

**BOARD OF DIRECTORS GOVERNANCE POLICIES & PROCEDURES MANUAL
POLICY AND PROCEDURE**

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LIABILITY

As a general rule, Directors are not personally liable for the contract of, or the actions or omissions of, the Corporation that they serve because a corporation is considered to be a separate legal person at law. This is known as the “corporate veil”.

However, there are exceptions to the general rule and many instances of Directors potential personal liability at common law and under federal & provincial statutes. These are summarized as follows:

- Liability & Contracts: where Directors may be personally liable for corporation contracts they sign, if By-Laws do not exist which give them the authority to sign or the corporation is unsatisfactorily identified on the documents.
- Liability in Tort: (a tort is a civil wrong recognized by courts for which an injured party may seek damages), where Directors may be personally liable for torts, in a corporate context, if their conduct itself is tortuous.

There is little case law on this, particularly with non-profit corporations. One possible example of Directors’ conduct constituting a tort, is a situation where an injury suffered by a tort victim can be attributed to carelessness in some aspect of corporation operations and Directors knew of, or ought to have foreseen, a systemic problem and failed to address it. This is known as “negligent mismanagement”.

- Liability for Breach of Fiduciary Duty: where Directors may be personally liable in a situation where the corporation suffers a loss that can be directly attributable to their actions or omissions. Directors protect themselves from this by approving actions that are in the best interest of the Corporation and discharging their duties of skill and diligence, acting honestly and in good faith, not improperly delegating their responsibilities, and avoiding conflicts of interest.
- Liability for Breach of Trustee Duties: (results because Brantwood is a charitable organization), where Directors assume a “trustee” standard of care and may be personally liable if through their inactivity or failure to act, any loss of charitable assets results (e.g. proceeds from fundraising). Breach of Trust may occur if Directors apply or invest charitable funds outside of Charter/By-Law powers, specific directions of a donor, and a “prudent” investment standard.
- Liabilities in Common Law: where Directors may be personally liable if they act outside the scope of their authority as defined by the Corporation Charter, Supplementary Letters Patent or other governing documents of the Corporation.
- Liabilities in Statute: where Directors may be personally liable for breach of a number of provincial or federal statutes. The most common of these relate to employees, reporting requirements, taxation and environmental regulations. Compliance with statute requirements is the work of staff who are diligent in their efforts to remain in compliance.

LIABILITY continued . . .

Some federal and provincial statutes apply uniformly to all non-profit corporations while others vary according to the activities of the corporation and the jurisdiction(s) in which it carries out those activities.

It is beyond the scope of this Manual to identify all applicable statutes and Director liability elements. In general, the liability imposed on Directors, for breach of statute is written somewhat like the following: "...every Director and Officer who ...knowingly authorized, permitted or acquiesced while in the office, is guilty of an offence and is liable on summary conviction to a fine of up to \$1,000 or six months imprisonment or both." Some breach of statute penalties may be far more severe.

Some of the most common areas of statute where Directors may be held liable are:

Wages: claimed/due but unpaid to workers;

Unremitted Federal /Provincial Taxes: due but not deducted & remitted by the employer;

Unremitted Other Source Deductions: due but not deducted & remitted by the employer (e.g. C.P.P., E.I., G.S.T., P.S.T., E.H.T. & W.S.I.B.);

Environmental Protection: air & water pollution, storage & disposal; contaminant presence or discharge;

Charitable Accounting: improper use of charitable property; fundraising practices; reporting requirements, improper disbursement or improper donor receipting;

Corporate Filing: improper or negligence in reporting of corporation status;

Anti-Terrorism: practices that support "terrorist activities" or "terrorist groups".

EXPOSURE PROTECTION

Observation of personal Governance responsibilities, little definitive case law in the non-profit realm, and our general Insurance program, serve to protect Brantwood Directors from personal liability. That is:

- Previous references in this Manual delineate the personal responsibilities of Directors (Care Loyalty), which, when vigilantly followed, will provide optimal protection from any action for breach of Fiduciary or Trustee Duties.
- Acting within the scope of the authority given Directors in the Corporation's Charter and By-Laws provide protection in most matters of common law, including Contracts. Brantwood's corporate SEAL is applied to virtually all Contracts to properly identify the Corporation.

LIABILITY continued . . .

- Satisfying themselves that the requirements of statutes that apply to Brantwood, are conscientiously complied with by staff, serve to protect Directors from liability in this area. Evidence such as: the reports of compliance with government remittances given to the Board of Directors; successful MCSS Licensing or Compliance Review reports; Audited Financial Statements, and most thoroughly Accreditation, are examples that provide such satisfaction.
- Four areas of the corporation's insurance program cover Directors:

General Liability includes Directors while performing their duties as Directors;

Errors and Omissions insures against civil law awarded damages, e.g. for negligence, error or omission in the administration of employee benefits plans; and includes a "corporate indemnification" clause with a sub-limit to cover Directors personally where no protection exists under the umbrella E & O policy;

Legal Expenses provides for reimbursement of legal fees, to Directors, in defence of charges laid under any provincial statute, except as identified in By-Law 4 (criminal actions).

Non-Owned Auto applies, in excess of the Director's own insurance, when driving on the business of Brantwood.

Note: Insured amounts are available upon request and only changed with Board of Directors approval.



Administrative Policies & Procedures Manual
Policy and Procedure

SECTION:	PERSONNEL	NUMBER:	P-50
ISSUED BY:	Executive Director	PAGE:	1 of 2
		DATE OF ISSUE:	February 28, 2005
DISTRIBUTION:	All Administrative Policy Manuals All Training/Resource Manuals	POLICY REVISION:	

CODE OF CONDUCT

POLICY

Those representing or working for Brantwood shall conduct themselves in a professional and appropriate manner.

PROCEDURE

The Code of Conduct requires that Brantwood staff, volunteers and Board members must:

1. Understand, support, and promote the Mission, Philosophy and Goals of Brantwood. At all times, uphold Brantwood’s values and integrity and good reputation.
2. Maintain appropriate confidentiality about residents and the dealings of Brantwood.
3. Treat everyone with respect and courtesy and without harassment or discrimination.
4. Be an active member of the team and share your knowledge and expertise.
5. Respect the reputation, profile, and status of Brantwood and represent Brantwood accordingly.
6. Conduct work activities in a professional and reputable manner so as to reflect honourably upon Brantwood. It is expected that personal appearance will reflect a positive, professional image for the agency. Communication will always maintain a respectful tone.
7. Participate in the functions and activities of Brantwood.
8. Play a role in the promotion, development, and enhancement of Brantwood.
9. Disclose, and take reasonable steps to avoid, any conflict of interest in connection with Brantwood.

