



# Protection for Persons in Care

Annual Report 2020-21

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## Preface

The Protection for Persons in Care 2020-2021 Annual Report was prepared by Alberta Health to support the Government of Alberta's commitment to transparency, accountability, and system improvement.

The annual report contains statistics for the 2020-2021 fiscal year (April 1, 2020 to March 31, 2021). Previous statistical reports can be found at: <https://www.alberta.ca/protection-for-persons-in-care>

## Definition of Terms

### Abuse

The [Protection for Persons in Care Act](#) (PPC Act) defines abuse as an act or omission that:

- Causes serious bodily harm;
- Causes serious emotional harm;
- Results in the administration, withholding or prescribing of medication for an inappropriate purpose, resulting in serious bodily harm;
- Subjects an individual to non-consensual sexual contact, activity, or behaviour;
- Involves misappropriating, or improperly or illegally converting a significant amount of money or other valuable possessions; and/or
- Results in failing to provide adequate nutrition, medical attention, or another necessity of life without a valid consent resulting in serious bodily harm.

### Allegation

A claim that has not yet proven to be true. An allegation can be founded or not founded as determined by an investigation.

### Client

An adult receiving publicly funded care or support services from a service provider.

### Complainant

The individual who reported abuse.

### Founded

The allegation of abuse was supported by evidence gathered in the investigation.

### Individual Involved

A person who allegedly abused a client or who allegedly failed to prevent the abuse of a client.

### Legal Representative

An agent designated in a personal directive that is in effect under the *Personal Directives Act*, or a guardian or co-decision-maker as defined in the *Adult Guardianship and Trusteeship Act*.

### Not Founded

The allegation of abuse was not supported by the evidence gathered during the investigation.

### Service Provider

Publicly funded service providers under the PPC Act include, but are not limited to:

- hospitals
- nursing homes
- group homes

- shelters
- lodges
- addictions and mental health treatment and rehabilitation centres
- supportive living settings
- some of the Persons with Developmental Disabilities (PDD) funded care and support services settings
- day programs, residential and care or support services funded by Alberta Health Services (for example, home care services)

## Ministry Overview

The Ministry includes the Department of Health, Alberta Health Services (AHS), and the Health Quality Council of Alberta.

The Department of Health implements the Government of Alberta's strategic direction for health and is responsible for overall policy, legislation, and monitoring of the health system's performance.

Alberta Health is responsible for:

- setting policy, legislation and standards for the health system in Alberta
- allocating health funding
- administering provincial programs such as the Alberta Health Care Insurance Plan
- providing expertise on communicable disease control
- implementing and ensuring compliance with government policy

## About Protection for Persons in Care

The [Protection for Persons in Care \(PPC\) program](#) is responsible for administering the *Protection for Persons in Care Act* (PPC Act). The PPC Act promotes the prevention of abuse of adult clients who receive publicly funded care or support services and requires reporting of abuse allegations towards clients. The PPC Act also requires service providers to take reasonable steps to protect clients from abuse while providing care or support services. Additional information can be found in the [Guide to Understanding the Protection for Persons in Care Act](#).

The PPC program receives reports of abuse and determines whether the allegation of abuse fits within the scope of the PPC Act. A PPC Complaints Officer reviews the report of abuse to determine whether an investigation is required, if the matter needs to be referred to a police authority or another body, committee, or person authorized to investigate the abuse, or whether the report of abuse should be discontinued. A report of abuse may be discontinued if:

- the report of abuse is frivolous, vexatious, or was made in bad faith;
- the report of abuse was self-reported more than two years from the date the alleged abuse occurred; or
- an investigation is not necessary.

Investigations may not be necessary when:

- the allegation has already been resolved;
- the allegation was previously reported to police or to a professional college or another body, and an investigation is already underway;
- the complainant withdrew the report; or
- the matter is not within the jurisdiction of the PPC Act.

