COMPANION GUIDE FOR RESIDENCE LIFE COMMITTEES IN PRIVATE RESIDENCES FOR SENIORS

ACRQ
Association des Comités de Résidents Officielle du Québec

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TRANSLATION:

CENTRE FOR ACCESS TO SERVICES IN ENGLISH
CENTRE D'ACCÈS POUR SERVICES EN ANGLAIS
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Table of Contents

GLOSSARY **4**

MESSAGE FROM THE PRESIDENT **4**

SECTION 1 - CREATING A RESIDENCE LIFE COMMITTEE **5**

What is an RLC? 6

What are the duties of a residence life committee? 6

Private seniors' residence obligations 7

1. Establishing an RLC 7
2. Fostering the proper functioning of the residence life committee 7

SUGGESTED STEPS FOR CREATING A RESIDENCE LIFE COMMITTEE 8

STEP 1 – Inform residents 8

STEP 2 – Establish a working committee 8

STEP 3 – Draft an internal policy 9

STEP 4 – Elect the members of the RLC 10

A. Elections before the AGM 10

B. Elections during the AGM 10

SECTION 2 - OPERATING A RESIDENCE LIFE COMMITTEE **11**

The four duties of the residence life committee 11

- Disseminate information on residents' rights and obligations 11
- Foster the improvement of the quality of living conditions for residents 12
- Defend the collective rights and interests of residents 12
- Assist a resident in filing a complaint 12

RLC meeting 12

Equality of power 13

Minutes of RLC meetings 13

Confidentiality 13

Annual General Meeting 13

CONCLUSION 14

APPENDIX 1:REQUEST FORM **15**

APPENDIX 3:AGENDA FOR THE RLC ANNUAL GENERAL MEETING **17**

APPENDIX 4:ELECTORAL TIMELINE **18**

GLOSSARY

AGM: Annual general meeting

CAAP : Centre d'assistance et d'accompagnement aux plaintes

RLC: Residence life committee

OPERATOR: Director or owner of the private seniors' residence

CAREGIVER: A person who supports a member of their social circle living with a temporary or permanent disability

PSR: Private seniors' residence

MESSAGE FROM THE PRESIDENT

Founded in 2020, the ACROQ is a provincial association dedicated exclusively to people living in private seniors' residences, their caregivers, and their residence life committee.

Our association fills a gap where no other group was dedicated exclusively to seniors living in PSRs. The ACROQ provides a counterweight to PSR owners groups in Quebec society. Our association can thus speak to the government authorities to assert our rights and coordinate efforts in the face of certain issues.

The year 2024 will be particularly intense with regard to the development and implementation of the residence life committees. Our vision, described in our memorandum (MEMORANDUM), of a win-win committee that fosters well-treatment must convince managers and residents to comply with ministerial order 1574-2022.

We have the power to demand that our stay in residence be among the happiest stages of life.

The ACROQ can provide support to residents, caregivers, and residence life committees, in accordance with the *Regulation respecting the certification of private seniors' residences*.

Help spread the word by telling your social circle about us.

Enjoy the read!

ACROQ free membership form

Registration

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SECTION 1 - CREATING A RESIDENCE LIFE COMMITTEE

This section explores the duties of a residence life committee (RLC) and how to create it in accordance with sections of the *Regulation respecting the certification of private seniors' residences*.

What is an RLC?

Since December 15, 2023, the *Regulation respecting the certification of private seniors' residences* requires the creation of a residence life committee in certain PSRs, based on the number of rental units without taking into account the units purchased (condos). The RLC is the preferred channel of communication between residents and the PSR to work on improving the quality of life of residents and foster well-treatment.

What are the duties of an RLC?

The four mandatory duties of an RLC are dictated in the section below. This document will explain

how to comply with these provisions.