**ADMINISTRATIVE POLICIES & PROCEDURES MANUAL
POLICY AND PROCEDURE**

SECTION:	PERSONNEL	NUMBER:	P-50
		PAGE:	2 of 2

PROCEDURE cont'd

10. The following conduct is unacceptable for Brantwood employees, and will not be condoned:
- a) The neglect of, or physical or verbal abuse to a resident;
 - b) Unauthorized use of Brantwood equipment and/or supplies;
 - c) Neglect, willful abuse, or destruction of Brantwood property;
 - d) Misuse of confidential information;
 - e) Insubordination;
 - f) Consistent lack of attention to work on duties assigned;
 - g) Dishonesty in dealing with Brantwood;
 - h) Falsification of Brantwood records;
 - i) Chronic tardiness;
 - j) Chronic absenteeism;
 - k) Reporting to work while under the influence of alcohol, drugs, or other intoxicants;
 - l) The consumption of alcohol or drugs while on duty;
 - m) Theft of Brantwood, employee, or resident property;
 - n) Conduct such as use of obscene language, fighting, or physical harassment;
 - o) Possession of any form of weapon on Brantwood's property;
 - p) Any violation of the Human Rights Code.



Administrative Policies & Procedures Manual
Policy and Procedure

SECTION:	PERSONNEL	NUMBER:	P-70
ISSUED BY:	Executive Director	PAGE:	1 of 1 (attachment)
		DATE OF ISSUE:	February 28, 2005
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CONFIDENTIALITY

POLICY

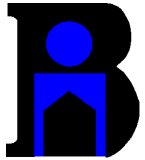
All information concerning residents and staff of Brantwood shall be confidential. Any breach of confidentiality shall result in disciplinary action, up to and including termination.

PROCEDURE (Revised May/06)

1. Requests for information regarding residents from immediate family members may be given verbally by front line staff. Requests from other family members shall be provided as determined by the individual, with the support of their immediate family. Such determinations shall be documented.
2. Requests for information from any external individual/agency/other than family regarding residents should be forwarded to the resident's Group Home Supervisor.
3. Requests for information regarding employees, past or present, are referred to Human Resources.
4. All new employees will receive a thorough orientation by Brantwood on the issues of confidentiality, and an "Acknowledgement of Confidentiality" (see attached form) will be signed and be part of the employee's personnel record.

Attachment: "***Acknowledgement of Confidentiality Policy***" form

Addendum No. 4



**BRANTWOOD RESIDENTIAL
DEVELOPMENT CENTRE**

BY-LAWS

April 26, 2010

BY-LAWS

**BRANTWOOD RESIDENTIAL DEVELOPMENT CENTRE
("Brantwood")**

**By-Laws relating generally to the organization of
Brantwood
and to the conduct of its affairs.**

PURPOSE

WHEREAS it is the purpose of **BRANTWOOD** to serve the community, the objects thereof being:

- a) to establish, equip, maintain, operate, conduct and provide facilities for the reception, support, care and treatment, and for development, training and rehabilitation of handicapped persons;
- b) to design, develop, promote, operate and conduct systems, methods and programs for the maintenance and improvement of high standards of care;
- c) to engage in research in disciplines useful in the attainment of the objects aforesaid including, without limiting the generality of the foregoing, research upon the causes, treatment and rehabilitation of handicapped persons and programs for their development and rehabilitation, as well as methods and programs for community education oriented towards the facilitation of the re-admission of such persons into the community, and upon the design and development of therapeutic devices;
- d) to establish, maintain, operate and conduct facilities and programs for in-service and other training and education of persons in the reception, support, care, treatment, development, training and rehabilitation of handicapped persons;
- e) to enter into any arrangements with any authorities, public or academic or otherwise, that may seem conducive to the Corporation's objects or any of them and to obtain from any such authority any rights, privileges and concessions which the Corporation may think it desirable to obtain and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions;
- f) to receive and maintain a fund or funds and to apply from time to time all or part thereof and the income there from for the purposes aforesaid and for such other charitable and educational purposes within the province of Ontario as the Directors of the Corporation may from time to time determine;
- g) to do all things as are incidental or conducive to the attainment of the above objects as more particularly set forth in the Letters Patent thereof.

NOW THEREFORE BE IT ENACTED and it is hereby enacted as follows:

1. INTERPRETATION

- a) "Corporation" or "Brantwood" means the Brantwood Residential Development Centre, with its' head office at 25 Bell Lane, Brantford, Ontario.
- b) "Member" means a member of the Corporation
- c) "Board" means the Board of Directors of Brantwood
- d) "Director" means a member of the Board of Directors.
- e) "Certification" means the holding of a certificate in the medical or surgical specialty issued by a professional body in Canada and licensed to practice in Ontario.

2. MEMBERS OF THE CORPORATION

- a) The following shall be members of the Corporation:

	<u>Number of Representatives</u>
Family Members of Brantwood Residents	3
Members at Large	12

- b) Vacancies for Members at Large shall be filled by persons appointed by the Board by a majority vote, for a maximum term of three years. In the case of a competition for a particular vacancy, the candidate receiving the most votes from the Board of Directors at a duly constituted meeting will be deemed elected;
 - i. The following shall not be eligible for membership in the Corporation
 - a. Any employee
 - b. Any spouse of an employee
 - c. Any child of an employee, and that child's spouse
 - d. Any parent of an employee, and any spouse of such parent
 - e. Any brother of an employee, or any spouse of such brother
 - f. Any sister of an employee. or any spouse of such sister
 - g. Any person deemed to have a perceived conflict of interest with the Corporation
 - h. Any representative of the union bargaining unit for the employees of Brantwood Centre
 - i. A past employee of Brantwood until two years after leaving the Corporation and as long as no legal action is pending

- II. No person shall be eligible for election or appointment to the Board of Directors if he or she has not attained the age of majority; or if he or she is not a resident of Ontario.

To be eligible for election or appointment to the Board, he or she must possess the competencies and skills for the task of fulfilling the job description.

