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TO:	CHAIR AND MEMBERS COMMUNITY AND PROTECTIVE SERVICES COMMITTEE MEETING ON MAY 26, 2014
FROM:	SANDRA DATARS BERE MANAGING DIRECTOR HOUSING, SOCIAL SERVICES AND DEARNESS HOME
SUBJECT	BY-LAW TO REPEAL THE DELEGATION OF CERTAIN DUTIES UNDER THE <i>LONG-TERM CARE HOMES ACT, 2007</i>.

RECOMMENDATION

That, on the recommendation of the Managing Director, Housing, Social Services and Dearness Home, with the concurrence of the City Manager, the attached proposed by-Law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on June 10, 2014 to repeal By-law No. A.-6584-257, as amended, being "A by-law to delegate to the City of London's Interim City Manager or City Manager certain of the duties of the Licensee under the *Long-Term Care Homes Act, 2007*" as the by-law is redundant given that the Civic Administration By-law A-44, sets out "the role and responsibility of the officers and employees of the Corporation" and as such, the Managing Director, Housing, Social Services and Dearness Home carries the responsibility under the *Long Term Care Homes Act, 2007*.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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- Dearness Home Committee of Management: August 23, 2010, "*Long Term Care Homes Act, 2007* Proclaimed July 1, 2010"
- Board of Control: September 15, 2010, "Committee of Management for the Dearness Home Governance Change – *Long Term Care Homes Act, 2007* Proclaimed July 1, 2010"

BACKGROUND

On August 23, 2010, the Civic Administration brought forward a report to the Dearness Home Committee of Management dealing with the proclamation and coming into force of the *Long-Term Care Homes Act, 2007* (the "Act"). The report discussed a number of new provisions under the Act relating to governance, administrative and resident care implications and suggested recommendations to assist the Committee of Management in its updated role under the Act from an administrative role to a governance role. One of the recommendations formalized through By-law A.-6584-257, was to delegate administrative responsibility for the "duties of the licensee" in the Act to the General Manager of Community Services. This By-law was amended through By-law A.-6584(2)-223 in June 2012, to provide the delegation to the Interim City Manager or City Manager.

For the purposes of the Act, The Corporation of the City of London is "licensee", which is defined to include "the municipality...that maintains a municipal home...approved under Part VIII". The Licensee is to ensure requirements under the Act and related Regulations are followed.

The Act also requires the municipality to establish a Committee of Management. The City of London's Dearness Home Committee of Management was established by By-law A.-6582-255 on September 20, 2010. The Terms of Reference requires the appointment of five Members of Municipal Council to the Committee of Management. The Committee of Management, by legislation, is not required to report to Council, but they may provide information reports if they

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wish to do so. The Committee of Management must be a standalone Committee.

The Civic Administration By-law A-44 provides for “the role and responsibility of the officers and employees of the Corporation under the *Municipal Act, 2001...and* such other duties required under any other Act”. By virtue of this provision and the definition of an “appointed officer” under the Civic Administration By-law, the Managing Director, Housing, Social Services and Dearness Home has implicit responsibility for ensuring the requirements under the *Long Term Care Homes Act, 2007*. Therefore, By-law A.-6584-257 and any amendments, are redundant and the Civic Administration recommends that the By-law be repealed.

SUBMITTED BY:	
JANICE BROWN FINANCIAL BUSINESS ADMINISTRATOR	
RECOMMENDED BY:	CONCURRED BY:
SANDRA DATARS BERE MANAGING DIRECTOR, HOUSING, SOCIAL SERVICES AND DEARNESS HOME	ART ZUIDEMA CITY MANAGER

cc: A.L. Barbon, Senior Financial Business Administrator
L. Marshall, Solicitor