

The Corporation of the City of Sault Ste. Marie  
Council Correspondence

July 3, 2020

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OFFICE OF THE MAYOR



CORPORATION OF THE  
CITY OF SAULT STE. MARIE

June 18, 2020

The Right Honourable Justin Trudeau  
The Honourable Doug Ford, Premier of Ontario  
The Honourable Catherine McKenna, Minister of Infrastructure and Communities  
Terry Sheehan, MP, Sault Ste. Marie  
The Honourable Steve Clark, Minister of Municipal Affairs and Housing  
The Honourable Ross Romano, Minister of Colleges and Universities

All:

Please find attached a resolution passed by Sault Ste. Marie City Council at our meeting of June 8, 2020.

Sault Ste. Marie, like municipalities across the country, is facing significant financial challenges as a result of COVID-19. The financial impact as of May 31, 2020 is \$1,000,000 to the Operating Budget, and a further \$2,000,000 to the Capital Funding Budget. Due to statutory limitations, municipalities cannot run deficits and the primary means of collecting revenue to provide City services is through property taxation, facility rentals, and transit revenue.

In order to continue providing essential services without considering cuts in service or increases to the taxpayers, we need assistance from the Federal and Provincial levels of government.

I want to assure you that we want to be a partner in addressing our fiscal challenges. We have worked hard here in Sault Ste. Marie to ensure that we are delivering effective and responsible municipal governance that is respectful of our ratepayers. For example, the City utilized support from the Audit and Accountability Fund to complete an independent review of spending and it found that we are not providing services beyond what is required. Furthermore, over the course of my mayoralty, we have reduced budgeted City expenditures by 2 million dollars, ensured that our electricity distribution and water/waste water rates are among the lowest in the province, reduced the number of full-time employees working for the municipality, froze non-unionized staff wages along with Mayor and Councillor honorariums, and decreased the size of City Council and its budget.

Please let me know if you would like to discuss this matter or attached resolution further. I would be happy to make myself available.

Sincerely,

Christian C. Provenzano, B.A., LL.B., LL.M



## CITY COUNCIL RESOLUTION

**Agenda Number:** 8.4  
**Title:** Financial Assistance for Municipalities (COVID-19)  
**Date:** Monday, June 8, 2020

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**Moved by:** Councillor R. Niro  
**Seconded by:** Councillor C. Gardi

Whereas the 2019 novel coronavirus (COVID-19) has impacted municipalities throughout Canada including our own community of Sault Ste. Marie; and

Whereas during this pandemic, the Federal and Provincial Governments have rolled out numerous support programs for large and small businesses, employers, employees, seniors, and students; and

Whereas the Federal and Provincial Governments have provided billions of dollars in relief during this pandemic to these various groups through their support programs; and

Whereas despite repeated requests by the Federation of Canadian Municipalities (FCM), and the Association of Municipalities of Ontario (AMO), to date, there have been no announcements regarding relief funding to cope with municipal budget deficits created by the pandemic; and

Whereas the COVID-19 financial impact to the City of Sault Ste. Marie to May 31, 2020 is \$1,000,000 to the Operating Budget, and a further \$2,000,000 to the Capital Funding Budget; and

Whereas if closures and other COVID-19 restrictions last into the fall our City's budget deficit can only increase; and

Whereas reopening City Services after COVID-19 may result in additional expenses as municipalities adhere to new restrictions of providing services; and

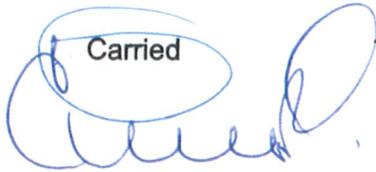
Whereas municipalities, including Sault Ste. Marie, have no freedom to run deficits, and the only primary means of collecting revenue to provide City services is through property taxation, facility rentals, and Transit revenue; and

Whereas during COVID-19 the Federal and Provincial governments have done commendable work in getting through the health side of this pandemic, as well as providing financial relief to the various groups;

Now Therefore Be It Resolved that the City of Sault Ste. Marie request that the Federal and Provincial governments extend emergency funding to municipalities to mitigate the financial impact of COVID-19

so that Sault Ste. Marie can continue to provide essential services without considering cuts in service or increases to the taxpayers who may have already been negatively impacted by COVID-19; and

Further Be It Resolved that copies of this resolution, along with a letter from Mayor Provenzano, be forwarded to: the Right Honourable Justin Trudeau, Prime Minister of Canada, the Honourable Doug Ford, Premier of Ontario, the Honourable Catherine McKenna, Minister of Infrastructure and Communities, Terry Sheehan, MP City of Sault Ste. Marie, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Honourable Ross Romano, Minister of Colleges and Universities, MPP City of Sault Ste. Marie.



Carried

Tied, Defeated

Defeated

Officially Read and Not  
Dealt With / Postponed

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Christian Provenzano

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July 3, 2020

## AMO COVID-19 Update

### Ontario Announces Faster Approvals for Restaurant and Bar Patio Expansions

On July 3<sup>rd</sup> the Ontario Government [issued](#) new Emergency Orders to make it faster for municipalities to approve temporary by-laws for expanded restaurant and bar patios. This is in addition to the [changes](#) made to regulations under the *Liquor Licensing Act* in June to allow temporary patio expansions beyond 14 days with municipal approval. The [new orders](#) should allow municipalities to approve by-laws within days so that these businesses can take advantage of the summer season. Current requirements can take several weeks to complete.

The move comes as most of Ontario has moved to Stage 2 of the [reopening framework](#). Under this stage, [hospitality industry establishments](#) are able to host guests for dining outside only, ensuring customers from different households stay at least two meters apart. Temporarily establishing or expanding patios will allow these businesses to serve customers while ensuring physical distancing and should help bars and restaurants to re-hire seasonal staff as business increases. The new orders also clarify rules regarding awnings or other coverings for patios, specifying that two full sides must be open and not substantially blocked.

Municipal governments continue to be responsible for enforcing compliance with patio and physical distancing rules. The order is in force immediately.

AMO's [COVID-19 Resources](#) page is being updated continually so you can find critical information in one place. Please send any of your municipally related pandemic questions to [covid19@amo.on.ca](mailto:covid19@amo.on.ca).

## Nancy Milosevich

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**From:** City Clerk  
**Subject:** Blue Box Transition - Population under 5000  
**Attachments:** Blue Box population under 5000 .docx

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**From:** FONOM Office/ Bureau de FONOM <fonom.info@gmail.com>  
**Sent:** Tuesday, June 16, 2020 4:46 PM

This email originated outside of the Corporation of the City of Sault Ste. Marie.  
Do not open attachments or click links unless you verify the sender and know the content is safe.

Good afternoon

We hope that you and your community are well

Recently the Honorable Jeff Yurek Minister of the Environment, Conservation and Parks surprised the Municipal sector by indicating that Municipalities under 5000 to be excluded from transition to Full Producer Responsibility. This is a major concern to FONOM, we have attached a Resolution for your consideration to address this issue.

President Danny Whalen commented that "Stewarts produce and sell products in the small and rural communities in the Northeast, and therefore should have the Full Producer Responsibility for recycling in those communities as well."

Please let me know if you have any questions or concerns.

Mac

Mac Bain  
Executive Director  
The Federation of Northern Ontario Municipalities  
615 Hardy Street North Bay, ON, P1B 8S2  
Ph. 705-478-7672

WHEREAS the amount of single-use plastics leaking into our lakes, rivers, waterways in Northeastern Ontario is a growing area of public concern

WHEREAS reducing the waste we generate and reincorporating valuable resources from our waste stream into new goods can reduce GHGs significantly

WHEREAS the transition to full producer responsibility for packaging, paper and paper products is a critical to reducing waste, improving recycling and driving better economic and environmental outcomes

WHEREAS the move to a circular economy is a global movement, and that the transition of Blue Box programs would go a long way toward this outcome

WHEREAS the Municipality of \_\_\_\_\_ is supportive of a timely, seamless, and successful transition of Blue Box programs to full financial and operational responsibility by producers of packaging, paper and paper products

WHEREAS the Municipality of \_\_\_\_\_ is concerned about a recent proposal by the Ministry of Environment, Conservation and Parks that could jeopardize over 135 small rural, remote, and Northern community Blue Box programs across the Province as well as servicing to schools and public spaces;

AND WHEREAS the Association of Municipalities of Ontario has requested municipal governments with Blue Box programs to provide an indication of the best date to transition our Blue Box program to full producer responsibility

THEREFORE BE IT RESOLVED THAT the Municipality of \_\_\_\_\_ strongly advocates for language to be included in the regulation that ensures municipalities under 5,000 continue to receive Blue Box servicing as was agreed as part of the Provincial government's Blue Box mediation as well as schools and public spaces.

FURTHER BE IT RESOLVED THAT the Municipality of \_\_\_\_\_ forward this resolution to the Honorable Jeff Yurek Minister of the Environment, Conservation and Parks, the Association of Municipalities of Ontario, the Federation of Northeastern Ontario Municipalities and the Rural Ontario Municipalities Association

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## PAUL DUBÉ ON NEW MANDATE AND PANDEMIC: “WE STAND READY, AS ALWAYS, TO HELP”

(TORONTO – June 30, 2020) Releasing his latest Annual Report today, Ontario Ombudsman Paul Dubé reflected on the stunning and ongoing challenges faced by the province’s public sector due to the coronavirus pandemic.

“The profound shock to our public infrastructure and systems will provide countless lessons, as well as opportunities to strengthen them in future,” writes Mr. Dubé, whose office handled 26,423 complaints and inquiries about broader public sector services in fiscal 2019-2020. “We stand ready, as always, to help.”

Mr. Dubé notes that 2019-2020 was also “a year like no other” for the Ombudsman’s office, in that it began with the expansion of his mandate to two brand-new areas – children and youth in care, and French language services – and ended with the coronavirus crisis.

Working from home for the past 15 weeks, like most Ontario public servants, the Ombudsman’s team has continued to respond to thousands of complaints and inquiries, including more than 800 related to COVID-19. On June 1, Mr. Dubé launched a systemic investigation into the adequacy of the province’s oversight of long-term care homes during the pandemic.

“Our commitment, as always, is to assist Ontarians by engaging with those who provide public services to them,” he says in the report, adding that it “illustrates the many ways we honoured that commitment, before and during the pandemic” and “how we can help improve public services – so they can be relied on in good times and bad.”

Prior to the coronavirus outbreak, the Ombudsman’s office dealt with a record high number of complaints about Ontario correctional facilities (6,000), launched a systemic investigation into delays at the Landlord and Tenant Board (generating some 600 complaints), and issued investigative reports on a municipality and a school board that revealed “a disturbing lack of transparency that undermined public trust.” All of Mr. Dubé’s recommendations were accepted.

This Annual Report is also the Ombudsman’s first since his Office assumed the responsibilities of the French Language Services Commissioner and the investigative function of the former Provincial Advocate for Children and Youth of May 2019.

The Ombudsman created two new units for this work, largely staffed by employees of those formerly separate offices. “The combined expertise of what were three separate offices has resulted in a more dynamic Ombudsman’s Office,”



writes Mr. Dubé.

The new Children and Youth Unit handled more than 1,775 cases between May 1, 2019 and March 31, 2020, including 1,458 about children’s aid societies. The report details several cases where Ombudsman staff helped young people with concerns about their rights, their placements and their treatment in care. In addition, Ombudsman staff raised concerns with the Ministry of Children, Community and Social Services about gaps in policies and procedures in youth justice centres.

The new French Language Services Unit, headed since January by French Language Services Commissioner and Deputy Ombudsman Kelly Burke, handled 321 complaints and inquiries in the same 11-month period, and prompted constructive change on several fronts. These included Premier Doug Ford acknowledging that public health information about COVID-19 must be provided in French as well as English. Commissioner Burke will issue a separate Annual Report later this fiscal year.

The Ombudsman is an independent, impartial officer of the Ontario Legislature who resolves and investigates public complaints about provincial government bodies, as well as French language services, child protection services, municipalities, universities and school boards. He does not overturn decisions of elected officials or set public policy, but makes recommendations to ensure administrative fairness, transparency and accountability. The Ombudsman’s recommendations have been overwhelmingly accepted by government, resulting in numerous reforms, including help for people with developmental disabilities who are in crisis, improved drug funding and newborn screening, and enhanced tracking of inmates in solitary confinement.

For more information, contact:

Linda Williamson, Director of Communications

[lwilliamson@ombudsman.on.ca](mailto:lwilliamson@ombudsman.on.ca) (<mailto:lwilliamson@ombudsman.on.ca>).

## Ombudsman Ontario

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# ANNUAL REPORT

# 2019-2020



**Office of the Ombudsman of Ontario**

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ONTARIO  
ONTARIO'S WATCHDOG

June 2020

Hon. Ted Arnott, Speaker  
Legislative Assembly  
Province of Ontario  
Queen's Park

Dear Mr. Speaker,

I am pleased to submit my Annual Report for the period of April 1, 2019 to March 31, 2020, pursuant to section 11 of the *Ombudsman Act*, so that you may table it before the Legislative Assembly.

Sincerely,



**Paul Dubé**  
Ombudsman

Office of the Ombudsman of Ontario  
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# OMBUDSMAN'S MESSAGE

## A year like no other

As mandated by the *Ombudsman Act*, this report reviews the main trends and highlights of the **26,423** cases my Office handled between April 1, 2019 and March 31, 2020. In other words, most of the resolutions and investigations described herein took place long before the first cases of novel coronavirus were confirmed in Ontario.

In the final two weeks of the period covered by this report, everything changed. The Ontario government, like those across Canada and around the globe, declared a state of emergency. As of March 16, 2020, all non-essential public servants were mandated to work from home, all non-essential businesses were closed, and public health officials called on everyone to stay at home to minimize the spread of COVID-19. In accordance with the directives of public health authorities and the provincial government, the office locations of Ombudsman Ontario closed on that date.

Ombudsmen are premier problem-solvers. As soon as the state of emergency was declared, my team and I realized that the services we provide to the province would be needed more than ever. We immediately transitioned to working from home and established procedures to continue responding to as many complaints and inquiries as possible.

Our commitment, as always, is to assist Ontarians by engaging with those who provide public services to them. This report illustrates the many ways we honoured that commitment, before and during the pandemic. It demonstrates how we can help improve public services – so they can be relied on in good times and bad.

### Ensuring accessibility

As soon as our offices closed, we equipped our staff with the necessary technology to enable them to work remotely. We used teleconferencing and videoconferencing to enhance communications amongst teams and with stakeholders. Most importantly, we ensured complaints were received and responded to, with the most urgent ones triaged for quick response.



January 13, 2020: Ontario Ombudsman Paul Dubé.

By March 31, 2020, our staff had handled almost 800 new complaints while working from home, including close to 300 related to COVID-19 alone. Many of these were from people who were worried about the effect of the state of emergency on public services, or who could not reach government officials. Thanks to our long track record of working collaboratively and proactively with public sector bodies, our staff were well positioned to provide helpful information, or to connect people with the right officials.

Our preoccupation was to make sure that the most vulnerable citizens could still reach us, such as children and youth in care or custody – and inmates in provincial correctional facilities. Although our main office phone line had to be shut down, our Children and Youth Unit continued to respond to calls from young people in care, and we set up special phone lines to enable inmates across the province to reach our staff directly.

Within days of this temporary phone system becoming operational, we received a call from an inmate who feared for his life after receiving threats. We were able to contact a sergeant within the correctional facility who ensured that the inmate would be transferred safely to another unit.



We also participated in regular calls with the Ministry of Children, Community and Social Services and child welfare stakeholders, and with youth justice facilities. And we intensified our engagement with the Ministry of the Solicitor General, keeping abreast of its efforts to handle the serious risks that COVID-19 posed to inmates and correctional staff.

Across all the areas and levels of government we oversee, we made similar contacts, enabling us to help a wide range of Ontarians, from an essential worker who urgently needed her driver's licence renewed, to a group of lottery winners waiting for their prize money. Examples of such cases appear in each chapter of this report – along with many more stories of how we helped in the pre-pandemic times.

As the coronavirus spread, long-term care homes across the province were particularly hard hit, with more than 1,300 deaths by the end of May. On June 1, 2020, I exercised my authority to launch an investigation without receiving a complaint. The investigation is focused on the government's oversight of long-term care homes, and whether it is adequate to ensure the safety of residents and staff during the pandemic.

“ Just wanted to also say a big thank you for listening to me from the get-go. After nearly 5 years of circling around with no assistance, and no one willing to resolve the issue, I have felt for the first time that someone cared.”

– Email to Ombudsman staff from complainant

## A year of transformation and growth

The 2019-2020 fiscal year also began with an historic change for my Office, as we assumed responsibilities of two former offices of the Legislature, the French Language Services Commissioner (FLSC) and Provincial Advocate for Children and Youth (PACY), on May 1, 2019. We created two specialized units to do this work, and have made it a priority to ensure that the rights of children and youth in care, and the linguistic rights of Franco-Ontarians, are protected.

The combined expertise of what were three separate offices has resulted in a more dynamic Ombudsman's Office, as the two new chapters of this report – Children & Youth, and French Language Services – attest. (The French Language Services Commissioner will also publish a separate Annual Report later this fiscal year.)

We are most fortunate to have Diana Cooke, formerly the Director of Investigations at PACY, direct the Children and Youth Unit. Diana and her team have proven their commitment to the well-being of children and youth for many years, and their expertise is crucial to realizing our vision for the unit.

By law, the French Language Services Unit must be headed by a French Language Services Commissioner at the level of Deputy Ombudsman. To fill this important role, we launched a national search, and I asked two internationally recognized language rights experts – University of Ottawa professor Linda Cardinal and Michel A. Carrier, then the interim Commissioner of Official Languages for New Brunswick – to assist me in the selection.

I was thrilled to appoint Kelly Burke, a passionate Franco-Ontarian and lawyer with long experience in the Ontario Public Service, including as Assistant Deputy Minister in the Ministry of Francophone Affairs, as Commissioner. She and her team have already made significant progress on some key files, and the Francophone community is increasingly appreciative. I am convinced that with a Commissioner as qualified and passionate as Kelly, operating from a stronger and broader platform within our Office, the best days for French language services in Ontario are not behind us, but ahead of us.

Both new units have delivered steady, seamless service to the public while transitioning to the Ombudsman model of complaint resolution and investigations, bolstered by our Office's broad mandate and expertise. This positioned them well to respond to the challenges of COVID-19, from answering the concerns of worried and isolated young people in care, to pressing government officials to ensure crucial public health information was provided in French as well as English, including at the Premier's own news briefings.

Also this year, we noted yet another significant increase in complaints about correctional facilities, and I again toured some of the more problematic ones with a team of our expert staff, including the Thunder Bay Jail and Toronto South Detention Centre. These visits provided us with a valuable firsthand look at conditions, and gave us leverage as we continued to discuss persistent issues with the Ministry of the Solicitor General.

We issued two new reports on investigations in relatively new areas of our jurisdiction – municipalities and school boards. Both reports – *Inside Job*, about Niagara Region's tainted CAO hiring process, and *Lessons Not Learned*, about the Near North School Board's controversial decision to close a school – revealed a disturbing lack of transparency that undermined public trust.

Fortunately, both bodies accepted all of my recommendations to improve governance in future.

In January 2020, we launched a new systemic investigation into delays at the Landlord and Tenant Board – an issue that has generated more than 700 complaints. Several of our past investigations continued to bear fruit as well, as public sector bodies followed up on their commitments to implement recommendations for constructive change. Updates on recent investigations, complaint trends across our jurisdiction, and stories of our case resolutions and proactive work can be found throughout the topic chapters in this report.

## Stronger together – co-operation and support

Our Office has always valued co-operation with our counterparts across Canada and around the world. Not only does Ombudsman Ontario have a high profile internationally because of our expertise in systemic investigations, we also share insights, strategies and best practices with colleagues through national and international organizations (for more, see **“The Ombudsman around the world”** in the next chapter of this report).

Participation in such organizations optimizes our knowledge and skills and enables us to better serve Ontarians. Never has this been more true than today, when we are all grappling with the effects of a global pandemic. My Canadian and international peers and I are in regular contact, discussing common challenges and concerns, such as the impact of COVID-19 on inmates and other vulnerable populations. Virtual meetings with my fellow provincial and territorial ombudsmen and peers around the world have been a safe and efficient way to share valuable information and international perspectives.

Throughout the past year, my Office also welcomed visits from fellow ombudsmen and other watchdogs, including at our annual investigative training course, “Sharpening Your Teeth.” Among them was the brand-new Ombudsman of the Northwest Territories, whose office we were happy to assist in its startup phase, and representatives from ombudsman offices in Hong Kong, Botswana, Nigeria, Uganda, and the U.S. Other visitors to our Office included the ombudsmen of Manitoba and British Columbia, Greece, and the United Kingdom.



January 15, 2020: Ontario Ombudsman Paul Dubé introduces Deputy Ombudsman and French Language Services Commissioner Kelly Burke at a press conference at Queen's Park.

## Enhancing governance in a time of crisis

The effects of this pandemic will be felt by all Ontarians for years to come, as both the public and private sectors recover, rebuild and learn from its impact. The profound shock to our public infrastructure and systems will provide countless lessons, as well as opportunities to strengthen them in future.

Our Office is now in its 45th year of helping Ontarians navigate complex public services, assisting public sector bodies in responding nimbly and meaningfully, and proposing constructive solutions to improve governance, accountability and transparency.

As Supreme Court Justice Brian Dickson so presciently said of the ombudsman institution in 1984:

“ The Ombudsman represents society's response to [...] problems of potential abuse and of supervision. His unique characteristics render him capable of addressing many of the concerns left untouched by the traditional bureaucratic control devices.... [T]he powers granted to the Ombudsman allow him to address administrative problems that the courts, the legislature and the executive cannot effectively resolve.”

This is all the more true in a time of crisis and recovery. We stand ready, as always, to help.



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# AT A GLANCE



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**1. April 25, 2019:** Deputy Ombudsman Barbara Finlay addresses delegates at the Ontario Catholic School Trustees' Association, in Toronto. **2. September 23, 2019:** Ombudsman Paul Dubé welcomes members of the 2019 Ontario Legislature Internship Programme to our Office. **3. May 8, 2019:** Ombudsman staff at the Federation of Northern Ontario Municipalities' 2019 annual conference, Sudbury. **4. June 26, 2019:** Ombudsman Paul Dubé and fellow members of the International Association of Language Commissioners (whose annual conference was hosted by our Office), at Queen's Park. **5. September 25, 2019:** Ombudsman Paul Dubé and staff mark Franco-Ontarian Day, Toronto City Hall. **6. October 21, 2019:** Raymond Théberge, Commissioner of Official Languages of Canada, addresses participants at our annual training course for ombudsmen and administrative watchdogs, "Sharpening Your Teeth," Toronto. **7. October 15, 2019:** Ombudsman Paul Dubé meets with his fellow Officers of the Ontario Legislature at our Office. Left to right: Todd Decker, Clerk of the Legislature; Ombudsman Dubé; Peter Weltman, Financial Accountability Officer; David Wake, Integrity Commissioner; Greg Essensa, Chief Electoral Officer; Bonnie Lysyk, Auditor General. **8. May 10, 2019:** Ombudsman staff and ASL interpreters at Mayfest 2019, Toronto. **9. August 22, 2019:** Children and Youth Unit staff present to representatives from a foster care agency, at the agency's office.



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**10. September 26, 2019:** Ombudsman Paul Dubé and Children and Youth Director Diana Cooke attend the 2019 Youth Justice Ontario annual conference, Niagara-on-the-Lake. **11. May 14, 2020:** Working from home since mid-March due to the COVID-19 outbreak, Ombudsman Paul Dubé meets with our executive management team by videoconference daily. Those pictured include Deputy Ombudsman Barbara Finlay, French Language Services Commissioner and Deputy Ombudsman Kelly Burke and General Counsel Wendy Ray. **12. January 20, 2020:** Ombudsman staff at our booth at the Rural Ontario Municipalities Association annual conference, Toronto. **13. March 5, 2020:** Ombudsman Paul Dubé and French Language Services Commissioner Kelly Burke celebrate March as Francophonie month, at our Office. **14. October 17, 2019:** Children and Youth Unit staff at the Ontario School Counsellors' Association's annual conference, in Mississauga. **15. June 10, 2019:** Senior Counsel Joanna Bull at our booth at the Association of Municipal Managers, Clerks and Treasurers of Ontario annual conference, Deerhurst. **16. October 22, 2019:** General Counsel Laura Pettigrew conducts training in interviewing and report writing at our annual training course for ombudsmen and administrative watchdogs, "Sharpening Your Teeth," Toronto. **17. October 24, 2019:** Early Resolutions Manager Paul Sloan speaks at Osgoode Professional Development's annual conference on Advanced Issues in Special Education Law, Toronto. **18. October 6, 2019:** Our staff Run for the Cure Team, dubbed the Ombudsman Watchdogs, participated in the charity event for breast cancer research for the 12th straight year, at Queen's Park. **19. October 4, 2019:** Ombudsman Paul Dubé meets with Thomas Carrique, Ontario Provincial Police Commissioner, at our Office.

# ABOUT OUR OFFICE

## What is an Ombudsman?

An ombudsman is an independent and impartial officer who raises citizens' concerns with government bodies. The first parliamentary ombudsman was established in Sweden in 1809; the word ombudsman is Swedish for "citizen's representative" and is considered to be gender-neutral.

If a complaint has merit, an ombudsman will first seek to resolve the dispute at the lowest level possible, but will conduct an investigation when necessary. Ombudsman findings and recommendations are based on an impartial assessment of the facts and evidence. An ombudsman acts impartially, not on behalf of either party.

Established in 1975, the **Ontario Ombudsman** is an Officer of the Legislature, independent of the government and political parties. We promote fairness, accountability and transparency in the public sector by resolving and investigating public complaints and systemic issues within the Ombudsman's jurisdiction.

The *Ombudsman Act* stipulates that complaints to our Office are confidential and investigations are conducted in private. Our services are free of charge.

## The Ombudsman around the world

Ombudsman institutions protect people from maladministration and violation of their rights in more than 100 countries worldwide. Our Office works collaboratively with provincial, national, and international oversight bodies to share insights, strategies and best practices.

Participation in organizations related to our jurisdiction optimizes our knowledge and skills and enables us to better serve Ontarians. They include:

**International Ombudsman Institute (IOI):** Established in Canada in 1978, the IOI is the only global ombudsman organization, with a membership of almost 200 independent

institutions from more than 100 countries. The Ontario Ombudsman is a Director on the IOI's World Board, and President for the North American Region.

**Canadian Council of Parliamentary Ombudsman (CCPO):** All provinces except Prince Edward Island have a parliamentary ombudsman, as do Yukon and Northwest Territories. Through the CCPO, we support each other and share expertise to optimize our service to the citizens and institutions we serve.

**Forum of Canadian Ombudsman (FCO):** The FCO brings together a range of ombudsman offices across Canada, including those that operate within public sector bodies or organizations. Our Office participates in FCO conferences and workshops, including its "ombudsman essentials" training program with Osgoode Professional Development, to which the Ombudsman and Deputy Ombudsman contribute on a regular basis.

**International Association of Language Commissioners (IALC):** Our Office became a member of the IALC when we assumed responsibilities for French language services in 2019, and that June, we hosted its sixth annual conference in Toronto (for more, see the **French Language Services** chapter of this report). As part of the IALC, we share best practices and expertise in protecting minority language rights around the world.

**Canadian Council of Child and Youth Advocates (CCCYA):** As of 2019, the Ontario Ombudsman is part of the CCCYA, an association of independent officers of the legislature from across Canada who have mandates to advance the rights of children and youth and to promote their voice. Our Office hosted the CCCYA's board meeting in January 2020, where issues of mutual and national concern were discussed.

**L'Association des Ombudsmans et des Médiateurs de la Francophonie (AOMF):** The AOMF is the leading organization of French-speaking independent ombudsmen, mediators and human rights commissioners. It promotes these roles and supports the establishment of new ones throughout the French-speaking world.

**Canadian Association for Civilian Oversight of Law Enforcement (CACOLE):** Our Office regularly shares expertise in oversight of law enforcement with fellow members of CACOLE, which advances the application of civilian oversight of law enforcement throughout Canada and abroad.



**February 2020:** International visitors to our Office during this month included Rob Behrens, United Kingdom Parliamentary and Health Services Ombudsman, investigators for the Ombudsman of Botswana (pictured with Ombudsman Paul Dubé and Deputy Ombudsman Barbara Finlay), and Andreas Pottakis, Ombudsman of Greece.

**The International Corrections and Prisons Associations (ICPA):**

An international organization of correctional services professionals and oversight bodies, the ICPA promotes standards for humane and effective correctional practices. The Ombudsman was a keynote speaker at ICPA’s 2019 conference, where he shared the findings of his report on Ontario’s segregation of inmates, *Out of Oversight, Out of Mind*.

**The Venice Principles**

Created and endorsed in 2019 by the Council of Europe after consultation with international ombudsman organizations representing hundreds of countries – including the IOI and AOMF, the **Venice Principles** are the first set of international standards for ombudsman institutions. They are intended to protect ombudsmen around the world who are facing threats, and provide useful guidelines for improving existing ombudsman offices and establishing new ones.

The equivalent of the Paris Principles, by which human rights institutions are judged at the United Nations level, the Venice Principles set out 25 legal principles to guarantee and protect the proper functioning and independence of parliamentary and public services ombudsmen. They emphasize that the ombudsman is an important element in states based on democracy, the rule of law, good administration, and the respect for human rights and fundamental freedoms.

**Training and consultation**

The Ontario Ombudsman’s methods for conducting systemic investigations have been emulated around the globe. Since 2007, we have offered our course, “Sharpening Your Teeth: Investigative Training for Administrative Watchdogs,” to ombudsman offices and administrative investigators, on a full cost-recovery basis. Our annual three-day course draws up to 80 participants from across Canada and around the world; in October 2019, participants came from several provincial and federal accountability agencies, as well as from California, Hong Kong, Botswana, Nigeria, and Uganda.