3. BOARD OF DIRECTORS

3.1 Membership

- a) The Board of Directors shall consist of all members of the Corporation.
- b) Members of the Board of Directors, including all Committee members, their families and firms or Corporations by which they are employed or in which they have a dominant interest shall not enter into any business arrangement with the Corporation in which they are interested directly or indirectly, except:
 - i) on a written and competitive sealed quotation basis;
 - ii) after having declared an interest therein, and having refrained from voting thereon
 - iii) and after the Ministry of Community and Social Services has been notified and approves of the business arrangement.
- c) The Board of Directors shall manage the affairs of the Corporation and shall take all such action as may be necessary from time to time to ensure the highest possible standards of care and development for all residents of Brantwood, and the well-being of its staff members.
- d) The Board of Directors shall appoint the Executive Director upon such terms of employment as the Board of Directors may from time to time determine.
- e) The Directors shall be expected to attend a minimum of 70% of all regularly constituted meetings of the Board of Directors. Attendance at Board meetings will be monitored by the Chair with concerns to be brought forward to the Board for resolution. Consistent failure to attend Meetings of the Board shall result in removal from office unless the Board excuses a Director in extraordinary circumstances.
- f) Any Director may be removed from office by the affirmative vote of 80% of the Directors present at a meeting of the Board of Directors, for which notice of the intent to pass such resolution at such meeting was duly given.

- g) Each Director shall be elected to the Board for a term of three (3) years at a duly called Annual General Meeting. A Director may be elected for two subsequent consecutive terms of three (3) years at a duly called Annual General Meeting. After a three (3) year absence from the Board, a former Board member may be nominated for one (1) additional term of three (3) years at a duly called Annual General Meeting. Directors shall be elected on the basis of the number of votes received.
- h) Implementation Strategy – see Policy GP - 90

3.2 Honourary Membership

- a) The Board of Directors may confer Honourary Membership upon any person who has made an outstanding contribution to the organization or to the service of the developmentally challenged in general. The purpose of the Honourary membership is recognition of service while maintaining involvement with the organization.
- b) Honourary membership will be conferred for a one year term at the Annual General Meeting of the Board of Directors or a Special meeting of the Board.
- c) The Honourary Member may attend all meetings of the Board and be entitled to notice thereof, however the Honourary Member will not be a voting member.
- d) Honourary Membership shall not, in itself, carry any of the rights or responsibilities of Membership on the Board or in the Corporation
- e) The Honourary Member may be appointed as a voting member of Board Committees or attend, by invitation of the Committee Chair, as a non-voting member.

4. DIRECTOR'S INDEMNIFICATION

- a) Indemnities to Directors, Officers and Others - Every director or officer of the Corporation or any other person who has undertaken or is about to undertake any liability on behalf of the Corporation and his or her heirs, executors and administrators, and estate and effects, respectively shall from time to time and at all times, be indemnified and saved harmless by the Corporation from and against:
 - i) All costs, charges, expenses and award of damages whatsoever which such Directors, officer or other person sustains or incurs in or about any action, suit or proceeding that is brought, commenced or prosecuted against him or her, for or in respect of any act, deed, matter or thing
 - ii)

whatsoever made, done or permitted by him or her, in or about the execution of the duties of his or her office; and

- iii) All other costs, charges, expenses and award of damages that he or she sustains or incurs in or about in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by his or her own willful neglect or default.

Under no circumstances will a Director or officer of the Corporation or any other person be indemnified by the Corporation for any costs, charges, expenses or award of damages resulting from any act by that person which results in a criminal conviction against that person.

b) FOR THE PROTECTION OF DIRECTORS AND OFFICERS

- i) No Director or officer for the time being of the Corporation shall be liable for the acts, receipts, neglects or defaults of any other Director or officer or employee or for any loss, damage or expense happening to the Corporation through the insufficiency or deficiency of title to any property acquired by order of the Board or for or on behalf of the Corporation or for the insufficiency or deficiency of any security in or upon which any of the moneys of or belonging to the Corporation shall be placed out or invested or for any loss or damage arising from the bankruptcy, insolvency or tortuous act of any person, firm or company with whom or which any monies, securities or effects shall be lodged or deposited or for any other loss, damage or misfortune whatever which may happen in the execution of the duties of such Director's or officer's respective office or trust or in relation thereto unless the same shall happen by or through such Director's or officer's own wrongful and willful act or through his or her own wrongful or willful neglect or default.
- ii) The Directors for the time being of the Corporation shall not be under any duty or responsibility in respect of any contract, act or transaction whether or not made, done or entered into in the name or on behalf of the Corporation, except such as shall have been submitted to and authorized or approved by the Board. If any Director or officer of the Corporation shall be employed by or shall perform services for the Corporation otherwise than as a Director or officer or shall be a member of a firm or a shareholder, Director or officer of a company which is employed or performs services for the Corporation, subject to the requirements of 3.1 b).the fact of his or her being a Director or officer of the Corporation shall not disentitle such Director or such firm or company, as the case may be, from receiving proper remuneration for such services.

5. ANNUAL MEETING OF THE CORPORATION

- a) Notice of the Annual Meeting of the Corporation shall be given at least ten days in advance of the meeting.
- b) The financial year of the Corporation shall be from April 1 to March 31 next succeeding, inclusive.

6. SPECIAL MEETINGS OF THE CORPORATION

- a) The Chair of the Board may call a Special Meeting of the Corporation.
- b) If six members so request in writing, the Secretary/Treasurer of the Board shall call a Special Meeting of the Corporation.
- c) Notice of a Special Meeting shall be given in the same manner as provided in Section 5a.
- d) The notice of a Special Meeting shall state the purpose for which it is called.

7. VOTING OUTSIDE OF MEETINGS

Situations may arise whereby a vote is required between regular meetings of the Board of Directors and a Special Meeting of the Board may not be feasible or timely. In this case, a telephone vote may be conducted as follows:

- a) The Chair of the Board will develop a written motion which is accompanied by a balanced statement of relevant information.
- b) The Chair will seek Members of the Board to move and second the motion. If support for the motion cannot be obtained, the process will not proceed.
- c) The Secretary/Treasurer will ensure the distribution of the written material to all Board members. The Secretary/Treasurer will document the distribution process used.
- d) A time period of no less than 24 hours will be allowed for each Board member to consider the information before a vote is required, after which time, the Board member will communicate his or her vote, if any, to the Corporation.
- e) The telephone vote is a special instance of a roll call vote and all responses shall be recorded.
- f) The motion and vote shall be brought forward to be read into the minutes at the next regular meeting of the Board of Directors.

8. QUORUM FOR MEETINGS OF THE CORPORATION

- a) Ten members present, or 50% present by person or by proxy, of the voting members of the Corporation, whichever may be the lesser, shall constitute a quorum.

9. AMENDMENTS TO THE BY-LAWS

The By-laws of the Corporation may be changed at the Annual Meeting or Special Meeting of the Corporation. All rules of the Corporation, i.e. notice, quorum, etc, shall be applicable.