If a concern does not fall under PPC's jurisdiction, individuals are referred to other government bodies and/or organizations that can more effectively address their concerns. Some of these include:

- AHS or Covenant Health Patient Relations
- Office of the Public Guardian and Trustee
- Persons with Developmental Disabilities (Ministry of Seniors, Community and Social Services)
- Office of the Alberta Health Advocates
- Police (such as RCMP, Edmonton or Calgary Police Services)
- Health profession regulatory bodies (such as College of Physicians and Surgeons of Alberta, College of Registered Nurses of Alberta, College of Licensed Practical Nurses of Alberta)

## Program Statistics

### Allegations and Reports of Abuse

A report of abuse received by the PPC program may contain multiple allegations. For that reason, the count of allegations of abuse received may be equal to, or greater than, the count of reports of abuse received. The numbers of reports of abuse and allegations reflect the number of incidents reported to PPC that are determined to fall under the jurisdiction of the PPC Act. The number of reports of abuse may correlate with the awareness of service providers and the public of the requirement to report and/or a change in the occurrence of abuse.

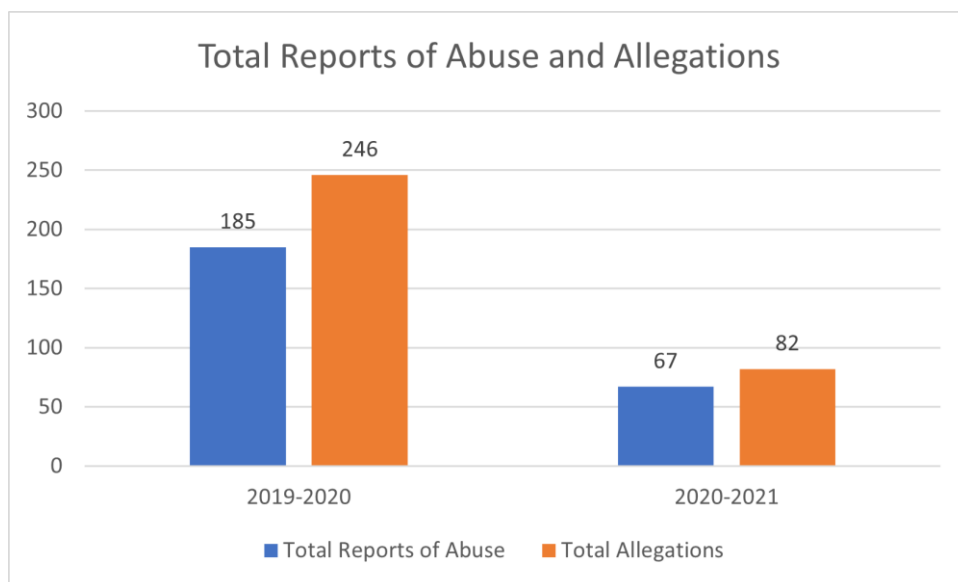


Figure 1

Figure 1 shows the reports of abuse and the allegations for 2020-2021 and 2019-2020. The significant decrease in reports of abuse and allegations corresponds with the pandemic-related disruptions, isolation requirements, and public health measures put in place to protect care facility staff and clients, which may have influenced reporting activity.

## Service Providers and Facilities

Table 1 shows the number of reports of abuse, allegations, and type of abuse by type of service provider or facility.

Table 1

Facility/Service Provider Type	Reports of Abuse (ROAs)	Allegations	Abuse Type	Number
Assisted/supportive living	19	24	Emotional	4
			Necessities of Life	18
			Sexual	5
General hospital	2	2	Emotional	1
			Necessities of Life	1
Health and wellness - other	1	1	Sexual	1
Home care	1	1	Necessities of Life	1
Long-term care (nursing homes and auxiliary hospitals)	31	35	Bodily	1
			Emotional	6
			Necessities of Life	28
			Sexual	1
PDD programs or services	13	19	Emotional	1
			Financial	2
			Necessities of Life	13
			Sexual	3
<b>Totals</b>	<b>67</b>	<b>82</b>		

Notes:

A facility and a service provider are defined in the PPC Act sections 1(1)(f.1) and 1(1)(m). Service providers are also designated under s.3 of the [Protection for Persons in Care Regulation](#).