We promote **fairness, accountability and transparency** in the public sector by resolving and investigating public complaints and systemic issues within the Ombudsman’s jurisdiction.

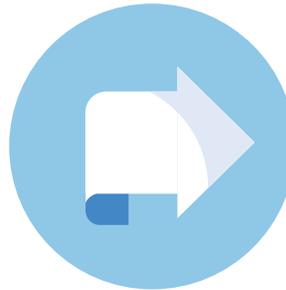
# HOW WE WORK



## COMPLAINT INTAKE

We take complaints via the complaint form on our website, by email, phone or letter, or in person. Our staff will contact you for more details if necessary. We will not divulge your name or information to anyone without your consent, and there is no charge for our services.

Not a complaint? No problem – we also handle inquiries. Our staff can answer general questions or point you in the right direction.



## REFERRALS

If your complaint is not within the Ombudsman's jurisdiction, we will refer it accordingly. If you haven't tried existing complaint mechanisms, we'll suggest you do that first – and return to us if the issue isn't resolved.



## EARLY RESOLUTION

We always seek to resolve complaints at the lowest level possible. To do so, we often make informal inquiries and requests for information with the relevant bodies, for example, to learn more about their processes and policies.



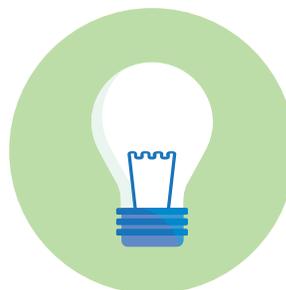
## INVESTIGATION

If we are unable to resolve the matter informally, the Ombudsman may decide to conduct an investigation. We notify the organization in question, and we may conduct interviews and request documents or other relevant evidence. If the Ombudsman determines that there is a potential systemic issue underlying the complaints, he may decide to launch a systemic investigation.



## FINDINGS AND REPORTS

The Ombudsman provides his findings to the organization in question for a response before they are finalized. His findings and recommendations are published in special reports and/or in our Annual Reports, and shared publicly on our website, via social media, news media and our e-newsletter. Copies are also available from our Office.



## RESULTS

We communicate the outcome of individual investigations and most reviews and informal resolutions to complainants and the relevant public sector bodies, as warranted. Summaries of many such cases are published in our Annual Reports and other communications. When the Ombudsman's recommendations are accepted, our staff follow up to ensure they are implemented, and we monitor to ensure problems don't recur.



## We can:

- Help you connect with the appropriate officials, if you have not already tried to resolve your complaint.
- Refer you to others who can help, if the matter is not within our jurisdiction.
- Attempt to resolve your problem through communication with the organization(s) involved, if your efforts to do so have failed, and the matter is within our jurisdiction.
- Determine whether or not the organization's actions or processes were fair.
- Flag trends in complaints to government officials and recommend best practices and/or ways to improve administrative fairness.
- Assist public sector officials with general questions about our processes or best practices.
- Conduct a formal investigation, if the Ombudsman determines it is warranted, and make recommendations for constructive change.



## We cannot:

- Overturn decisions of elected officials or set public policy.
- Redo the work of other investigative bodies or accountability mechanisms.
- Take complaints about:
  - private companies or individuals
  - judges or court decisions
  - provincial politicians
  - deliberations of provincial cabinet or its committees
  - municipal police or police services boards
  - self-regulating professions (e.g., lawyers, doctors, nurses, teachers)
  - the federal government
  - student associations and student unions
- Investigate complaints within the jurisdiction of other watchdogs, e.g., the Ontario Patient Ombudsman, Ombudsman Toronto.



## Values, mission and vision



### OUR VALUES

- Fair treatment
- Accountable administration
- Independence, impartiality
- Results: Achieving real change



### OUR MISSION

We strive to be an agent of positive change by enhancing fairness, accountability and transparency in the public sector, and promoting respect for French language service rights as well as the rights of children and youth.

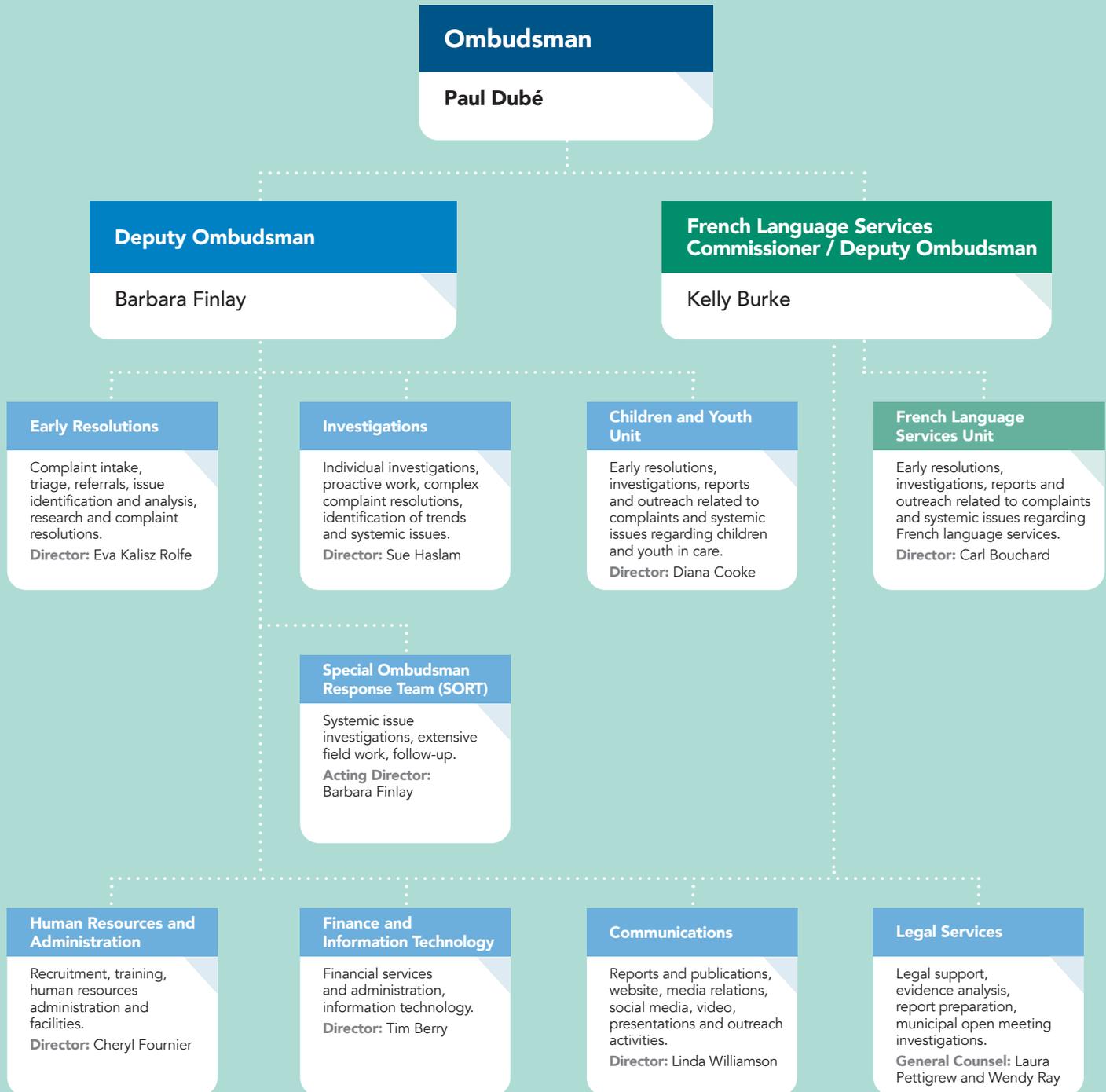


### OUR VISION

A public sector that serves citizens in a way that is fair, accountable, transparent and respectful of their rights.



# WHO WE ARE



# ABOUT THIS REPORT

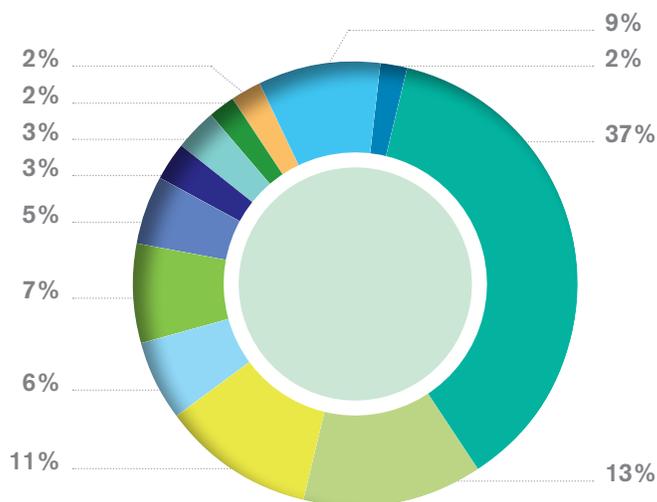
In the period covered by this report – April 1, 2019 to March 31, 2020 – the Ombudsman’s jurisdiction consisted of more than 1,000 public sector bodies, comprising more than 500 Ontario government ministries, programs, agencies, boards, commissions, corporations and tribunals, as well as 444 municipalities, 72 school boards and 10 school authorities, 22 universities and 50 children’s aid societies.

This report is organized by topic area, rather than by government ministry or agency. The first two chapters are devoted to our new areas of oversight, **Children & Youth**, and **French Language Services**.

The rest are in order of case volume, as shown in the accompanying chart. Each topic chapter discusses the main complaint trends and significant cases of the past year.

A breakdown of complaints by ministry, program, municipality, etc. can be found in the **Appendix**.

## CASES BY SUBJECT



- CHILDREN & YOUTH
- FRENCH LANGUAGE SERVICES
- LAW & ORDER
- MUNICIPALITIES
- SOCIAL SERVICES
- MONEY & PROPERTY
- EDUCATION
- HEALTH
- TRANSPORTATION
- EMPLOYMENT
- CERTIFICATES & PERMITS
- ENERGY & ENVIRONMENT

GOOD  
TO  
KNOW

Watch for “**Good to know**” boxes throughout this report for explanatory notes.

## CASES BY TYPE

Within each topic area, the most common complaint – by far – is service delivery. Here are the **10 most common** types of complaints we receive.

1. Service delivery
2. Administrative decisions
3. Delays
4. Legislation and/or regulations
5. Communication
6. Enforcement of rules or policies
7. Broader public policy matters
8. Procedures
9. Internal complaint processes
10. Funding

# 2019-2020 HIGHLIGHTS



**52%**

closed within one week

**64%**

closed within two weeks



**58%**

received by phone

**31%**

received online



## OUTREACH WITH STAKEHOLDERS

**65**

events in

**27**

communities



Training and consultation with representatives from **7** Canadian provinces/territories and **23** countries



**315**

stakeholder questions and consultation requests answered

# 2019-2020 HIGHLIGHTS



## COMMUNICATIONS

**158,758**  
website visitors from  
**174** countries

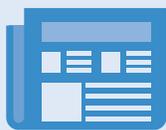


**663,615**  
website pageviews

**316,332**  
people  
Facebook reach

**2,527,698**  
Twitter impressions

**5,370**  
YouTube views



**1,051**  
news articles published  
in fiscal 2019-2020



**490**  
broadcast media  
stories

## TOP 10 COMPLAINT TOPICS (cases received)



**6,000**  
Correctional  
facilities



**3,014**  
Municipalities



**1,458**  
Children's aid  
societies



**1,051**  
Tribunals  
Ontario



**832**

Family Responsibility  
Office



**754**

Ontario Disability  
Support Program



**732**

School boards



**331**

Workplace Safety  
and Insurance Board



**321**

French language  
services



**317**

ServiceOntario

# YEAR IN REVIEW – CASES BY TOPIC



## NEW: CHILDREN & YOUTH

### Overview

On May 1, 2019, new provincial legislation took effect, closing the formerly separate office of the Provincial Advocate for Children and Youth (PACY) and transferring its investigative function to the Ombudsman. Under the *Restoring Trust, Transparency and Accountability Act, 2018*, the Ombudsman has the authority to handle complaints and conduct investigations into any matter related to services provided to children by children's aid societies, residential licensees (such as foster homes and group homes), secure treatment programs (including emergency secure treatment) and youth justice centres.

The Ombudsman established a dedicated Children and Youth Unit, largely staffed by employees from the former PACY, to assume these responsibilities and ensure uninterrupted service to young people in care. Although oversight of children's aid societies and most residential care providers is new, our Office already had oversight of such public bodies as the Office of the Children's Lawyer, programs for children with special needs, the Child and Family Services Review Board, and youth justice centres.

Our Children and Youth Unit focuses on resolving and investigating complaints about child welfare, residential care, and secure treatment, and promoting and protecting the rights of children receiving those services.

### Impact of COVID-19

Recognizing that children and youth in care and custody are among the most vulnerable Ontarians, we ensured they could

continue to call us when the provincial state of emergency was declared in mid-March 2020. Along with responding directly to complaints, our staff made inquiries and raised concerns with the relevant agencies and ministries, monitored court decisions, and participated in weekly teleconferences with ministry representatives and other sector-specific working groups.

Among the issues raised were concerns about youth aging out of care (a moratorium was put in place so they could continue to access youth services), the cancellation of in-person visits between parents and their children in care, the availability of personal protective equipment for staff and clients, the risk posed by staff working at multiple residences, and safety concerns raised by foster parents.

We also spoke directly with many children's aid societies, service providers and youth justice centres, to ensure that young people in care were being provided with information about COVID-19 and public health guidelines, and that their concerns were being heard.

### Communications and outreach

Prior to May 1, to ensure uninterrupted service to young people throughout the province, the Ombudsman informed every children's aid society, licensed residential service provider, secure treatment facility, and youth justice centre about their obligation to inform young people of their right to contact us. All were provided with posters and contact information for the new Unit.

The Children and Youth Unit produced a wide range of communications materials to address a misconception in the children’s services sector that young people in care no longer had rights or someone they could call. These included several brochures and handouts for service providers, a video by the Ombudsman, contact cards for young people in care, publications in Indigenous languages, and child-friendly, accessible and rights-focused presentations. Our posts on Twitter and Facebook regularly promote the rights of youth in care, and our **OntOmbuds** Instagram account is completely youth-focused.

The Ombudsman and staff also gave speeches and presentations to stakeholders, including to residential service providers, children’s aid society staff, students enrolled in social work and child and youth work programs, youth justice organizations, Indigenous leaders, and the Association of First Nations Child and Family Service Agencies of Ontario’s annual conference.

**GOOD TO KNOW**

Because the Ombudsman’s oversight of children and youth in care began on May 1, 2019, statistics regarding those complaints are for the period of May 1, 2019 to March 31, 2020, not the full fiscal year.

Our Office is a member of the Canadian Council of Child and Youth Advocates, an association of independent officers of provincial legislatures across Canada who share a common mandate to advance the rights of children and promote their voice. We work with other members of the Council to promote the United Nations Convention on the Rights of the Child, share information about issues affecting children, and encourage the development of effective, independent offices for children.



Our Children and Youth Unit’s outreach materials include videos, social media posts and contact cards, as well as brochures in English, French and Indigenous languages. Many incorporate the message that the “watchdog” is there for young people.

## Trends in cases

The Children and Youth Unit combines the Ombudsman's traditional approach of resolving and investigating public complaints and systemic issues in a fair, independent and impartial manner with the understanding that children and youth – particularly those in care – are recognized in law and society as a vulnerable group requiring special assistance and protection.

From May 1, 2019 to March 31, 2020, the Children and Youth Unit received a total of **1,775** complaints. Most of these – **1,458** – were about children's aid societies. The vast majority of complaints were resolved quickly at the early resolution stage.

### Complaints from young people

We received **236** complaints from young people in care between May 1, 2019 and March 31, 2020. The most common complaints related to issues involving their placements, treatment by staff or other youth in their residences, and difficulties in transitioning out of care. We also heard complaints about children's aid societies denying services to youths aged 16 or 17 who were under Voluntary Youth Services Agreements.

Many of those who complained about their placements told us they were concerned about their safety, were living too far from family, or didn't feel they were being treated properly. Under the *Child, Youth and Family Services Act, 2017*, young people have a right to be told how to appeal their placement if they are unhappy with where they are living. In such cases, we facilitate a conversation with their social worker, or connect them with officials who can have their placement reviewed.

For example:

- An 11-year-old told us she felt unsafe in her group home after another resident threatened her with a knife. We informed her of her right to have her placement reviewed by the Residential Placement Advisory Committee, and helped her initiate the process with her caseworker. We also ensured that the home had a plan to keep her safe pending the review. As a result of the review, the girl was happy to be moved back to her former foster home.
- A 16-year-old living in a group home told us she had asked her children's aid society worker to initiate a review of her placement because she felt unsafe, but the caseworker didn't

follow up with her. The caseworker told us she thought the teen was happy where she was living. We facilitated a conversation between the two to make sure the teen received a review of her placement.

### Complaints from adults

We received **1,407** complaints between May 1, 2019 and March 31, 2020 from adults – not only parents and family members of young people in care, but service providers, whistleblowers and professionals in the sector as well.

Common complaints from parents and family members included issues with visits and access to their children, the scrutiny of their family and/or removal of a child by a children's aid society, concerns about the home in which their child is placed, and the quality of a children's aid society's investigation into protection concerns.

For example:

- When a woman complained to us about how she and her family were treated by a children's aid society, we first referred her to the society's internal process. She returned in frustration, saying a caseworker told her the agency had a three-step complaint process and would not give her the requisite form. We spoke with the caseworker and explained that the law provides complainants the right to initiate a formal complaint at any time, without having to go through any other steps. The woman was contacted by the director of the agency, and was able to pursue her complaint.
- The mother of a teenager with a developmental disability who is in a group home complained to us after the youth left the home at midnight and was outside in the cold for more than 30 minutes before she was found by police. The mother said the group home supervisor would not return her requests to discuss the incident. After our staff intervened, the supervisor called the mother and explained the measures they had put in place to prevent similar situations from happening.

Other concerned adults who contacted us included employees of children's aid societies or other agencies, police officers, and other professionals. Common topics of complaint were the adequacy of care being provided, and staff misconduct. We also heard complaints about lack of resources within the sector and the inappropriate use of physical restraints.

For example:

- After two Ontario Provincial Police officers alerted us to two teens in their community who were at risk of sex trafficking, we learned that their local children’s aid society lacked resources to deal with the situation. We reached out to the Ministry, which referred us to an agency that could provide consultation and support workers for young people at risk, and we connected the children’s aid society to this agency for assistance.
- The uncle of a 16-year-old in care told us he worried she wasn’t being cared for properly, and he wasn’t satisfied with the information provided by her children’s aid society. We confirmed that she was fine, but wanted to live closer to her home community. Our staff arranged for her to start a placement review process, and, with her permission, let her uncle know she was safe.

Most complaints are resolved by our Early Resolution Officers, who take details of complaints and make referrals, as appropriate, including to the internal complaints process of the local children’s aid society or to the Child and Family Services Review Board. If a parent has completed this process and remains unsatisfied, our team can take further steps to review the complaint and attempt to assist in resolving it – or refer it for an investigation, if warranted.

### Death and serious bodily harm reports

Children’s aid societies and licensed residential service providers are legally required to inform the Ombudsman’s Office within 48 hours of any death or serious bodily harm of any child who has

sought or received services from a children’s aid society within the past 12 months. Because they must be filed within 2 days of the incident, these reports may involve preliminary information and not findings of investigations by the police, child protection authorities or the coroner.

Submitted online through a secure portal on our website, the purpose of these reports is to provide data that we review and analyze regularly to identify potential systemic issues; they are not the same as complaints or emergency calls, although we do flag any cases that require follow-up.

From May 1, 2019 to March 31, 2020, we received **1,663** reports about **1,433** incidents (some reports were duplicates, from multiple agencies reporting the same incident). These reports related to **122** deaths and **1,473** cases of serious bodily harm (defined as any situation where a young person requires treatment beyond basic first aid, including for physical, sexual or emotional harm). The Ombudsman will report in more detail on our analysis of these statistics in future reports.

## Trends in cases – youth justice centres

The Ombudsman has always received complaints about youth justice centres. However, with the closure of the Provincial Advocate for Children and Youth and greater awareness of our role in this area, we have seen a significant increase: We received **240** complaints about youth justice centres between April 1, 2019 and March 31, 2020, compared to 48 the previous





year. A dedicated group of investigators handles these complaints, to ensure they are addressed quickly and consistently, prioritizing cases with safety and well-being concerns.

Members of this team, as well as the Director of Investigations and the Director of the Children and Youth Unit, visited several youth custody centres in 2019-2020, to meet with youth service staff and management, share complaint trend information and discuss our respective roles. These included both open custody and secure custody centres, which are either operated directly by the Ministry of Children, Community and Social Services, or funded by it.

Our staff are in regular contact with relevant senior Ministry and regional officials to discuss individual cases and potential systemic issues. Common complaints from youth include being denied privileges, such as attending school and programs.

For example:

- A youth complained that the youth centre did not allow him to have open visits with his siblings. Staff at the centre told us that the youth lost this privilege after being caught with contraband after a meeting with his siblings. He could still have supervised visits with them, and we confirmed that he could apply to have open visits resume.
- Our review of a complaint by a 15-year-old who had been placed “off privileges” led to the discovery that the centre had no policies setting out the duration and types of privileges that could be suspended. The youth, who had refused to be moved to a different unit because of safety concerns, was only allowed out of his room to shower and make phone calls. He also could not attend school, even though youth have a right to education and there was no documented reason for this restriction. As a result of our intervention, the centre updated its policies to clarify what behaviours may result in privileges being withdrawn. It also stipulated that if attendance at school is interrupted, this should be documented and arrangements made for the youth to complete school work in custody.

## Physical restraints, excessive force and isolation

Among the most serious complaints we receive from youth in custody are those alleging prolonged isolation or excessive use of force by youth service officers – including the use of restraints. In such cases, we follow up with facilities to confirm that the youth has been seen by health care staff and that a local investigation

has been initiated, in accordance with legislation and Ministry policies.

For example:

- When a youth was harmed by peers in his unit, we noted that the facility had no formal procedure to address his safety concerns, and its investigation of the incident was inadequate and not properly documented. Our inquiries prompted senior officials to clarify in writing that staff must immediately notify management of safety concerns, prepare an occurrence report, and move the affected youth to another unit where possible. We are in ongoing discussions with the Ministry regarding the need for a general oversight procedure that identifies circumstances requiring investigations at the local level.
- A youth complained that centre staff restrained him and threw him into his room, causing him to hit the bed frame. We confirmed with senior officials that the matter was reviewed and documented in a serious occurrence report and that medical attention was offered to the youth. The youth centre found that excessive force had been used, and they took steps to address this, including providing refresher training to staff.
- A 17-year-old who was placed in a locked room (known as a “secure de-escalation unit”) after an altercation with staff complained to us about being isolated. He was moved from the de-escalation unit to another locked room in the “intake and assessment” unit, and not allowed to attend school. He was later moved to a regular living unit, but allowed out of his room for less than 3 hours per day. Not only was this against Ministry policy, which limits isolation of youths to 24 hours (without provincial director approval), the required documentation was not done. Further to our inquiries in this case, senior staff at the centre updated their policies and created a new procedure for transitioning youths between units.
- A 17-year-old complained that he had been in the “intake and assessment” unit of his youth centre for more than four months, with limited human contact and access to programs. Such placements are supposed to be temporary, reviewed weekly, and approved by senior management if they last longer than two weeks. Staff at the centre told us the youth has mental health challenges and had refused their attempts to move him; however, there was no documentation of these attempts or weekly assessments of his placement. Due to our intervention, the centre’s managers were instructed to conduct and document the required weekly assessments of all youth.

## Case summaries

### A CUT ABOVE

A Black youth living in a rural group home with little access to public transit complained to us that staff would not drive him to get a haircut. Our staff suggested that he speak to his caseworker about the matter, and we followed up with the responsible children's aid society. After the youth told the caseworker the local barber shop was not familiar with the unique hair care needs of Black youth, she offered to drive him to one that was. Under the *Child, Youth and Family Services Act, 2017*, a service provider is required to take identity characteristics such as race, ancestry, colour and ethnic origin into account when providing services.

### THE RIGHT PROCESS

A mother sought our help after her local children's aid society told her it would not review her complaint due to a lack of information. The agency had a policy that stated a complaint must first be filed with a caseworker, then a supervisor, before it could be submitted to its internal complaint review process. Our staff determined that the agency did not follow existing government guidelines on processing a complaint, which say a panel must be convened so the complainant can discuss their matter with people not involved in the case. We ensured the mother had her complaint reviewed.

### ON HER OWN

A 16-year-old felt that her needs were not being met by her children's aid society since she had a change in caseworkers. She told our staff she had to go to the hospital alone, even after telling her worker she was having health issues. She also said her new worker had not started the process for a Voluntary Youth Services Agreement for her, to enable her to live on her own. We reviewed the youth's concerns with the caseworker. The youth later confirmed she had received funding for shelter, clothing and food.

### THAT'S THE PLACE

A 17-year-old asked his children's aid society caseworker for a placement change, only to be told the home he was staying in was best for him. Feeling unheard, the young person contacted our staff, who explained his right to request a review of his placement under the Residential Placement Advisory Committee process. We also spoke with the worker about the youth's right to a review, and she said she would consider moving him. He later told us he had moved into a new home and remains in contact with the children's aid society for transition planning.

### NOT AS PLANNED

A young person who was serving a youth sentence at an adult correctional facility complained to us that he was not being provided access to services required by his court-ordered plan. He was under an Intensive Rehabilitation Custody and Supervision order, where funding for his treatment plan was provided by the federal government. The plan included post-secondary education and counselling, but he was receiving neither. Staff at the facility and the Ministry of Children, Community and Social Services acknowledged it was difficult to provide these services to a young person in an adult facility. After Ombudsman staff intervened, steps were taken to help the youth register in a post-secondary program. We also confirmed that new counsellors were engaged and the Ministry was working with the Ministry of the Solicitor General on a Memorandum of Understanding to improve the process for other youths in this situation.



## NEW: FRENCH LANGUAGE SERVICES



### Overview

On May 1, 2019, new provincial legislation took effect, closing the formerly independent office of the French Language Services Commissioner (FLSC) and transferring its mandate to the Ombudsman. The Ombudsman’s jurisdiction and powers of investigation now include ensuring that the rights of Ontarians and the obligations of government agencies are respected according to the *French Language Services Act*. The *Restoring Trust, Transparency and Accountability Act, 2018*, also specified that the French Language Services Commissioner would be appointed at the level of Deputy Ombudsman.

To ensure uninterrupted service to the public, the Ombudsman established a dedicated French Language Services (FLS) Unit, staffed by employees of the former FLSC. Supported by the additional resources of the Ombudsman’s senior management team, as well as Communications and Legal Services staff, the new FLS Unit continued to respond to complaints and to work on all files that were pending at the time of the transition.

In the first months of this new mandate, the Ombudsman:

- Hosted the International Association of Language Commissioners (IALC) conference in Toronto, an event previously committed to by the former Commissioner, and became a member of the IALC board;
- Launched a nationwide search for a French Language Services Commissioner, assisted by an expert selection committee;
- Met with key stakeholders in the Franco-Ontarian community, including community groups and associations, healthcare entities, representatives from French-language school boards and universities, MPPs and others;



**January 13, 2020:** Ombudsman Paul Dubé welcomes Deputy Ombudsman and French Language Services Commissioner Kelly Burke to our Office.

- Began developing a new complaints management system for the FLS Unit, tailored to the Ombudsman’s approach to resolving complaints – focused on direct contact with complainants and stakeholders, efficient resolution and identification of systemic issues; and
- Focused on staff training and recruitment for the FLS Unit.

The nationwide search for a Commissioner drew more than **100** applications and was completed in December 2019. On January 13, 2020, the Ombudsman announced that Kelly Burke – a former Assistant Deputy Minister of Francophone Affairs and longtime senior public servant and lawyer – had been appointed to the position of French Language Services Commissioner and Deputy Ombudsman. Ms. Burke was introduced publicly at a press conference on January 15.

“ As a passionate Franco-Ontarian, I sought out this role because it provides me with a unique opportunity to contribute my knowledge and experience to the promotion of French language service rights within an organization that is known to be effective. With the expertise and resources of the Ombudsman’s Office to draw upon, I am enthusiastic about what the French Language Services Unit will be able to accomplish for Francophones and Francophiles in Ontario.”

– French Language Services Commissioner Kelly Burke, January 13, 2020

“ A tremendous effort was made to find the best person in Canada to fill this role, and I am confident we have done that. I am thrilled to have found Ms. Burke and I know she will be the successful champion of language rights we all want as Commissioner.”

– Ombudsman Paul Dubé, January 13, 2020

Since then, Commissioner Burke and the FLS Unit have focused on building a team with the skills to proactively identify potential systemic issues, and to handle complaints and corresponding resolution of issues in accordance with best practice standards. She has also been active in community outreach, targeting areas fundamental to the interests of the Francophone community: Health care, access to justice, education and a bilingual workforce.

### Impact of COVID-19

From the start of the coronavirus outbreak in mid-March 2020, Commissioner Burke proactively engaged with government and public health officials to stress the importance of providing information in French as well as English, from the Premier and Minister of Francophone Affairs to Telehealth and Public Health Ontario. She kept the public apprised of her actions through statements published on our website and responses to media questions.

Commissioner Burke secured a commitment from the Premier to make every effort to ensure that all information about the coronavirus would be made available in both languages.



May 1, 2019: Ombudsman Paul Dubé is interviewed at CBC/Radio-Canada headquarters on the first day of our new oversight of French language services, Toronto.

“ As you noted, Francophones in Ontario have the right to receive communications services in French, equivalent to those offered in English. This is even more critical at this time of crisis.”