10. CHAIRPERSON

The Chairperson of the meeting shall be:

- a) Chair of the Board;
- b) Vice-Chair of the Board if the Chair of the Board is absent;
- c) Second Vice-Chair of the Board if the Chair and the first Vice-Chair of the Board are absent;
- d) Chairperson elected by the members present if the Chair of the Board and the first Vice-Chair of the Board and the second Vice-Chair of the Board are absent.

11. BUSINESS

The business transacted at the annual meeting of the Corporation shall include:

- a) reviewing the:
 - i) minutes of the previous meeting;
 - ii) report of the unfinished business from any previous meeting of the Corporation
 - iii) report of the Auditor
 - iv) review of the Annual Report.
- b) the approval or disapproval of the actions of the Directors taken since the last annual meeting.
- c) election of Directors, and
- d) the appointment of auditors to hold office until the next annual meeting.

12. REGULAR MEETING OF THE BOARD

- a) The Board shall conduct at least eight regular meetings of the Board per annum. The Secretary/Treasurer of the Board shall give notice of the meeting to the Directors in the manner set out in paragraph 5a above. Business completed at meetings for which quorum has not been achieved, once ratified, will constitute a regular meeting of the Board.
- b) A meeting of the Board may be held without notice, immediately following the Annual Meeting of the Corporation.

- c) Non members of the Board may attend meetings of the Board only:
 - i) upon written request given to, and approval from, the Chair;
 - ii) by invitation by the Executive Director with the approval of the Chair.

13. PROXY VOTING

- a) Any member of the Board of Directors (“Appointer”) may assign their vote to another member of the Board of Directors (“Proxy Holder”). The proxy may be assigned for a maximum of one meeting of the Board and, if required, can be reassigned on a meeting by meeting basis. Proxies are to be provided in writing, in advance of the meeting, addressed to the Board Chair and indicate the following:
 - Name of Corporation
 - Date of Meeting
 - Name of Proxy Holder
 - Name of Appointer
 - Dated Signature of Appointer
 - Any instructions directing the Proxy Holder
- b) Proxies may be revoked at any time by the Appointer by:
 - i) Specifically revoking them in writing
 - ii) Signing a new, dated proxy; or
 - iii) Attending and voting at the meeting
- c) Proxies received by fax or other electronic means are deemed valid.

14. CHAIRPERSON

The Chairperson of a meeting of the Board shall be:

- a) the Chair of the Board
- b) the first Vice-Chair of the Board if the Chair of the Board is absent.
- c) the second Vice-Chair of the Board if the Chair and the first Vice-Chair of the Board are absent.

15. SPECIAL MEETINGS OF THE BOARD

- a) The Chair of the Board may call Special Meetings of the Board.
- b) If six Directors so request in writing, the Secretary/Treasurer of the Board shall call a meeting of the Board.
- c) Notice of a special meeting of the Board may be given by telephone and shall be given at least twenty-four hours in advance of the meeting.

16. VACANCY

When a vacancy occurs among the elected Directors, if there is a quorum of Directors still in office, the vacancy may be filled for the remainder of the term of office by an appointment made by the Directors still in office, but such appointment shall be for the remainder of the term.

17. OFFICERS

- a) The Board shall elect the following officers at a meeting immediately following the annual meeting:
- i) the Chair;
 - ii) the first Vice-Chair;
 - iii) the second Vice-Chair;
 - iv) the Secretary/Treasurer

The Chair, the first Vice-Chair and the second Vice-Chair shall be known as the Chairperson, the first Vice-Chairperson or the second Vice-Chairperson of the Corporation respectively, and any reference to this or any other By-laws of the Corporation or in any of its proceedings or howsoever to the Chair, the first Vice-Chair or the second Vice-Chair, shall be deemed to be a reference to the Chairperson, the first Vice-Chairperson, or the second Vice-Chairperson as the case may be, of the Corporation, and such reference to the Chairperson, the first Vice-Chairperson or the second Vice-Chairperson, shall be deemed to be reference to the Chair, the first Vice-Chair or the second Vice-Chair as the case may be of the Corporation.

- b) The Executive Director may serve as the Secretary/Treasurer of the Board of Directors but shall not thereby become a member of the Board of Directors, nor shall he/she have a vote.
- c) The Secretary/Treasurer shall be responsible for the duties set forth in the By-laws and they are not necessarily required to perform such duties personally, but they may delegate to others the performance of any or all such duties.

18. COMMITTEES

- a) The Board of Directors may from time to time as they deem necessary, appoint such committees consisting of such Directors, members and/or other persons as may be deemed desirable and shall prescribe their duties and term of office.
- b) Any committee so appointed may meet for the transaction of business, adjourn and otherwise regulate their meetings as they think fit.
- c) Any questions arising at any meeting of a committee shall be decided by the majority of votes cast and in the case of equality of votes the Chair shall have a second vote.

- d) At the first meeting of the Board of Directors following the annual meeting, the Board shall appoint the Executive Committee hereinafter referred to, and appoint the following standing committees, and name the Chairperson of each committee and on an annual basis, review each committee's terms of reference.
 - i) The Resource Management Committee
 - ii) The Support Services Committee
- e) The Board may, by resolution, dissolve any committee at any time.
- f) Each Director, except for the Chair of the Board, shall serve on one committee.
- g) The Chair of the Board may attend at any Board Committee meeting in an ex-officio (non-voting) capacity.

19. QUORUM AND VOTING PRIVILEGES

A quorum for any committee of the Board shall be fifty percent (50%) of the approved voting membership of the committee. Voting privileges are as follows:

- a) Board members - voting
- b) Community members - voting
- c) Staff members - non-voting
- d) All members of any sub-committee - voting privileges on that particular sub-committee only.

20. PROCEDURES

- a) The Statutory Declaration of the Secretary/Treasurer or the Chair that notice has been given pursuant to the By-laws shall be sufficient and conclusive evidence of the giving of such notice.
- b) No error or omission in giving notice for a meeting of Directors shall invalidate such meeting or invalidate or make void any proceedings taken or had at such meeting and any director may at any time waive notice of any such meeting and may ratify and approve any or all proceedings taken or had thereat.
- c) Any officer of the Board shall cease to hold office and any member of any committee shall cease to be a member of that committee upon resolution of the Board.
- d) Minutes shall be kept for all meetings of the Board and all meetings of all committees.
- e) Questions arising at any meeting of the Board or any committee established by or by means of these By-laws shall be declared by a majority of votes. If the Chairperson first declares his intention to vote he shall have one original vote upon any motion, but shall not have a second vote. If the Chairperson fails to

declare his intention to vote he shall not have an original vote, but if an equality of votes then results, the Chairperson shall have a casting vote.