Excerpt from the regulation:

> ***56.3. The duties of a residence life committee are to:***
>
> ***1°disseminate information about residents' rights and obligations;***
>
> ***2°promote improvements in the quality of residents' living conditions;***
>
> ***3°defend the rights and collective interests of residents;***
>
> ***4° provide, at the request of a resident, the information needed to file a complaint with the local service quality and complaints commissioner at the integrated health and social services centre***

The primary duty of an RLC is not to organize recreational activities, but its members may work with the PSR's recreation coordinator to improve the quality of life of residents or create a subcommittee for recreational activities.

PSR obligations

1. Establishing an RLC

An operator who must establish a residence life committee has an obligation of means. They must take reasonable steps to promote the residence life committee within their PSR and to spark the interest of residents to enroll.

Excerpt from the regulation:

> ***56.1. The operator of a category 2 or 3 private seniors' residence comprising more than 99 rental units must establish a residence life committee in accordance with this subdivision. The same applies to the operator of a category 4 residence comprising more than 50 rental units.***
>
> ***Where more than one residence is operated by the same operator in the same congregate residential facility, if the total number of rental units in the residences exceeds 99, the operator must establish one residence life committee for all the residences or one committee for each residence, as decided by the operator.***
> ***The operator of a residence that is not referred to in the first paragraph may not prevent the residents of that residence from establishing such a committee or a committee of the same nature.***

2. Fostering the proper operation of the residence life committee

The RLC must be able to work with the PSR to properly fulfill its functions.

Excerpt from the regulation:

> ***56.5. The operator must promote the proper operation of the committee and inform residents in writing of its existence. The operator must also allow the committee to use a room for its activities and give it the possibility of keeping its records in a confidential manner.***

Thus, nearly 100,000 seniors will be protected by the mandatory presence of an RLC.

The following are the material and technical resources that could be made available to the RLC by the PSR management to ensure its proper functioning:

- Meeting room;
- Locked file cabinet to keep records confidential;
- Production of photocopies;
- Bulletin board or a section for the exclusive use of the RLC;
- Section in the internal newspaper for publication to residents;
- USB stick to keep files confidential;
- Office supplies: binders, folders for filing files, reams of paper, etc.;
- Videos on the internal community TV channel, if applicable.

RLCs:

A big step toward the "WELL-TREATMENT" of our seniors living in a PSR

SUGGESTED STEPS FOR CREATING A RESIDENCE LIFE COMMITTEE

STEP 1 – Inform residents

The PSR operator usually invites the residents to a meeting to inform them about the role of an RLC and the mandatory requirements to develop one. Our association may provide this information on request. Thereafter, it is up to the residents to form their own RLC and elect their representatives.

In addition to informing residents, developing an RLC also requires that residents get involved to ensure that the RLC adequately fulfills its functions.

STEP 2 – Establish a working committee

At this information meeting, indicated in the previous step, residents may be appointed to form a working committee for the purpose of drafting a provisional internal policy setting out the rules of operation of the RLC, which must then be adopted at a general meeting of residents. This committee does not have decisional power and there is no minimum or maximum number of residents that can be part of it, unlike the RLC, which must be composed of 3 to 7 members elected by residents.

STEP 3 – Draft an internal policy

An internal policy describes the role of RLC members, the duration of their term of office, the frequency of meetings, and the rules governing the electoral process of RLC members. The internal policy is the foundation of any RLC.

If it is decided to establish a working committee to draft a provisional internal policy before the elections, the draft will be submitted to residents for adoption at the general meeting. Residents may amend it to make changes, if necessary. The advantage for those interested in being elected as members of the RLC, is to know in advance the conditions of their mandate.

Otherwise, if the members are elected by a vote at the general meeting of residents, their first mandate will be to draft their internal policy establishing the rules of operation for the RLC and to have them subsequently approved by the residents at the general meeting.

However, pursuant to the *Regulation respecting the certification of private seniors' residences*, the internal policy must include the rules referred to in sections 56.2, 56.4, and 56.6 below:

56.2. A residence life committee comprises 3 to 7 members elected by the residents of a private seniors' residence. Most of the members must be residents at the residence. However, if it is impossible to have a majority of residents on the committee, the residents may elect any other person of their choice, provided the person is not a staff member or a person responsible for supervision at the residence.