– Letter from Premier Doug Ford to Commissioner Burke, April 2, 2020

We received more than **20** complaints about the daily news briefings by the Premier and senior officials being in English only. Collective efforts by the Commissioner, the government, the Speaker, Clerk and staff of the Legislative Assembly, the government, and the community resulted in the government broadcasting the Premier’s daily press briefings in French through

### CASES RECEIVED

**321**  
complaints and inquiries

May 1, 2019 –  
March 31, 2020



1



2



3



4



5



6



7

**1. March 11, 2020:** French Language Services Commissioner Kelly Burke meets with her counterparts, federal Commissioner of Official Languages Raymond Th  berge, and New Brunswick Commissioner of Official Languages Shirley MacLean, Ottawa. **2. January 30, 2020:** Commissioner Kelly Burke attends the opening of the Maison de la francophonie, Ottawa. **3. March 11, 2020:** Commissioner Kelly Burke participates in roundtable discussion hosted by the Assembl  e de la francophonie de l'Ontario, Mississauga. **4. March 12, 2020:** Tweet from Commissioner Kelly Burke at the Assembl  e de la francophonie de l'Ontario's roundtable discussion about French language services in Northern Ontario, Sudbury. **5. June 26, 2019:** Ombudsman Paul Dub   opens the International Association of Language Commissioners' sixth annual conference, Toronto. **6. February 26, 2020:** Commissioner Kelly Burke, Ombudsman Paul Dub   and French Language Services Unit Director Carl Bouchard with Dyane Adam (centre), head of the planning committee of the Universit   de l'Ontario fran  ais (UOF), at the UOF's official launch, Toronto. **7. April 18, 2019:** Ombudsman Paul Dub   and Deputy Ombudsman Barbara Finlay meet with Carol Jolin, president of l'Assembl  e de la francophonie de l'Ontario (centre) and colleagues at our Office.

subtitles and simultaneous translation via the Government of Ontario Announcements channel on YouTube, as of April 16, 2020. *Groupe Média TFO* also began broadcasting a recording of the Premier's daily press briefings, with simultaneous translation, as part of its evening news coverage. As well, the Chief Medical Officer of Health's briefings were broadcast online with simultaneous translation and subtitles via the Legislative Assembly's website.

The Commissioner's discussions with the government on this issue are ongoing. She has stressed the need to enhance the offer of communication services in French, and has also strongly encouraged all members of the government who speak French to seize every opportunity to do so.

## Communications and outreach

In the first three months of 2020, the Commissioner was actively engaged in outreach with key provincial and municipal government stakeholders and Francophone community members. She also participated in numerous Franco-Ontarian community events and roundtable discussions across the province, including in Ottawa, Sudbury and the Greater Toronto Area.

The Commissioner has continued to consult with stakeholders during the COVID-19 crisis while working remotely, soliciting their input on the government's French language services delivery in the context of the pandemic, among many other issues.

Prior to Commissioner Burke's appointment, Ombudsman Dubé also attended a number of outreach events in Ottawa and joined in the raising of the Franco-Ontarian flag on September 25 at Queen's Park and Toronto City Hall.

As host of the International Association of Language Commissioners conference in June 2019, the Ombudsman welcomed hundreds of language rights experts from 6 Canadian provinces and territories and some 18 countries around the world. Panelists explored the role of ombudsmen and language commissioners in the protection of minority-language communities, peace building and conflict prevention in multi-linguistic societies. The conference coincided with the 50th anniversary of Canada's *Official Languages Act* and the United Nations' declaration of 2019 as the Year of Indigenous Languages.

## GOOD TO KNOW

The French Language Services Commissioner will release a separate Annual Report with more detail later this fiscal year.

“ Language barriers undermine all aspects of civic life – health care, employment, political participation and access to justice. When we remove barriers for linguistic minorities, we do more than help them, we build a society that is more inclusive and just for all.”

– Supreme Court of Canada Chief Justice Richard Wagner, keynote speaker at the International Association of Language Commissioners conference in Toronto, June 27, 2019

## Trends in cases

We received **321** complaints and inquiries about French language services between May 1, 2019 and March 31, 2020. Some 300 of these have been resolved, and analysis of others is in progress, as we are in the process of transitioning the French Language Services Unit's complaints database to the Ombudsman's complaints management system. A breakdown of cases received will be included in the Commissioner's Annual Report when it is released later this fiscal year.

Part of this transition involved disabling the automated aspects of the complaint portal used by the former FLSC, to ensure that all complaints are responded to personally by FLS Unit staff. As with all complaints our Office receives, we work to do a detailed intake and resolve issues quickly, to escalate and investigate matters that cannot be easily resolved, and to identify potential systemic issues affecting large numbers of people.

We also endeavour to bring a “Francophone lens” to all aspects of our work, where relevant, to ensure that public sector bodies recognize the importance of offering service in French as a matter of fairness and good customer service. Because of the Ombudsman’s broad mandate – which includes broader public sector bodies as well as provincial government ones – we have the ability to raise questions informally and proactively, and not only within the confines of the *French Language Services Act*.

## Podium signs

Beginning in May 2019, we received several complaints about public appearances by Ontario cabinet ministers where English-only signs were displayed. The signs, attached to the minister’s podium, had slogans like “For the people” or other English phrases specific to an announcement. Although the conduct of cabinet ministers falls outside of the *French Language Services Act* as well as the mandate of the Ombudsman, we still brought it to the attention of the government as a matter of fairness.

The Ombudsman raised the matter with the Minister of Francophone Affairs and other senior officials, who agreed to address it – and we soon began to see more ministers using bilingual signs in their announcements. In early 2020, the Commissioner fully resolved the issue with the Office of the Secretary of Cabinet, which confirmed the government’s commitment to use bilingual signs for all announcements in future.



We endeavour to bring a “Francophone lens” to all aspects of our work, where relevant, to ensure that public sector bodies recognize the importance of offering service in French as a matter of **fairness and good customer service**.

## Emergency alerts

In January 2020, after a message was accidentally sent out over the province’s emergency alert system during a training exercise, we received several complaints about the system’s apparent failure to issue messages in French. We made inquiries with the Ministry of the Solicitor General as it conducted an investigation into the matter, which determined that no template messages in French existed. The Ministry reported that this was fixed, and our monitoring of subsequent emergency alerts indicated that they were issued in French within minutes.

The Commissioner remains concerned about the lack of preparation to offer services in French in emergency situations and will address those issues further in her upcoming report.

“ We have received complaints and have been making inquiries as we awaited the completion of this report. It indicates that the situation has been rectified, however, we will remain vigilant and engaged on this file to ensure the events of this past January are not repeated.”

– French Language Services Commissioner Kelly Burke, as quoted by *iPolitics*, February 27, 2020

## Identity cards

A longstanding complaint of Franco-Ontarians is the province’s inability to issue driver’s licences, health cards and other identification that displays accents in people’s names. As part of our regular meetings with Ministry of Transportation and ServiceOntario officials, we were told that the government is working on a solution to this as it completes a much-needed modernization of its information technology systems. The Commissioner is actively following the government’s progress on this issue and will report on it as we receive further updates.

## Case summaries

### FAILING THE TEST

A man visited a London DriveTest centre with his son, who wanted to take the theory component of the road test, and requested services in French. He told us the person at the counter was unable to provide services in French and did not try to find a French-speaking colleague to help. Our staff spoke with the centre, which committed that in future, it will ensure service in the absence of a bilingual customer service agent, either by seeking the assistance of a French-speaking driving instructor or through referral to another centre that can provide service by phone.

### HOLD, S'IL VOUS PLAÎT

A man complained that he waited an hour on the phone for service in French when he called the disability eligibility decision unit of the Ministry of Children, Community and Social Services. He finally hung up in frustration, called back and chose the service option in English – and was served in less than 15 minutes. Our staff reviewed the man's case and contacted the service manager, who quickly acknowledged the lack of service in French and undertook to develop and implement policies to ensure bilingual service.

### WEBSITE FAUX PAS

A French-speaking woman sought our help after she encountered difficulties with the website of the Psychiatric Patient Advocate Office. Not only was the French version of the site not equivalent to the English version, parts of it were in English. We contacted the manager of the organization, who was not aware of the inconsistencies. He promised that the amended French content would be online quickly. The issue was resolved in less than 48 hours.

### LACKING LANGUAGE

A man reached out to us after trying to get service in French at Legal Aid Ontario on several occasions. One of his concerns was that he had asked for a specific Legal Aid document, related to complaints policies and procedures, but was only given an English copy. We contacted Legal Aid Ontario, which translated the document fully into French and made it available to the man and all its other clients.

### THE ROAD TO FRENCH SERVICES

A motorcyclist who had recently moved to Canada complained to us after he was required to take a road test in order to be licenced in Ontario, and it could not be conducted in French. He was assigned an English-speaking examiner, even though he asked in advance to be tested in French at a designated DriveTest centre. He told us he failed the test because he couldn't understand the directions given by the examiner, and he was worried that he would have to repeat the entire process from the beginning. We discovered that this DriveTest centre had no certified bilingual examiner for motorcycle road tests. As a result of our intervention, the man's road test was rescheduled with a bilingual examiner dispatched from another DriveTest location. The Ministry of Transportation also committed to ensuring there are staff available to handle bilingual road test requests at the designated DriveTest location.





## LAW & ORDER

### Overview

This category includes complaints to our Office about all aspects of policing and correctional services within the Ombudsman's jurisdiction, as well as other programs and services provided through the Ministry of the Solicitor General and the Ministry of the Attorney General. It is our largest category of complaint, and continues to increase.

We received **6,328** complaints about the Ministry of the Solicitor General and its programs in 2019-2020 – the bulk of which related to correctional facilities, traditionally the largest source of complaints to our office. This is an increase over last year's total of 6,091. We received **1,671** complaints about the Ministry of the Attorney General and its programs, up from 1,073 in 2018-2019. Most of these were about Tribunals Ontario, a cluster of quasi-judicial administrative tribunals, including the Landlord and Tenant Board, whose serious issues of delay prompted the Ombudsman to launch a systemic investigation in January 2020.

The Ombudsman's oversight in some of these areas is limited – for example, we do not oversee judges, municipal police services or police service boards. However, as with all complaints we receive, our staff refer people to other avenues of complaint wherever possible, and we prioritize cases involving urgent matters of health and safety.

### Impact of COVID-19

From the beginning of the coronavirus outbreak in Ontario, the Ombudsman expressed concern about its potential to spread amongst inmates and staff at correctional facilities. When our Office closed its doors in mid-March 2020 due to the provincial state of emergency, we worked with the Ministry of the Solicitor General to establish alternative phone lines for inmates to reach us. The Ministry provided us with regular briefings on its

health and safety protocols to combat the spread of the virus and other actions, such as the release of hundreds of inmates. Correctional officials also worked with us to address complaints and questions about screening of inmates and staff, cleaning of facilities, provision of personal protective equipment and other matters of health and safety.

For example:

- An inmate who was in quarantine after being transferred to a new facility contacted us to say he was receiving threats from other inmates and felt his safety was at risk. As soon as we raised this matter with officials at the facility, they verified his safety and arranged to have him moved to a unit where he would feel safe as soon as the quarantine period was over.
- A group of inmates told us they feared that new inmates would be placed on their unit and potentially spread COVID-19. We contacted the facility and the Ministry about the protocols in place. We also confirmed that officials at the facility spoke with the anxious inmates to assure them that new admissions were screened for symptoms and kept on a separate unit, to reduce the likelihood of contamination.

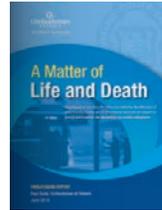
### Trends in cases – policing

The Ombudsman's oversight of police has always been fragmented. Under the *Police Services Act*, our Office cannot take complaints about municipal police, local police service boards, or most operational aspects of the Ontario Provincial Police (OPP). However, we have some oversight of the OPP's administration, which enabled the Ombudsman to investigate its handling of operational stress injury and suicide among its members (see update under **Investigations**).

We have also always had oversight of Ontario's Special Investigations Unit, the civilian oversight agency responsible for investigating serious injury and death resulting from police conduct, as well as allegations of sexual assault.

## Investigations – policing

### Police de-escalation training



**Report: *A Matter of Life and Death*, released June 2016**

**Investigation update:** After the fatal police shooting of 18-year-old Sammy Yatim on a Toronto streetcar in 2013, the Ombudsman launched an investigation of the province’s role in training police to handle conflict situations,

particularly involving persons in crisis. The Ombudsman’s June 2016 report made 22 recommendations to help improve how police services in Ontario respond to serious incidents.

These included a new regulation to require officers to use de-escalation techniques in conflict situations before using force; a new use-of-force model for police services that clearly identifies de-escalation options; and expanded de-escalation training. The government at the time accepted all of the Ombudsman’s recommendations and established a committee to respond to them.

The *Comprehensive Ontario Police Services Act, 2019* (known as the *COPS Act*), passed in March 2019, states that police officers must be trained in “techniques to de-escalate conflict situations.” This new legislation is not yet in force, but the Ministry of the Solicitor General continues to update our Office on its progress in implementing the Ombudsman’s recommendations. We understand it is reviewing existing use-of-force regulations with a view to developing new ones under the *COPS Act*.



Cases related to youth justice facilities can be found in the **Children & Youth** chapter of this report.

In March 2019, the government passed the *Comprehensive Ontario Police Services Act, 2019*, which created a replacement for the *Police Services Act*, known as the *Community Safety and Policing Act, 2019*. When it comes into force, this new legislation will implement many changes to Ontario’s police oversight bodies and extend the Ombudsman’s oversight to all of them. These will include the new Law Enforcement Complaints Agency, which will replace the existing Office of the Independent Police Review Director. We understand that the government’s consultation with stakeholders is ongoing, and the legislation is not expected to be proclaimed in force before 2021.

We received **307** complaints about municipal police and police service boards in 2019-2020, which we referred accordingly, either back to the municipalities, or to the Office of the Independent Police Review Director (OIPRD). We received **41** complaints about the OIPRD, which remains outside of our jurisdiction. We received **5** complaints about the Special Investigations Unit, which we do oversee; these were resolved without formal investigation.

### TOP 5 CASE TOPICS

**6,000**  
Correctional facilities

**1,051** Tribunals Ontario

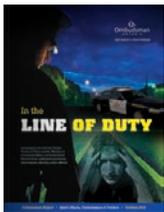
**307** Municipal police (outside our jurisdiction)

**199** Ontario Provincial Police

**138** Legal Aid

The Ministry has also received recommendations for a new use-of-force model, and on modernizing the Ontario Police College training curriculum. It has begun developing eight new training scenarios for new non-escalation, de-escalation and use-of-force courses. Ministry officials also continue to research the use of body-worn cameras, as the Ombudsman recommended.

## Operational stress injury and suicide affecting Ontario Provincial Police



**Report:** *In the Line of Duty*, released October 2012

**Investigation update:** The Ombudsman’s 2012 report revealed that, since 1989, more OPP officers had died by suicide than were killed in the line of duty. It highlighted a general lack of services, training and

education for police experiencing operational stress injury, and the lack of a suicide awareness and prevention strategy. It made 28 recommendations to the OPP to improve psychological supports, education and training; and six recommendations to the Ministry to review data on suicides and operational stress injury among officers provincially.

Both the Ministry and the OPP accepted and implemented the Ombudsman’s recommendations and provided updates on their progress.

In August 2018, in the wake of more member suicides, the OPP announced an internal review of its mental health supports and a review of officer suicides since 2012. That September, the Ombudsman announced that our Office would assess new complaints about this issue to determine whether a follow-up investigation was warranted. Several government initiatives followed, including additional funding for OPP mental health challenges, the creation of an expert panel to review the OPP’s workplace culture, and a review of police suicides by Ontario’s Chief Coroner (released in September 2019).

The expert panel’s report was released in March 2020. The government announced that 42 of its 66 recommendations were implemented and 24 more were being actively explored to make health and wellness a priority for the OPP. Steps taken so far include revising leadership training to emphasize a healthy workforce and destigmatize stress and mental health, establishing of an advisory group to allow regional input to the OPP Commissioner, and improving support for families dealing with suicide.

The government’s partnership with the Ontario Provincial Police Association to create and fund a new integrated mental health support program for OPP members and families is expected to be operational later in 2020. Our Office is actively following the OPP’s progress in this area and continues to assess whether a new investigation is warranted, by examining the OPP’s initiatives, reviewing complaints and conducting interviews. The Ombudsman has had regular discussions on the matter with OPP and Ministry officials. We received **5** complaints about OPP operational stress injury in fiscal 2019-2020, compared to 90 the previous year.

## TOP 5 CASE TOPICS – CORRECTIONAL SERVICES

**2,429**  
Health care

**668** Lockdowns

**162** Segregation

**118** Excessive use of force

**78** Inmate-on-inmate assault



**December 10, 2019:** Ombudsman Paul Dubé and investigators visit Thunder Bay Jail to meet with correctional officials and inmates and view conditions firsthand.

## Trends in cases – correctional services

We received **6,000** complaints about correctional facilities in 2019-2020, up from 5,711 the previous year. We also noted a significant increase in group complaints, where a number of inmates in the same unit or facility raise concerns about their living conditions. These can signal systemic issues or rising tensions in a facility and often involve lack of access to services, persistent lockdowns, or overcrowding. We received **82** group complaints in 2019-2020, up from 61 the previous year.

Due to the high volume of complaints, we prioritize those involving inmate health and well-being and raise them with senior staff. For other types of complaints, we provide information to inmates about Ministry protocols and refer them to the internal complaint process at their facility. We also meet regularly with senior Ministry staff to resolve individual cases, flag emerging complaint trends, and seek proactive solutions to systemic issues.

### GOOD TO KNOW

We received **1,051** cases about Tribunals Ontario, which is part of the Ministry of the Attorney General. Most of these were about the Landlord and Tenant Board, which is discussed in the **Money & Property** chapter of this report.

## Lockdowns, overcrowding and visits to correctional facilities

The Ombudsman and staff continued to visit correctional facilities across the province in 2019-2020, to meet with correctional workers, management and inmates, and to see the conditions of confinement firsthand. Such visits also allow us to resolve individual cases at the local level.

At some facilities, including the Thunder Bay and Kenora jails, our team observed disturbing, overcrowded and unsanitary conditions. Some facilities had three or even four inmates bunked in cells designed for two. We also saw inmates housed in areas not designated for living purposes, where they had no direct access to toilets and were subjected to frequent, prolonged lockdowns, limiting their access to programs, fresh air, and even running water. Correctional staff told the Ombudsman and our team that these conditions harm the morale of inmates and staff alike.

The Ombudsman raised concerns about this overcrowding in correspondence and in meetings with the Deputy Solicitor General and Solicitor General. The Solicitor General recognized that there is work to be done, and emphasized the government's commitment to addressing these concerns. She also shared information with the Ombudsman about the Ministry's strategies to address these matters. Our Office will remain vigilant on this issue, by making more visits and keeping a close eye on complaint trends.

We saw a substantial increase in individual complaints about lockdowns in 2019-2020 – to **668** in 2019-2020, from 483 the previous year. In following up on such complaints with facility and Ministry officials, we ask about what prompted the lockdown and what steps were taken to provide inmates with access to fresh air, phone calls, spiritual services, and health care.

In February 2019, we visited Toronto South Detention Centre (TSDC), which had a history of frequent, prolonged lockdowns due to staff shortages, and discussed this issue with the superintendent. The Ombudsman visited again in February 2020, one month after a judge's decision criticizing TSDC's lockdowns as "inhumane" received widespread public attention. We observed an improvement in conditions due to specific processes and practices that had been put in place to reduce lockdowns, but the Ombudsman noted that additional measures are still required to address underlying problems.

“ In my view, we have reached the point where the inhumane conditions at the TSDC go beyond being an unfortunate circumstance and can more properly be described as essentially a form of deliberate state misconduct.”

– Ontario Superior Court Justice Andras Schreck, *R. v Persad*, January 10, 2020

## Medical issues

The most common complaints we hear from inmates relate to their physical and mental health. We received **2,429** health-related complaints in 2019-2020. These are typically about access to doctors and medications, and delays in receiving treatment. Our staff refer inmates back to facilities to address their concerns where appropriate, but when the issue is urgent or cannot be resolved internally, we can and do intervene.

Some examples:

- An inmate sought our help after his correctional facility's dentist removed the tooth to which his dentures were connected. The facility agreed to cover the cost of additional work so the man could wear dentures again.
- An inmate who was the mother of a newborn complained that she was only allowed to pump breast milk at certain times, causing her discomfort and pain. Our inquiries resulted in the case being escalated to senior management, who confirmed the mother could pump according to her own needs.
- We inquired with a facility about an inmate who had been behind bars for six weeks without seeing a doctor. We were



**February 25, 2020:** Ombudsman Paul Dubé, with Director of Investigations Sue Haslam and staff, visited the Toronto South Detention Centre to meet with correctional officials and inmates.

told requests for medical visits had been rescheduled multiple times for unrelated security reasons. The facility's health care staff arranged for the inmate to have blood sugar testing and pain medication, and he was able to see a doctor.

- A French-speaking inmate who had transferred between facilities sought our help in communicating with health care staff to find his hearing aid cleaning kit. We determined that it was still at his previous institution, where health care staff agreed to have it sent to him.

Among the health care complaints we received were **186** related to methadone, which is often prescribed to assist inmates suffering from opiate addiction and withdrawal symptoms. Many of these were from inmates who experienced long wait times to initiate or restart their treatment. We were told the demand for methadone treatment was high, but the Ministry is taking steps to alleviate delays, including increasing staff and the frequency of methadone clinics.

## Inmate-on-inmate assaults

We received **78** complaints about inmate-on-inmate assaults this fiscal year, an increase over the two previous years (55 in

2018-2019; 64 in 2016-2017). The Ministry requires facilities to complete a local investigation report whenever such an assault results in serious injury, and we monitor such cases.

Some examples:

- Our review of an inmate's complaint about being assaulted revealed that the local investigation report wasn't initiated until a month after the incident. The facility acknowledged the delay and reminded staff of the required procedures.
- We flagged a case to the Ministry of a delay in sending an inmate to the hospital after she was sexually assaulted by other inmates. As a result, a policy was developed that specifically addresses sexual assault victims being taken to hospital. We will follow up on the implementation of this policy.

## Indigenous inmate concerns

In provincial correctional facilities, culturally relevant ceremonies, counselling and teachings are available to Indigenous inmates through a Native Institutional Liaison Officer (NILO). We received **75** complaints related to such services in 2019-2020, up from 52 the previous year. Most of these related to lack of access to programs, smudging or access to an elder for spiritual support.

For example:

- An Indigenous inmate complained to us that he was prevented from participating in a smudge ceremony, even though he had the approval of the NILO to do so. After we spoke with the NILO and senior officials at the facility, they informed staff on the inmate's living unit that he could participate in Indigenous programming, including smudging, in future.

## Voting

As noted in our last Annual Report, after receiving 28 complaints from inmates who had problems with voting in the 2018 provincial and municipal elections, we have monitored efforts by the Ministry to prevent this from recurring. We received **5** complaints from inmates who said they were not given an opportunity to vote in the 2019 federal election – but once their complaints were raised with the facilities, most were able to do so. At one facility, staff admitted they had inadvertently missed several units, but were able to arrange additional voting opportunities through Elections Canada.

## Probation and parole

Complaints about probation and parole increased to **84** in 2019-2020, from 53 the previous year. These include concerns about the conduct of staff or probation conditions, as well as concerns about parole decision delays.

For example:

- Almost two weeks after her parole hearing, a woman complained to us that the Ontario Parole Board had yet to provide her with a written decision. We contacted board officials, who immediately emailed a copy of the decision to the woman's correctional facility.
- On the day he became eligible for parole, a man called us for help, concerned that he still had not received the Ontario Parole Board's decision. Ombudsman staff contacted the board and it issued the decision the same day.

## Investigations – correctional services

### Tracking of inmates in segregation



**Report: *Out of Oversight, Out of Mind*, released April 2017**

**Investigation update:** The Ombudsman's 2017 report outlined numerous issues with the monitoring of inmates placed in solitary confinement, which the Ministry of the Solicitor General calls "segregation." It

revealed inaccurate tracking and records for inmates, many of whom have mental health issues and were deprived of required oversight and reviews. The most extreme example was of Adam Capay, who was held in segregation for more than four years while awaiting trial for murder (his charges were stayed in January 2019).

The Ministry accepted all 32 recommendations in the Ombudsman's report, including that a new definition of segregation – encompassing all inmates held in segregation-like conditions – be enshrined in law, and that the Ministry appoint an independent panel to review all segregation placements. As of June 2019, the Ministry had implemented 19 of these recommendations. Other improvements were addressed in the *Correctional Services Transformation Act, 2018*, passed in May

2018 under the previous government, but this legislation has not been proclaimed in force.

As of late 2019, a new regulation requires that Ministry officials conduct “independent” reviews of segregated prisoners every 5 days. Since 2016, the Ombudsman has called for a panel to conduct truly independent hearings and reviews of all segregation placements. We understand that despite the wording of the regulation, the review forms are filled out by staff at correctional facilities and signed off by Ministry officials. There remains no independent review of the Ministry’s segregation placements.

We continue to receive regular updates from the Ministry on its efforts to implement the outstanding recommendations.

In April 2020, Ontario Superior Court Justice Paul Perell ruled in a segregation-related class action lawsuit. The suit was filed on behalf of inmates with mental illness who were held in segregation, and inmates kept in segregation for more than 15 days. Describing segregation as a “dungeon inside a prison,” the judge said the effect of placing an inmate with serious mental illness in segregation, or keeping an inmate in administrative segregation for more than 15 days, “is grossly disproportionate to the purposes of securing the safety of the prison.” He found that these practices contravened inmates’ rights and that the government should pay \$30 million in damages.

“ Ontario has tried to reform its use of administrative segregation, but it has been dilatory in doing so and its negligence and breaches of the standard of care have been habitual, continual, and continuous. Ontario has fallen short in fulfilling the promises or undertakings it made to do better and to reform its practices, particularly its treatment of mentally ill inmates.”

– Ontario Superior Court Justice Paul Perell, *Francis v. Ontario*, April 20, 2020

**Individual cases:** Complaints about segregation have decreased in recent years. We received **162** this fiscal year, compared to 266 in 2018-2019 and 296 in 2017-2018. In addressing these complaints, our Office looks at whether facilities are following requirements to regularly review segregation placements, and the living conditions of inmates.

For example:

- An inmate in segregation complained that the light in his cell was not working and he only had a small window facing into a corridor, so his cell was almost completely dark. He said this was affecting his mental health. After we contacted the facility, the light was fixed and he was moved to a different cell.
- An inmate complained about being in segregation for months after an altercation with correctional officers. We were told he was placed in segregation after he started a fire in his cell, threw garbage and threatened to assault staff. We confirmed that the facility was reviewing his placement regularly, as required by policy, and preparing to move him when feasible.

## Excessive use of force by correctional officers

**Report:** *The Code*, released June 2013



**Investigation update:** The Ombudsman’s 2013 report made 45 recommendations to eradicate a “code of silence” among correctional staff with regard to the excessive use of force against inmates, and to improve the Ministry’s response to such

incidents, including training and investigations. As of April 2019, the Ministry had fully implemented all but 5 of these recommendations. One of these involves improving closed-circuit television capacity in all correctional facilities; this is mostly complete, but a few institutions have yet to be upgraded.

Another outstanding recommendation relates to the time it takes the Ministry and its facilities to review and investigate abuse allegations. We were told the Ministry’s Correctional Services Oversight and Investigations (CSOI) unit is preparing a yearly statistical analysis of use-of-force incidents.

**Individual cases:** Complaints about excessive use of force by correctional officers increased to **118** in 2019-2020, from 107 the previous year. When warranted, our staff make inquiries with the Ministry and the CSOI to confirm that the proper investigations are taking place and to address any delays.

For example:

- An inmate told us he was punched in the head and face several times by correctional officers, leaving him in hospital with a broken nose and concussion. We confirmed with the facility that after a local investigation, the matter was referred to the CSOI and the correctional staff involved were suspended.
- We reviewed a facility's handling of a case where an inmate was hospitalized after being pepper-sprayed by a correctional officer. The local investigation report confirmed that excessive force had been used, but we identified several issues with the investigation process, including lengthy delays and revisions made to the original report, resulting in conflicting information. We raised these issues with senior officials at the facility, as well as the Ministry, which is updating its policy for local investigation reports.

## Operational stress injury affecting correctional officers

### Investigation assessment – ongoing

For the past several years, our Office has been reviewing the Ministry of the Solicitor General's efforts to improve the supports and services provided to correctional staff experiencing operational stress injury.

Every year, we hear from current and former correctional staff who are concerned that the supports and services available to them are insufficient and have not kept pace with those available in policing and other emergency services. We received **7** such complaints in 2019-2020. Although the Ombudsman has not launched a formal investigation, the Ministry is providing our Office with regular updates about its actions to address this issue, at the Ombudsman's request.

In 2018, the Ministry completed an all-staff survey and distributed a summary of the results, with more detailed research expected to follow. More recently, it piloted wellness and stress resilience training programs, and made plans to roll them out across the province. It also worked on training for managers on mental health leadership, and worked with the correctional officers' union to establish a framework for a peer support program.

## Other trends in cases

### Tribunals Ontario

We receive hundreds of complaints each year about the province's administrative tribunals. These are independent, quasi-judicial bodies that make decisions about many aspects of Ontarians' lives, from benefit entitlements to human rights. In January 2019, Tribunals Ontario was established within the Ministry of the Attorney General – a cluster of 19 major tribunals under one executive chair.

Tribunals Ontario was the single largest source of complaints to our Office in 2019-2020, other than correctional facilities, with **1,051** complaints. Some **779** of these related to the Landlord and Tenant Board, the subject of a systemic investigation the Ombudsman launched in January 2020 (see the **Money & Property** chapter of this report for details). Delays were also a common topic of complaint about other Tribunals Ontario bodies, which include the Social Benefits Tribunal, the Human Rights Tribunal of Ontario, the Ontario Parole Board, the Child and Family Services Review Board, and many others.