If upon an original vote there is an equality of votes, including the vote of the Chairperson, the motion is lost. All votes at any such meeting shall be taken by ballot if so demanded by any Director present, but if no demand be made, the vote shall be taken in the usual way by assent or dissent. A declaration by the Chairperson that a resolution has been carried and an entry to the effect in the minutes shall be admissible in evidence of prima facie proof of the fact without proof of the number or proportion of the votes recorded in favour of or against such resolution.

- f) Any questions of procedure at or for any meetings of the Corporation of the Board, or of any committee, which have not been provided for in these By-laws or by The Corporation Act shall be determined by the Chair in accordance with "Wainberg's Society Meetings" (Wainberg and Wainberg.).

21. CHAIR

The Chair of the Board shall:

- a) preside at all meetings of the Board of Directors;
- b) be responsible for the naming of Directors to committees not otherwise provided for in the By-laws of the Corporation;
- c) report to each annual meeting of the members of the Corporation concerning the operations at Brantwood;
- d) represent the Corporation at public or official functions, and
- e) perform such other duties as may from time to time be determined by the Board.

22. FIRST VICE-CHAIR

The first Vice-Chair shall have all the powers and perform all the duties, in the absence or disability of the Chair, together with such other duties, if any, as may be from time to time assigned by the Board.

23. SECOND VICE-CHAIR

The second Vice-Chair shall have all the powers and perform all the duties, in the absence or disability of the Chair and first Vice-Chair, together with such other duties, if any, as may be from time to time assigned by the Board.

24. SECRETARY/TREASURER

The Secretary/Treasurer shall:

- a) attend all meetings of the Board and of committees of the Board;
- b) keep a record of the minutes of all meetings;
- c) attend to correspondence;
- d) prepare all reports required under any Act or regulation of the province of Ontario
- e) be the custodian of all minute books, documents and registers of the Corporation required to be kept by the provisions of The Corporations Act, the Child and Family Services Act, the Developmental Services Act, and such other acts as are relevant to the provision of services to the community or to any other of the activities of the Corporation;
- f) be the custodian of the seal of the Corporation,
- g) responsible for the duties as outlined under section 25; and
- h) perform such other duties as the Board may direct.

25. BONDING

- a) Directors, officers and employees, as the Board may designate, shall secure from a guarantee company a bond of fidelity in an amount approved by the Board.
- b) At the discretion of the Board, the requirements of subsection (a) may be met by a blanket position bond.
- c) the Corporation shall pay the expense of any fidelity bond secured under subsection (a) or (b).

26. BANKING

- a) The Secretary/Treasurer or Executive Director and his or her designate, who must be at a Director level position employed by The Corporation or one of the afore mentioned and the Chair or Vice-Chair are hereby authorized for and in the name of the Corporation;
 - i) to draw, accept, sign and make all or any bills of exchange, promissory notes, or orders for payment of money;
 - ii) to receive all monies and to give a quittance for the same;
 - iii) subject to the approval of the Board, to assign and transfer to the financial institution all or any stocks, bonds and other securities;
 - iv) subject to the approval of the Board, from time to time to borrow money from a financial institution by incurring an overdraft or otherwise, and

- v) generally, for and in the name and on behalf of the Corporation, to transact with the said financial institution any business they may think fit.
- b) any two of the Chair, first Vice-Chair, second Vice-Chair, the Executive Director, Director of Administrative Services, and the Director of Support Services are hereby authorized for and in the name of the Corporation to draw or sign cheques for the payment of money;
- c) Any officer of the Corporation or any official as may from time to time be designated by the Board is hereby authorized or may be authorized on behalf of the Corporation;
 - i) to negotiate with, deposit with, endorse or transfer to a financial institution, but for the credit of the Corporation only, all or any bills of exchange, promissory notes, cheques or orders for the payment of money and other negotiable paper;
 - ii) from time to time to arrange, settle, balance and certify all books and accounts between the Corporation and the Corporation's financial institution;
 - iii) to receive all paid cheques and vouchers, and
 - iv) to sign the financial institution's form of settlement of balances and release.

27. SIGNING OFFICERS

- a) any two of the Chair, first Vice-Chair, second Vice-Chair, the Executive Director, Director of Administrative Services, and the Director of Support Services shall sign on behalf of the Corporation and affix the corporate seal to all contracts, agreements, conveyances, mortgages or other documents, as may be required and as authorized by the Board.
- b) the seal of the Corporation shall be in the form impressed hereon.

28. The Board may invest only in securities authorized by the Trustees Act of the Province of Ontario.

- a) all endowment monies bequeathed in trust to the Board for the use of the Corporation;
- b) all Corporation monies not required for operating purposes;
- c) notwithstanding the provisions of paragraph (a), the Board may, in its discretion, retain investments not authorized by the Trustee Act which are given or bequeathed to the Corporation in specie.

29. The Secretary/Treasurer shall keep copies of all testamentary documents and trust instruments by which benefits are given, bequeathed or devised to or to the use of the Corporation;
30. No benefit given, devised or bequeathed in trust or to the use of the Corporation for endowment purposes shall be hypothecated, transferred or assigned to obtain credit or to receive funds.
31. **AUDITOR**
- a) The Corporation shall at its annual meeting, appoint an auditor who shall not be a member of the Board or an officer or an employee of the Corporation or a partner or employee of any such persons, and who is duly licensed under the provisions of the Public Accountancy Act, to hold office until the next meeting of the Corporation.
 - b) The auditor shall have the rights and privileges as set out in the Corporations Act of Ontario and shall perform the audit function as prescribed therein.
 - c) In addition to making his report at the annual meeting of the Corporation, the auditor shall from time to time report to the Board on his work, making any recommendations he considers necessary.

ANCILLARY ASSOCIATIONS AND CORPORATIONS

32. **AUTHORIZATION OF ANCILLARY ASSOCIATIONS**

The Board may sponsor the formation of any other ancillary association as it deems advisable.

33. **PURPOSE OF ANCILLARY ASSOCIATIONS**

Such association shall be conducted with the advice of the Board for the general welfare and benefit of the Corporation and the persons cared for at Brantwood.

34. **CONTROL OF ANCILLARY ASSOCIATIONS**

Each such ancillary association shall elect its own officers and formulate its By-laws, but at all times the objects and activities of each such association shall be subjected to review and approval by the Board.

35. **AUTHORIZATION OF ANCILLARY ASSOCIATIONS**

The Board may sponsor the formation of any other ancillary Corporation as it deems advisable, provided that the formation thereof shall first be approved by members of

the Corporation at a general meeting thereof for which due notice of the intent to form such ancillary Corporation was duly given.