General hospitals are approved hospitals under the *Hospitals Act* that provide acute care services.

Assisted/supportive living, home care, auxiliary hospitals and nursing homes are types of continuing care. More information about continuing care in Alberta is available at <https://www.alberta.ca/about-continuing-care>.

Health and wellness-other includes settings such as shelters and residential treatment facilities.

PDD refers to the [Persons with Developmental Disabilities](#) program of the Ministry of Seniors, Community and Social Services.

An allegation may consist of more than one type of abuse.

## Types of Abuse

The PPC Act defines six types of abuse. In 2020-2021, the top two reported allegations of abuse were failure to provide the necessities of life and emotional abuse (Figure 2).

Pandemic disruptions may have influenced reporting activity. PPC will monitor reporting of abuse type over time to identify if the shifts observed in this fiscal year are continuing trends.

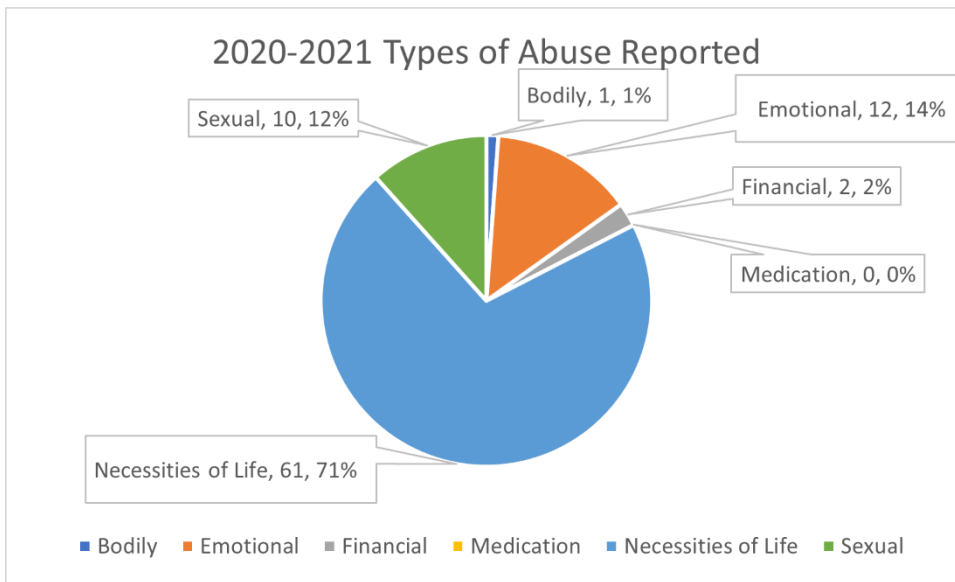


Figure 2

## Client Demographics

The demographics of clients indicated in reports of abuse by age category and sex is shown in Figure 3. Out of the 67 total reports of abuse, 27 represented male clients and 40 represented female clients. Females were:

- 60% of all clients
- 50% of clients age 65+
- 100% of clients age 91+

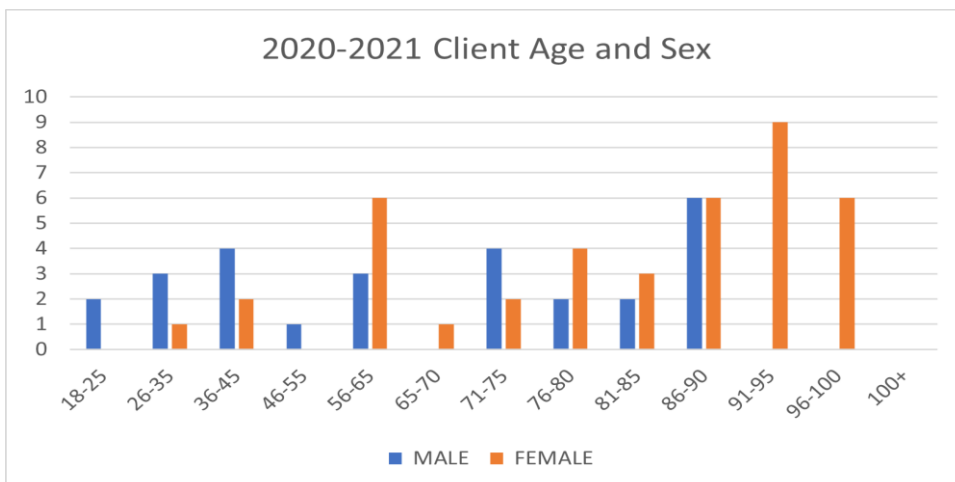


Figure 3



## Investigations

If a PPC Complaints Officer decides that an investigation of an allegation of abuse is necessary, the matter will be referred to a PPC Investigator. Each investigation is unique and is influenced by the nature, number, and complexity of the allegation(s), the client's personal circumstances, the type of service provider and/or individual involved, the setting, the culture of the organization, and the witnesses who can provide information.

The roster of contracted PPC Investigators consists of individuals with diverse skillsets and the experience required to address the varying types of reported allegations. PPC Investigators may have backgrounds in law enforcement, nursing, social work, psychology, and/or working with persons with developmental disabilities.

PPC Investigators investigate allegations of abuse through on-site visits, interviews with persons relevant to the allegation, and a review of applicable information records. The length of time needed to complete an investigation will vary depending on the complexity of the report of abuse. Once the investigation is complete, the PPC Investigator prepares and submits a preliminary report to the PPC Director. In the report, the PPC Investigator will provide a recommendation to the PPC Director of whether the allegation of abuse is founded or not founded. The preliminary report may also include recommendations to improve the safety of clients and prevent abuse, with rationale, for the Director's consideration.

## Director Decisions

PPC processes are guided by the principles of administrative fairness to ensure decisions are procedurally fair, consistent, and transparent. The Director reviews the investigator's report and will make a final determination of founded or not founded. The Director will provide a copy of the decision to the complainant, client, service provider, individual involved, legal representatives (if any), and other parties relevant to the allegation of abuse. As well, the PPC Act provides authority for the Director to direct the service provider and/or individual involved to take actions to prevent future abuse.

When the Director issues direction, the Director provides a date by which the service provider and/or individual involved must provide evidence to PPC that the party has come into compliance with the issued direction. PPC staff track due dates and service provider submissions. Submissions must be reviewed and approved as compliant by the Director. PPC staff will work with a service provider until they are compliant with any direction provided by the Director. Parties who do not comply with the Director's direction may be guilty of an offense and be subject to a fine of \$10,000 for individuals and \$100,000 for service providers.

All service providers to whom the Director provided direction in 2020-2021 have been noted to come into compliance.

The client, complainant, service provider, and individual involved have the right to appeal the Director's decision to an Appeal Panel within 15 days of receiving the decision.

Figure 4 shows that the Director made decisions on 88 allegations in 2020-2021, with 35 per cent founded and 65 per cent not founded. Since the length of time an investigation takes varies, decisions made in one fiscal year may be related to allegations reported to PPC in a previous fiscal year.

