appropriate support, including access to the Employee Assistance Program.

5.3 Home's Senior Leadership

- A. Ensure members of the public are adhering to the components of this policy and following the Visitor Code of Conduct.
- B. Work with the Supervisor/Manager to ensure the appropriate steps and enforcement are conducted in accordance with this policy and the Region of Durham Corporate Public Code of Conduct Policy for members of the public who are not adhering to the rules.

6. References

- 6.1 [Region of Durham Corporate Public Code of Conduct policy](#)
- 6.2 IC-05-13-04 Visitation to Long-Term Care
- 6.3 Code White

7. Attachments/Appendices

- 7.1 Appendix 1 – [Visitor Code of Conduct](#)
- 7.2 Appendix 2 – [Letter of Warning](#)
- 7.3 Appendix 3 – [Notice of Restrictions](#)
- 7.4 Appendix 4 – [Notice of Expiring Restrictions](#)