36. PURPOSE OF ANCILLARY CORPORATION

Each such ancillary Corporation shall be formed to conduct only such part of the activities of the Corporation as the members of the Corporation shall have consented to assign to it.

37. CONTROL OF ANCILLARY CORPORATIONS

Each such ancillary Corporation shall elect its own officers and formulate its own By-laws, provided always that a majority of the Board of Directors thereof shall be Directors of the Corporation and such ancillary Corporations shall have no members other than their respective boards of Directors.

38. AUDITOR FOR ANCILLARY ASSOCIATIONS AND CORPORATIONS

The auditor for the Corporation shall be the auditor for each ancillary association and for each ancillary Corporation and shall report thereon to the Board of the Corporation.

39. CAPITAL ASSET ENDOWMENT FUND

a) ESTABLISHMENT OF THE FUND

The Corporation shall establish and maintain on the books of the Corporation a fund which shall be known as the Brantwood Capital Asset Endowment Fund ("Fund").

b) PURPOSE OF THE FUND

The Fund shall be used:

- i. to fund capital needs and special projects that further the mission and objects of the Corporation;
- ii. to ensure the long range financial future and stability of the Corporation;
and
- iii. to help the Corporation manage and survive financial emergencies.

c) PROPERTY OF THE FUND

- a. The Fund shall initially include the following capital assets of the Corporation:

- i. The lands, premises and fixtures located at 25 Bell Lane, Brantford, with an approximate book value of \$870,000.00 as at January 31, 2006;
 - ii. Full balance of the Royal Bank Account No. 01312-1013242, in the approximate amount of \$737,000.00 as at January 31, 2006; and
 - iii. Accounts receivable from employees for computer purchase loans, in the approximate amount of \$17,000.00 as at January 31, 2006.
- b. The Fund shall also include such property as may from time to time be transferred to the Corporation by a third party, including without limit property or monies received by bequest, gift or endowment:
- i. For specific inclusion in the Fund;
 - ii. For a designated purpose deemed suitable by the Corporation for inclusion in the Fund; and
 - iii. For an undesignated purposes deemed suitable by the Corporation for inclusion in the Fund.
- c. The Fund shall also include such property as may from time to time be transferred into the Fund by the Corporation.

d) GENERAL POLICIES OF THE FUND

To the extent determined appropriate by the Board of Directors of the Corporation ("Board"), under the circumstances from time from to time and subject to extraordinary circumstances at any such time, the Fund shall be governed by the following principles, in the sole discretion of the Board:

- i. The capital of the Fund shall be maintained, grown and replaced after being spent in order to be available to achieve the purposes set out in clause 2 above;
- ii. The Board shall exercise the utmost care to honour and respect the spirit and intent of the designations, restrictions, recommendations or preferences of a donor to the Fund to an extent determined reasonably appropriate by the Board from time to time; and
- iii. The income and capital of the Fund shall not be spent for operational expense purposes.

e) DISTRIBUTION OF INCOME AND CAPITAL

- a. Distribution of income or capital from the Fund for capital purposes consistent with the Purpose of the Fund shall be approved by the vote of a 2/3 majority of all Directors currently holding office at a meeting duly constituted for such purpose.
- b. Distribution of income or capital from the Fund for extraordinary purposes, other than capital purposes, shall be approved by the vote of a 2/3 majority of all Directors currently holding office at a meeting duly constituted for such purpose.

f) ADMINISTRATION OF THE FUND

The Fund shall be managed, administered and invested by the Resource Management Committee of the Board.

**ENACTED AS A BY-LAW OF BRANTWOOD RESIDENTIAL DEVELOPMENT CENTRE
the _____ day of _____, 2010**

CHAIR

SECRETARY/TREASURER

The foregoing By-Law is hereby passed by the Directors of Brantwood Residential Development Centre pursuant to the Corporations Act, as evidenced by the respective signatures hereto of all the Directors.

DATED this _____ day of _____, 2010

MARG BARR

SHERRON BIRKETT

PATRICE BURKE

DENYS JONES

RUDY FLORIO

CHARLENE NICHOLSON

JOANNE LEWIS

ALAYNE SOKOLOSKI

ALLAN & PATRICIA LONGBOAT

PAUL STILLMAN



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COMMUNICATION

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Brantwood Centre

**Fire and Emergency
Policies and Procedures Manual**

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BRANTWOOD RESIDENTIAL DEVELOPMENT CENTRE

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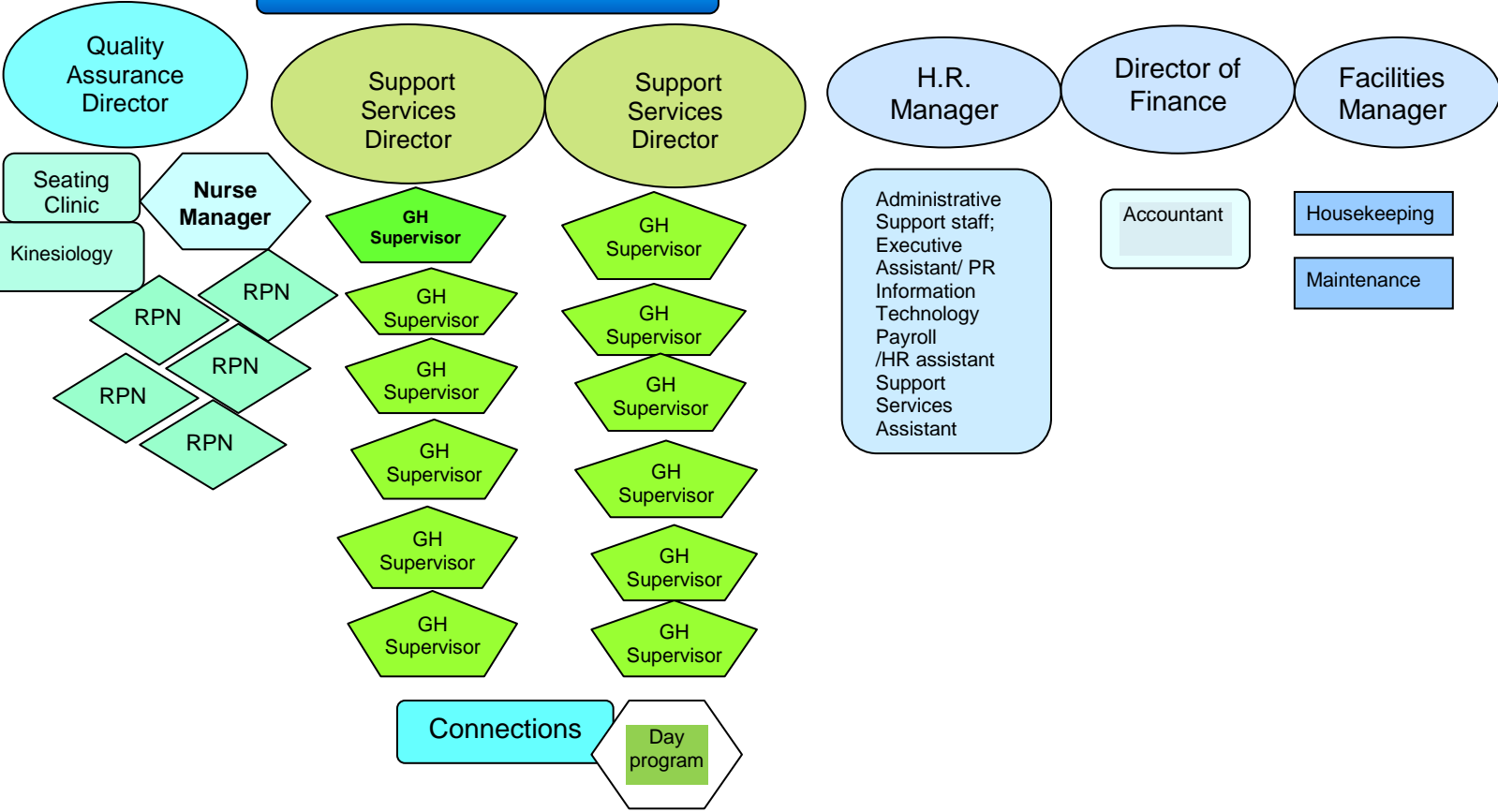
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Board of Directors