In addition to the rules set out in the first paragraph, the committee in a category 4 residence must include at least one representative of a resident at the residence.

The operator of a residence cannot be a member of a committee the operator is required to establish; the same applies to a shareholder, officer or director of an operator that is a legal person.

Excerpt from the regulation:

56.4. The term of the members of the residence life committee cannot exceed 3 years.

We suggest alternating two-year terms. For even-numbered years, half plus one of the positions are up for elections (e.g., 4 out of 7), and for odd-numbered years, the other positions are up for elections (e.g., 3 out of 7). By doing so, the RLC has every chance of ensuring continuity with certain members with a minimum of one year of experience. In addition, an odd number of members is preferable in order to avoid a tie of votes when making a decision.

Note that the regulation does not contain any restrictions on the number of consecutive or non-consecutive terms that a resident may complete. It is therefore possible for a resident at the end of term to stand for a new term, as long as residents are willing to re-elect him.

Excerpt from the regulation:

> ***56.6. A residence life committee defines its operating rules, including the frequency of its meetings.***

A PSR cannot dictate the composition of an RLC, the frequency of its meetings, the number of elected members, the length of terms, or the presence of a staff member. These operating rules are governed only by the RLC and its residents, the RLC being totally autonomous.

An example of internal policy for an RLC is available on our website. We invite you to download it and make changes to reflect your reality.

When an RLC has not been formed in compliance with the *Regulation respecting the certification of private seniors' residences*, the elected members have the autonomy necessary to draft their internal policy to establishing their operating rules and to have them adopted at a general meeting of residents.

STEP 4 – Elect the members of the RLC

A. Elections before the AGM

You can schedule elections before the general assembly, and then announce the elected members at that assembly. If you so wish, we suggest a nomination period where candidates present themselves in writing, listing their past experiences and stating their motivations to become a member of the RLC. Candidate application forms are posted on a board provided to the working committee by the PSR. Application forms are available on our website.

B. Elections during the AGM

At the annual general meeting, elections may be held by secret ballot. An election chairman, a secretary and an election supervisor, all previously elected, will verify the eligibility of the candidates submitted and ensure the smooth running of the elections. The PSR provides an up-to-date list of residents and arranges for a place to hold this general meeting.

Elections held in an AGM do not preclude written nominations or pre-posting.

Elections are exclusively under the control of residents. PSR management does not have to be involved in the process. It is recommended that members be elected without designated positions, and that the elected members determine among themselves, at their first meeting, the positions to be held by each so as to streamline the process.

For the first year of election, the positions are open for 2-year terms, for example, it is preferable for half plus one of the members to have a 2-year term and for the other members to have a 1-year term. Thereafter, the terms of office in election will be two years.

If the number of nominations is less than or equal to the number of positions to be filled, the candidates are declared elected by acclamation. The important rule to observe is that the RLC must be composed of 3 to 7 elected members, and has an odd number of members. If a position becomes vacant during a term, the RLC may fill the position as soon as possible, according to the provisions of its internal policy. This new member will be appointed by resolution.

If you do not have a sufficient number of residents in the RLC, we suggest that you involve your caregivers.

SECTION 2 - OPERATING A RESIDENCE LIFE COMMITTEE

An RLC is an indispensable tool to foster and ensure the well-being of all the people who gravitate to this environment, whether they be seniors, caregivers, staff, management, or PSR owners. It assures the PSR that as many residents as possible are satisfied with the services provided and that the PSR is proactive in improving this living environment.

When a spirit of cooperation exists between the PSR's management team and the residents in which everyone respects others, the RLC becomes a win-win tool to develop and maintain well-treatment. The RLC plays an advisory role to the PSR by suggesting solutions toward greater well-being of residents and caregivers. Over time, the impact of a successful RLC will take on major importance among the evaluation criteria for a future resident when choosing a PSR.