Although the Ombudsman cannot overturn tribunal decisions or act as an appeal body, we can review their decisions and processes and make recommendations for improvement. Where delays are a concern, we can make inquiries to ensure that steps are being taken to address them, given that tribunals are intended to be a timely and efficient alternative to the traditional court process.

### Legal Aid Ontario

We received **138** complaints about Legal Aid Ontario (LAO) in 2019-2020, an increase from 125 the previous year. These typically involve frustration with LAO's decisions regarding eligibility for legal aid, as well as its customer service and communications.

For example:

- A man who was worried about having to go to court without legal representation sought our help when he could not reach LAO staff to find out about his eligibility. Our inquiries determined that LAO had only tried to call him once, and could not leave a message due to privacy concerns. As a result of our inquiries, LAO reached him, and it told us it would instruct staff to make 3 attempts to reach individuals, not just one.



- We made inquiries with LAO after a woman told us she had waited 6 weeks for their decision on her application for a change of solicitor. LAO responded with the decision within a few days, and has since developed a new internal complaints policy.

## Office of the Chief Coroner

We received **18** complaints related to the Office of the Chief Coroner in 2019-2020, a slight increase over the 15 we received the previous year. These cases often relate to delays or issues with the outcomes of death investigations, and our role is usually to help people address their questions about the deaths of loved ones with the right officials.

For example:

- We reviewed a case where the organs of a deceased person were inadvertently cremated, despite the family's written request that they be retained by the coroner's office for a second opinion. The coroner's office told us they believed the family had agreed to the cremation. As a result of our inquiries, the Chief Coroner met with the family to discuss their concerns – and subsequently implemented provincewide training to improve communication with families in such situations.
- A woman who was waiting for a coroner's report for insurance and legal purposes complained that the coroner's office had told her there was no way to escalate her concerns that it was taking too long. We spoke to the Chief Coroner, who contacted the woman directly and confirmed that there is a complaint escalation process. He also described to us the steps his office was taking to address delays, including triaging cases and hiring additional staff.

“ I wish to express my gratitude for the attention and care that I received.”

– Email to Ombudsman staff from complainant

## Case summaries

### MISCONDUCT-ED

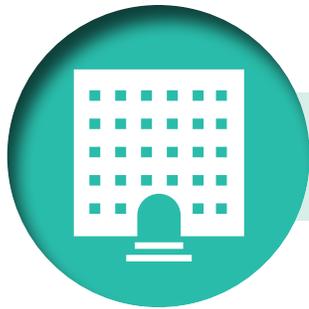
An inmate complained to us after a sergeant at his facility penalized him by taking away 30 days of earned remission (time off his sentence) for refusing a transfer to another facility. He said he was denied a fair hearing, because the same sergeant was involved in investigating the incident and deciding the outcome. Ombudsman staff raised the case with senior Ministry officials, who acknowledged that the sergeant's involvement in the misconduct process went against policy. The decision was overturned and the inmate's remission days were restored.

### NEEDED SUPPORT

An inmate who uses a customized wheelchair to support his spine sought our help because he was being repeatedly transferred to a second institution without his chair. The chair provided at the second institution was not appropriate for his condition and he could not safely shower with it. After we spoke with both facilities, the second one arranged for him to have a shower bench.

### UNREASONABLE SEARCH

A group of Indigenous inmates complained to us that they were strip-searched before attending a smudging ceremony, leaving them feeling violated, discriminated against and targeted because of their Indigenous spirituality. Our review determined that the search was ordered as the result of a communication error between two shifts of correctional officers, because one had neglected to file a report at the end of his shift. The facility acknowledged its error and sent a corrective memo to staff reminding them of their reporting duties.



## MUNICIPALITIES

### Overview

The Ombudsman has had full oversight of Ontario's municipalities for more than four years – since January 1, 2016. We have also been the closed meeting investigator since 2008 for all municipalities that have not appointed their own. This experience has allowed us to enhance accountability and fairness at the local level in many of the 444 municipalities across the province, by sharing best practices, referring complaints to local mechanisms, and investigating issues that could not be resolved locally.

Complaints at the local level are often some of the most sensitive and complex we receive, with issues that hit close to home. Along with handling thousands of complaints, and issuing reports and letters when warranted, we also received inquiries from municipal staff – **25** about general issues in 2019-2020, and more than **40** about open meetings.

Throughout 2019-2020, the Ombudsman and staff continued to build relationships and share information with municipalities, local boards, and shared corporations. This included attending municipal conferences and speaking engagements to share information about our role and approach, and hearing firsthand from residents, municipal staff, and council members.

We also provide communications products to inform municipal officials and the public, including a series of “tip cards” that promote best practices for local complaints processes, codes of conduct and integrity commissioners, a pocket-sized guide to the open meeting rules, and our online digest of open meeting decisions.

### Impact of COVID-19

When the province and municipalities responded to the coronavirus outbreak by declaring states of emergency in mid-March 2020, we received numerous complaints and inquiries



**August 18, 2019:** Ombudsman Paul Dubé and staff at the Association of Municipalities of Ontario's annual conference, Ottawa.

about how local services were affected. We were able to resolve most cases quickly.

For example:

- A man complained to us about his municipality issuing parking tickets during the COVID-19 state of emergency. He said he and his wife had both received tickets while working from home. City officials told us certain elements of the parking by-law were suspended, and the appeal deadline for tickets was extended to 60 days. We let the man know that he could dispute the tickets via a form on the city's website.

We also dealt proactively with questions about how municipalities could fulfill their open meeting obligations while respecting public health guidelines on social distancing. Our staff raised the matter with the Ministry of Municipal Affairs and Housing,

and the Ombudsman wrote to the Minister, prior to passage of the *Municipal Emergency Act, 2020*, which enabled municipal councils to meet by “electronic participation.” We answered many inquiries from municipal officials and residents about these new rules, stressing that the open meeting requirements still apply, and encouraging municipalities to do as much as possible to make electronic meetings accessible to the public.

## Trends in cases – general municipal issues

In 2019-2020, we received **3,014** complaints about **314** of Ontario’s 444 municipalities, and **35** shared corporations and local boards. This is consistent with 2018-2019, when we received 3,002 complaints about 333 municipalities and 36 shared corporations and local boards.

Most complaints were resolved effectively and efficiently, without need for a formal investigation. In fact, we have only conducted **6** formal municipal investigations since the Ombudsman gained oversight of municipalities in 2016. The Ombudsman issued a report on one of these cases this fiscal year – related to the Regional Municipality of Niagara (see details under **Investigations**) – but did not launch any new ones.

Like ombudsmen around the world, our Office is intended to be a last resort. Issues are best resolved at the local level wherever possible, and the Ombudsman recommends that every municipality have a complaints process that is available to the public. General municipal complaints focused on similar topics to previous years, such as councils and committees, by-law enforcement, housing and infrastructure.

### Councils, committees and local accountability officers

We received **392** complaints about elected municipal officials and their decisions in 2019-2020, up from 278 the previous year. Many complainants disagreed with council decisions, or the conduct of elected officials. The Ombudsman’s focus is on administrative process and fairness, not the behaviour of individuals.

For example:

- A property owner complained that his municipal council did not let him speak at a meeting about a housing development. Municipal officials acknowledged he was not informed of a



Cases about the Ontario Works social benefits program, which is administered by municipalities, can be found in the **Social Services** chapter of this report.

rescheduled meeting due to an administrative error, and they apologized and provided him with another opportunity to speak to council.

Complaints about the conduct of municipal politicians fall within the jurisdiction of local integrity commissioners, which all municipalities are required to have in place – along with a code of conduct – as of March 1, 2019. As well, integrity commissioners now have the power to review complaints about alleged violations of the *Municipal Conflict of Interest Act*.

Municipalities also have the option to appoint a local ombudsman, auditor general, and/or lobbyist registrar. We received **53** complaints about municipal integrity commissioners, **26** about municipal ombudsmen, and **5** about local auditors general.

Under the *Ombudsman Act*, the Ombudsman cannot review complaints within the jurisdiction of an integrity commissioner or other local accountability officer until they have declined the complaint or completed their review. At that stage, we can review complaints about the official’s process, including whether they acted fairly and within their authority, considered relevant information, and provided reasons for decisions.

For example:

- A woman sought our help after waiting more than 18 months for the local integrity commissioner to complete an investigation of her complaint about a councillor’s conduct. After we discussed the delay with municipal officials, the integrity commissioner completed the review and released a report, bringing closure to the complainant and the municipality.

### Housing

We received **382** complaints related to municipal housing in 2019-2020, up from 337 the previous year. We resolved most cases by facilitating communication between complainants and local officials.

For example:

- A woman who applied for priority social housing to escape elder abuse complained that she did not hear back and could not reach anyone at the municipality for more than 6 weeks. We were able to put her in touch with housing staff, who clarified the status of her application.
- A man complained that he was turned down for social housing because of a debt he owed to the municipality 10 years ago. We spoke with city staff, who acknowledged that the circumstances that led to the debt were not fair. We asked them to contact him directly to confirm that his debt was forgiven and he could be added to the housing list.
- A woman waiting for social housing to escape domestic violence complained that it was taking too long to process her application. She said the municipality told her the paperwork they had mailed to her was returned as undeliverable, but no one from the housing department followed up with her. After we spoke with them, housing staff contacted her to ensure her application was complete and on track.

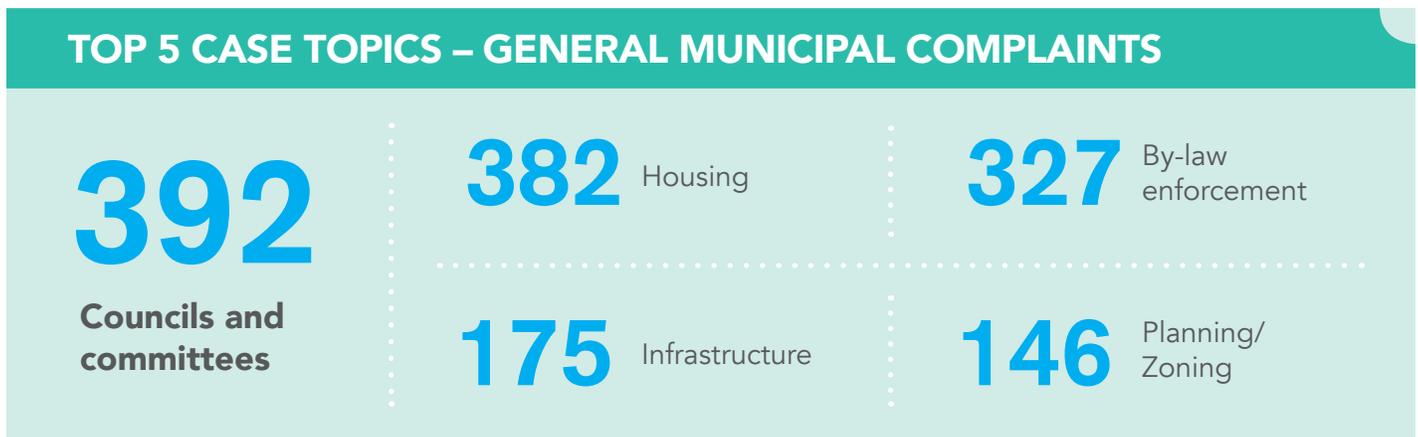
### By-law enforcement

By-law enforcement continues to be a significant source of municipal complaints, both from residents concerned that by-laws are not being enforced, and from property owners who feel enforcement is too harsh. We received **327** complaints about by-law enforcement in 2019-2020, up from 286 the previous year.

In resolving such cases, we frequently refer municipalities and the public to the best practices and recommendations set out in the Ombudsman’s 2018 report, *By-law Surprise* (available on our website).

Some case examples:

- A couple living in a rural area complained about cows and a large manure pile on their neighbour’s property. We reviewed the applicable by-laws, which did not limit the number of cows allowed. However, we referred the couple to the Ministry of Agriculture, Food and Rural Affairs’ conflict resolution process. They were happy to learn there was a way to engage with their neighbour about their cow concerns.
- A woman complained that she was billed more than \$2,500 for having an illegal fire, even though she had obtained a burn permit from the municipality’s fire department. Our inquiries determined that the fire was not extinguished before dark, as required by the permit, and that the charges were for the cost of fire trucks that responded to an emergency call to put it out. The woman pointed out that the municipality’s fee by-law said that residents would not be charged for their first violation of a burn permit. After we spoke with municipal officials, they amended the by-law to clarify when burn permit holders might be charged.



## Infrastructure, water, planning and zoning

Roads, trees, snow removal and drainage problems are perennial sources of municipal complaints, as are planning and zoning issues. We received **175** complaints about local infrastructure in 2019-2020, **146** about planning, zoning and land use, and **126** about municipal water and sewer services. In such cases, our general approach is to connect the person with the relevant municipal officials or the information they need to address the issue locally.

For example:

- A woman complained that she was unable to get an answer from the municipality about a road running through her property – information she needed in order to sell the land. She told us the road was so bumpy, she couldn't reach her fields on the other side. We spoke with municipal staff, who explained that the road was in a class that required minimal municipal maintenance. They agreed to arrange a meeting with the woman to explain the status of the road.

## Public conduct and trespass notices

Municipalities occasionally have to issue restrictions against residents whose conduct has been disruptive, and this can prompt complaints that the restrictions are unclear or unfair. In such cases, we often refer municipal officials and the public to the Ombudsman's 2017 report, *Counter Encounter*, which sets out recommendations for a fair and robust process for imposing, administering and lifting such restrictions.

For example:

- A man complained that his municipality unfairly issued a trespass notice against him. Among other things, municipal staff did not document the behaviour that led to the notice, and the options to vary the ban were confusing. They conceded to us that it was their first time using their trespass policy, and they should have kept better records. After we shared best practices based on our *Counter Encounter* report, the municipality agreed to replace the policy with a new "respectful conduct" policy and make the procedures clear to staff and the public.

## Investigations

### Hiring process for Regional Municipality of Niagara's Chief Administrative Officer



Report: *Inside Job*, released November 2019

**Investigation update:** The Ombudsman's investigation, launched in August 2018, looked into the Regional Municipality of Niagara's CAO hiring process and the subsequent investigation conducted by its local ombudsman.

Our investigation found that the successful candidate in the CAO hiring process was provided with confidential documents to assist in his application. It also revealed serious inadequacies in the review by the local ombudsman, which had found no evidence of leaking documents.

## TOP 5 MUNICIPALITIES BY CASE VOLUME

**404\***  
Toronto

**200** Ottawa

**154** Hamilton

**98** Peel

**71** London

\*Note: Our Office cannot investigate complaints within the jurisdiction of Ombudsman Toronto, and we refer such cases accordingly

“ The Regional Municipality of Niagara’s 2016 CAO hiring process was an inside job, tainted by the improper disclosure of confidential information to a candidate – a candidate who was ultimately successful and became the region’s most senior administrator... [He] was provided with substantive content to be used in his application materials by insiders who had access to information not available to the general public or to other candidates. The lack of fairness and transparency in the hiring process created controversy and distrust within the region and served to undermine public confidence in local government.”

– Ombudsman Paul Dubé, *Inside Job*, November 2019

All 16 recommendations made by Ombudsman Dubé in this report were accepted by the Region, including that it set out a clear policy for hiring a new CAO, establish a transparent process for CAO performance management, and that any future engagement of a local ombudsman set out clear terms of reference for the appointment and the scope of the investigation.

Our investigators conducted 46 interviews and reviewed thousands of digital documents in this case. We also engaged an auditing firm with expertise in computer forensics to review the document trail and address allegations that key documents might have been tampered with or planted; there was no evidence to support such allegations.

As of February 2020, staff at the Region had implemented 6 of the 16 recommendations, and reported the details publicly to council, as well as their plans and timeframes for implementing the remainder of the items. These include new policies for hiring the next CAO, managing the CAO’s performance, and dealing with the CAO’s contract.

Other municipalities also took note of the Ombudsman’s findings. For example, the Town of Niagara-On-The-Lake adopted most of the recommendations in *Inside Job* as it improved its own CAO hiring process. The Ombudsman encouraged all municipalities to review his report to ensure that they have fair and transparent hiring processes in place for senior municipal officials.



August 18, 2019: Ombudsman staff at the Association of Municipalities of Ontario’s annual conference, Ottawa.

“ I was pleased to see regional councillors vote to implement all 16 of the recommendations made in the Ombudsman’s report this evening... As noted by the Ombudsman, it is important to remember that the actions described in the report were carried out by only a small number of former employees and councillors.... We value the thoughtful advice of the Ombudsman and we are confident that the implementation of his recommendations will serve to ensure that these activities should not occur again.”

– Jim Bradley, Chair, Regional Municipality of Niagara, December 5, 2019

## Seizure of media property at the Regional Municipality of Niagara



Report: *Press Pause*, released July 2018

**Investigation update:** The Ombudsman made 14 recommendations to the Regional Municipality of Niagara in this report, which found that its actions in seizing the property of a journalist and a citizen blogger at a meeting in December 2017 were unreasonable, unjust,

wrong and contrary to law.

During a portion of the meeting that was closed to the public, councillors discovered a recording device that had been left running on a table. They confiscated the device, which belonged to the blogger, along with a laptop belonging to a local journalist. Staff called police and barred both from returning to the meeting.

The Region accepted all of the Ombudsman's recommendations, including that it apologize to the journalist for infringing his rights under the *Canadian Charter of Rights and Freedoms*. The Region provided public updates on its progress in implementing the Ombudsman's recommendations in January 2019, July 2019 and February 2020. Along with apologizing to the journalist and blogger, it now audio-records closed meetings, and plans to update its procedural by-law and other policies. The Ombudsman is satisfied with the Region's progress in addressing the issues raised in his report.

## Trends in cases – open meetings

Municipal meetings must be open to the public, except when they meet certain narrow exceptions set out in section 239 of the *Municipal Act*. Since 2008, all municipalities have been required to have an investigator for public complaints about closed meetings – it can be the Ombudsman, or another investigator appointed by the municipality. As of March 31, 2020, the number of municipalities using the Ombudsman as their closed meeting investigator reached a new peak: **239**.

At the same time, the number of complaints we received about closed meetings reached a new low. Between April 1, 2019 and March 31, 2020, we received **54** complaints – **40** of which were about municipalities where the Ombudsman is the investigator. Those 40 complaints covered **26** meetings in **24** different municipalities. The Ombudsman reported his findings in **15** of those cases – **5** as formal reports and **10** as letters to the municipality. Only **5** of the 26 meetings we reviewed were illegal

(**19%**), down from last year (12 of 46 meetings, were illegal, or 26%). The Ombudsman also found **4** procedural violations and made **18** best practice recommendations to improve meeting procedures and transparency. All of these reports and letters can be found on our website and in our searchable **Open Meetings Digest** online.

From our close and ongoing contact with municipal stakeholders and the public, we can identify several factors in this decline. First, the Ombudsman has had general oversight of municipal issues since 2016. Complaints to our Office about general municipal matters are steady, and it is now less likely for people to use the closed meeting complaint avenue to raise concerns about other matters.

Second, since 2018, all municipalities have been required to have codes of conduct and provide access to an integrity commissioner. Several have also appointed other accountability officers, such as local ombudsmen and/or auditors general. Citizens now have more avenues to hold local officials to account, which may make them less likely to complain about closed meetings.

Third, after 12 years of investigations, reports, educational publications (like our **Open Meetings Guide**, available online and provided to every councillor and clerk in Ontario), and promotion of the open meeting rules by our Office and others, awareness of the open meeting rules has grown. Municipal officials are also much more aware of our Office's work: Our staff regularly speak to municipal staff and council members to answer questions. There were **40** such consultations in 2019-2020, up from 18 the previous year, not counting questions we fielded during investigations and outreach events.

As well, more municipalities than ever now make audio or video recordings of all meetings, open and closed, as the Ombudsman recommends. We now know of **25**: The Regional Municipality of **Niagara**, the Townships of **Adelaide Metcalfe, McMurrich/Monteith, North Huron**, and **Brudenell, Lyndoch and Raglan**; the Towns of **Amherstburg, Collingwood, Fort Erie, Midland, Pelham, and Wasaga Beach**; the Cities of **Brampton, Elliot Lake, London, Niagara Falls, Oshawa, Port Colborne, Sarnia, Sault Ste. Marie, Thorold**, and **Welland**; and the Municipalities of **Brighton, Central Huron, Meaford**, and **Southwest Middlesex**.

The most common complaint topics, as in previous years, were about what constitutes a "meeting," and the interpretation of certain exceptions to the open meeting rules – a few of which were the result of amendments to the *Municipal Act* in 2018 and generated reports by our Office for the first time in 2019-2020.

## Electronic meetings

The *Municipal Act* was amended as of 2018 to permit some municipal officials to participate in meetings electronically, but the rules still required a quorum of members to be physically present.

In the face of COVID-19, this could have put council members and the public at risk. We raised this concern with the Ministry of Municipal Affairs and Housing in mid-March 2020, and the Ombudsman pointed it out in a letter to the Minister:

“ The provisions that provide for municipalities to hold electronic meetings are currently restricted to circumstances where a quorum of members is present. There is no exception to the open meeting rules that would permit municipalities to exclude the public from meetings in order to limit the spread of disease during an epidemic.”

– Letter from Ombudsman Paul Dubé to Minister of Municipal Affairs and Housing, March 19, 2020

That day, the *Municipal Emergency Act 2020* was passed, permitting municipal councils to hold fully electronic meetings in a declared emergency. Two weeks later, we received a complaint about an electronic meeting held by council for the **Township of Russell**. Recognizing the need for more guidance about the new electronic participation rules across the province, our Open Meetings Team worked quickly to investigate and report on the case. The Ombudsman found that the meeting did not contravene the rules. Although the agenda published online listed the township’s address, it also clearly stated that the meeting would be held electronically. The meeting was broadcast live online, with a video posted immediately afterwards.

“ The requirement to hold meetings that are open to the public is not suspended in an emergency.... I commend the Township of Russell for taking additional steps to ensure that information about how to observe and participate in electronic meetings is widely available to the public. In the interest of openness and transparency, I urge all municipalities to do as much as possible to facilitate access by the public to any meetings held electronically.”

– Ombudsman Paul Dubé, report on the Township of Russell’s April 2 meeting, issued April 17, 2020

## Definition of meeting / informal gatherings

A new definition of “meeting” in the *Municipal Act, 2001* took effect in 2018, specifying that a gathering is a “meeting” only where a quorum of members of the council, local board, or committee is present, and where members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the body.

The Ombudsman considered the definition in several cases in 2019-2020. For example:

- When 2 of the 9 members of council for the **Municipality of Lambton Shores** met at a resident’s house, it was not a “meeting” because not enough members were present for quorum.
- When the Mayor for the **Municipality of Temagami** met with newly elected councillors before they took their oath of office, the Ombudsman found the gatherings were not “meetings,” but cautioned that the practice does not foster transparency.
- When a quorum (3 of 5 members) of the **Township of Wollaston** council attended a local planning tribunal hearing, the Ombudsman found it was not a “meeting,” because they did not discuss or advance council business.

## Physical access to meetings

The open meeting rules are intended to protect the public’s right to observe municipal government in process. During one **City of Hamilton** meeting in February 2019, the doors to City Hall were locked, preventing the public from entering the building to watch the meeting. A few months later, during another meeting, the doors to the building were blocked by temporary barricades. The city acknowledged that the doors were locked and blocked during the meetings, and subsequently adopted a formal procedure to prevent this in future.



## Personal matters

The most commonly – and often improperly – cited exception to the open meeting rules relates to “personal matters” (Section 239(2)(b) of the *Municipal Act*). The Ombudsman has generally found that discussions about the job qualifications and performance of individuals fit within the exception for personal matters. This was the case in our investigations of discussions by the **City of Welland** and **Norfolk County** about the qualifications of prospective job candidates. However, other cases did not fit.

For example:

- When the **Municipality of St.-Charles** discussed financial information in a closed meeting, only the portions of the discussion that touched on individual employees fit within the exception; finances should have been talked about in an open meeting.
- The **Municipality of The Nation’s** closed-door discussions of economic development activities and remuneration for its council members were illegal, because neither topic included personal information.

## Solicitor-client privilege

The exception in s. 239(2)(f) of the Act permits closed session discussions when the information discussed is subject to solicitor-client privilege. For example, when council for **Norfolk County** received advice from its solicitor during two meetings about hiring a new Chief Administrative Officer, the discussions fit within the exception for advice subject to solicitor-client privilege.

## New exceptions: Negotiations and information

Four new exceptions were added to s. 239 of the *Municipal Act* as of 2018. We dealt with complaints about several of these in 2019-2020.

For example:

- The new **s. 239(2)(k)** applies to certain discussions about negotiations. The Ombudsman found that it applied when the **City of Hamilton’s** General Issues Committee formulated a plan and directed staff with respect to negotiating with the Hamilton Tiger-Cats in their bid to host the Grey Cup championship. However, in the same report, the Ombudsman found that the new **s. 239(2)(j)** did not apply, because it refers to discussion of information with monetary value belonging to the municipality, and the information in question did not have monetary value.
- The new **s.239(2)(i)** applies to confidential third-party information. The Ombudsman found that the **Municipality of St.-Charles’** discussion about a document prepared by a consultant did not fit this exception because the information belonged to the municipality.

## Resolutions

The most common procedural violation we saw in 2019-2020 was failure to pass a resolution before closing a meeting. The resolution must state the general nature of the subject to be discussed. The **Township of Wollaston**, the **Municipality of The**

### CLOSED MEETING CASES

**54** complaints received

**26** meetings investigated

**15** reports and letters issued

**5** meetings found illegal

**4** procedural violations found

**18** best practice recommendations

**Nation**, the **Municipality of West Nipissing**, and the **Township of Carling** all failed to include information about the general nature of the subjects to be discussed in meetings we reviewed; instead, they only cited the section of the Act they relied upon to close the meeting.

The Ombudsman reminded each municipality that the resolution should provide a general description of the issue to be discussed, in a way that maximizes the information available to the public while not undermining the reason for closing the meeting.

## Case summaries

### HOW MUCH?

A man complained to us that he was charged \$123.79 for the installation of a new water meter at his cottage, even though the municipality's fees by-law listed the fee for water meter replacement as \$34.38. He was told he should actually have been charged \$112.86 – a fee listed elsewhere in the by-law under “roads.” When we spoke with municipal officials, they conceded that the by-law was confusing and did not reflect the actual fees charged – in fact, they said the \$34.38 fee was never used. They committed to update the by-law to accurately reflect the municipality's service costs, and to refund the man the amount he was overcharged.

### FAIR WARNING

A man who moved a trailer onto a property while he waited for a permit to build a house on it complained that the municipality had removed the trailer without notice. Our inquiries determined that the municipality had warned him to move the trailer several times before he obtained his building permit, and even obtained a court order to remove it. When his building permit was subsequently revoked, the municipality removed the trailer and other personal items from the property. We shared best practices with municipal officials to improve their communications with property owners in such situations, and they agreed to provide the man with a list of the items seized, as he requested.

### PER-PET-UAL LICENCE

A dog owner who went to renew the licences for her pets complained to us when the municipality also charged her to renew the licence of a dog that had died six months earlier. She was told she had missed the timeframe to report the dog's

death and return its tag – a requirement that was not on the municipality's website. We spoke with municipal officials, who agreed to amend their by-law and website to make the process for cancelling a pet licence clear to the public, and to refund the woman's additional fee.

## OUT-OF-TOWN BREAKDOWN

As noted in last year's Annual Report, we received 77 complaints in February 2019 about a **City of Hamilton** committee's decision to meet outside of the city – the highest number of complaints we have ever received in a single closed meeting case. At issue were two meetings by the City Manager Recruitment Steering Committee, which were held at a resort 60 km away in Niagara-on-the-Lake, in order to interview job applicants.

The Ombudsman found that the meetings did not violate the *Municipal Act*, but the open portion of the first meeting was illegally closed to the public due to “a breakdown in communication” between the city, its recruitment firm and the venue. A citizen's group that arrived at 9 a.m. to protest during the open session of the meeting discovered that the time had been changed without notice and it was already over; security staff at the venue then ordered them off the property.

The Ombudsman found that the city's failure to ensure that the public could attend the open session constituted an illegal meeting. He recommended that council members be vigilant in ensuring that the open meeting rules are followed and that the city update its procedural by-law to ensure public notice is provided for all committee meetings.

## SENSITIVE SUBJECTS

We received three complaints about a chaotic meeting of council for the **Municipality of West Nipissing** in March 2019. A portion of the meeting was closed under the exception for “personal matters” in order to discuss an item on the agenda listed as “Municipal Act/Roles & Responsibilities.” Witnesses described the heated arguments that soon followed – which touched on the relationship between council and staff – as “toxic,” disrespectful and “intense.” The Ombudsman found that the meeting was illegal, as the discussion did not fit within any of the closed meeting exceptions. He explained that the mere fact that a topic is sensitive does not mean it can be discussed in closed session, and he cautioned that in future, council should ensure that its business is carried out in an efficient and effective manner.



## SOCIAL SERVICES

### Overview

Social services are provided to Ontarians primarily through programs within the Ministry of Children, Community and Social Services, as well as a network of agencies and government-funded service providers. Municipalities also administer social assistance through Ontario Works.

Given the large number of Ontarians who rely on these programs – particularly those who pay or receive family support via the Family Responsibility Office (FRO) or those who receive benefits through the Ontario Disability Support Program (ODSP) – this category is consistently one of our largest sources of complaints. However, we have seen significant improvements by these agencies in recent years, as we continue to meet regularly with senior officials to alert them to problems and suggest systemic improvements.

The Ministry is also responsible for the child welfare sector, including children's aid societies, which are now part of the Ombudsman's jurisdiction for the first time. More on this topic can be found in the new **Children & Youth** chapter of this report.

