FACT SHEET:
Whistle-Blowing Protection

The *Retirement Homes Act, 2010* (Act) contains strong protection for people who disclose information to the RHRA. The protections are set out in section 115 and 116 of the Act which came into force on May 17, 2011.

Information may be disclosed to the RHRA through a complaint or to an RHRA inspector There are also a number of situations under the Act that require people to disclose information to the RHRA. For example, section 75 of the Act, requires a person to report to the Registrar of the RHRA if he or she suspects that a resident has suffered harm or is at risk of harm because of certain events, such as abuse or neglect.

In section 115, "retaliation" includes:

- Dismissing, suspending or disciplining a staff member
- Evicting a resident
- Discriminating against any resident including discontinuing or changing services or care provided to the resident
- Imposing a penalty on any person
- Intimidating, coercing or harassing any person

Whistle-Blowing Protection

Section 115 of the Act states that a person (including the retirement home) may not retaliate or threaten to retaliate in any way against anyone who reports or discloses information to the Registrar or an RHRA inspector.

Protection for Disclosure

The licensee of a home and its staff members must not discourage a person from disclosing information to the Registrar or to an RHRA inspector.

Offence and Penalties

Contravention of the whistle-blowing protection is an offence under the Act. If convicted, a person may be subject to fines or imprisonment, or both.

Other Requirements and Remedies

Homes must ensure that no staff member works in the home unless they received training on the whistle-blowing protection. Homes must also provide ongoing training about the protection on an annual basis.

The Act sets out specific remedies for staff members of homes to respond to violations of the whistle-blowing protection. These remedies are in section 116.

For More Information

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