



# Code of ethics

October 2013

This document is intended for all staff members, physicians and users (patients) and is designed to help define the commitments of CSSS des Îles to its users. In particular it is concerned with the duties and obligations of stakeholders deriving from the fulfilment of the centre's public health and social services mission.

The masculine form used in this form designates without discrimination both women and men and merely reflects the need for linguistic simplification.

For the purpose of interpreting these ethical standards, the reader should refer to the Act Respecting Health Services and Social Services, CQLR c S-4.2.

Document adopted by the Board of Directors, CSSS des Îles on October 1, 2013.

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## **WORD FROM THE PRESIDENT AND THE MANAGING DIRECTOR**

The Health and Social Services Network`s primary focus is the user.

On that basis, CSSS des Îles concentrates on the well-being of users and focuses on providing them with appropriate support.

By promoting values that reinforce the importance of making users accountable for their own health and for maintaining and improving their autonomy, we believe we serve them better.

This code of ethics serves as a tool for the promotion and identification of the users` rights and responsibilities. The code also reflects CSSS des Îles` commitment as a public establishment that provides health care and social services and sets out our expectations regarding users.

We hope this code of ethics, along with the members of our personnel will help provide clear directives about users` rights and responsibilities. However, where some information may not be clear or if you have any questions pertaining to any of the code`s provisions, please feel free to refer the matter to any personnel member, management or the local service quality and complaints commissioner.

We also welcome your comments about our services or about the establishment`s operations as a whole either through suggestion boxes or comment boxes, which are located throughout the facilities.

This code of ethics is a formal document. As such, it was revised and adopted by the CSSS des Îles Board of Directors at the September 17, 2013 meeting.

Gaston Bourque

President of the Board of Directors

Marie Gibeault

Managing director

## FOREWORD

True to its public health care and social services mission, CSSS des Îles is adopting this code of ethics. The adoption of this code falls within the philosophy of continuous improvement of health care and social services provided at CSSS des Îles.

The present code is based on the organization plan adopted on June 18, 2013 which was the culmination of an internal consultation process.

It should be noted that this code does not replace any of the provisions found in the applicable laws and regulations, the various codes of conduct or in existing labour contracts. This code serves rather as a reference guide for users' rights and their responsibilities as well as the responsibilities of all stakeholders alike and should be viewed as a code of good conduct aimed at promoting a mutual understanding of its applications between stakeholders and users and among the establishment's stakeholders themselves. Lastly, this code reflects the values and guiding principles that assist all stakeholders in providing care at CSST des Îles.

First, the code of ethics introduces the mission of CSSS des Îles and its values. The following section introduces the rights of users and then a detailed description of users' responsibilities and the responsibilities of all individuals who work at CSSS des Îles. The last section provides information on the availability and dissemination of this code

## DEFINITIONS

To assist the reader, the following terms are defined:

- a. **Establishment**: CSSS des Îles comprises four community service centres (CLSC), one residential and extended care centre (CHSLD), one rehabilitation centre for intellectual disabilities and pervasive developmental disorders (CRDITED) and Hôpital de l'Archipel (HA);
- b. **Stakeholder**: is defined as any director, manager, employee, physician, resident, clinical clerk, student in training, contract employee and any other individual pursuing a career or contributing volunteer time at CSSS des Îles;
- c. **User (patient)**: is defined as any person who received, should have received, receives or requires the services of CSSS des Îles. This term also refers to any representative of a user within the meaning of section 12 of the law as well as any successor or legal representative of a deceased user.

# USERS RIGHTS

## RIGHT TO RESPECTFUL TREATMENT

Respect is at the heart of all interventions. Users, through their individual stories, differences, personalities and individuality as well as because of their specific needs, are unique individuals and must be considered as such.

- *Respect of users' needs*

Health care situations in which users find themselves in no way diminish their rights as a person. These individuals are fully entitled to the respect of their human, moral and spiritual values. Users also have the right to voice their emotional, psychological, physical and spiritual needs. Stakeholders and care givers must rely on the resources of the establishment to best meet users' needs.

- *Respect of users autonomy*

Users have the right to receive help according to their condition and degree of autonomy. This implies notably allowing them to take whatever time is necessary to perform day to day tasks. The pace of the user must be respected. Users have the right to make their own decisions in accordance with their abilities, with a goal of maintaining and possibly further developing their autonomy, more specifically with regards to intervention plans and individual service plans.

- *Respect of users integrity and dignity*

Users have at all times, the right to physical and psychological safety. Their integrity must also be ensured.