### Impact of COVID-19

Our Office maintained close contact with senior Ministry and agency officials during the coronavirus state of emergency that began in mid-March 2020, to flag problems and ensure services continued to be delivered. We resolved several complaints in this area by helping people reach caseworkers or get the information they needed. For example:

- A cancer patient who is an ODSP recipient told us she was about to have surgery and urgently needed funds to pay for transportation, but could not reach her caseworker. ODSP officials told us caseworkers were rotating in and out of the office in shifts during the state of emergency, but they

contacted the woman right away and arranged to pay for her transportation, with the understanding that she could submit the paperwork later.

- A man who lost his business due to the COVID-19 shutdown told us he could not make his full child support payments and feared the FRO would take more aggressive enforcement action against him. We connected with FRO officials, who explained that they would not take such an approach during the pandemic because of the exceptional circumstances.

### Trends in cases

#### Family Responsibility Office (FRO)

The FRO's role is to collect child and spousal support from support payors by enforcing support orders issued by the courts. It continues to be one of our most complained-about government organizations, with **832** complaints received in 2019-2020, up from 781 the previous year. Some of this increase was a result of changes to the FRO's service delivery model last fall. Among the complaints we heard were that clients no longer had dedicated caseworkers and instead had to talk to a new person each time they called, or that they were put on hold for 45 minutes or more.

We continue to meet regularly with FRO officials to bring forward complex cases and discuss overall trends in complaints, in an effort to assist the FRO in improving its services. Senior FRO staff have worked proactively with us to resolve many cases. The most common complaints continue to be about the FRO's interpretation and enforcement of court orders.

#### Interpretation of court orders

We frequently work with FRO officials to identify and address problems involving interpretations of court orders for family or spousal support.

For example:

- A man on a fixed income sought our help after the FRO sent him a letter stating that he owed more than \$1,000 in family support. We spoke with senior FRO officials, who acknowledged an error in calculating the Cost of Living Allowance provision in the court order, and that the man had overpaid child support for 7 years. As a result of our intervention, the man received a **\$5,000** credit instead of having to pay.
- A man complained that the FRO had garnished his income tax refund, even though he had obtained a new court order showing he did not owe spousal support. After our staff made inquiries, FRO officials reviewed the order and advised us that a **\$2,760** credit was applied to the man's account.
- Although her new court order increased the amount of support she was owed, a mother complained to us that the FRO was still enforcing an earlier order. After we made inquiries with FRO officials, they updated their records to reflect an increase in her family support of **\$2,000** per month.

**Enforcement**

We routinely receive two types of complaints about the FRO's actions to enforce support arrangements – from support payors who feel the enforcement is too harsh or wrong, and from support recipients who feel it is inadequate.

For example:

- Two years after he settled his outstanding support balance, a father's passport was seized at the airport. Our inquiries revealed that FRO officials had not lifted the suspension

placed on the man's passport when he was in arrears. They contacted federal officials to reinstate his passport immediately, and he received it the same day.

- A mother complained to us because she was not receiving any payments from her children's father, even though the FRO had the ability to garnish his wages. After Ombudsman staff contacted FRO officials, they immediately did so, and the mother received **\$9,482** that she was owed.
- A man who had paid off his support arrears complained to us that he was unable to complete the sale of his home due to a lien that the FRO still had on the property. We spoke with FRO officials, noting that the man had asked in writing for the lien to be removed. They removed the lien the same day and reimbursed the man **\$500** in costs he incurred due to the delay of the sale.

**Inter-jurisdictional orders**

When one of the parties in a support arrangement lives outside of Ontario, the FRO's Inter-jurisdictional Support Order (ISO) unit handles the case, working with officials in the other jurisdiction. Complaints about this unit are similar to those we receive about FRO enforcement efforts.

For example:

- A mother in B.C. who had not received child support in 2 months sought our help after the enforcement agency in B.C. told her it was unable to get a response from the FRO. As a result of our inquiries, FRO officials contacted the B.C. agency and the support payor. She received the payments she was owed, and the FRO committed to monitoring the case on a monthly basis.




**GOOD TO KNOW**

Cases related to children and youth in care, children's aid societies and youth justice facilities can be found in the **Children & Youth** chapter of this report.

- A father in Saskatchewan complained that the FRO was garnishing his Employment Insurance benefits for child support, not accounting for the fact he had had custody of one of his children for several years. After we raised this case with FRO officials, they lifted all enforcement action against him and reimbursed him **\$504**.

## Ontario Disability Support Program (ODSP)

The ODSP is a social assistance program that provides income and employment supports to financially eligible Ontario residents who meet the legislated definition of a person with a disability. The program also provides coverage for drug and dental needs, as well as other disability-related items.

We received **754** complaints about the ODSP in 2019-2020, down from 773 the previous year. The most common complaints were from recipients who had difficulties in communicating with ODSP staff, and issues related to service or decisions on entitlements and allowances.

For example:

- Our inquiries in the case of a woman who was owed more than **\$8,000** in federal benefits determined that the money was not direct-deposited to her as a result of a system error. The ODSP released the full amount to her, enabling her to pay her rent and avoid homelessness.
- A woman wanted to appeal an ODSP decision from 2018 that she had been overpaid **\$16,000** in benefits. She had never received the decision in writing, and sought our help. After we spoke with ODSP officials, they reviewed the case and reversed their decision; instead of requiring her to repay the money, they took steps to reimburse her for deductions from her benefits.
- An ODSP recipient who was supposed to receive \$32 per month in medical travel expenses for 3 years complained to us that the ODSP stopped the payments after a year – stating that

she was no longer entitled to them. When we made inquiries, ODSP officials were unable to provide documentation to support this decision. As a result, she was reimbursed **\$867**.

## Ontario Works

The Ontario Works social assistance program is administered at the municipal level by service managers or social services administration boards. We received **261** complaints about Ontario Works (OW) in 2019-2020, a slight increase from 248 the previous year.

Some case examples:

- When a man told us he didn't think he was getting his full support payment from Ontario Works and ODSP, we contacted his local offices. Staff there confirmed he was receiving his full entitlement, however, our inquiries led them to start the application process for him to receive Ontario Electricity Support Program benefits as well.
- A woman sought our help when she did not receive her monthly cheque from Ontario Works and could not pay her rent. She told us that she received a letter the previous month asking for updated account information and had responded, but heard nothing further. We spoke with a manager who explained that OW still needed information, and offered to reach out to her directly. Her account was reinstated and she was able to pay her rent.
- An Ontario Works recipient who had been barred from OW offices because he shouted and swore at staff complained to us that they were now asking him to meet them at a nearby police station. He feared he was going to be arrested. OW officials told us they arrange to meet clients at the police station in such cases because it provides a safe, private meeting space. They agreed to explain this to the man and to let him know the terms of his trespass notice, and options to appeal it.

## Services for adults with developmental disabilities

Complaints about services and supports for adults with developmental disabilities increased to **115** in 2019-2020, from 91 last fiscal year. Some of these were from families in desperate situations, similar to those detailed in the Ombudsman's 2016 report, *Nowhere to Turn* (see further details under **Investigations**).

We also heard from many families who were struggling to care for loved ones with developmental disabilities and other health or mental health challenges.

For example:

- We were contacted by an MPP's office on behalf of the parents of a 50-year-old woman who is blind and living with cerebral palsy. She had been living with a host family for years, but had to be hospitalized for a serious infection, and the host family and service provider had concerns about being able to care for her once she left hospital. We spoke with the local service provider, which worked with the host family to provide additional care for the woman. The family thanked us for the "great outcome."

We received **21** complaints in April and May of 2019 about Passport, a program that allows adults with developmental disabilities and their families to purchase services and supports from various community providers. Families and agencies complained about delays in processing their claims and invoices, which meant some workers could not be paid. We raised the issue with the Ministry, which acknowledged there was a three-week backlog in processing some claims, in part because it was implementing a new provincewide system. The Ministry increased staffing and efforts to ensure claims were properly submitted. By June 2019, it reported that the processing time was reduced to 5 business days.

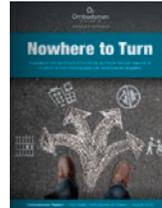
## Ontario Autism Program

After the government announced significant changes to this program in February 2019, we received 569 complaints. From April 1, 2019 through March 31, 2020, we received **18**. We have remained in regular contact with the Ministry as it addressed administrative issues that we flagged. The Ministry also consulted with parents on how to provide support to children with complex needs, addressed waiting lists and established an advisory panel to develop a needs-based approach to autism services. The Ontario Autism Panel's recommendations were accepted by the Ministry in December 2019, and it plans to implement them in phases over the next two years. It also announced interim one-time payments to eligible families waiting for autism services.

The complaints we received this fiscal year related mostly to confusion about the new program's eligibility criteria and delays in issuing funding, as well as the ongoing waitlist. We provided information about applying to the Ontario Autism Program and similar supports and services, and encouraged families to return to us if they had further issues.

## Investigations

### Services for adults with developmental disabilities in crisis



**Report: *Nowhere to Turn*, released August 2016**

**Investigation update:** The Ombudsman's in-depth investigation reviewed more than 1,200 complaints from families in crisis situations, including many whose loved ones were in hospitals, long-term care homes,

homeless shelters and even jail because they were unable to find appropriate care and placements. The Ministry accepted all 60 of the Ombudsman's recommendations to improve services and supports, and senior Ministry officials continue to report to our Office on their efforts to implement the recommendations.

**Individual cases:** From the release of the Ombudsman's report almost four years ago to March 31, 2020, we have received almost 400 new complaints from families who are in similar situations. We continue to address and flag these situations to Ministry officials and look for resolutions on a case-by-case basis.

For example:

- When a 21-year-old man with a developmental disability, chronic health conditions and violent behaviours needed a residential placement, one of his family members sought our help. We learned the man had been charged with assault and was in hospital. We followed up with senior Ministry officials, who ensured that personal support workers were funded to assist him in hospital, and worked with a service agency that formulated a plan for a community placement and supports for him.
- An elderly cancer patient was no longer able to care for her 41-year-old daughter, who has a developmental disability, uses a wheelchair, and could not speak or care for herself. She told us she had received additional funding from the Ministry and it was seeking a placement for her daughter, but her need was urgent. After we called Ministry officials, they advised her of an available residence and approved funding to have it retrofitted to accommodate the daughter's medical needs.

## Care and custody of children with complex special needs



**Report: *Between a Rock and a Hard Place*, released May 2005**

**Investigation update:** In 2005, our Office's investigation highlighted a series of cases in which local community agencies were unable to provide necessary services for families in crisis, forcing parents to relinquish custody to

children aid's societies in order to obtain an appropriate level of care for their children with complex special needs.

This year, we received several complaints involving families in crisis who relinquished custody of their children in order to get needed services and supports. In these cases, the families felt they could no longer cope while waiting for complex special needs funding, and approached their local children's aid societies for help. Even though there were no child protection concerns, the children's aid societies stepped in to provide interim assistance.

We also noted that the early alert process that has been in place since 2009 to alert the Ministry to such situations was not activated by the agencies or the Ministry in these cases, and there was confusion at both the agency and Ministry level about eligibility for funding. After we raised several cases with senior Ministry officials, they committed to reviewing their processes to clarify inconsistencies and identify possible improvements.

In one of the cases we reviewed, after a 14-year-old girl with serious mental health issues was charged with assaulting family members, her mother asked a children's aid society to enter into a temporary care agreement. The society initially declined, but then agreed to take the youth into care for 30 days. Our review revealed that the local developmental services agency had not followed the process to flag such cases to the attention of the Ministry. We discussed concerns that the case might have fallen through the cracks because mental health services are no longer being funded through the Ministry of Children and Youth Services, but through the Ministry of Health.

In another case, the mother of an 11-year-old girl with complex medical, mental health and developmental needs sought a temporary care agreement with a children's aid society at the suggestion of her hospital and local mental health service agency. The children's aid society objected, noting there were

no protection concerns, but ultimately signed the agreement with the mother because she was in crisis. We contacted senior Ministry officials, who agreed to review the matter. An application for additional funding for the family was initiated and a service plan was developed.

## Case summaries

### ADDRESS UNKNOWN

A woman complained to us that she had not received any family support payments in over a year, despite submitting paperwork to the Family Responsibility Office asking that she receive them via direct deposit rather than by mailed cheque. Our inquiries revealed that FRO officials never received her request, and the mailing address they had for her was out of date. This was addressed and she received a payment of **\$7,172**.

### LONG OVERDUE

A man with significant medical issues contacted us with the help of his social worker because he was experiencing financial hardship due to the Family Responsibility Office garnishing his Canada Pension Plan benefits for past child support arrears – although his children were now in their 30s. Our review of the decades-old file with FRO officials revealed that a miscommunication between their office and another government office resulted in the man's child support obligation not being terminated in 2006. As a result, his arrears were reduced by more than **\$30,000**, and FRO officials arranged for him to pay the remainder through a much lower payment plan and an amended garnishment.

### HELP WITH THE BILL

A recipient of Ontario Disability Support Program benefits contacted us when he discovered his monthly natural gas and water tank rental fees had not been paid since 2016 and he owed \$2,000 in outstanding fees. ODSP officials told us that although they paid rent and hydro bills, the man was responsible for his gas bills. As a result of our inquiries, they went to his home to help him complete the necessary paperwork to repay the outstanding balances and set up direct payments so he would not fall behind in future.



## MONEY & PROPERTY

### Overview

This category includes a broad range of provincial agencies and corporations that are part of the Ministry of Finance, such as the Municipal Property and Assessment Corporation (MPAC), the Ontario Lottery and Gaming Corporation (OLG), the Liquor Control Board of Ontario (LCBO) and the Ontario Cannabis Store (OCS). It also includes complaints about a few bodies that fall under the Ministry of the Attorney General: The Landlord and Tenant Board – the single largest source of complaints in this area in 2019-2020 (see more information under **Investigations**), and the Office of the Public Guardian and Trustee (OPGT), which handles money and property matters for people who are unable to do so themselves.

### Impact of COVID-19

Our staff reached out to many public sector bodies in this category when the provincial state of emergency was declared, to gather information about how their services were affected and to alert them to complainant concerns. For instance, we contacted OPGT officials to clarify their availability when it was publicly reported that most of its staff could not work from home because the office relies on older technology.

We were also in close contact with the Landlord and Tenant Board as our investigation into delays continued, and noted that the suspension of eviction orders and hearings as of mid-March will likely impact the board once it resumes regular operations. We also fielded many complaints and questions from people affected by this suspension.

Another affected agency was the Municipal Property Assessment Corporation (MPAC); the provincewide property assessment scheduled for 2020 was postponed, so MPAC will not issue assessment notices until 2021.

Some case examples:

- Several people contacted us with concerns about what the Liquor Control Board of Ontario (LCBO) was doing to protect the health and safety of staff and customers in its stores. We obtained information from the LCBO about its pandemic plans and shared this with complainants.
- A member of a group who had won a \$1-million lottery prize in January sought our help in collecting the money, because the Ontario Lottery and Gaming Corporation (OLG) prize centre was shut down due to COVID-19. OLG officials told us the group's claim had been approved, and it sent the cheques to the winners the same day.

### Trends in cases

#### Office of the Public Guardian and Trustee (OPGT)

The Office of the Public Guardian and Trustee delivers a range of services to safeguard the legal, personal and financial interests of certain private individuals and estates. One of its main functions is to handle money and property for people who are incapable of doing so themselves.

We received **194** complaints about the OPGT in fiscal 2019-2020, up from 178 the previous year, on top of similar small increases over the past five years. OPGT clients, who are among the most vulnerable Ontarians, frequently complain about difficulties in accessing their caseworkers, poor customer service, or issues with records and decisions related to their finances. Our staff often help identify and rectify errors, gaps in policies or potential systemic issues in the OPGT's processes.



For example:

- The sister and guardian of a former OPGT client sought our help with obtaining reimbursement for her brother's wheelchair. As a result of our inquiries, the OPGT acknowledged it did not submit an insurance claim for the wheelchair when it was purchased in 2016, resulting in the claim being denied. The OPGT issued the former client **\$1,222.75** to cover the outstanding claim.

## Ontario Cannabis Store

In fiscal 2018-2019 – its first year of operation – the Ontario Cannabis Store (OCS) was by far the largest source of complaints to our Office, with 2,411 cases. This reflected overwhelming demand and shortages immediately after recreational cannabis became legal across Canada in October 2018. We worked closely with the OCS to triage complaints and address issues quickly, and its leadership provided us with regular updates. In fiscal 2019-2020, complaints dropped dramatically, to just **49**.

Among other improvements, the OCS implemented an online form for complaints about its products and increased the scope of information available on its website. We resolved cases by referring people to this information or pointing out gaps to the OCS.

For example:

- We received **2** complaints about OCS packages that were underweight; one customer even documented this on video. OCS officials confirmed that complaints about quality and weight of cannabis orders can be made through their online form and they can address the issues directly with the producers of the product. When we pointed out that this information was not clear on their website, it was updated – and the customers received refunds to cover the weight discrepancies.

The start of this fiscal year also marked the opening of Ontario's first cannabis retail storefronts, in addition to the OCS online store. Private stores are licenced and regulated by the Alcohol and Gaming Commission of Ontario (AGCO), and we received **16** complaints related to its process for granting licences, and other retail sales matters. These were resolved by referral to the AGCO's complaint and appeal processes.

## Municipal Property Assessment Corporation (MPAC)

MPAC is a provincial agency within the Ministry of Finance that is responsible for the classification and assessment of more than 5 million properties across the province. Municipalities collect property taxes based on these assessments and the tax rates that they set to meet their revenue requirements.

We received **49** complaints about MPAC in 2019-2020, down from 57 the previous year. These involved disagreements with MPAC's property valuations and classifications, as well as errors, delays and other customer service issues. People also sought our help with MPAC's reconsideration and appeal process.

Some case examples:

- After we raised a man's concern with MPAC officials about changes they had made to his property valuation over the past decade, they agreed to review it. This led MPAC to discover an error, which it rectified by lowering the property's assessed value, resulting in a tax refund to the owner.
- We prompted MPAC to apologize to a woman after she waited for more than 8 months for its response to her request for reconsideration of her property assessment. Legislation requires MPAC to respond in 6 months, or 8 if it notifies the owner that it needs more time. Although MPAC had so notified her, it had difficulties scheduling a site visit, and did not respond within the timeline. MPAC officials told us they would use the case to improve their service delivery.

Our review of one case resulted in MPAC reviewing its lengthy process for assessing severed and consolidated properties, and providing improved information to affected property owners about this process:

- The owner of a newly severed property was surprised when his municipal property tax bill was much higher than expected. He had received no notice from MPAC about the property's value in the six months since he purchased it. The owner contacted MPAC officials, who told him he could request an appeal when its annual property assessment notice arrived later that year. MPAC later told him the deadline to request reconsideration of the assessment had passed, and he could not file a formal appeal. After speaking with our Office, MPAC agreed to conduct a site visit, which confirmed the property's valuation of \$157,000 should have been \$57,000. The owner was able to file for a tax refund from the municipality.

## Investigations

### Landlord and Tenant Board delays

Launched: January 2020

**Investigation update:** In January 2020, in the wake of a surge in complaints, the Ombudsman launched an investigation into serious delays at the Landlord and Tenant Board (LTB), the administrative tribunal that resolves residential tenancy disputes.

The investigation is focused on whether Tribunals Ontario and the Ministry of the Attorney General are taking adequate steps to address the delays and backlogged cases.

As noted in our last Annual Report, Tribunals Ontario had attributed the delays primarily to a shortage of adjudicators. Although the terms of some adjudicators were extended and more were recruited, the investigation is looking into other potential systemic factors, such as relevant legislation, training, funding and technology. It will also examine the impact of new legislation announced by the government in early March 2020. Bill 184, the *Protecting Tenants and Strengthening Community Housing Act, 2020*, was introduced with the aim of “modernizing and streamlining dispute resolution processes” at the LTB.

Prior to launching this investigation, we had received more than **100** complaints about LTB delays this fiscal year; from January 9 to March 31, 2020, we received **497** more. The fieldwork for the investigation is ongoing.

## Case summaries

### LOAN PROTECTION

After a woman under the guardianship of the Office of the Public Guardian and Trustee (OPGT) took out two short-term, high-interest loans without the OPGT’s knowledge or consent, we asked for more information about how it prevents unauthorized loans and other dissipation of clients’ assets. We were told the OPGT updated its process in 2011 to notify the major credit bureaus not to issue credit to OPGT clients without first notifying them. However, because the woman became a client before 2011, such a restriction was not made in her case. As of July 2019, the OPGT confirmed that notification had been done for all pre- and post-2011 clients.

### OVERTAXED

A homeowner sought our help after learning that his property type had been incorrectly recorded by the Municipal Property Assessment Corporation (MPAC) when it was first assessed almost a decade earlier. He had paid higher taxes than necessary for several years. MPAC was willing to fix the issue so he could obtain a partial refund of the overpaid taxes, but would not apply to the Assessment Review Board so the homeowner could get a decision that would entitle him to a full refund. We made inquiries with board officials, who confirmed that he could apply for a review of his issue without MPAC’s consent. The homeowner told us he would contact the board for a decision to obtain a full refund of the taxes he overpaid due to MPAC’s error.

### TOP 5 CASE TOPICS

**779**

Landlord and Tenant Board

**194**

Office of the Public Guardian and Trustee

**65**

Ontario Lottery and Gaming Corporation

**49**

Ontario Cannabis Store

**49**

Municipal Property Assessment Corporation



## EDUCATION

### Overview

The Ombudsman oversees the province's 72 school boards, 10 school authorities, all publicly funded universities and colleges of applied arts and technology, as well as the Ministry of Education and the Ministry of Colleges and Universities.

The most high-profile issue affecting education in 2019-2020, prior to the COVID-19 pandemic, was rotating strikes by teacher unions across the province – however, the Ombudsman does not get involved in labour negotiations, strike actions or public policy debates around funding. In the post-secondary sector, new provincial rules requiring “free speech” policies on campus created a new role for our Office, as the designated reviewer of unresolved complaints related to these policies.

### Impact of COVID-19

When the province declared the COVID-19 public health emergency in mid-March 2020, all educational institutions were closed and had to move quickly to adjust. Colleges and universities moved their classes online to the extent possible. Schools were given an extended March break to get ready for learning at home, which saw the province launch online resources for students, parents, and educators.

Many parents and students complained to us about such issues as the quality and accessibility of at-home learning and we referred them to appropriate local resources. We also conducted research into the communications and resources provided by educational institutions in response to the pandemic, and provided information to complainants who had trouble reaching education officials.

### Trends in cases – early years through Grade 12

In 2019-2020, complaints about school boards and school authorities declined to **732**, compared to 873 in the previous year and 871 in 2017-2018. The most common complaint areas continued to be the conduct of school board staff, pupil safety and special education. We also received complaints about admission of students into certain programs, as well as procurement and transportation. In most cases, our role was to facilitate communication between complainants and relevant school board officials.

For example:

- When a man complained to us that he was unable to complete an online application to use a school gym for his group's evening fitness program, we connected him with a board employee so he could submit his application in person.
- We put a parent in touch with board officials who could set up home instruction for his son, who was restricted from attending school by a court order.

In cases involving specialized programs, which are largely up to the discretion of individual school boards, our role is to ensure that their administration is transparent and fair. When we identify administrative issues, we can propose improvements.

For example:

- After a mother was told her children could not attend French immersion at a particular school because their language skills were not good enough, our inquiries determined that the real issue was that her application was late and the program was full. As a result, the school board updated its website to

clarify the application deadlines and to note that exceptions would only be considered in narrow circumstances, if space was available.

We received **47** general complaints about the Ministry of Education, all of which were resolved. For example:

- We helped a woman who had unsuccessfully reached out to the Ministry of Education to get a copy of her transcript from a private school that was no longer in business. We were able to provide her a direct email address to pursue her search for this document.

The Ombudsman released a report on one investigation of a school board in 2019-2020 (our second since gaining oversight in this area in 2015 – more details under **Investigations**), but resolved all other cases without formal investigation.

### Special education

Concerns about special education are consistently among the most common complaints about school boards. Our role in general is to ensure the lines of communication are open between boards and parents, and that boards are following the processes set out in the *Education Act*.

For example:

- As a result of our review of one case, we became aware of a gap in assessment and treatment services for students in so-called “section 23” schools. These schools provide

treatment and behavioural programming, in partnership with community agencies, for students who are unable to attend community schools. A parent complained to us that her son’s school board could not fund speech language pathology services for him while he was enrolled in a section 23 school. We are in contact with the Ministry of Children, Community and Social Services as well as the Ministry of Education about ways to address this gap.

- We helped a parent who was refused an identification, placement and review committee (IPRC) to assess her daughter’s giftedness in kindergarten. She was told that the school board did not do IPRCs before Grade 3. We pointed out to the board that, under the *Education Act*, it did not have the authority to deny a parent’s request for an IPRC. The board acknowledged the error and took steps to clarify the relevant parts of the legislation with its administrators.

### Access and communication restrictions

Another recurring issue is how school boards handle and respond to concerns under the Provincial Code of Conduct, which applies to all education stakeholders, including parents and community members. School boards often refer to the provincial code, as well as their own codes of conduct, when issuing communication restrictions and trespass notices. Our Office encourages boards to have clear policies and procedures for such restrictions, setting out timelines, the relevant appeal process, and any steps that can be taken to have the restrictions lifted.

## TOP 5 CASE TOPICS

**732**

School boards and authorities

**232**

Universities

**200**

Colleges

**190**

OSAP

**47**

Ministry of Education

Some case examples:

- A parent complained that the school board asked him to quit the local school council due to concerns about his conduct. He questioned whether the board had this authority. We determined that the board had raised several concerns about the man’s behaviour toward other council members and the school principal. Board officials told us they had done all they could and that the best outcome would be for the man to leave the council. The board accepted our suggestions that it set out a conflict resolution process for members of school councils, including multiple steps and options for resolution, leading up to removal from the council if necessary.
- When a father sought our help with a trespass notice and communication restrictions placed on him by a school board, we encouraged board officials to set out clear terms for the restriction and its duration. We also made several suggestions to the board about its trespass policies, procedures and communications, along the lines of the recommendations in the Ombudsman’s 2017 report on similar issues at the municipal level, *Counter Encounter*.

### School board governance

Local governance of school boards is a common preoccupation among education stakeholders. Complaints in this vein led to the Ombudsman’s report, *Lessons Not Learned*, discussed under **Investigations**.

As noted in last year’s report, we received a few complaints regarding trustee conduct during the 2018 school board elections. In 2019-2020, we continued to monitor one such case,

in which the complainant alleged that a trustee had used board resources during the election, giving them an unfair advantage over other candidates. The board’s integrity commissioner found there were insufficient grounds to continue the investigation, but made recommendations to clarify what trustees can and cannot do during election periods. These recommendations were implemented.

The Ombudsman continues to encourage school boards to appoint integrity commissioners as an independent and impartial local mechanism for handling complaints about trustees. We are aware of **5** English public school boards that have integrity commissioners: Toronto, York Region, Peel, Durham, and Thames Valley.

## Investigations

### Transparency of a school closure decision in North Bay



**Report: *Lessons Not Learned*, released July 2019**

**Investigation update:** This investigation reviewed a decision by the Near North District School Board to close a secondary school in North Bay after a pupil accommodation review process in 2017

– one of the last such processes in the province before the government implemented a moratorium on school closures in June 2017.

## CASES BY TYPE OF SCHOOL BOARD

**495**

English public boards

**159** English Catholic boards

**30** French public boards

**20** French Catholic boards

**5** School authorities

The Ombudsman found the board had failed to follow a rigorous and transparent process, despite being advised to do so in a similar situation in 2013. He revealed that trustees considered information about the schools being proposed for closure at a closed-door “trustee workshop” meeting in July 2017 without any notice to the public, and without ever reporting publicly on what was discussed.

“ The credibility of the entire consolidation process and closure process was undermined by the board’s failure to share relevant information, and ultimately generated public distrust in its final decision.”

– Ombudsman Paul Dubé, *Lessons Not Learned*, July 2019

His report, *Lessons Not Learned*, contained 14 recommendations, including that trustees vote again on the school closure after giving the public a chance to comment. All of the recommendations were accepted by the board, which held a new vote on September 24, 2019.

In the wake of the Ombudsman’s report, the Ministry of Education assigned two advisors to review the board with respect to leadership, governance, human resources, financial accountability, and public confidence. Their report, released in February 2020, made 30 recommendations, many of which echoed those of the Ombudsman.

As of May 2020, the board had fully implemented 4 of the Ombudsman’s recommendations, and the rest were in progress.

“ Our board appreciates the thorough work your Office has provided in its investigation. Your recommendations will provide a key cornerstone for the Near North District School Board in restoring a strong foundation in good governance practices.”

– Jay Aspin, Chair, Near North District School Board, response to Ombudsman’s preliminary findings, June 2019

### School busing issues in Toronto



**Report: *The Route of the Problem*, released August 2017**

**Investigation update:** The Ombudsman launched this systemic investigation at the start of the 2016-2017 school year, when more than 1,000 students at the Toronto District School Board (TDSB) and the

Toronto Catholic District School Board (TCDSB) were affected by severe school bus delays, last-minute route changes and a bus driver shortage. All 42 of the recommendations in his August 2017 report, *The Route of the Problem*, were accepted. These included, among other things, developing a school bus transportation complaint procedure, a communication protocol to ensure parents, school boards and other stakeholders are notified of service disruptions, and contingency staffing plans.

## TOP 5 SCHOOL BOARDS BY CASE VOLUME

119

Toronto District School Board

66

Ottawa-Carleton District School Board

36

Toronto Catholic District School Board

34

Thames Valley District School Board

27

District School Board of Niagara

The Special Ombudsman Response Team continues to follow up on the implementation of these recommendations by the boards and their shared transportation consortium. We received only **4** complaints about school bus delays or driver shortages in these two boards in fiscal 2019-2020, compared to 120 in September 2016.

