

Code of ethics

September 2015

This document is intended for all staff members, physicians and users (patients) and is designed to help define the commitments of CISSS 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 the text 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 on September 23, 2015

By the president-director-general of the CISSS des Îles, in accordance to article 195 of the *Loi modifiant l'organisation et la gouvernance du réseau de la santé et des services sociaux*.

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WORD FROM THE PRESIDENT AND THE MANAGING DIRECTOR

With this in mind, CISSS des Îles focuses its efforts on understanding users' needs and providing them with the appropriate support to mobilize and involve them in their care and services.

By emphasizing values that focus on mobilizing users to take charge of their health and maintain and improve their potential for autonomy, we believe we can serve them better.

The CISSS des Îles Code of Ethics is a tool for promoting and identifying the rights and responsibilities of users. It also sets out CISSS des Îles' commitment as a public institution providing health and social services, as well as our expectations of the employees, physicians and users of this service network.

We hope that the Code of Ethics of our establishment, as well as that of all our staff, highlights your rights and responsibilities as a user. However, if you find any of the information unclear, or if you have any questions about any aspect of the Code of Ethics, please do not hesitate to contact our staff, management or the local service quality and complaints commissioner.

You can also send us your comments on services or on the overall operation of CISSS des Îles by using the suggestion or comment boxes located in all CISSS des Îles facilities.

The Code of Ethics is an official document of the establishment.

Sophie Doucet
President-Director-general

FOREWORD

True to its public health care and social services mission, the CISSS 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 the CISSS 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 the CISSS des Îles.

First, the code of ethics introduces the mission of the CISSS 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 CISSS 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** : The CISSS 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 the CISSS des Îles;
- c. **User (patient)**: is defined as any person who received, should have received, receives or requires the services of the CISSS 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

1. 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.

- *Respect of users privacy*

The users' privacy must be respected. All necessary provisions and precautions must be taken, especially during examinations, treatments and personal hygiene.

2. 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 the CISSS 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.

3. RIGHT TO SERVICES

The CISSS 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, sex, 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, as long as it is foreseen in an access program. 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 adequately redirected*

Users have the right to be adequately redirected 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.

4. 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 an informed 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.

5. 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 main 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.

6. 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 the supervision of the establishment.

- *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.

7. RIGHT TO SEEK APPROPRIATE RECOURSE TO ENSURE THE RESPECT OF THEIR RIGHTS

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 properly direct them to available resources.

- *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 upon request. Users also have a right to receive a form enabling them to draft the complaint.

- *Right to file a complaint*

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.

8. RIGHT TO END OF LIFE CARE

It is the obligation of all physicians and stakeholders to ensure that the death of any person in the end of life phase occurs with dignity and respect for human rights.

- *Right to end of life care*

Any person whose condition so requires, has the right to receive end of life care, (Act 2, art. 4). The Act defines “end of life care” as palliative care offered to people who are in the end of life phase and medical assistance to die, (Act 2, art. 3).

- *Right to refuse care*

All adults and who are able to consent to treatment can, at all times, refuse to receive a treatment that is necessary to keep them alive or withdraw their consent to such care.

A person cannot be denied end of life care on the grounds that he previously refused to receive a treatment or that he withdrew his consent to a treatment. (Act 2, art.6)

- *Respect of users anticipated medical instructions*

Any person who is able to consent to care/treatment can specify in advance their wishes concerning decisions to be made about care/treatment in the event that the user is no longer able to consent to care/treatment. However, the user cannot, using such instructions, make a request for medical assistance to die.

Any person may make his anticipated medical instructions by a legal notarized deed or before witnesses by using a form authorized by the Ministry.

- *Right of health care personnel*

A physician can refuse to administer medical assistance to die because of his personal beliefs and a health care professional can refuse to participate in its administration for the same reason.

A physician or health care professional as such must, nevertheless, ensure the continuity of the care offered to the person, in accordance with the provisions in his code of conduct and with the wishes of the person, (Act 2, art. 50).

USERS RESPONSIBILITIES

The previous section addressed the rights of users. However, users also have duties towards the CISSS 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 the CISSS 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 the CISSS des Îles' belongings and property;
- Protecting their personal belongings 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 displacements (travels);
- 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 the CISSS 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 maintain with users, other stakeholders and management;
- Maintaining professional behaviour is everyone`s responsibility;
- Every stakeholder shall adhere to all policies, procedures, CISSS 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 the CISSS 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 CISSS 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.

The CISSS 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.

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