

FACT SHEET

Residential Care Regulation

Community Care and Assisted Living Act

Hiring and Staffing Due Diligence in Residential Care

Sections 37 to 39 of the Residential Care Regulation require licensees to ensure that staff of licensed residential care facilities have the appropriate education, training, experience, and temperament to provide care to residents of the facility.



What is due diligence in hiring and staffing?

The term *due diligence* means the performance of an act with a certain standard of care. Due diligence in staffing/hiring is the care that a licensee exercises to ensure that staff have the appropriate skills, abilities and temperaments to work with vulnerable adults. Due diligence is required to ensure that persons in care are not harmed and that their health, safety, and dignity are not put at risk.

How does a licensee exercise due diligence when hiring staff?

When hiring staff, a licensee must go through a number of steps to ensure that applicants are suitable for the positions. A licensee must collect and review evidence (such as diplomas or certificates) of an applicant's training, skills and abilities, as well as reviewing and documenting an applicant's character references. If the facility cares for or may in the future care for people under the age of 19, the applicant must also provide the licensee with a clean criminal record check consistent with the requirements of the *Criminal Records Review Act*. Licensees must maintain records of their due diligence in hiring including copies of certificates, criminal record checks, and documented results of character reference checks.

Why are there specific requirements for hiring and staffing due diligence in the Residential Care Regulation?

Persons in care are vulnerable because of age, health condition, or circumstance. The requirements to examine the background and temperament of staff who work with this population are necessary to ensure that vulnerable people receive the care they need from suitable individuals and that they are not exposed to the risk of harm, abuse, or neglect.

Applicants for licensing or licensees should work closely with licensing officers to make sure they understand what is expected of them and how to ensure that they meet and continue to meet all licensing requirements. Licensing officers are available to discuss issues, make site visits, and help licensees understand regulation requirements.

For more information

Contact the local health authority community care licensing program and speak with a licensing officer.

This information is not to be regarded as a substitute for the *Community Care and Assisted Living Act* and regulations or legal advice. If you require legal advice about the issues the issues discussed here please contact independent legal counsel.