Users have the right to die with dignity and in a setting of their choice.

- *Respect of users identity*

Users have the right to be called Sir or Madam by stakeholders and to be called by their own name.

## RIGHT TO INFORMATION

An Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information governs the user's right to information.

- *Right to information about existing services*

Every user has the right to be informed about the existing services and resources available in the community or within CSSS des Îles facilities. Every user will be further informed about the access rules concerning those services, their availability and where alternatives are possible, depending on the case.

- *Right to be kept informed about the state of their health*

Every user is entitled to know the truth about his health condition, unless otherwise indicated medically. Users shall be informed by authorized stakeholders about the various treatment possibilities likely to improve their health conditions, the benefits as well as associated risks, depending on the case. Stakeholders shall ensure the understanding by the user of this information with an aim of allowing users the opportunity of giving free and informed consent.

- *Right to receive information about the nature of treatments provided*

Users have the right to receive information about the nature of treatments they are being offered, the associated risks and potential side effects. Users shall also be informed of the consequences that would result from refusing the treatment proposed. This information will help users in their decision making processes that are likely to have an effect on their health and welfare.

Users have a right to be informed about the facts surrounding any intervention to which they will be subject and to receive answers to any queries.

- *Right to receive information on access to their medical file*

Every user, fourteen years of age or older shall be given access to his medical file. The establishment shall inform the user about access provisions and conditions. Every user shall be directed to the archives thus providing him with access to his medical file.

However, access may at times be refused when the production of the record or a part of it could reasonably be expected to cause harm or injury to the user's health. In such cases, the user shall be informed of the reasons behind the refusal and of his right to appeal so the decision may be reviewed.

- *Right to receive information about stakeholders involved in the delivery of medical care*

Every user has the right to receive information about the participation of residents or students in training who are involved in the delivery of medical care.

Users have the right to be informed about the identity and role of each stakeholder. It is important for all stakeholders to identify themselves to the user each and every time it is necessary.

- *Right to receive information about incidents and accidents that occurred during the course of a medical treatment*

Where and when, during the delivery of medical services, an accident or incident occurs that has or may have an impact on the health or welfare of the user, the user has the right to be informed, as soon as possible, about the situation. The user has a further right to receive information about the measures taken to counteract any consequences or prevent the recurrence of such an event. Stakeholders involved in such an event are required to complete a form provided for that purpose and to follow the required procedure.

## RIGHT TO SERVICES

CSSS des Îles is, above all, a provider of health care and services. These services should be, to the extent possible, flexible and individualized for each user.

- *Right to receive the benefit of adequate services*

Every user is entitled to receive, with continuity and in a personalized and safe manner, health services and social services which are scientifically, humanly and socially appropriate, commensurate with available resources.

- *Right to receive services without any discrimination*

Every user has the right to receive services regardless of age, race, social status, faith or any other form of discrimination.

- *Right to be treated with courtesy, fairness and understanding*

Users shall be treated with courtesy, fairness and understanding. However, users shall also be courteous to stakeholders and other users.

Users have a right to be understood by personnel members even when they are unable to carry out some actions, are clumsy, or have momentary memory lapses or mood swings.

- *Right to receive services in English*

English-speaking persons are entitled to receive health services and social services in the English language, in keeping with the organizational structure and human, material and financial resources of the institution. Where users speak a language other than French or English, the establishment or the user may seek help from internal or external resources.

- *Right of choice of establishment*

Every user is entitled to choose the establishment from which he wishes to receive health services and social services. This right may only be exercised while taking into account laws and regulations in effect relating to the organization and the operation of the establishment as well as human, material and financial resources available within the establishment.

- *Right to select a stakeholder*

Users are entitled to select a care provider within the resources available in the establishment as well as a specific operation mode, more specifically with respect to personal hygiene care.

- *Right to be redirected adequately*

Users have the right to be redirected adequately to a health unit or intended service.

- *Right to express appreciation and dissatisfaction*

Users have a right to express their opinion. They may express their feelings and opinions and make suggestions with an aim to improve on the quality of services provided to them.

Where users express their desire to file a complaint, they shall be informed of the procedure to be used, of their right to be accompanied and assisted in their procedure and informed of how to contact the local service quality and complaints commissioner.

## **RIGHT TO TAKE PART IN THE DECISION MAKING PROCESS**

Users' responsibilities encompass their involvement in every stage of their health care process.

- *Right to be actively involved in the decision making process*

Every user, to the extent of his abilities, has the right to be actively involved in the decisions concerning his treatment or the health care offered to him. Users have the right to express their opinions and preferences regarding the design and implementation of their intervention plan or individualized health service plan. Users have a right to be listened to.