As of March 2019, 34 of the 42 recommendations had been fully or partially implemented, while others are expected to be addressed when transportation contracts are renewed.

## Trends in cases – post-secondary

Complaints about universities and colleges decreased slightly in 2019-2020, to **232** and **200** respectively, from 282 and 234 the previous fiscal year.

Publicly funded universities and colleges of applied arts and technology have different governance structures, but for both types of institutions, the most common complaints relate to admissions and registration issues, financial matters, and academic and non-academic appeals.

As with all complaints we receive, our Office seeks to resolve concerns quickly and at the local level wherever possible. Our focus in most cases is to ensure the institution has policies and procedures in place and is applying them fairly. When we receive complaints from instructors or staff about employment-related matters, we refer them to relevant staff associations or unions.

The Ombudsman encourages all colleges and universities to establish an independent ombudsman as a best practice; we are currently aware of **15** such offices across the province, and we refer complainants to them where possible. For example, in reviewing a student's complaint about financial assistance, we identified a potential problem with the actions of the university's financial aid office. We flagged this issue to the university's ombudsperson, who determined that an error had been made and was able to resolve the student's concern.

In other cases, we have worked with university ombudsmen to improve their communication with complainants about their review process, role, and function.

### Free speech policies

As of January 1, 2019, all Ontario colleges and universities are required by the Ministry of Colleges and Universities to implement

policies to protect free speech on campus. These policies state that students whose actions are contrary to free speech are subject to discipline, and that any unresolved complaints may be referred to the Ombudsman. We received **4** such complaints in the past fiscal year.

Two of these had to do with the cancellation of political discussions and debates at universities related to the 2019 federal election. The other two related to security fees charged by the institutions to organizers of events that were expected to generate controversy and security concerns; one of these events was also a political discussion related to the 2019 federal election.

We continue to assess these cases, as we review and research how post-secondary institutions in Ontario and elsewhere have applied free speech policies and responded to complaints.

### Admissions and programs

Although our Office cannot review complaints about the Ontario Universities Application Centre or the Ontario Colleges Application Centre (they are non-profit agencies created to administer the application process), we do handle complaints about how individual colleges and universities handle admissions and program decisions. Our role in these cases is to ensure that policies and procedures have been followed and that institutions communicated their decisions in a clear and timely fashion.

For example:

- An international student sought our help after his college unilaterally changed the end date of his program, requiring him to incur additional living costs and seek an extension of his study permit. Once we referred him to a senior administrator, he was able to access a scholarship to offset some of the increased costs.
- A student complained that his conditional offer from a university program was revoked, after he had received correspondence welcoming him to the school. He had already begun choosing courses and speaking to academic advisors. After we made inquiries, the university agreed to explain to him in detail why the offer was revoked, and to clarify similar communications with students in future.
- As noted in our Annual Report last year, we received several complaints from international students who were turned away from partnership programs between public and private colleges that had exceeded their enrolment cap. After we alerted the Ministry, it committed to monitoring these partnerships to ensure the issue does not recur. It has since issued a policy directive that requires colleges to treat partnership students as their own students, entitled to the full range of services and supports.

## Fees

Many of the complaints we received about fees relate to late withdrawals from programs and other missed deadlines. In these cases, we look at whether the university or college adhered to its policies and procedures. In most cases, we find that policies were adhered to, but where appropriate, we suggest ways to improve communication with students about their financial obligations.

For example:

- A university incorrectly told the parent of an international student that her son was not eligible for domestic tuition rates. Once the student learned he was eligible and brought this to the attention of the university, the university was only willing to refund his fees for one semester. Our Office worked with the university to suggest changes to its processes and communications to avoid future errors.
- A college student sought our help after he was unable to re-enrol after being suspended, because he hadn't paid tuition during his suspension. Our review determined that the student's circumstances did not entitle him to a refund, but as a best practice, the college agreed to update its policy to provide greater guidance to students in similar situations.

## Academic and non-academic appeals

We receive numerous complaints about the academic decisions of universities and colleges, usually about marks and the processes for appealing them. As with other areas of our jurisdiction, the Ombudsman does not overturn decisions, and cannot force an institution to take a specific action. Rather, our role is to provide information about appeal processes and ensure that policies

and procedures are followed. Most post-secondary institutions have robust appeal processes, but we have helped some improve procedural fairness by suggesting best practices.

For example:

- In our 2017-2018 Annual Report, we noted the case of a student who successfully appealed his university's request that he withdraw from an executive masters program after complaints from fellow students. He raised concerns with our Office about the fairness of its appeal process. In response to our review, the university made several changes, including allowing for quicker scheduling of hearings and clarifying provisions about disclosure of evidence.
- A student sought our help with his eviction from a college residence. Although the college followed its policies in his case, it agreed to revise its student code of conduct and increase the procedural safeguards in its eviction process.

## Ontario Student Assistance Program (OSAP)

We received **190** complaints about OSAP in 2019-2020, a slight increase from 181 the previous year. OSAP provides grants and loans to post-secondary students, and the complaints we receive generally involve funding eligibility and customer service issues.

For example:

- A student complained to us that she was denied OSAP funding because a transfer between her federal pension and her RRSP was treated as income. As a result of our inquiries, OSAP reviewed the case and determined that she was retroactively eligible for a **\$17,000** grant, which she used to pay down her existing student loan balance.

## TOP 5 COLLEGES OF APPLIED ARTS AND TECHNOLOGY BY CASE VOLUME

21

Humber College

13

Durham, Georgian, Mohawk and Seneca Colleges

12

George Brown College

11

Algonquin, Centennial and Conestoga Colleges

10

Sheridan College



- After being injured and hospitalized, a student was unable to complete his one-year course, so OSAP converted his **\$15,000** grant to a loan. He sought our help in asking OSAP to convert the loan back to a grant, so he could apply for further funding to resume his studies. We determined that he could apply for a formal review and explain the extenuating circumstances, which he did, resulting in OSAP agreeing to turn the loan back into a grant.

## Case summaries

### NORTHERN RESOURCES

A woman in a remote northern community complained to our Office that her grandson, who has Fetal Alcohol Spectrum Disorders (FASD), had been excluded from school for four months due to escalating violent behaviour. When the child was allowed back to school, he was only allowed to attend for two hours per day, four times a week.

Our Office connected with officials at many levels in this case, including the Ministry of Children, Community and Social Services (which funds FASD workers for northern communities), the Ministry of Education, and the local Children’s Treatment Centre, as well as at the boy’s school.

The school officials advised us they had hired a dedicated educational assistant for the boy and had him formally assessed via Sick Kids’ hospital’s telepsychiatry program. Regular occupational therapy was arranged for him through the Centre, and he began meeting regularly with an FASD worker, who assisted the grandmother in applying for funding related to the boy’s care at home. After our inquiries, the boy was also put on waitlist for additional supports through the local children’s aid service provider.

We continue to follow up with both Ministries and the various agencies involved in this case.

### LANGUAGE BARRIER

An English-speaking mother whose child attends a French-language school was facing barriers when attempting to raise concerns with the school principal. Board officials told us they have many families with only one parent who speaks French, and the expectation is that staff will accommodate communication with English-speaking parents. After we connected the mother with a senior administrator, she was able to have her concerns addressed by the principal.

### SECOND CHANCE

A federal inmate who was taking university courses sought our help with submitting a grade appeal. He had tried to submit it to the university’s senate committee, but received no response because he sent it directly to his professor instead of the registrar. We clarified the appeal process for him, and the university allowed him to resubmit his appeal to the registrar.

### COURSE COMPLETED

A transgender student at a college of applied arts and technology complained to us that she had experienced harassment, bullying, and a lack of accommodation. The college had investigated her allegations, but found them to be unsubstantiated, and their attempt to reach a mediated solution failed. As a result of our inquiries, she was granted a one-year certificate from the college reflecting her completed studies.

## TOP 5 UNIVERSITIES BY CASE VOLUME

**33**

York University

**29**

University of Toronto

**20**

University of Waterloo

**16**

Ryerson University

**15**

Western University



## HEALTH

Rx

### Overview

In August 2019, the former Ministry of Health and Long-Term Care was split into two separate ministries. Our Office oversees them, along with the Ontario Health Insurance Plan (OHIP) and numerous programs that assist with funding drugs and medical devices. We received **497** complaints about Ministry organizations within our jurisdiction in 2019-2020, with the top source of complaints being OHIP (**102** cases).

We also received **419** complaints about hospitals and **64** complaints about long-term care homes, neither of which are within our jurisdiction. We usually refer these complaints to the office of the Ministry of Health's Patient Ombudsman.

Our office also oversees the Patient Ombudsman, which continues to take complaints although there has not been an ombudsman in the role since early 2018 (a new ombudsman was announced in June 2020, to start in July). We received **23** complaints about the Patient Ombudsman, part of Health Quality Ontario, which were resolved without formal investigation.

### Impact of COVID-19

No area of government was more affected by the coronavirus outbreak than the Ministry of Health and the Ministry of Long-Term care, which handled the frontline response and public health directives. Wherever possible, we addressed complaints and inquiries in this area by connecting people with relevant information or officials.

For example:

- We connected a municipal public health official with Ministry of Health staff to access personal protective equipment for hospital and long-term care workers.

- We helped a mother escalate her concerns about the effect of the COVID-19 shutdown on her child's home care to her area Local Health Integration Network and the Patient Ombudsman.
- When an employee at a long-term care home told us, early in the outbreak, that her employer was directing staff not to wear masks, we referred her to the latest directives from the Chief Medical Officer of Health, and to the Ministry of Long-Term Care's outbreak guide for long-term care homes.

On June 1, 2020, the Ombudsman launched a systemic investigation into the province's oversight of long-term care homes during the pandemic. See more details under **Investigations**.

### Trends in cases

#### Ontario Health Insurance Plan (OHIP)

Complaints about OHIP decreased in 2019-2020 to **102** from 118 in the previous year. We continue to receive complaints about the renewal and replacement of health cards, including about the January 2020 announcement of an end date for support of old "red-and-white" cards, which lack photo identification and have been phased out over the past two decades. We also heard from people who had difficulty obtaining health coverage after returning to Ontario after an absence, or because they did not have sufficient documentation to obtain a card.

For example:

- A homeless man complained to us that he had been unable to renew his OHIP card because he was unable to provide proof of residence. We made inquiries with Ministry of Health staff, who suggested alternative documentation that he could provide to the Ministry directly.

People also complained to us about OHIP's lack of coverage for certain medical procedures and treatments (such as most cosmetic surgeries), and denials of approval for medical treatment outside Ontario. In these cases, we review the evaluation of the request and whether the reasons given for denial were evidence-based.

### Drug programs

We received **33** complaints about Ontario's drug programs, down from 52 in 2018-2019. Some **14** of these concerned the Exceptional Access Program, while **6** were about the Trillium Drug Program. Such complaints are usually about decisions not to fund or reimburse particular drugs, or about delayed responses. Our review in such cases focuses on whether decisions are evidence-based, and whether the programs are open to revisiting them to review additional information.

For example:

- A woman on social benefits who purchased a drug after having surgery complained that the Ministry gave her multiple explanations for not reimbursing the cost. We discovered that based on the date of request, the drug was actually approved for a period of time after she filled the prescription. Her request was backdated to include the date the prescription was filled, and she received a letter of explanation as well as a reimbursement of **\$175.17**.

### Assistive Devices Program

We received **27** complaints about the Assistive Devices Program (ADP), which provides funding to help patients offset the costs of

some medical equipment and supplies. These complaints usually relate to delays or decisions about eligibility for funding.

For example:

- A woman told us she had received a wheelchair from an ADP-authorized vendor while her application for funding was still being processed. She believed her claim had been approved, but 2 years later, she was told that ADP had denied her claim and a collection agency would repossess the wheelchair if she did not pay for it. We discovered that ADP officials had never reviewed the documentation from her occupational therapist. Once they did so, they approved her application, and the collection agency was called off.
- A man who was waiting for ADP to approve funding for a wheelchair that would allow him to be discharged from hospital sought our help in determining the reason for the delay. After we inquired with ADP about the status of his application, it was approved.

### Local Health Integration Networks (LHINs)

In the 2019-2020 fiscal year, we received **84** complaints about LHINs, which co-ordinate local hospital and health services (LHINs are slated to be eliminated and merged into the new Ontario Health Agency, once *The People's Health Care Act, 2019* is proclaimed in force). These complaints related to decisions, quality of service, and eligibility criteria for certain health services.

We usually resolve these complaints through information and referrals, but make inquiries when the situation warrants it.

## TOP 5 CASE TOPICS

**419**

**Hospitals  
(outside our jurisdiction)**

**102**

Ontario Health Insurance Plan

**84**

Local Health Integration Networks

**83**

Ministry-funded service providers

**64**

Long-term care homes (outside our jurisdiction)

For example, we contacted a LHIN after a man complained to us that one of its service providers had suddenly stopped providing him with housekeeping assistance. After our inquiries, the LHIN reached out to the service provider to determine what had occurred, and the man's service was resumed.

## Investigations

### Oversight of long-term care homes during COVID-19

Launched: June 2020

**Investigation update:** On June 1, 2020, the Ombudsman launched a systemic investigation into the province's oversight of long-term care homes during the COVID-19 pandemic. The Ombudsman invoked his authority to investigate on his own initiative, without receiving complaints. The investigation is focused whether the oversight of long-term care homes by the Ministry of Health and the Ministry of Long-Term Care during the coronavirus crisis is adequate to ensure the safety of residents and staff.

### Oversight of complaints about ambulance services

Launched: May 2018

**Investigation update:** In January 2018, we received complaints about the Ministry of Health's oversight – by the Emergency Health Services Branch – of complaint investigations conducted by land and air ambulance service providers. The Ombudsman launched a formal investigation in May 2018 into how the Ministry reviews and investigates patient complaints and incident reports about emergency health services, and the adequacy of its oversight.

We received **48** complaints from patients, their families and a number of emergency service stakeholders after the announcement of our investigation. Ombudsman staff conducted 60 interviews with Ministry staff and officials, various sector and industry stakeholders, complainants and their families, as well as whistleblowers from across the system.

The investigation is complete and the Ombudsman will publish his findings later this year, once the Ministry has been provided with a chance to respond, per our normal process.

## Case summaries

### WORTH THE TRIP

A woman sought our help after her application for an overnight accommodation allowance was denied by the Northern Health Travel Grant because she did not meet the minimum distance requirement. She said her health needs required an overnight stay, and she had been granted many other travel allowances under the program. When we spoke with program officials, we highlighted some inconsistencies in its application form. They reviewed several of the woman's applications, resulting in a reassessment and a **\$119** refund – and another 7 were forwarded to the Medical Appeals Committee to have her request for an accommodation allowance reconsidered.

### INSURED IN TIME

A cancer patient who had appealed OHIP's decision to deny him coverage complained to us when he did not receive a response within the Ministry of Health's posted deadline. He had been living overseas for several years and OHIP had denied him coverage because he lacked proof of residency in Ontario. When we contacted the Ministry, we learned that its decision was still pending; after our inquiries, it released its finding that the man met the residency requirements and could be covered by OHIP.

### WRONGLY CHARGED

A patient contacted us after being told by their physician that a non-cosmetic dermatological treatment was not covered by OHIP, and could only be provided if the patient paid. We made inquiries with the Ministry, and confirmed that the treatment was in fact covered. The Ministry asked that the patient report this incident, as charging an OHIP-insured patient for an insured service is a violation of the *Commitment to the Future of Medicare Act*.



## TRANSPORTATION



### Overview

This category of complaint covers the programs and agencies within the Ministry of Transportation, including those related to driving, vehicles and highways – and public transit.

### Impact of COVID-19

Our staff responded to several complaints from drivers and transit riders who sought information and help after the provincial state of emergency was declared in mid-March 2020. We gathered information and flagged issues to officials, and resolved urgent cases.

For example:

- A woman whose job was deemed an essential service during the COVID-19 pandemic sought our help when her driver's licence was suspended due to a medical matter and she was temporarily unable to get to work. She was unable to contact anyone at the Ministry to find out what steps to take. Our staff reached senior Ministry officials, who were able to facilitate the reinstatement of her licence within a few days, once she provided the necessary documentation.

“ Thank you for your help! In these uncertain times, your efforts were greatly appreciated.”

– Complainant

### Trends in cases

In 2019-2020, we received **652** complaints about the Ministry of Transportation and its programs, down from 897 in 2018-2019. The most common complaints were about customer service issues relating to driver licensing, medical review of licences, suspensions, fines and fees.

Our staff meet regularly with senior Ministry officials to address complaint trends and potential systemic issues proactively. The Ministry has also provided regular updates on its ongoing efforts to modernize its systems and online services.

In some cases, our intervention resulted in the Ministry changing its policies or improving communications materials. For example:

- A man whose licence was suspended for dangerous driving complained to us that he was never told he would have to pass written, vision and road tests before it could be reinstated. He said the Ministry's notices were unclear and did not explain why these tests were required. After we raised this with senior Ministry officials, they added more information to their website on the re-testing requirements for drivers convicted of dangerous driving, and initiated a project to review the notices drivers are sent.

### Medical review of licences

Complaints about the Ministry's Medical Review Section, which is responsible for suspending drivers who are medically unfit to drive, have decreased steadily in recent years, due to the Ministry's ongoing efforts to address service issues and delays. We received **94** cases in 2019-2020, which is consistent with the past few years, but down significantly from the 242 we received in 2015-2016. We helped many drivers resolve medical review issues.

For example:

- A driver seeking to have her licence reinstated after it was suspended for medical reasons complained to us when ServiceOntario and the Ministry told her they had no record of the information that she and her doctor had submitted. Our inquiries revealed that the doctor had misspelled her name on the form, so her file was difficult to find. Once this was resolved, her suspension was lifted.

## Collection of old fines

We received **47** complaints in 2019-2020 from drivers whose licences were suspended due to unpaid traffic fines dating as far back as the 1980s. Many complained that this was unfair, saying they believed they had paid their fines, but no longer had records to prove it.

Municipalities are responsible for the court administration offices that decide to collect these fines, which trigger licence suspensions. Our staff raised this fairness issue with senior officials of the Ministry of the Attorney General, which oversees the courts. We have also referred many complaints about fines issued by Toronto courts to the Toronto Ombudsman. The City of Toronto has adopted guidelines on the collection of old fines, including when they will be forgiven; our Office has encouraged municipalities to adopt similar guidelines as a best practice.

## Licence plates – old and new

On February 1, 2020, the province introduced new vehicle licence plates, with a blue-background design. We received several complaints after concerns were raised that the plates were difficult to read in low light. After ceasing production of the plates for testing and consultation, the Premier announced in May 2020 that the project would not move forward.

For the past several years, drivers have complained to us about the government's response to an issue with defective white-background licence plates. As we reported in 2017 and 2018, free replacements were offered for deteriorating plates that were less than five years old, and ServiceOntario made this information public, but drivers of older plates complained that they should also be eligible for replacements. Our Office continues to assess whether an investigation into the Ministry's handling of this issue is warranted.



Cases related to the Ministry of Transportation's Electric and Hydrogen Vehicle Incentive Program can be found in the **Energy & Environment** chapter of this report.

## Investigations

### Driver's licence suspensions and reinstatements



**Report:** *Suspended State*, released September 2018

**Investigation update:** In May 2017, the Ombudsman launched an investigation into the adequacy and effectiveness of the Ministry of Transportation's administrative processes for notifying and communicating with drivers

about licence suspensions and reinstatements due to unpaid fines. The investigation was prompted by numerous complaints from people who had continued to drive – in some cases for years – with no idea that their licences had been suspended, only to discover that they owed large fines and had to undergo a lengthy reinstatement process.

The investigation uncovered systemic problems with the Ministry's communications, record-keeping and customer service, and the Ombudsman made 42 recommendations to address them. The Ministry has reported back to us regularly, and has implemented most of the Ombudsman's recommendations. These include providing drivers with clearer information about the suspension process online and in the notices they receive, as well as improving customer service.

The Ministry also started informing drivers of suspensions for defaulted fines when they renew their vehicle registrations, and they can now pay the fines online or at any ServiceOntario location. We were told that this has substantially decreased the number of licence cancellations. The Ministry is also working to improve its tracking of returned mail, and to ensure that drivers can have notices such as licence suspensions delivered to their preferred address.

## Case summaries

### LOST IN THE MAIL

A woman came to us in frustration after trying several times to obtain her renewed driver’s licence. Each time she visited ServiceOntario, she was given a temporary licence and told a permanent one would be mailed to her. But after 6 months and several visits, she still hadn’t received it. Our inquiries with the Ministry revealed that it had mailed out several licence cards to the woman, but they had been returned undelivered. They arranged for her to pick up her new licence at ServiceOntario instead.

### CLAIMING RESPONSIBILITY

A man whose vehicle was damaged by a large pothole complained to us after the Ministry of Transportation’s adjuster denied his claim and the road construction company denied responsibility. After we raised the matter with Ministry officials, they investigated further and determined that the Ministry was actually liable for maintenance of the part of the road where the accident happened. As a result, the Ministry settled the claim.

### PRESTO CHANGE

When attempting to reload her Presto card, a transit rider purchased a monthly Toronto Transit Commission (TTC) pass by mistake. She contacted Metrolinx, which referred her to the TTC, which in turn referred her to Metrolinx. When she still received no response, our Office connected her with Metrolinx staff, but they had difficulty liaising with the TTC to have it process a refund for her. Once we escalated the issue further with Metrolinx, the rider received her refund.

### RECORD TIME

A driver who moved to B.C. sought our help after waiting for a copy of his driving record from Ontario for 7 weeks. He needed the record to start his new job as a transit operator. When he didn’t receive it after the advertised delivery period of 10-15 business days, he contacted the Ministry several times, but each time he was told he would just have to wait and he could not speak to a supervisor. Once our Office raised the case with Ministry officials, his order was processed immediately.

## TOP CASE TOPICS

232

Driver licensing

94

Medical review

81

Metrolinx/GO Transit



## EMPLOYMENT



### Overview

Our office oversees the Ministry of Labour, Training and Skills Development and its various programs, agencies and tribunals. These include the Employment Practices Branch, the Workplace Safety and Insurance Board (WSIB) and the Workplace Safety and Insurance Appeals Tribunal (WSIAT), as well as retraining funding programs such as Second Career.

### Impact of COVID-19

As non-essential workplaces across Ontario were closed due to the pandemic or dramatically changed their operations to stay open, we fielded numerous complaints and inquiries from concerned workers and employers. These complaints related to every level of government – including more than **20** about the federal government's emergency benefits program. Although the federal government is outside of our jurisdiction, our staff referred people to helpful information about this program.

We heard concerns from many people about the impact of COVID-19 on their workplace and requirements for things like personal protective equipment. Wherever possible, we directed people to public health guidelines and information provided by provincial and municipal officials.

For example:

- A small business owner complained that his staff were not eligible for pandemic pay through the Ontario government. We provided him with information about various financial programs for small business owners.
- A man who contracted COVID-19 at work, along with several colleagues, sought our help with finding information about safety precautions and guidelines. We referred him to his local public health unit, as well as to Ministry of Labour workplace safety guidelines.

### Trends in cases

#### Workplace Safety and Insurance Board (WSIB) and Workplace Safety Insurance and Appeals Tribunal (WSIAT)

The WSIB is Ontario's workplace compensation board, using funds from employers to provide compensation to workers who are injured on the job or who become ill as a result of working conditions. The WSIAT is the final board of appeal to which workers and employers may bring disputes concerning decisions of the WSIB.

In recent years, we have seen a significant decrease in complaints about the WSIB, from 594 in 2015-2016 to 278 in 2018-2019. Complaints increased to **331** in 2019-2020. We also received **6** complaints about the Fair Practices Commission, WSIB's internal ombudsman.

We received **69** complaints about the WSIAT in 2019-2020, consistent with last year's total of 68 – a substantial drop from 128 in 2015-2016, when the WSIAT was dealing with a large backlog of appeals. It has continued to make efforts to resolve appeals and offer more timely hearings.

Given that the WSIB has an internal ombudsman as well as the formal appeal avenue of the WSIAT, our role in dealing with complaints about WSIB decisions is typically to address service-related issues and to inform people about the available complaint and appeal processes.

For example:

- A woman who works as an independent operator for an Ontario government organization sought our help after the WSIB denied her a clearance certificate and would not accept her letter of appeal because it was not submitted



by the organization. We informed her of the appropriate process to escalate her complaint.

- When a Francophone woman complained to us about how her case had been handled by the WSIB, we advised her that she could turn to the Fair Practices Commission – but we noticed that the complaints form on its website was not available in French. Once we alerted the Commission, it fixed the issue within days.

### Employment Practices Branch delays

The Ministry of Labour’s Employment Practices Branch is responsible for processing, reviewing and investigating claims made under the *Employment Standards Act 2000*. Our Office alerted the Ministry to problems with processing delays and backlogs at the branch in 2010 and again in 2017. Workers complained that they were facing significant financial hardship because of the length of time it was taking to investigate and resolve claims.

In response, the branch took several steps to address these issues, including hiring more staff and implementing digital tools. In July 2019, it had eliminated the claims processing backlog, and committed to allocating staff resources as necessary to ensure it doesn’t recur. Complaints to our Office about the branch declined to **22** in 2019-2020, less than half of the 50 we received in 2017-2018.

## Case summaries

### SORRY PROCESS

We have resolved several complaints over the past three years about the Ontario Immigrant Nominee Program (OINP), which nominates skilled immigrant workers for permanent residency. The Ministry took steps to address issues of poor customer service and delay in this program. It also worked with our staff to resolve a complaint by a couple from the Netherlands who waited more than 18 months for a decision from OINP, and paid more than \$1,200 to take language tests twice as part of their application. Our inquiries revealed that an administrative error by OINP officials had contributed to the lengthy delay, and they apologized to the couple.

### DEBT FREE

A man sought our help when he was contacted by a collections agency many years after receiving funding from Second Career – a program now operated by the Ministry of Labour, Training and Skills Development. He was told he had to repay the **\$28,000** he had received through the program – plus interest – because he had failed to submit certain receipts almost a decade earlier. He disputed this, noting that he had previously submitted the receipts but no longer had access to them. After our staff intervened, Second Career was able to confirm the man’s previous studies and reduced his debt to zero.

## TOP 5 CASE TOPICS

**331**  
WSIB

**69** WSIAT

**22** Employment Practices Branch

**12** Second Career

**6** Fair Practices Commission



## CERTIFICATES & PERMITS



### Overview

Ontarians rely on ServiceOntario to obtain government-issued identification like driver's licences, the Ontario Health Card and the Ontario Photo Card (identification for those who do not have driver's licences). The Office of the Registrar General is responsible for registering, recording and providing certificates for all births, deaths and marriages in Ontario. It also keeps adoption, divorce and name change records.

Not being able to obtain these documents can impact one's ability to obtain other documents, such as passports. Our Office works with both agencies, along with senior officials in the Ministry of Government and Consumer Services, to address complaints about delays and other issues.

### Impact of COVID-19

As a result of the coronavirus outbreak, expiration dates for driver's licences, Ontario Health Cards and Ontario Photo Cards were extended. We referred many complainants to this information as it became available. We also assisted with delays and confusion caused by various office shutdowns.

For example:

- A new resident of Ontario who was trying to obtain an Ontario Health Card sought our help after ServiceOntario staff turned her away. She said she did not have the required documentation for proof of address, due to mail delays caused by COVID-19. We confirmed with officials that they would accept other documentation, and she was able to obtain her card.

### Trends in cases

We received **317** complaints about ServiceOntario in 2019-2020, indicating a steady increase over the past two years (269 in 2018-2019 and 194 in 2017-2018). We received **73** complaints about

the Registrar General in 2019-2020, down from 128 the previous year, when it experienced a significant problem with delays in issuing birth, death and marriage certificates.

In last year's Annual Report, we described how we helped refugees obtain Ontario-issued identification – after the Canada Border Services Agency (CBSA) confiscated their original documents and provided them with only copies. We worked with officials at CBSA and the Ministry of Transportation to ensure two refugees could use copies of their home countries' driver's licences to obtain Ontario ones.

In a similar case this year:

- A refugee sought our help after ServiceOntario told him the CBSA-stamped photocopy of his passport, his country of origin's national photo ID and other items were not acceptable identification for him to use to obtain an Ontario Photo Card. We spoke with officials at the Ministry of Transportation, who determined that the man's documents were acceptable. He returned to his local ServiceOntario and obtained the card. He also referred a fellow refugee to us who was having the same issue, and we were able to assist her as well.

### Customer service and delays

The most common complaints about ServiceOntario are about poor customer service and long wait times – most of which we refer to its Client Experience Office. However, we do intervene when cases require further clarification or escalation.

For example:

- A woman called us after waiting almost 5 months to get a permanent accessible parking permit from ServiceOntario. Some 10 days after we began making inquiries, ServiceOntario mailed the woman's parking permit to her.
- Unable to find information online about whether his 90-year-old father could obtain a disabled parking permit without a

driver's licence, a man told us he called ServiceOntario – only to be referred back to the same website he had already consulted. Ombudsman staff reviewed the Ministry of Transportation's website and found that such permits can be issued to passengers; we referred him to this information.

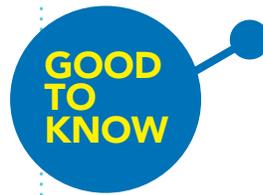
- A mother who urgently needed her son's birth certificate in order to obtain a passport for him complained that it had still not arrived after ServiceOntario told her it was in the mail. Our inquiries with the Registrar General revealed that her application had actually not been processed, due to an error and missing documentation. Once she provided the missing information, the boy's birth certificate was provided quickly, so she could apply for his passport.

### Name changes

We are often contacted by people who need help navigating the Registrar General's processes and requirements for name changes, or fixing errors in documents.