A "win-win" approach allows respectful collaboration between the RLC and PSR management.

The four duties of the residence life committee

- **Disseminating information on residents' rights and obligations**

The primary duty of an RLC is to disseminate information about the rights and obligations of residents. The committee may carry out this task through various means.

Informing residents is key to the success of the RLC. Depending on the circumstances and the resources available in the PSR, do not hesitate to ask the PSR for material or technical resources such as those indicated above.

In certain exceptional situations, leaving an information sheet at the door of each resident in the PSR is an effective means of communication or, when possible, inserting the sheets into residents' postal boxes.

A meeting with new residents is an excellent way to inform new residents of the importance of the RLC's role. Each month, the RLC receive the list of new residents and invites them to an information meeting about the role of the RLC, how to communicate with its members, or any other relevant information.

Access to a bulletin board reserved for the exclusive use of the RLC is an excellent means of communication for the committee. Management does not have the power to censor or authorize this information. The RLC is autonomous.

- **Fostering the improvement of the quality of living conditions for residents**

The second duty of an RLC is to promote the improvement of the quality of living conditions of residents. Residents of a PSR and their caregivers should have the opportunity to file a request to make a suggestion, complaint, or improvement in the quality of conditions in their living environment. It is suggested that residents' requests be made in writing using a signed request form. An example of a request form is provided in APPENDIX 1.The RLC may offer one-on-one meetings with one of its members to receive requests and respond to requests for assistance.

Each request is analyzed by the RLC, which makes its recommendations and submits them to PSR management in a confidential manner. Only the members of the RLC are informed of the identity of the applicant.

- **Defending the collective rights and interests of residents**

The third duty of an RLC is to defend the collective rights and interests of residents. At the agreed time, all or part of the RLC members may meet with PSR management to resolve situations for improvement and submit suggestions. Normally, the PSR management communicates its decision to the RLC, whether the suggestion is accepted, requires modifications, or is denied. The committee also uses this meeting to follow up on previous requests.

PSR management also has the opportunity to submit suggestions to the RLC to improve the living environment. This meeting is intended to be a place of discussion in a climate of collaboration and mutual respect.

- **Assisting a resident in filing a complaint**

The fourth duty of an RLC is to provide, at the request of a resident, the information needed to file a complaint with the local service quality and complaints commissioner at the integrated health and social services centre (CISSS) concerned, or to submit an application to the Administrative Housing Tribunal. The RLC may refer or support the resident by calling their regional complaints assistance and support centre **(Centre d'assistance et d'accompagnement aux plaintes -** CAAP). This organization, created by the government, specializes in supporting seniors in PSRs and in the health and social services network.

RLC meeting

The RLC is composed of elected residents or caregivers. It determines the dates and the frequency of its meetings, normally once a month. If necessary, the RLC may convene a special RLC meeting and even a special general meeting for all residents.

The President prepares the agenda with the secretary and distributes it to the members of the RLC.

An example of agenda is provided in APPENDIX 2. At the first meeting following the AGM, elected officials:

- determine the holders of the various positions, if any: President, Vice-President, Secretary, other members;
- review or draft the RLC internal policy;
- set priorities and establish an action plan;
- set the dates for monthly RLC meetings;
- establish working subcommittees, as appropriate;
- ensure a way to receive requests and suggestions from residents.

Equality of power

Each member of the RLC has one vote. Any decision taken by the RLC is made by a majority of votes cast. In the event of equality in decision-making, it is preferable to seek consensus or postpone the decision.

Minutes of RLC meetings

The minutes shall be taken by the secretary. These documents must not identify the requesters, in order to ensure confidentiality. They indicate only the nature of the motion and the decision. At a meeting, the RLC adopts the minutes of the previous meeting and makes the necessary corrections and follow-ups. Once adopted, the minutes may be posted on the bulletin board reserved for the RLC or in a binder available at the reception or otherwise.