Furthermore, users have a right to take part in the planning of their release, notably with respect to home care to which they are entitled.

- *Right to give free and informed consent*

Except in cases of clinical emergency, users have a right to be informed of the care and treatments they require, in clear language that is suited to the situation so as to allow them to make a reasoned decision. Users should not be pressured into making a decision.

- *Right to withdraw their consent*

Users have a right to withdraw, at any time, their previously given consent to any treatment or health care process. Stakeholders shall explain any possible impacts from such a gesture and ensure the understanding of the users in such cases.

- *Right to refuse treatment*

After receiving the information relevant to their condition, users have the right to refuse treatments, examinations or care processes offered. Their decisions must be complied with.

## **RIGHT TO PRIVACY AND CONFIDENTIALITY**

Users have the right to choose whether or not to share their health information. Hence the right to privacy and confidentiality is of primary importance and should be a chief concern for all.

- *Right to discretion, confidentiality and privacy*

Users have a right to discretion, confidentiality and privacy. To that effect and in all public locations, stakeholders shall abstain from using the name of any user, of commenting on their behaviour or their health condition or providing information about their private life.

Users have the right to ask that their presence in the establishment remain confidential. In such cases, a specific form must be completed.

- *Right to confidentiality relating to medical files*

Medical files are confidential and no one can access these files without the consent of the user. Users have a right to expect any and all stakeholders to respect the confidentiality of their medical files.

- *Right to authorize the release of medical file information*

Users have the right to authorize the release of information concerning their medical files.

## **RIGHT TO LIFE, SAFETY, FREEDOM AND PROPERTY**

Regardless of the type or length of care and services provided, each user has the right to expect stakeholders to protect his safety, freedom and property.

- *Right to receive care in a welcoming and safe environment*  
Users have a right to expect a clean, welcoming, safe and secure environment. Users have a right to a calm and tranquil environment.
- *Right to select and possess personal objects.*  
Every user has the right to possess and surround himself with personal objects for the purpose of making his environment more pleasurable.
- *Right to safeguard and preserve belongings*  
Every user has the right to safeguard and preserve his belongings in his own surroundings as well as those entrusted to supervision.
- *Right to have visitors*  
Users have the right to have visitors. Users shall, however, adhere to rules in effect concerning visiting hours.
- *Right to take part in the organization's activities*  
Users have the right to receive information about activities offered and take part in such activities inasmuch as their capacities permit.

## **RIGHT TO SEEK REMEDIES TO ENSURE ONE'S RIGHTFUL CARE**

The voicing of one or several dissatisfactions should not be suppressed. Stakeholders have a duty to inform users of the possible recourse they have and direct them to resources available.

- *Right to be accompanied and assisted*  
Every user is entitled to be accompanied and assisted by the person of his choice when he wishes to obtain information or understand any medical information.  
  
The same applies when a user undertakes a complaint procedure. Users can otherwise be accompanied and assisted by the Centre d'assistance et d'accompagnement Gaspésie-Îles-de-la-Madeleine (CAAP-GÎM) or by the local service quality and complaints commissioner.
- *Right to be informed about the complaint procedure*  
Users have a right to be informed about the complaint review procedure and to be provided with a copy of the procedure on request. Users also have a right to receive a form enabling them to draft the complaint.
- *Right to complain*  
Users have the right to complain when they are dissatisfied with the services they received, should have received, are receiving or require. Users also have the right to be protected from reprisals should they express their desire to file a complaint or when they initiate a complaint procedure.  
  
When the user does not agree with the conclusions of the complaint, he has the right to contact the Ombudsman or the review committee, as the case may be.

## **USERS RESPONSIBILITIES**

The previous section addressed the rights of users. However, users also have duties towards CSSS des Îles when they are interacting with the establishment for the provision of health care and services. These duties are described below:

- Every user shall act respectfully and courteously when interacting with stakeholders;
- Every user shall adhere to all rules and regulations as well as standards in effect, notably with respect to visiting hours and smoking regulations;
- Every user shall understand that CSSS des Îles' services are provided according to the availability of human, material and financial resources, under the present regional agreements;
- Every user shall be respectful of CSSS des Îles' belongings and property;
- Protecting their personal effects is the responsibility of every user;
- Users have a right to peace and quiet. However, they shall also be respectful of other people's peace and quiet. Users shall be mindful of loud voices and the intensity of electronic devices used;
- Users shall inform stakeholders of their movements;
- To the extent of their individual abilities, users shall play an active role in their own care and treatment programs;
- Users shall provide information to stakeholders concerning any difficulty or health-related problems or any other information relevant to their health condition including allergies or intolerances to products and medication;
- Users shall arrive on time for their appointments or in cases when they are unable to attend, they shall cancel them as much in advance as possible.
- Upon receiving their medical discharge, users are required to leave the establishment as quickly as possible. A maximum delay of two (2) hours at the short-term unit and a delay of one (1) hour at the emergency are acceptable. It is the users' responsibility to safely leave the establishment, in accordance with their needs;
- Users shall behave so as to avoid an abusive and unrestricted usage of CSSS des Îles services;
- Responsibilities associated with a person's rights fall within the users duties;
- Users shall voice their concerns to healthcare stakeholders and ask questions, where needed;
- Users shall inform stakeholders of any existing incapacity mandates and supply them with the coordinates of the person in authority;
- Users shall clearly indicate their wishes regarding end-of-life care provisions and organ donations.

## **STAKEHOLDERS' RESPONSIBILITIES**

Along with users, stakeholders also have responsibilities towards users and peer personnel

- Behaviours and practices shall be guided by a human rights approach, namely: the right to life, safety, integrity, liberty, dignity and privacy;
- Every stakeholder shall adopt open-minded, welcoming, honest and constructive behaviour towards the establishment, in the performance of their job and in the relationships they entertain with users, other stakeholders and management;
- Maintaining professional behaviour is everyone`s responsibility;
- Every stakeholder shall adhere to all policies, procedures, CSSS des Îles regulations and laws in effect as well as their respective codes of conduct or occupational codes;
- Discriminatory remarks and behaviours will not be tolerated;
- Stakeholders` behaviours shall be consistent with CSSS des Îles` mission, vision and values as well as adhering to this code of ethics;
- Verbal, physical or psychological abuse against users and between stakeholders will not be tolerated;
- No bribe, gratuity or any other form of inducement shall be accepted by stakeholders;
- Relationships between stakeholders and users shall remain strictly professional;
- Any stakeholder likely to be in a conflict of interest shall advise the user and take all necessary steps.
- Stakeholders may not use CSSS des Îles`s working hours or material, for personal purposes without the authorization of their immediate supervisor;
- Stakeholders must maintain good personal hygiene and wear appropriate clothing at all times;
- Stakeholders must remain vigilant at all times to help minimize the risks of accidents;
- Cleanliness of the site is everyone`s responsibility;
- Stakeholders must be aware of emergency procedures and be prepared to act and protect users;
- Stakeholders must foster user accountability.

## **AVAILABILITY AND DIFFUSION OF THE CODE**

A copy of this code shall be provided to everyone at the CHSLD and to anyone who requests it.

CSSS des Îles will work to ensure the dissemination of this code to all stakeholders and will provide a copy of the code to all new employees.

Copies of this code are also available in every department and office within this establishment.

Un exemplaire du présent code est remis à tous les usagers du CHSLD ainsi qu'à tout usager qui en fait la demande. Le CSSS des Îles s'assurera de faire connaître le présent code à l'ensemble de ses intervenants et remettra une copie du code à chaque nouvel employé. Des exemplaires du code sont également disponibles dans tous les services et départements de l'établissement.

## **BIBLIOGRAPHIE**

CENTRE HOSPITALIER AFFILIÉ, 2005. *Code d'éthique des intervenants*, 19 p.

CENTRE HOSPITALIER DE L'ARCHIPEL, 1993. *Code d'éthique*, 29 p.

CENTRE HOSPITALIER UNIVERSITAIRE DE MONTRÉAL, 2005, *Code d'éthique*, 12p.

CENTRE DE SANTÉ ET DE SERVICES SOCIAUX DE LA CÔTE-DE-GASPÉ, 2004. *Code d'éthique*, 7 p.

CENTRE DE SANTÉ ET DE SERVICES SOCIAUX DES ÎLES, 2006. *Plan d'organisation*, 45 p.

CLSC DES ÎLES, 1994. *Code d'éthique*, 12p.

MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX (Page consultée en mars 2007). *Loi sur la santé et les services sociaux*

[http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/S\\_4\\_2/S4\\_2.html](http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/S_4_2/S4_2.html)

COMMISSION D'ACCÈS À L'INFORMATION (Page consultée en mars 2007). *Loi sur l'accès à l'information* [en ligne],

[http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/A\\_2\\_1/A2\\_1.html](http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/A_2_1/A2_1.html)