For example:

- A man seeking a new Ontario Health Card complained to us after ServiceOntario told him he could not do so because of a problem with his name. He had changed his name in the 1970s, but ServiceOntario and the Registrar General required him to redo the process. We contacted officials at both agencies to review the man's options and provided him with this information so he could start the process to obtain a health card.



Cases related to driver licensing can be found in the **Transportation** chapter of this report.

## Case summaries

### STARTING ANEW

A man complained to us after trying for years to resolve a name discrepancy with ServiceOntario. Our inquiries with the Ministry of Transportation, ServiceOntario and the Registrar General revealed that ServiceOntario had processed his request to change his name on his driver's licence. However, he had not obtained a Change of Name Certificate from the Registrar General. ServiceOntario conceded its error, and issued a new driver's licence with the man's original name, so he could proceed with a proper name change through the Registrar General.

### POST-MORTEM CORRECTION

A woman sought our help in getting the Registrar General to help her correct an error she made on her mother's death certificate. When we inquired about the delay in processing her request, we discovered that staff there had misspelled her name on the file. Both errors were addressed, and she was issued a corrected death certificate.

## TOP CASE TOPICS

317

ServiceOntario

73

Registrar General



## ENERGY & ENVIRONMENT

### Overview

Cases in this category include complaints about public sector administration of all forms of electricity and fuel, as well as natural resources and the environment, at the provincial and municipal levels.

We are able to take complaints about municipally controlled hydro corporations – but not Hydro One, which was partially privatized in 2015 and has its own internal ombudsman. We generally resolve these cases by connecting people with relevant local officials or appeal mechanisms, and reviewing matters to ensure that policies and procedures were followed, where appropriate.

### Impact of COVID-19

Complaints in this category that were prompted by the COVID-19 state of emergency included numerous concerns about the impact on provincial parks. For example:

- A resident in rural Ontario raised concerns that visitors to trailer parks may spread the COVID-19 infection to rural communities. We provided information about the government's closure of provincial parks as a result of the pandemic.

Our staff also continued to address cases related to environment, energy and natural resources, although we experienced some delays in obtaining requested documentation from public servants who were working from home and unable to access hard copy files.

### Trends in cases

We noted an increase in complaints about programs within the Ministry of the Environment, Conservation and Parks, to **58** in 2019-2020, from 35 in 2018-2019. These involved the Ministry's efforts to ensure compliance with provincial standards regarding the discharge of contaminants into the natural environment, as well as the administration of environmental assessments. There were also **12** complaints regarding provincial parks.

Complaints about the Ministry of Natural Resources and Forestry and its programs remained consistent with previous years (**51** in fiscal 2019-2020, compared to 48 the previous year). The most common topics continued to be the Ministry's management of Crown lands, protection of wildlife habitats and endangered species, and concerns about fishing and hunting licences. We typically resolve these complaints through the Ministry or by referring people to relevant appeal mechanisms.

Among the complaints we received about municipal environmental issues were several related to drainage projects. The Ministry of Agriculture, Food, and Rural Affairs administers the *Drainage Act* and related appeals, and we resolved these cases in communication with the Ministry and municipal officials.

We received **54** complaints about the Ministry of Energy, Northern Development and Mines, **24** of which related to the Ontario Energy Board. These cases were resolved by referral.

### City of Hamilton sewage spill

In November 2019, the City of Hamilton confirmed that one of its sewage overflow tanks had leaked 24 billion litres of sewage and storm runoff into a local creek and other wetlands over a four-year period. After the *Hamilton Spectator* revealed that the city had withheld information about the volume and duration of the spill

from the public for almost a year, the Mayor stated that council had done so based on legal advice. The news prompted public outrage and resulted in **61** complaints to our Office.

Most of these were focused on the city's decision not to disclose the volume and duration of the spill. People were also concerned about long-term environmental impacts, possible health and safety risks, and potential tax increases resulting from expenditures incurred by the city.

In response to these complaints, we reviewed the publicly available information, including media reports and council meeting minutes, and made inquiries with the city and the Ministry of the Environment, Conservation, and Parks. In addition to following up with the city, we are in contact with the Ministry on the status of its investigation into the spill. Once it is completed, the Ombudsman will assess whether an investigation is warranted.

### Electric and hydrogen vehicle incentive programs

As noted in last year's Annual Report, we received hundreds of complaints after the government's decision to cancel so-called "green" programs in 2018, including the Ministry of Transportation's Electric and Hydrogen Vehicle Incentive Program (EHVIP) and the Electric Vehicle Charger Incentive Program (EVCIP).

Our office cannot overturn government decisions, but we worked to help many complainants resolve administrative issues, such as concerns about delays or miscommunication about the EHVIP, which provided rebates of \$5,000 to \$14,000 to buyers of eligible electric or hydrogen vehicles. In April 2019, we reviewed dozens

of complaints from car owners who said they were unfairly denied rebates because their vehicles were not on a Ministry-approved order list supplied by car manufacturers and dealerships.

We reviewed steps taken by the Ministry to communicate the program's eligibility criteria to dealers and stakeholders, and confirmed that owners whose dealerships did not notify the Ministry of their eligible vehicle order could complain to the Ontario Motor Vehicle Industry Council. We continue to follow up on this issue.

We also helped people with issues related to the charger incentive program. For example, we alerted the Ministry to an incorrect address in its mail-in rebate form, and we prompted a review of a driver's application, resulting in **\$101** being added to his \$653 rebate.

### Municipal hydro issues

We received **108** complaints about municipal hydro companies in 2019-2020, a decline from 131 the previous year. Most were resolved after our staff helped people connect with the appropriate company officials.

For example:

- A woman complained after contractors working for the local hydro company broke a water line, flooding her basement and driveway. She submitted a damage claim for more than \$45,000 to the company, but had no response. After we made inquiries with the company, it provided an update on the woman's claim and the steps it was taking to assess it.

## TOP 5 CASE TOPICS

**108**

Municipal hydro

**61**

Hamilton sewage spill

**58**

Ministry of the Environment, Conservation and Parks

**54**

Ministry of Energy, Northern Development and Mines

**34**

Electric and hydrogen vehicle incentive programs

## Case summaries

### AFTER THE FIRE

After firefighters used foam containing PFAS (per- and polyfluoroalkyl substances) to put out a fire at her property, a woman complained to us about how long it was taking to ensure her water was safe to drink. Officials at the Ministry of the Environment, Conservation and Parks told us a new standard for regulating PFAS in drinking water had been developed in response to this situation, and that a plan would be submitted to address the environmental impact. The property owner later confirmed that work had begun to clean up her property and install a water treatment system.

### WHOSE SEWAGE

A trailer park owner contacted us when a dispute arose about responsibility for the municipal sewage system servicing the park. She and her family had maintained the sewage collection part of the system for many years, on the understanding that they owned the property it was on, while the municipality maintained the treatment lagoon. However, the municipality had no documentation of this arrangement. When the Ministry of the Environment, Conservation and Parks updated the approval document for the sewage system, it accepted the municipality's statement that it did not own the collection parts of the system. A later survey showed the sewage collection system was in fact located on municipal property. As a result of our intervention, the Ministry reminded its staff to verify similar claims by municipalities in future. We shared best practices with the municipality for how its processes and communications could be improved.

“ Thank you for helping people like me. God bless you for what you do for the people.”

– Email to Ombudsman staff from complainant

“ Thank you! First time in years I have felt heard on this subject.”

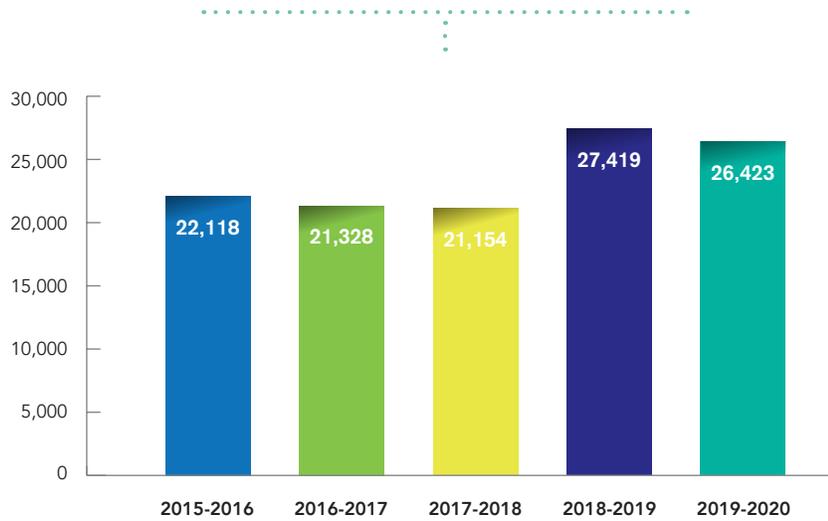
– Email to Ombudsman staff from complainant

“ You have brought a successful outcome to our request. There are no words to thank you.”

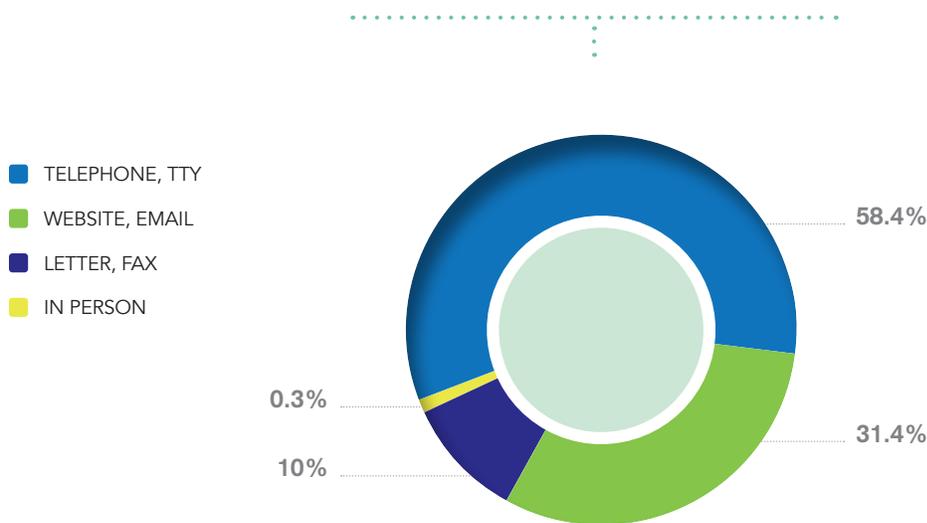
– Letter to Ombudsman staff from complainant

# APPENDIX – CASE STATISTICS

## TOTAL CASES RECEIVED, FISCAL YEARS 2015-2016 – 2019-2020



## HOW CASES WERE RECEIVED, 2019-2020



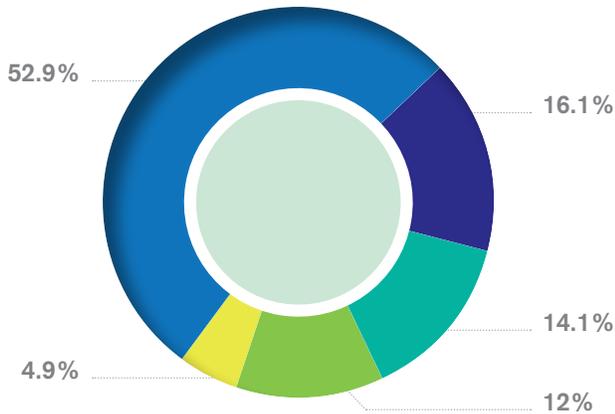
## DISPOSITION OF CASES, 2019-2020



### CASES CLOSED 2019-2020

# 18,116

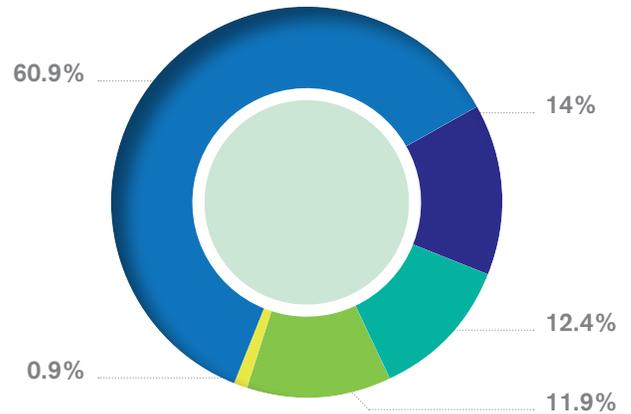
CASES WITHIN THE  
OMBUDSMAN'S JURISDICTION



- INQUIRIES MADE OR REFERRAL GIVEN
- CLOSED AFTER OMBUDSMAN'S REVIEW
- DISCONTINUED BY COMPLAINANT
- RESOLVED WITH OMBUDSMAN INTERVENTION AND/OR BEST PRACTICES SUGGESTED
- RESOLVED WITHOUT OMBUDSMAN INTERVENTION

# 7,284

CASES OUTSIDE THE  
OMBUDSMAN'S JURISDICTION



- PRIVATE
- FEDERAL
- PROVINCIAL OUTSIDE AUTHORITY\*
- BROADER PUBLIC SECTOR OUTSIDE AUTHORITY\*\*
- OUTSIDE ONTARIO

\*E.g., complaints about provincial officials and bodies outside the Ombudsman's jurisdiction  
 \*\*E.g., complaints about hospitals, long-term care homes, municipal police



## CASES BY PROVINCIAL RIDING, 2019-2020\*

AJAX	88
ALGOMA—MANITOULIN	156
AURORA—OAK RIDGES—RICHMOND HILL	69
BARRIE—INNISFIL	128
BARRIE—SPRINGWATER—ORO-MEDONTE	170
BAY OF QUINTE	139
BEACHES—EAST YORK	157
BRAMPTON CENTRE	109
BRAMPTON EAST	63
BRAMPTON NORTH	66
BRAMPTON SOUTH	127
BRAMPTON WEST	56
BRANTFORD—BRANT	141
BRUCE—GREY—OWEN SOUND	128
BURLINGTON	111
CAMBRIDGE	90
CARLETON	69
CHATHAM-KENT—LEAMINGTON	110
DAVENPORT	67
DON VALLEY EAST	69
DON VALLEY NORTH	63
DON VALLEY WEST	83
DUFFERIN—CALEDON	99
DURHAM	163
EGLINTON—LAWRENCE	115
ELGIN—MIDDLESEX—LONDON	137
ESSEX	125
ETOBICOKE CENTRE	92
ETOBICOKE NORTH	67
ETOBICOKE—LAKESHORE	214
FLAMBOROUGH—GLANBROOK	82
GLENGARRY—PRESCOTT—RUSSELL	118
GUELPH	152
HALDIMAND—NORFOLK	137
HALIBURTON—KAWARTHA LAKES—BROCK	181
HAMILTON CENTRE	223
HAMILTON EAST—STONE CREEK	142
HAMILTON MOUNTAIN	102
HAMILTON WEST—ANCASTER—DUNDAS	126
HASTINGS—LENNOX AND ADDINGTON	144
HUMBER RIVER—BLACK CREEK	67
HURON—BRUCE	118
KANATA—CARLETON	88
KENORA—RAINY RIVER	79
KIIWETINOONG	24
KINGSTON AND THE ISLANDS	101
KING—VAUGHAN	82
KITCHENER CENTRE	106
KITCHENER SOUTH—HESPELER	61
KITCHENER—CONESTOGA	75
LAMBTON—KENT—MIDDLESEX	106
LANARK—FRONTENAC—KINGSTON	150
LEEDS—GRENVILLE—THOUSAND ISLANDS AND RIDEAU LAKES	124
LONDON NORTH CENTRE	137
LONDON WEST	124
LONDON—FANSHAWE	154
MARKHAM—STOUFFVILLE	59
MARKHAM—THORNHILL	43
MARKHAM—UNIONVILLE	44
MILTON	160
MISSISSAUGA CENTRE	76
MISSISSAUGA EAST—COOKSVILLE	95

MISSISSAUGA—ERIN MILLS	79
MISSISSAUGA—LAKESHORE	103
MISSISSAUGA—MALTON	86
MISSISSAUGA—STREETSVILLE	62
MUSHKEGOWUK—JAMES BAY	33
NEPEAN	59
NEWMARKET—AURORA	136
NIAGARA CENTRE	163
NIAGARA FALLS	169
NIAGARA WEST	93
NICKEL BELT	105
NIPISSING	167
NORTHUMBERLAND—PETERBOROUGH SOUTH	150
OAKVILLE	91
OAKVILLE NORTH—BURLINGTON	63
ORLÉANS	118
OSHAWA	197
OTTAWA CENTRE	156
OTTAWA SOUTH	102
OTTAWA WEST—NEPEAN	108
OTTAWA—VANIER	112
OXFORD	91
PARKDALE—HIGH PARK	113
PARRY SOUND—MUSKOKA	182
PERTH—WELLINGTON	82
PETERBOROUGH—KAWARTHA	155
PICKERING—UXBRIDGE	107
RENFREW—NIPISSING—PEMBROKE	128
RICHMOND HILL	82
SARNIA—LAMBTON	106
SAULT STE. MARIE	185
SCARBOROUGH CENTRE	66
SCARBOROUGH NORTH	51
SCARBOROUGH SOUTHWEST	113
SCARBOROUGH—AGINCOURT	42
SCARBOROUGH—GUILDWOOD	92
SCARBOROUGH—ROUGE PARK	99
SIMCOE NORTH	215
SIMCOE—GREY	186
SPADINA—FORT YORK	130
ST. CATHARINES	157
STORMONT—DUNDAS—SOUTH GLENGARRY	137
SUDBURY	183
THORNHILL	75
THUNDER BAY—ATIKOKAN	137
THUNDER BAY—SUPERIOR NORTH	113
TIMISKAMING—COCHRANE	181
TIMMINS	54
TORONTO CENTRE	175
TORONTO—DANFORTH	117
TORONTO—ST. PAUL'S	105
UNIVERSITY—ROSEDALE	120
VAUGHAN—WOODBIDGE	76
WATERLOO	101
WELLINGTON—HALTON HILLS	86
WHITBY	116
WILLOWDALE	65
WINDSOR WEST	193
WINDSOR—TECUMSEH	95
YORK CENTRE	97
YORK SOUTH—WESTON	137
YORK—SIMCOE	112

\*All cases where a postal code was available, including those related to municipalities, universities, school boards and children and youth, but excluding those related to correctional facilities and French language services.

## TOP 10 PROVINCIAL GOVERNMENT ORGANIZATIONS AND PROGRAMS BY CASE VOLUME, 2019-2020\*

		NUMBER OF CASES
1	TRIBUNALS ONTARIO	1,051
2	FAMILY RESPONSIBILITY OFFICE	832
3	ONTARIO DISABILITY SUPPORT PROGRAM	754
4	WORKPLACE SAFETY AND INSURANCE BOARD	331
5	SERVICEONTARIO	317
6	DRIVER LICENSING	232
7	COLLEGES OF APPLIED ARTS AND TECHNOLOGY	200
8	ONTARIO PROVINCIAL POLICE	199
9	OFFICE OF THE PUBLIC GUARDIAN AND TRUSTEE	194
10	ONTARIO STUDENT ASSISTANCE PROGRAM	190

\*Excluding correctional facilities

## TOP 10 CORRECTIONAL FACILITIES BY CASE VOLUME, 2019-2020

		NUMBER OF CASES
1	CENTRAL EAST CORRECTIONAL CENTRE	861
2	MAPLEHURST CORRECTIONAL COMPLEX	744
3	TORONTO SOUTH DETENTION CENTRE	703
4	CENTRAL NORTH CORRECTIONAL CENTRE	613
5	HAMILTON-WENTWORTH DETENTION CENTRE	557
6	VANIER CENTRE FOR WOMEN	368
7	SOUTH WEST DETENTION CENTRE	306
8	OTTAWA-CARLETON DETENTION CENTRE	278
9	NIAGARA DETENTION CENTRE	274
10	ELGIN-MIDDLESEX DETENTION CENTRE	199

## CASES RECEIVED FOR PROVINCIAL GOVERNMENT MINISTRIES AND SELECTED PROGRAMS, 2019-2020\*

<b>MINISTRY OF AGRICULTURE, FOOD AND RURAL AFFAIRS</b>		<b>8</b>
<b>MINISTRY OF THE ATTORNEY GENERAL</b>		<b>1,671</b>
ALCOHOL AND GAMING COMMISSION OF ONTARIO	38	
CHILDREN'S LAWYER	35	
COURT ADMINISTRATION	92	
HUMAN RIGHTS LEGAL SUPPORT CENTRE	13	
LEGAL AID CLINIC	25	
LEGAL AID ONTARIO	138	
OFFICE OF THE PUBLIC GUARDIAN AND TRUSTEE	194	
TRIBUNALS ONTARIO	1,051	
<b>MINISTRY OF CHILDREN, COMMUNITY AND SOCIAL SERVICES</b>		<b>2,105</b>
DEVELOPMENTAL SERVICES PROGRAMS	115	
FAMILY RESPONSIBILITY OFFICE	832	
MINISTRY FUNDED SERVICE PROVIDER - CHILDREN AND YOUTH	25	
MINISTRY FUNDED SERVICE PROVIDER - COMMUNITY AND SOCIAL SERVICES	69	
ONTARIO DISABILITY SUPPORT PROGRAM	754	
SPECIAL NEEDS PROGRAMS - CHILDREN	51	
YOUTH CUSTODY FACILITIES - DIRECT OPERATED	144	
YOUTH CUSTODY FACILITIES - MINISTRY FUNDED	96	
<b>MINISTRY OF COLLEGES AND UNIVERSITIES</b>		<b>414</b>
COLLEGES OF APPLIED ARTS AND TECHNOLOGY	200	
ONTARIO STUDENT ASSISTANCE PROGRAM	190	
PRIVATE CAREER COLLEGES BRANCH	11	
<b>MINISTRY OF ECONOMIC DEVELOPMENT, JOB CREATION AND TRADE</b>		<b>2</b>
<b>MINISTRY OF EDUCATION</b>		<b>47</b>
PROVINCIAL SCHOOLS AUTHORITY	11	
<b>MINISTRY OF ENERGY, NORTHERN DEVELOPMENT AND MINES</b>		<b>54</b>
ONTARIO ENERGY BOARD	24	
<b>MINISTRY OF ENVIRONMENT, CONSERVATION AND PARKS</b>		<b>58</b>
ONTARIO PARKS	12	
<b>MINISTRY OF FINANCE</b>		<b>289</b>
FINANCIAL SERVICES REGULATORY AUTHORITY	42	
LIQUOR CONTROL BOARD OF ONTARIO	28	
MUNICIPAL PROPERTY ASSESSMENT CORPORATION	49	
ONTARIO CANNABIS STORE	49	
ONTARIO LOTTERY AND GAMING CORPORATION	65	
ONTARIO SECURITIES COMMISSION	14	

\*Total cases are reported for each government ministry, including agencies and programs falling within its portfolio. Each government agency or program receiving 10 or more cases is also included. Cases related to French language services are not included.

## CASES RECEIVED FOR PROVINCIAL GOVERNMENT MINISTRIES AND SELECTED PROGRAMS, 2019-2020

<b>MINISTRY OF GOVERNMENT AND CONSUMER SERVICES</b>		<b>427</b>
REGISTRAR GENERAL	73	
SERVICEONTARIO	317	
<b>MINISTRY OF HEALTH</b>		<b>497</b>
ASSISTIVE DEVICES PROGRAM	27	
HEALTH PROFESSIONS APPEAL AND REVIEW BOARD	26	
HEALTH QUALITY ONTARIO	25	
LOCAL HEALTH INTEGRATION NETWORKS	84	
MINISTRY FUNDED SERVICE PROVIDER	83	
NORTHERN HEALTH TRAVEL GRANT	10	
ONTARIO HEALTH INSURANCE PLAN	102	
ONTARIO PUBLIC DRUG PROGRAMS	33	
<b>MINISTRY OF HERITAGE, SPORT, TOURISM AND CULTURE INDUSTRIES</b>		<b>12</b>
<b>MINISTRY OF INDIGENOUS AFFAIRS</b>		<b>2</b>
<b>MINISTRY OF INFRASTRUCTURE</b>		<b>2</b>
<b>MINISTRY OF LABOUR, TRAINING AND SKILLS DEVELOPMENT</b>		<b>524</b>
EMPLOYMENT PRACTICES BRANCH	22	
OCCUPATIONAL HEALTH AND SAFETY BRANCH	15	
OFFICE OF THE WORKER ADVISER	13	
ONTARIO COLLEGE OF TRADES	10	
ONTARIO LABOUR RELATIONS BOARD	23	
SECOND CAREER	12	
WORKPLACE SAFETY AND INSURANCE APPEALS TRIBUNAL	69	
WORKPLACE SAFETY AND INSURANCE BOARD	331	
<b>MINISTRY OF LONG-TERM CARE</b>		<b>14</b>
PERFORMANCE IMPROVEMENT AND COMPLIANCE BRANCH	11	
<b>MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING</b>		<b>26</b>
<b>MINISTRY OF NATURAL RESOURCES AND FORESTRY</b>		<b>51</b>
<b>MINISTRY FOR SENIORS AND ACCESSIBILITY</b>		<b>2</b>
<b>MINISTRY OF THE SOLICITOR GENERAL</b>		<b>6,328</b>
CORRECTIONAL FACILITIES	6,000	
OFFICE OF THE CHIEF CORONER	18	
ONTARIO PROVINCIAL POLICE	199	
PROBATION AND PAROLE	66	
<b>MINISTRY OF TRANSPORTATION</b>		<b>652</b>
DRIVER LICENSING	232	
METROLINX/ GO TRANSIT	81	
MINISTRY FUNDED SERVICE PROVIDER	65	
TRANSPORTATION - MEDICAL REVIEW	94	
VEHICLE LICENSING	45	
<b>TREASURY BOARD SECRETARIAT</b>		<b>14</b>

## CASES RECEIVED ABOUT MUNICIPALITIES, 2019-2020 • TOTAL: 3,014

ADDINGTON HIGHLANDS, TOWNSHIP OF	3
ADJALA-TOSORONTIO, TOWNSHIP OF	3
AJAX, TOWN OF	6
ALFRED AND PLANTAGENET, TOWNSHIP OF	5
ALGONQUIN HIGHLANDS, TOWNSHIP OF	1
ALNWICK/HALDIMAND, TOWNSHIP OF	4
AMARANTH, TOWNSHIP OF	3
AMHERSTBURG, TOWN OF	6
ARNPRIOR, TOWN OF	3
ARRAN-ELDERSLIE, MUNICIPALITY OF	1
ASHFIELD-COLBORNE-WAWANOSH, TOWNSHIP OF	1
ASPHODEL-NORWOOD, TOWNSHIP OF	2
ATHENS, TOWNSHIP OF	1
AURORA, TOWN OF	6
BALDWIN, TOWNSHIP OF	1
BANCROFT, TOWN OF	4
BARRIE, CITY OF	16
BAYHAM, MUNICIPALITY OF	5
BECKWITH, TOWNSHIP OF	2
BELLEVILLE, CITY OF	4
BILLINGS, TOWNSHIP OF	1
BLACK RIVER-MATHESON, TOWNSHIP OF	2
BLANDFORD-BLENHEIM, TOWNSHIP OF	1
BLIND RIVER, TOWN OF	4
BONFIELD, TOWNSHIP OF	2
BONNECHERE VALLEY, TOWNSHIP OF	1
BRACEBRIDGE, TOWN OF	2
BRADFORD WEST GWILLIMBURY, TOWN OF	4
BRAMPTON, CITY OF	44
BRANTFORD, CITY OF	21
BRIGHTON, MUNICIPALITY OF	8
BROCK, TOWNSHIP OF	1
BROCKTON, MUNICIPALITY OF	6
BROCKVILLE, CITY OF	2
BRUCE MINES, TOWN OF	4
BRUCE, COUNTY OF	3
BRUDENELL, LYNDOKH AND RAGLAN, TOWNSHIP OF	4
BURLINGTON, CITY OF	15
CALEDON, TOWN OF	9
CALLANDER, MUNICIPALITY OF	7
CALVIN, MUNICIPALITY OF	1
CAMBRIDGE, CITY OF	5
CARLING, TOWNSHIP OF	3
CARLOW/MAYO, TOWNSHIP OF	1
CASSELMAN, MUNICIPALITY OF	1
CENTRAL ELGIN, MUNICIPALITY OF	1
CENTRAL FRONTENAC, TOWNSHIP OF	2
CENTRAL HURON, MUNICIPALITY OF	3
CENTRAL MANITOULIN, MUNICIPALITY OF	4
CENTRE HASTINGS, MUNICIPALITY OF	1
CHAMPLAIN, TOWNSHIP OF	4
CHAPLEAU, TOWNSHIP OF	1
CHATHAM-KENT, MUNICIPALITY OF	27

CHISHOLM, TOWNSHIP OF	6
CLARENCE-ROCKLAND, CITY OF	2
CLARINGTON, MUNICIPALITY OF	4
CLEARVIEW, TOWNSHIP OF	5
COBALT, TOWN OF	1
COBOURG, TOWN OF	2
COCHRANE, TOWN OF	5
COLEMAN, TOWNSHIP OF	2
COLLINGWOOD, TOWN OF	6
CORNWALL, CITY OF	6
CRAMAHE, TOWNSHIP OF	2
DESERONTO, TOWN OF	1
DOURO-DUMMER, TOWNSHIP OF	1
DRYDEN, CITY OF	2
DUFFERIN, COUNTY OF	3
DURHAM, REGIONAL MUNICIPALITY OF	45
DYSART ET AL, MUNICIPALITY OF	3
EAR FALLS, TOWNSHIP OF	1
EAST FERRIS, MUNICIPALITY OF	1
EAST GARAFRAXA, TOWNSHIP OF	4
EAST GWILLIMBURY, TOWN OF	4
EAST HAWKESBURY, TOWNSHIP OF	2
ELLIOT LAKE, CITY OF	17
EMO, TOWNSHIP OF	1
ENGLEHART, TOWN OF	1
ERIN, TOWN OF	14
ESPANOLA, TOWN OF	2
ESSA, TOWNSHIP OF	2
ESSEX, COUNTY OF	2
ESSEX, TOWN OF	2
FAUQUIER-STRICKLAND, TOWNSHIP OF	1
FORT ERIE, TOWN OF	11
FORT FRANCES, TOWN OF	1
FRENCH RIVER, MUNICIPALITY OF	2
FRONT OF YONGE, TOWNSHIP OF	1
GANANOQUE, TOWN OF	2
GEORGIAN BAY, TOWNSHIP OF	2
GEORGIAN BLUFFS, TOWNSHIP OF	6
GEORGINA, TOWN OF	5
GORDON/BARRIE ISLAND, MUNICIPALITY OF	2
GRAND VALLEY, TOWN OF	4
GRAVENHURST, TOWN OF	7
GREATER NAPANEE, TOWN OF	1
GREATER SUDBURY, CITY OF	59
GREY HIGHLANDS, MUNICIPALITY OF	5
GREY, COUNTY OF	5
GRIMSBY, TOWN OF	9
GUELPH, CITY OF	16
HALDIMAND COUNTY	4
HALTON HILLS, TOWN OF	8
HALTON, REGIONAL MUNICIPALITY OF	23
HAMILTON, CITY OF	154
HAMILTON, TOWNSHIP OF	1

Note: Municipalities that were not the subject of any cases are not listed.