Executive Director

Operations Director



APPLICABLE LEGISLATION

The following list identifies a number of the pieces of legislation that governs the work at Brantwood. This list is by no means exhaustive but offers an overview.

- Access to Information Act
- Boiler and Pressure vessels
- Building Code Act
- Canada Criminal Code
- Canada Health Act
- Canada Pension Act
- Charities Accounting Act
- Corporations Act
- The Services and Supports to Promote the Social Inclusion of Persons with a Developmental Disability Act
- Electrical Safety Code
- Elevating Devices
- Employer Health Tax Act
- Employment Insurance
- Employment Standards Act 2000
- Environment Protection Act
- Excise Tax Act (re: GST)
- Fire Prevention & Protection Act
- Hazardous Product Act (re: WHMIS)
- Health Insurance Act (re: OHIP)
- Highway Traffic Act (re: Van operation, CVORs licensing etc.)
- Human Rights Code Regulations, Ont. Reg 642
- Income Tax Act
- Labour Relations Act 1995
- Landlord and Tenant Act.
- Ministry of Health Act (re: ADP)
- National Fire Code
- Occupational Health and Safety Act
- Ontario Building Code
- Pay Equity Act
- Pension Act
- Privacy Legislation (Federal and Ontario)
- Propane Handling and Storage
- Retail Sales Act (Ontario)
- Technical Standards & Services Act
- Trustees Act
- Upholstered and Stuffed Articles
- Workplace Safety and Insurance Act

There are also many Codes (such as the Building Code or Fire Code), regulations, by-laws and accepted practices (i.e. GAAP - Generally Accepted Accounting Practices) that we operate under.

MCSS INFORMATION



The Honourable Madeleine Meilleur

Minister of Community and Social Services

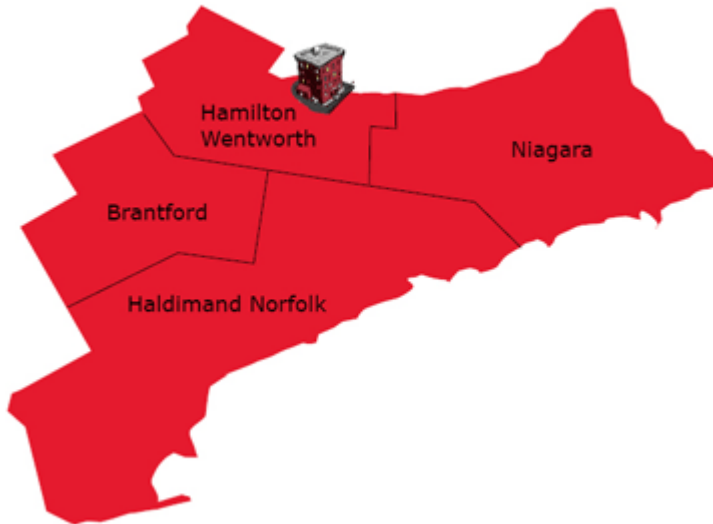
Minister Responsible for Francophone Affairs

Madeleine Meilleur has been the Minister of Community and Social Services since 2006 and Minister Responsible for Francophone Affairs since 2003. Thanks to her leadership, Ontario passed two new laws in 2008. The first law promotes the social inclusion of persons with developmental disabilities; the second law gives Ontarians access to open adoption records. Madeleine Meilleur plays an active role to ensure that the Ministry offers help to the people who need it most, including: women fleeing violence, people with disabilities, or those who are in financial need. In her previous role as Minister of Culture from 2003 to 2006, Minister Meilleur spearheaded efforts to introduce a new and strengthened Ontario Heritage Act, concluding thirty years of efforts to provide better heritage protection. As Minister Responsible for Francophone Affairs, she has been committed to building stronger French communities through critical investments in education and health services, including the expansion of the Montfort Hospital. The independence of the French TV channel TFO and the creation of the office of the French-language services Commissioner are some of her many accomplishments that have benefited Franco-Ontarians.

A registered nurse and lawyer specializing in labour and employment law, Minister Meilleur was elected to the provincial legislature in 2003 after more than a decade in municipal politics in Ottawa.

Office Directory

Hamilton Niagara Regional Office



Ministry of Community and Social Services
Hamilton Niagara Region
119 King Street West,
Hamilton, Ontario L8P 4Y7

Area Served

Brantford, Haldimand/Norfolk,
Hamilton Wentworth, Niagara

Phone/Fax

Tel.: (905) 521-7280

TTY: 1-866-221-2229

TTY: (905) 546-8276

Fax: (905) 546-8277

Toll Free: Employment Support 1-800-561-0369

Toll Free: Community Program 1-800-561-0568

Toll Free: St.Catharines 1-800-263-5413

Frequently Asked Questions for Transfer Payment Agencies

1. Why is the Ministry of Community and Social Services proceeding to close the remaining facilities for adults with a developmental disability? Why now?