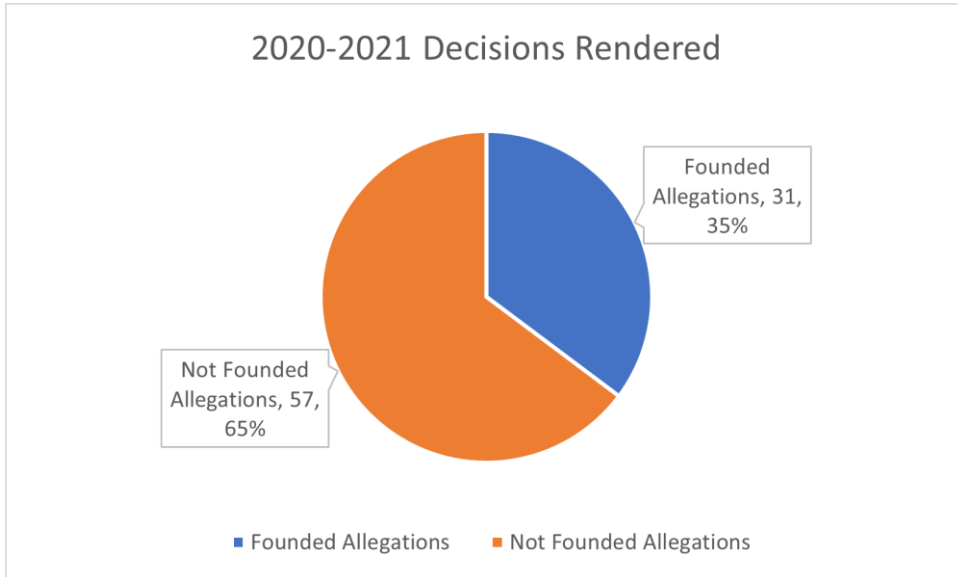


Figure 4

Table 2 shows decisions made in 2020-2021 by service provider type, abuse type, and founded or not founded.

Table 2

Facility/Service Provider Type	Abuse Type	Number	Founded	Not Founded
Assisted/supportive living	Bodily	3	0	3
	Emotional	9	4	5
	Necessities of Life	9	6	3
<b>Totals</b>		<b>21</b>	<b>10</b>	<b>11</b>
General hospital	Bodily	3	0	3
	Emotional	4	0	4
	Necessities of Life	2	1	1
	Sexual	1	0	1
<b>Totals</b>		<b>10</b>	<b>1</b>	<b>9</b>
Lodge	Emotional	4	1	3
	Necessities of Life	1	1	0
<b>Totals</b>		<b>5</b>	<b>2</b>	<b>3</b>
Long-term care (nursing homes and auxiliary hospitals)	Bodily	8	3	5
	Emotional	11	5	6
	Medication	1	0	1
	Necessities of Life	11	3	8
	Sexual	1	1	0
<b>Totals</b>		<b>32</b>	<b>12</b>	<b>20</b>
PDD programs or services	Bodily	1	0	1
	Emotional	13	3	10
	Necessities of Life	5	2	3
	Sexual	1	1	0
<b>Totals</b>		<b>20</b>	<b>6</b>	<b>14</b>
<b>Grand Totals</b>		<b>88</b>	<b>31</b>	<b>57</b>

## Decision Summaries

The Government of Alberta's Protection for Persons in Care program has been publicly posting decision summaries since 2015. Decision summaries contain information about the allegations of abuse, the decision of the Director, and directions aimed at improving client safety and preventing future abuse. Identifiable health and personal information of individuals are not included to protect privacy. There may be several reasons why a particular service provider may not have a decision summary posted, which include:

- PPC has not received an allegation of abuse for that service provider
- An investigation has not been completed
- The report of abuse was discontinued
- The service provider does not receive funding from the Government of Alberta

Consequently, the absence of a decision summary for a service provider is not an indicator that a higher level of care is provided in that facility, and decision summaries are not intended to assist with determining the suitability or quality of a service provider. These documents are only for informational purposes and represent findings regarding specific allegations of abuse relating to a specific service provider at a particular point in time.

Decision summaries are grouped based on service provider type.

The 2020-2021 decision summaries can be found at: <https://open.alberta.ca/publications/protection-for-persons-in-care-decision-summaries>