Confidentiality

All RLC members must respect the confidentiality of applicants or any other confidential information entrusted to the RLC. Only RLC members know the identity of the applicant. Otherwise, some residents may be reluctant to make a request.

Annual general meeting

The RLC holds a general assembly every year. The President presents an annual report of activities, has residents approve changes to the internal policy, if any, and proceeds to the election of new members of the RLC.

The RLC must therefore prepare this assembly. An example of agenda is provided in APPENDIX 3. You can refer to Step 4 of the previous section, in the case where the RLC prefers to hold elections before the AGM. APPENDIX 4 illustrates an example of an electoral timeline with elections prior to the AGM.

CONCLUSION

RLC members are all volunteers who have agreed to represent residents.

They are the ones who decide how the RLC is run. It is desirable to establish good communication with PSR management in a climate of collaboration and respect.

The presence of an RLC in a PSR is the guarantee of a residence that takes to heart the well-being of its residents and their caregivers. Enjoy the experience of successful RLCs. Our website https://acroq.ca can provide you with information and put you in touch with other RLCs. Keep us informed of your actions and the results.

We invite you to contact us if you need help with your RLC.

Our association is here to help you, visit our website https://acroq.ca

or

write to us at info@acroq.ca

APPENDIX 1: REQUEST FORM

Anyone submitting a request to the RLC must provide identifying information. Confidentiality is ensured; only the RLC members who will analyze your request will know your identity. The summary of your request will be forwarded anonymously to PSR management.

Date: _____

First and last name:_____

Apt.: _____ Tel.: _____

Purpose of request:_____

Description of request:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

* If your quest is shared by other applicants, please identify them on the back of the form.

Please file your request in the box provided or give it to an RLC member.

APPENDIX 2: AGENDA FOR AN RLC MEETING

You are invited to an RLC meeting to be held on_____in room _____

at_____

Draft agenda

1- Attendance and quorum verification.

2- Reading and adoption of the agenda.

3- Reading and adoption of the previous minutes from_____.

4- Follow up on previous requests.

5- New business.

a. (subject of the request)

b.

c.

6- Preparation of the meeting with the PSR management (_____Date / time).

7- Date of the next RLC meeting.

8- Adjournment of the meeting.

APPENDIX 3: AGENDA FOR THE RLC ANNUAL GENERAL MEETING

NOTICE OF CONVOCATION

< City >, on < Date >

All residents of < PSR NAME> are hereby called to the annual general meeting of the RLC to be held at the location and date specified below:

< DAY, DATE, TIME > < PLACE >

AGENDA

FOR THE RLC ANNUAL GENERAL MEETING

1. Quorum verification and opening of the meeting.
2. Reading and adoption of the agenda.
3. Reading and adoption of the minutes of the previous annual general meeting.
4. Annual activities report.
5. Amendment to the internal policy of the residence life committee, if necessary.
6. Election of a President, Secretary, election supervisor (if elected during the AGM), or adoption of the result of the election of RLC members (if the election takes place before the AGM).
7. Thanks to outgoing members.
8. Comments and suggestions (items not put to the vote).
9. Adjournment of the assembly.

_____

President signature

APPENDIX 4: ELECTORAL TIMELINE

The sequence of dates shown is based on an example of a residents AGM held in **October** of each year. Thus, the dates and months quoted can be changed to adapt to your situation.

Example of an electoral timeline	
7 days prior to the monthly Board meeting	Distribution of the agenda with the notice of convocation to the members of the Board
AUGUST	Appointment of the election chairman and election supervisor at the monthly Board meeting
SEPTEMBER	1st full week: -- 2nd full week: Nominations 3rd full week: Publication of nominations on the 4th full week: Residents voting day no later than September 30: End of voting compilation
7 days before the AGM	Posting of the notice of convocation and the agenda of the AGM
OCTOBER	1st full week: AGM announcing the newly elected members Meeting with the newly elected representatives and the election chairman for the determination of positions