



Complaints about home and community care services

Home and community care services are health-care services you get in your home or from community organizations. You may be able to get these services for free from Ontario Health atHome.

This booklet is for people who want to make a complaint about the home and community care services they're getting from **Ontario Health atHome**.

How you get services

For home and community care services that the Government of Ontario pays for, Ontario Health atHome decides what services you need and can get.

Your **care coordinator** at Ontario Health atHome works with you to make a **care plan**. Your care plan sets out which services you get, and who's giving you the services.

You may get your services from one or more providers:

- **Ontario Health Teams (OHT):** These are health-care providers in a community that work together to give services, such as doctors and home and community care providers.
- **health service providers (HSP):** These organizations have agreements with Ontario Health atHome to give services.

If you're not sure who your care coordinator is, call Ontario Health atHome at **310-2222**. For TTY, call **711**. Read more about using TTY at ontariohealthathome.ca/contact.

How to make a complaint

Ontario's Patient Bill of Rights says that you have the right to be told in writing how to make a complaint.

Ask your **care coordinator**, **OHT**, or **HSP** for a copy of the complaint process.

Follow the complaint process carefully. Be sure not to miss any time limits.

You can make a complaint about:

1. abuse, neglect, or poor care that hurts you or puts you at risk of being hurt
2. decisions that are made about your care plan
3. other problems

Each type of complaint has its own complaint process. You must use the one that's right for your type of complaint.

If you have more than one type of complaint, you must make a separate complaint for each one.

For help making a complaint, call the Long-Term Care Family Support and Action Line at **1-866-434-0144**.

Or contact the Patient Relations Team at Ontario Health atHome at **310-2222**. For TTY, call **711**.

1. Abuse, neglect, or poor care

You can complain about your **OHT** or **HSP**, or one of their staff members, employees, or contractors.

You can complain that they:

- abused you
- neglected you, which means they agreed to give you care but did not look after your basic needs
- did not give you the proper care
- did not have the skills to care for you

But you must show that because of what the person did or did **not** do, you were harmed or were at risk of being harmed.

How to complain

Make your complaint to your **care coordinator**, **OHT**, or **HSP**. They'll work together to deal with your complaint.

You can complain over the phone or in writing. Explain what happened and how it harmed you or put you at risk of being harmed.

They must tell you that they got your complaint and start looking into it right away.

Within 10 days, they must tell you what they've done about your complaint.

And they must write a report within a "reasonable time". The law does not say what amount of time is reasonable.

If they **agree** with your complaint, their report must say:

- what they've done about it, and
- how they'll stop something like it from happening again.

If you do not agree with the decision they make, you cannot appeal it. But you might be able to do something else. The **chart** that starts on [page 7](#) lists other options.

2. Your care services

You can complain if your **OHT** or **HSP**, or or one of their staff members, employees, or contractors decides:

1. you do not qualify for a service
2. not to add a service to your care plan
3. how much or how many hours of a service you'll get
4. to stop a service that's in your care plan

How to complain

Make your complaint to your **care coordinator**. You can complain over the phone or in writing.

Explain why you think the decision was wrong, how it affected you, and what you think you need.

If you're not happy with how your **care coordinator** deals with your complaint, ask to speak to their **manager**.

If you're not happy with the manager's response, ask for a **formal review**. The manager will tell you how to do this.

Make an appeal

You can appeal to the **Health Services Appeal and Review Board (Appeal Board)** if any of the following are true:

- your **care coordinator, OHT, or HSP** says that they're **not** changing their decision,
- they cancel their decision and make a new decision that you do not like, or
- they do not reply to you within 60 days.

Contact a lawyer if you need help making an appeal. See

Get legal help and information on [page 8](#).

You or your lawyer must write to the Appeal Board and ask for a hearing.

To find out more, visit hsarb.on.ca. Call the Appeal Board at **1-866-282-2179** or email hsarb@ontario.ca.

The Appeal Board will send you forms to fill out. Fill them out and send them back **as soon as you can**. Include a copy of the decision you're appealing. Say why you think it's wrong.

Have a hearing

The Appeal Board should:

- start your hearing **within 30 days** of getting your notice asking for a hearing, unless you agree to a delay
- tell you and your **care coordinator, OHT, or HSP** what the hearing date is at least **7 days ahead of time**

The Appeal Board decides on the type of hearing. But you can ask for your hearing to be in person, or by video conference or teleconference.

You can also ask for a written hearing where the Appeal Board decides based only on the documents you send.

The Appeal Board's decision

Within 3 days after the hearing, the Appeal Board decides. It sends you its decision in writing and can:

- agree with the decision your **care coordinator, OHT**, or **HSP** made,
- tell them to make a different decision, or
- make its own decision that they must follow.

The Appeal Board's decision is final. You **cannot** appeal it. But you might be able to ask for a judicial review.

A **judicial review** is when you ask a judge to review a decision because there was a big legal mistake. Or the decision included a fact that's not correct.

It's important to have a lawyer help you ask for a judicial review.

3. Other types of complaints

You can also make a complaint about things other than abuse or your care services.

For example, you can complain to your **care coordinator, OHT**, or **HSP** if you think your rights in the Patient Bill of Rights are not being respected.

How to complain

Make your complaint to your **care coordinator**, **OHT**, or **HSP**. They'll work together to deal with your complaint.

You can complain over the phone or in writing.

They must reply within **60 days** and say what they've done about your complaint. If they have **not** done anything, they must say why and when they plan to do something.

You **cannot** appeal if you do not agree with how your **care coordinator**, **OHT**, or **HSP** deals with your complaint. But you may have other options. See the chart below.

Type of complaint	What you can do
You do not like how your complaint was handled.	Complain to the Patient Ombudsman patientombudsman.ca Call the Long-Term Care Family Support and Action Line 1-866-434-0144
You had problems with a professional, such as a nurse, therapist, or social worker.	Complain to their professional college
You do not like the quality of your services.	Contact a lawyer Call the Long-Term Care Family Support and Action Line 1-866-434-0144

You had problems related to your privacy or your health records.	Contact the Information and Privacy Commission ipc.on.ca/individuals
You were discriminated against for reasons such as race, religion, gender, or disability.	Contact the Human Rights Legal Support Centre hrlsc.on.ca
There was a crime.	Call the police

Get legal help and information

Your **local community legal clinic** may be able to help or tell you who can. To find your local clinic, go to legalaid.on.ca/legal-clinics or call **1-800-668-8258**. For TTY, call **711**.

The **Advocacy Centre for the Elderly (ACE)** helps people who are 60 years of age or older and living on a low income. Visit acelaw.ca or call **1-855-598-2656**.

The **Seniors Safety Line** offers support, safety planning, and help finding services, in over 200 languages. Visit eapon.ca/seniors-safety-line or call **1-866-299-1011**. For TTY, call **1-866-299-0008**.

Visit stepstojustice.ca for more about your rights related to home and community care. This is general information for people in Ontario, Canada. It's not legal advice.

Cette publication est également disponible en français.

Vous pourriez avoir droit à des services en français du gouvernement et des fournisseurs désignés. Visitez justicepasapas.ca/droits-linguistiques-francophones.