The government is committed to providing opportunities for community living for all individuals with a developmental disability.

Since 1975, the Ministry of Community and Social Services has assisted more than 6,000 individuals with a developmental disability to successfully move from facilities into the community. During this time, 13 of 16 Ontario facilities have been closed.

The ministry's announcement of a five-year plan to close the remaining three facilities is the final stage in the government's longstanding policy of deinstitutionalizing people with a developmental disability and directing resources towards community-based services. Assisting individuals in moving from the facilities into the community will bring some of them closer to their families and friends, where appropriate, and will provide the opportunity for them to participate more fully in community life.

In 1987, the government made a commitment to close all remaining facilities in Ontario within 25 years. All successive Ontario governments have supported and continued the transitioning of residents from facilities to community living.

2. Which facilities are targeted for closure? How many residents are there in the remaining facilities?

Operations will be phased out over the next five years at the ministry's three remaining facilities for adults with a developmental disability: the Rideau Regional Centre in the township of Montague and Smiths Falls, the Huronia Regional Centre in Orillia, and the Southwestern Regional Centre in Chatham-Kent. These facilities serve less than 900 individuals.

3. Is the government moving individuals out of government-operated facilities for adults with a developmental disability to save money?

No. We are assisting individuals to move from the facilities into the community to give them the opportunity to participate more fully in community life. At the same time, we are investing in community-based supports to strengthen the foundation of our developmental services sector for the future.

4. How much money is available to support individuals returning to the community?

We will be looking at the needs of these individuals and will develop individual plans. Funding decisions will be made by ministry staff working with transfer payment agencies.

5. Will there be capital funding available?

Phasing out the facilities and moving residents into homes of their own in the community is not small task. This is something that calls for careful planning and a substantial financial investment. That's why we've committed \$70 million over four years to support the transition of our residents to the community.

6. Will there be money available in the community to support the placement process?

Placement facilitators are working with individuals and their families, transfer payment agencies, as well as staff of the facilities to develop placement plans for each individual. The placement facilitators will also support a smooth transition from the facility to the community.

7. Will the ministry contract with new transfer payment agencies? Will the ministry contract with for-profit service providers?

This is an evolving process and further decisions will need to be made as the planning process continues forward. We will continue to work with agencies as plans progress.

8. Will you be moving the facility residents into long-term care facilities?

We would only do so if it is appropriate for their care needs.

Acronym Soup

Working and volunteering in human services is challenging. Each field of endeavour seems to have its own language and short forms. This document is intended to be a reference tool for staff and volunteers. Hopefully this tool will help to decode some of the “human services speak” that we use at Brantwood.

AAH	Aging at Home
AAIDD	American Association for Intellectual & Developmental Disabilities
ABC	Antecedent Behaviour Consequence
ABI	Acquired Brain Injury
ACL	Association for Community Living
ACSD	Assistance for Children with Severe Disabilities
ADD	Attention Deficit Disorder
ADHD	Attention Deficit Disorder with Hyperactivity
ADL	Activities of Daily Living
ADP	Assistive Devices Program
AGM	Annual General Meeting
APERs	Now has a new name – see TPAR
APSW	Adult Protective Services Worker
BW	Brantwood
CAB	Crossing All Bridges
CACL	Canadian Association for Community Living
CAS	Children’s Aid Society
CCAC	Community Care Access Centre
CFSA	Children and Family Services Act
CHC	Community Health Centres
CHS	Canadian Hearing Society
CLB	Community Living Brant
CMA	Canadian Medical Association
CMHA	Canadian Mental Health Association
CMHC	Canada Mortgage and Housing Corporation
CPI (NCI or NVCI)	Crisis Prevention Intervention
CPR	Cardiopulmonary Resuscitation
CUPE	Canadian Union of Public Employees
DD	Dually Diagnosed
DH	Developmentally Handicapped
DNR	Do Not Resuscitate
DS	Developmental Services
DSA	Developmental Services Act (now SSPSIPDD Act)
DSW	Developmental Services Worker
EAP	Employee Assistance Program
ED	Executive Director
ELP	Essential Life Plan
ESA	Employment Standards Act
FBA	Family Benefits Act
FCCB	Family Counselling Centre of Brant
FTE	Full-Time Equivalent
GLS	Great Lakes Society
H&S	Health and Safety
HCCA	Health Care Consent Act
HIPA	Health Information Protection Act 2004
HLDA	Hospital Labour Disputes Arbitrations Act (no longer applies to BW)

HOOPP	Hospitals of Ontario Pension Plan
ICCI	Increasing Community Capacity Initiative
ISA	Individual Support Agreement
IT	Information Technology
JHSC	Joint Health & Safety Committee
LHIN	Local Health Integrated Network
LOA	Leave of Absence
LTC	Long Term Care
MCFYS	Ministry of Children, Family & Youth Services
MCSS	Ministry of Community and Social Services
MMAH	Ontario Ministry of Municipal Affairs & Housing
MOHLTC	Ministry of Health and Long Term Care
MP	Member of Parliament
MPP	Member of Provincial Parliament
MSDS	Material Safety Data Sheet
MSWFP	Making Services Work for People
OACL	Ontario Association for Community Living
OADD	Ontario Association on Developmental Disabilities
OASIS	Ontario Agencies Supporting Individuals with Special Needs
ODSP	Ontario Disability Support Program
OHS	Occupational Health and Safety
OPGT or PGT	Office of the Public Guardian and Trustee
OPSEU	Ontario Public Service Employees Union
OSACH	Ontario Safety Association for Community and Health Care
OT	Occupational Therapist
P&P	Policies and Procedures
PHIPA (pronounced Fippa)	Personal Health Information Protection Act
POA	Power of Attorney
PSW	Personal Support Worker
RC	Respite Care
RDSP	Registered Disability Savings Plan
RFP	Request for Proposal
RNAO	Registered Nurses Association of Ontario
RPNAO	Registered Practical Nurse Association of Ontario
RTWP	Return to Work Program
SEIU	Service Employees International Union
SIS	Supports Intensity Scale
SN	Snoezelen Room
SO	Serious Occurrence
SSAH	Special Services at Home
PSIPDD	The Services and Supports to Promote the Social Inclusion of Persons with a Developmental Disability Act
SSW	Social Service Worker
TAY	Transitional Aged Youth
TPA	Transfer Payment Agency
TPAR	Transfer Payment Annual Reconciliation
UW	United Way
VO	Volunteers
WHMIS	Workplace Hazardous Materials Information System
WSIB	Workplace Safety and Insurance Board
YTD	Year To Date Reports