## CASES RECEIVED ABOUT MUNICIPALITIES, 2019-2020 • TOTAL 3,014

HASTINGS, COUNTY OF	7
HAVELOCK-BELMONT-METHUEN, TOWNSHIP OF	2
HAWKESBURY, TOWN OF	1
HEARST, TOWN OF	2
HIGHLANDS EAST, MUNICIPALITY OF	3
HILTON BEACH, VILLAGE OF	2
HUNTSVILLE, TOWN OF	1
HURON EAST, MUNICIPALITY OF	1
HURON-KINLOSS, TOWNSHIP OF	1
IGNACE, TOWNSHIP OF	14
INGERSOLL, TOWN OF	1
INNISFIL, TOWN OF	13
IROQUOIS FALLS, TOWN OF	4
JAMES, TOWNSHIP OF	2
JOHNSON, TOWNSHIP OF	1
JOLY, TOWNSHIP OF	4
KAWARTHA LAKES, CITY OF	25
KEARNEY, TOWN OF	1
KENORA, CITY OF	3
KILLARNEY, MUNICIPALITY OF	1
KINCARDINE, MUNICIPALITY OF	4
KING, TOWNSHIP OF	13
KINGSTON, CITY OF	24
KINGSVILLE, TOWN OF	5
KIRKLAND LAKE, TOWN OF	3
KITCHENER, CITY OF	15
LAIRD, TOWNSHIP OF	2
LAKE OF BAYS, TOWNSHIP OF	2
LAKESHORE, TOWN OF	2
LAMBTON SHORES, MUNICIPALITY OF	3
LAMBTON, COUNTY OF	7
LANARK HIGHLANDS, TOWNSHIP OF	1
LANARK, COUNTY OF	7
LARDER LAKE, TOWNSHIP OF	2
LASALLE, TOWN OF	2
LAURENTIAN HILLS, TOWN OF	1
LEAMINGTON, MUNICIPALITY OF	3
LEEDS AND GRENVILLE, UNITED COUNTIES OF	5
LENNOX & ADDINGTON, COUNTY OF	6
LINCOLN, TOWN OF	2
LONDON, CITY OF	71
LOYALIST TOWNSHIP	2
MACDONALD, MEREDITH & ABERDEEN ADDITIONAL, TOWNSHIP OF	1
MACHAR, TOWNSHIP OF	1
MACHIN, MUNICIPALITY OF	1
MADAWASKA VALLEY, TOWNSHIP OF	2
MADOC, TOWNSHIP OF	2
MAGNETAWAN, MUNICIPALITY OF	9
MALAHIDE, TOWNSHIP OF	2
MANITOUWADGE, TOWNSHIP OF	6
MAPLETON, TOWNSHIP OF	1
MARKHAM, CITY OF	22
MARKSTAY-WARREN, MUNICIPALITY OF	2

MARMORA AND LAKE, MUNICIPALITY OF	2
MATACHEWAN, TOWNSHIP OF	1
MCDougALL, MUNICIPALITY OF	1
MCGARRY, TOWNSHIP OF	4
MCMURRICH/MONTEITH, TOWNSHIP OF	3
MEAFORD, MUNICIPALITY OF	15
MELANCTHON, TOWNSHIP OF	4
MERRICKVILLE-WOLFORD, VILLAGE OF	1
MIDDLESEX CENTRE, MUNICIPALITY OF	5
MIDLAND, TOWN OF	8
MILTON, TOWN OF	14
MINDEN HILLS, TOWNSHIP OF	10
MINTO, TOWN OF	1
MISSISSAUGA, CITY OF	65
MUSKOKA LAKES, TOWNSHIP OF	4
MUSKOKA, DISTRICT MUNICIPALITY OF	5
NEW TECUMSETH, TOWN OF	17
NEWMARKET, TOWN OF	10
NIAGARA FALLS, CITY OF	20
NIAGARA-ON-THE-LAKE, TOWN OF	10
NIAGARA, REGIONAL MUNICIPALITY OF	39
NORFOLK, COUNTY OF	32
NORTH ALGONA WILBERFORCE, TOWNSHIP OF	5
NORTH BAY, CITY OF	13
NORTH DUMFRIES, TOWNSHIP OF	2
NORTH DUNDAS, TOWNSHIP OF	2
NORTH FRONTENAC, TOWNSHIP OF	1
NORTH GLENGARRY, TOWNSHIP OF	4
NORTH GRENVILLE, MUNICIPALITY OF	3
NORTH HURON, TOWNSHIP OF	1
NORTH KAWARTHA, TOWNSHIP OF	2
NORTH MIDDLESEX, MUNICIPALITY OF	1
NORTHEASTERN MANITOULIN AND THE ISLANDS, TOWN OF	3
NORTHERN BRUCE PENINSULA, MUNICIPALITY OF	5
NORTHUMBERLAND, COUNTY OF	10
NORWICH, TOWNSHIP OF	1
OAKVILLE, TOWN OF	19
OLIVER PAIPOONGE, MUNICIPALITY OF	1
ORANGEVILLE, TOWN OF	3
ORILLIA, CITY OF	8
ORO-MEDONTE, TOWNSHIP OF	10
OSHAWA, CITY OF	20
OTONABEE-SOUTH MONAGHAN, TOWNSHIP OF	2
OTTAWA, CITY OF	200
OXFORD, COUNTY OF	4
PAPINEAU-CAMERON, TOWNSHIP OF	2
PARRY SOUND, TOWN OF	4
PEEL, REGIONAL MUNICIPALITY OF	98
PELEE, TOWNSHIP OF	1
PELHAM, TOWN OF	11
PEMBROKE, CITY OF	1
PENETANGUISHENE, TOWN OF	4
PERTH SOUTH, TOWNSHIP OF	1

## CASES RECEIVED ABOUT MUNICIPALITIES, 2019-2020 • TOTAL 3,014

PERTH, COUNTY OF	1
PETERBOROUGH, CITY OF	8
PETERBOROUGH, COUNTY OF	3
PETROLIA, TOWN OF	5
PICKERING, CITY OF	10
PICKLE LAKE, TOWNSHIP OF	1
PLUMMER ADDITIONAL, TOWNSHIP OF	1
PLYMPTON-WYOMING, TOWN OF	3
PORT COLBORNE, CITY OF	10
PORT HOPE, MUNICIPALITY OF	7
POWASSAN, MUNICIPALITY OF	2
PRESCOTT AND RUSSELL, UNITED COUNTIES OF	3
PRINCE EDWARD, COUNTY OF	6
PUSLINCH, TOWNSHIP OF	2
QUINTE WEST, CITY OF	4
RAMARA, TOWNSHIP OF	15
RED LAKE, MUNICIPALITY OF	4
RED ROCK, TOWNSHIP OF	1
RENFREW, COUNTY OF	6
RENFREW, TOWN OF	1
RICHMOND HILL, CITY OF	23
RIDEAU LAKES, TOWNSHIP OF	6
RUSSELL, TOWNSHIP OF	2
RYERSON, TOWNSHIP OF	2
SABLES-SPANISH RIVERS, TOWNSHIP OF	4
SARNIA, CITY OF	9
SAUGEEN SHORES, TOWN OF	26
SAULT STE. MARIE, CITY OF	15
SCUGOG, TOWNSHIP OF	6
SEGUIN, TOWNSHIP OF	1
SELWYN, TOWNSHIP OF	1
SEVERN, TOWNSHIP OF	8
SHELBURNE, TOWN OF	2
SHUNIAH, MUNICIPALITY OF	4
SIMCOE, COUNTY OF	25
SIOUX LOOKOUT, MUNICIPALITY OF	3
SMITHS FALLS, TOWN OF	11
SMOOTH ROCK FALLS, TOWN OF	1
SOUTH BRUCE PENINSULA, TOWN OF	1
SOUTH BRUCE, MUNICIPALITY OF	2
SOUTH DUNDAS, MUNICIPALITY OF	7
SOUTH FRONTENAC, TOWNSHIP OF	6
SOUTH GLENGARRY, TOWNSHIP OF	5
SOUTH STORMONT, TOWNSHIP OF	2
SOUTHGATE, TOWNSHIP OF	1
SOUTHWEST MIDDLESEX, MUNICIPALITY OF	1
SPANISH, TOWN OF	2
SPRINGWATER, TOWNSHIP OF	5
ST. CATHARINES, CITY OF	15
ST. CLAIR, TOWNSHIP OF	2
ST. MARYS, TOWN OF	1
ST. THOMAS, CITY OF	4

STIRLING-RAWDON, TOWNSHIP OF	8
STONE MILLS, TOWNSHIP OF	2
STORMONT, DUNDAS & GLENGARRY, UNITED COUNTIES OF	1
STRATFORD, CITY OF	5
STRATHROY-CARADOC, MUNICIPALITY OF	1
STRONG, TOWNSHIP OF	1
TAY VALLEY TOWNSHIP	2
TAY, TOWNSHIP OF	5
TECUMSEH, TOWN OF	2
TEMAGAMI, MUNICIPALITY OF	8
TEMISKAMING SHORES, CITY OF	1
TERRACE BAY, TOWNSHIP OF	1
THE BLUE MOUNTAINS, TOWN OF	9
THE NATION, MUNICIPALITY OF	2
THE NORTH SHORE, TOWNSHIP OF	9
THESSALON, TOWN OF	2
THOROLD, CITY OF	5
THUNDER BAY, CITY OF	18
TILLSONBURG, TOWN OF	1
TIMMINS, CITY OF	9
TINY, TOWNSHIP OF	5
TORONTO, CITY OF	404
TRENT HILLS, MUNICIPALITY OF	7
TRENT LAKES, MUNICIPALITY OF	4
TUDOR AND CASHEL, TOWNSHIP OF	1
TWEED, MUNICIPALITY OF	2
UXBRIDGE, TOWNSHIP OF	6
VAUGHAN, CITY OF	20
WAINFLEET, TOWNSHIP OF	6
WASAGA BEACH, TOWN OF	20
WATERLOO, CITY OF	6
WATERLOO, REGIONAL MUNICIPALITY OF	22
WAWA, MUNICIPALITY OF	1
WELLAND, CITY OF	12
WELLESLEY, TOWNSHIP OF	3
WELLINGTON NORTH, TOWNSHIP OF	3
WELLINGTON, COUNTY OF	10
WEST GREY, MUNICIPALITY OF	6
WEST LINCOLN, TOWNSHIP OF	3
WEST NIPISSING, MUNICIPALITY OF	13
WEST PERTH, MUNICIPALITY OF	1
WHITBY, TOWN OF	8
WHITCHURCH-STOUFFVILLE, TOWN OF	5
WHITewater REGION, TOWNSHIP OF	3
WILMOT, TOWNSHIP OF	1
WINDSOR, CITY OF	50
WOLLASTON, TOWNSHIP OF	1
WOODSTOCK, CITY OF	2
WOOLWICH, TOWNSHIP OF	2
YORK, REGIONAL MUNICIPALITY OF	26
CASES WHERE NO MUNICIPALITY WAS SPECIFIED	44

## CASES RECEIVED ABOUT MUNICIPALITIES, 2019-2020 • TOTAL 3,014

SHARED CORPORATIONS	75
ALECTRA	38
CATARAQUI REGION CONSERVATION AUTHORITY	1
CONSERVATION HALTON	1
ERTH POWER	1
ELEXICON ENERGY	1
ENTEGRUS POWERLINES	1
ESSEX POWER CORPORATION	1
ESSEX REGION CONSERVATION AUTHORITY	1
GRAND RIVER CONSERVATION AUTHORITY	2
HAMILTON CONSERVATION AUTHORITY	1
KITCHENER-WILMOT HYDRO INC.	3
LAKEFRONT UTILITIES INC.	1
LAKE SIMCOE REGION CONSERVATION AUTHORITY	1
NEWMARKET-TAY POWER DISTRIBUTION LTD	2
NIAGARA PENINSULA CONSERVATION AUTHORITY	1
NOTTAWASAGA VALLEY CONSERVATION AUTHORITY	3
ORANGEVILLE HYDRO	1
OTTAWA RIVER POWER CORPORATION	1
QUINTE CONSERVATION	2
SAUGEEN VALLEY CONSERVATION AUTHORITY	2
TORONTO AND REGION CONSERVATION AUTHORITY	5

UPPER THAMES RIVER CONSERVATION AUTHORITY	1
VERIDIAN CONNECTIONS (VERIDIAN CORPORATION)	1
WATERLOO NORTH POWER	1
WESTARIO POWER	2
SHARED LOCAL BOARDS	71
ALGOMA DISTRICT SERVICES ADMINISTRATION BOARD	1
DISTRICT OF COCHRANE SOCIAL SERVICES ADMINISTRATION BOARD	9
DISTRICT OF NIPISSING SOCIAL SERVICES ADMINISTRATION BOARD	2
DISTRICT OF PARRY SOUND SOCIAL SERVICES ADMINISTRATION BOARD	6
DISTRICT OF SAULT STE. MARIE SOCIAL SERVICES ADMINISTRATION BOARD	12
DISTRICT OF TIMISKAMING SOCIAL SERVICES ADMINISTRATION BOARD	2
KENORA DISTRICT SERVICES BOARD	8
MANITOULIN-SUDBURY DISTRICT SERVICES BOARD	7
RAINY RIVER DISTRICT SOCIAL SERVICES ADMINISTRATION BOARD	4
THUNDER BAY SOCIAL SERVICES ADMINISTRATION BOARD	14
CASES WHERE NO LOCAL BOARD WAS SPECIFIED	6

## CASES RECEIVED ABOUT MUNICIPAL MEETINGS, 2019-2020 • TOTAL: 54

CASES ABOUT MUNICIPALITIES WHERE THE OMBUDSMAN IS THE INVESTIGATOR	40
CASES ABOUT MUNICIPALITIES WHERE ANOTHER INVESTIGATOR HAS BEEN APPOINTED	14

SUMMARY OF COMPLETED INVESTIGATIONS				
MUNICIPALITY	MEETINGS & GATHERINGS REVIEWED	ILLEGAL MEETINGS	PROCEDURAL VIOLATIONS FOUND	BEST PRACTICES SUGGESTED
CARLING, TOWNSHIP OF	3	0	0	2
HAMILTON, CITY OF	7	1	0	3
LAMBTON SHORES, MUNICIPALITY OF	2	0	0	1
NORFOLK, COUNTY OF	2	0	0	1
SPRINGWATER, TOWNSHIP OF	1	0	0	0
ST.-CHARLES, MUNICIPALITY OF	1	1	0	1
TEMAGAMI, MUNICIPALITY OF	2	0	0	2
THE NATION, MUNICIPALITY OF	3	2	3	4
WELLAND, CITY OF	1	0	0	1
WEST NIPISSING, MUNICIPALITY OF	1	1	1	2
WOLLASTON, TOWNSHIP OF	3	0	0	1



## CASES RECEIVED ABOUT SCHOOL BOARDS, 2019-2020 • TOTAL: 732

<b>ENGLISH PUBLIC SCHOOL BOARDS</b>	<b>495</b>
ALGOMA DISTRICT SCHOOL BOARD	5
AVON MAITLAND DISTRICT SCHOOL BOARD	3
BLUEWATER DISTRICT SCHOOL BOARD	7
DISTRICT SCHOOL BOARD OF NIAGARA	27
DISTRICT SCHOOL BOARD ONTARIO NORTH EAST	9
DURHAM DISTRICT SCHOOL BOARD	15
GRAND ERIE DISTRICT SCHOOL BOARD	11
GREATHER ESSEX COUNTY DISTRICT SCHOOL BOARD	7
HALTON DISTRICT SCHOOL BOARD	14
HAMILTON-WENTWORTH DISTRICT SCHOOL BOARD	20
HASTINGS & PRINCE EDWARD DISTRICT SCHOOL BOARD	8
KAWARTHA PINE RIDGE DISTRICT SCHOOL BOARD	19
KEEWATIN-PATRICIA DISTRICT SCHOOL BOARD	2
LAKEHEAD DISTRICT SCHOOL BOARD	3
LAMBTON KENT DISTRICT SCHOOL BOARD	9
LIMESTONE DISTRICT SCHOOL BOARD	3
NEAR NORTH DISTRICT SCHOOL BOARD	10
OTTAWA-CARLETON DISTRICT SCHOOL BOARD	66
PEEL DISTRICT SCHOOL BOARD	24
RAINBOW DISTRICT SCHOOL BOARD	4
RENFREW COUNTY DISTRICT SCHOOL BOARD	2
SIMCOE COUNTY DISTRICT SCHOOL BOARD	23
SUPERIOR-GREENSTONE DISTRICT SCHOOL BOARD	2
THAMES VALLEY DISTRICT SCHOOL BOARD	34
TORONTO DISTRICT SCHOOL BOARD	119
TRILLIUM LAKELANDS DISTRICT SCHOOL BOARD	3
UPPER CANADA DISTRICT SCHOOL BOARD	4
UPPER GRAND DISTRICT SCHOOL BOARD	6
WATERLOO REGION DISTRICT SCHOOL BOARD	14
YORK REGION DISTRICT SCHOOL BOARD	22
<b>ENGLISH CATHOLIC SCHOOL BOARDS</b>	<b>159</b>
BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD	4
BRUCE-GREY CATHOLIC DISTRICT SCHOOL BOARD	1
CATHOLIC DISTRICT SCHOOL BOARD OF EASTERN ONTARIO	6
DUFFERIN-PEEL CATHOLIC DISTRICT SCHOOL BOARD	8
DURHAM CATHOLIC DISTRICT SCHOOL BOARD	7
HALTON CATHOLIC DISTRICT SCHOOL BOARD	6
HAMILTON-WENTWORTH CATHOLIC DISTRICT SCHOOL BOARD	4

HURON-PERTH CATHOLIC DISTRICT SCHOOL BOARD	1
HURON-SUPERIOR CATHOLIC DISTRICT SCHOOL BOARD	4
KENORA CATHOLIC DISTRICT SCHOOL BOARD	1
LONDON DISTRICT CATHOLIC SCHOOL BOARD	10
NIAGARA CATHOLIC DISTRICT SCHOOL BOARD	7
NORTHEASTERN CATHOLIC DISTRICT SCHOOL BOARD	1
OTTAWA CATHOLIC SCHOOL BOARD	10
PETERBOROUGH VICTORIA NORTHUMBERLAND AND CLARINGTON CATHOLIC DISTRICT SCHOOL BOARD	7
RENFREW COUNTY CATHOLIC DISTRICT SCHOOL BOARD	7
SIMCOE MUSKOKA CATHOLIC DISTRICT SCHOOL BOARD	5
ST CLAIR CATHOLIC DISTRICT SCHOOL BOARD	2
SUDBURY CATHOLIC DISTRICT SCHOOL BOARD	2
SUPERIOR NORTH CATHOLIC DISTRICT SCHOOL BOARD	1
THUNDER BAY CATHOLIC DISTRICT SCHOOL BOARD	3
TORONTO CATHOLIC DISTRICT SCHOOL BOARD	36
WATERLOO CATHOLIC DISTRICT SCHOOL BOARD	4
WELLINGTON CATHOLIC DISTRICT SCHOOL BOARD	1
WINDSOR-ESSEX CATHOLIC DISTRICT SCHOOL BOARD	8
YORK CATHOLIC DISTRICT SCHOOL BOARD	13
<b>FRENCH PUBLIC SCHOOL BOARDS</b>	<b>30</b>
CONSEIL DES ÉCOLES PUBLIQUES DE L'EST DE L'ONTARIO	16
CONSEIL SCOLAIRE PUBLIC DU GRAND NORD DE L'ONTARIO	4
CONSEIL SCOLAIRE VIAMONDE	10
<b>FRENCH CATHOLIC SCHOOL BOARDS</b>	<b>20</b>
CONSEIL DES ÉCOLES CATHOLIQUES DU CENTRE-EST	3
CONSEIL SCOLAIRE CATHOLIQUE DE DISTRICT DES GRANDES RIVIÈRES	4
CONSEIL SCOLAIRE CATHOLIQUE MONAVENIR	5
CONSEIL SCOLAIRE CATHOLIQUE PROVIDENCE	4
CONSEIL SCOLAIRE DE DISTRICT CATHOLIQUE DE L'EST ONTARIEN	3
CONSEIL SCOLAIRE DE DISTRICT CATHOLIQUE DES AURORES BORÉALES	1
<b>SCHOOL AUTHORITIES</b>	<b>5</b>
MOOSONEE DISTRICT SCHOOL AREA BOARD	3
PROTESTANT SEPARATE SCHOOL BOARD OF THE TOWN OF PENETANGUISHENE	2
<b>CASES WHERE NO SCHOOL BOARD WAS SPECIFIED</b>	<b>23</b>

*Note: School boards that were not the subject of any cases are not listed.*

## CASES RECEIVED ABOUT COLLEGES OF APPLIED ARTS AND TECHNOLOGY, 2019-2020 • TOTAL: 200

ALGONQUIN COLLEGE	11
CAMBRIAN COLLEGE	8
CANADORE COLLEGE	3
CENTENNIAL COLLEGE	11
COLLÈGE BORÉAL	3
COLLÈGE LA CITÉ	5
CONESTOGA COLLEGE	11
CONFEDERATION COLLEGE	3
DURHAM COLLEGE	13
FANSHAW COLLEGE	6
FLEMING COLLEGE (SIR SANDFORD FLEMING)	4
GEORGE BROWN COLLEGE	12
GEORGIAN COLLEGE	13

HUMBER COLLEGE	21
LAMBTON COLLEGE	5
LOYALIST COLLEGE	4
MOHAWK COLLEGE	13
NIAGARA COLLEGE CANADA	9
NORTHERN COLLEGE	3
SAULT COLLEGE	9
SENECA COLLEGE	13
SHERIDAN COLLEGE	10
ST. CLAIR COLLEGE	2
ST. LAWRENCE COLLEGE	6
CASES WHERE NO COLLEGE WAS SPECIFIED	2

Note: Colleges that were not the subject of any cases are not listed.

## CASES RECEIVED ABOUT UNIVERSITIES, 2019-2020 • TOTAL: 232

ALGOMA UNIVERSITY	1
BROCK UNIVERSITY	14
CARLETON UNIVERSITY	2
LAKEHEAD UNIVERSITY	6
LAURENTIAN UNIVERSITY	10
MCMASTER UNIVERSITY	9
NIPISSING UNIVERSITY	4
OCAD UNIVERSITY	1
ONTARIO TECH UNIVERSITY	10
QUEEN'S UNIVERSITY	8
RYERSON UNIVERSITY	16

TRENT UNIVERSITY	7
UNIVERSITY OF GUELPH	12
UNIVERSITY OF OTTAWA	10
UNIVERSITY OF TORONTO	29
UNIVERSITY OF WATERLOO	20
UNIVERSITY OF WINDSOR	13
WESTERN UNIVERSITY	15
WILFRID LAURIER UNIVERSITY	12
YORK UNIVERSITY	33
CASES WHERE NO UNIVERSITY WAS SPECIFIED	4

Note: Universities that were not the subject of any cases are not listed.

## CASES RECEIVED ABOUT CHILDREN'S AID SOCIETIES, MAY 1, 2019 - MARCH 31, 2020 • TOTAL: 1,458

ALGOMA, CHILDREN'S AID SOCIETY OF	29
ANISHINAABE ABINOOJII FAMILY SERVICES	8
BRANT FAMILY AND CHILDREN'S SERVICES	27
BRUCE GREY CHILD AND FAMILY SERVICES	18
CHATHAM-KENT CHILDREN'S SERVICES	9
DILICO ANISHINABEK FAMILY CARE	18
DNAAGDAWENMAG BINNOOJIIYAG CHILD & FAMILY SERVICES	9
DUFFERIN CHILD AND FAMILY SERVICES	6
DURHAM CHILDREN'S AID SOCIETY	53
FRONTENAC, LENNOX AND ADDINGTON, FAMILY AND CHILDREN'S SERVICES OF	24
GUELPH AND WELLINGTON COUNTY, FAMILY AND CHILDREN'S SERVICES OF	13
HALDIMAND AND NORFOLK, CHILDREN'S AID SOCIETY OF	19
HALTON CHILDREN'S AID SOCIETY	39
HAMILTON, CATHOLIC CHILDREN'S AID SOCIETY OF	23
HAMILTON, CHILDREN'S AID SOCIETY OF	55
HIGHLAND SHORES CHILDREN'S AID	34
HURON-PERTH CHILDREN'S AID SOCIETY	18
KAWARTHA-HALIBURTON CHILDREN'S AID SOCIETY	23
KENORA-RAINY RIVER DISTRICTS CHILD AND FAMILY SERVICES	13
KINA GBEZHGOMI CHILD & FAMILY SERVICES	16
KUNUWANIMANO CHILD & FAMILY SERVICES	13
LANARK, LEEDS AND GRENVILLE, FAMILY AND CHILDREN'S SERVICES OF	18
LONDON AND MIDDLESEX, CHILDREN'S AID SOCIETY OF	45
NIAGARA, FAMILY AND CHILDREN'S SERVICES	84
NIPISSING AND PARRY SOUND, CHILDREN'S AID SOCIETY OF THE DISTRICT OF	31

NOGDAWINDAMIN FAMILY AND COMMUNITY SERVICES	10
NORTH EASTERN ONTARIO FAMILY AND CHILDREN'S SERVICES	20
OGWADENI:DEO	7
OTTAWA, CHILDREN'S AID SOCIETY OF	37
OXFORD COUNTY, CHILDREN'S AID SOCIETY OF	13
PAYUKOTAYNO JAMES AND HUDSON BAY FAMILY SERVICES	2
PEEL CHILDREN'S AID SOCIETY	37
RENFREW COUNTY, FAMILY AND CHILDREN'S SERVICES OF	17
SARNIA-LAMBTON CHILDREN'S AID SOCIETY	39
SIMCOE MUSKOKA FAMILY CONNEXIONS	53
ST. THOMAS AND ELGIN COUNTY, FAMILY AND CHILDREN'S SERVICES OF	13
STORMONT, DUNDAS AND GLENGARRY, CHILDREN'S AID SOCIETY OF THE UNITED COUNTIES OF	18
SUDBURY AND MANITOULIN, CHILDREN'S AID SOCIETY OF THE DISTRICTS OF	36
THUNDER BAY, CHILDREN'S AID SOCIETY OF THE DISTRICT OF	15
TIKINAGAN CHILD AND FAMILY SERVICES	11
TORONTO, CATHOLIC CHILDREN'S AID SOCIETY OF	26
TORONTO, CHILDREN'S AID SOCIETY OF	93
TORONTO (GREATER), JEWISH FAMILY AND CHILD SERVICE OF	13
TORONTO, NATIVE CHILD AND FAMILY SERVICES OF	3
VALORIS FOR CHILDREN AND ADULTS OF PRESCOTT-RUSSELL	11
WATERLOO REGION, FAMILY AND CHILDREN'S SERVICES OF THE	32
WEECHI-IT-TE-WIN FAMILY SERVICES	4
WINDSOR-ESSEX CHILDREN'S AID SOCIETY	37
YORK REGION CHILDREN'S AID SOCIETY	52
CASES WHERE NO CHILDREN'S AID SOCIETY WAS SPECIFIED	214

Note: Children's aid societies that were not the subject of any cases are not listed.

## FINANCIAL SUMMARY, 2019-2020

	(IN \$ THOUSANDS)
<b>OPERATING EXPENSES</b>	
SALARIES & WAGES	14,094
EMPLOYEE BENEFITS	4,152
COMMUNICATION & TRANSPORTATION	358
SERVICES	4,117
SUPPLIES & EQUIPMENT	641
<b>TOTAL ANNUAL OPERATING EXPENSES</b>	<b>23,362</b>
LESS: RECOVERIES	36
<b>NET EXPENDITURES</b>	<b>23,326</b>

Our Office's budget was increased in 2019-2020 to **\$32.64** million as a result of the assumption of responsibilities of two former offices of the Legislature, the French Language Services Commissioner and the Provincial Advocate for Children and Youth. Actual expenditures, (unaudited), were **\$23.33** million. All unspent funds, including recoveries, were returned to the Ministry of Finance.





  
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June 24, 2020

## BOARD OF HEALTH MEETING

SSM Algoma Community Room - Webex Video / Teleconference

[www.algomapublichealth.com](http://www.algomapublichealth.com)

# Meeting Book - June 24, 2020 Board of Health Meeting

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c. Letter to the Prime Minister of Canada, The Deputy Prime Minister and the Minister of Finance from The Timiskaming Board of Health regarding Basic Income for Income Security during Covid-19 Pandemic and Beyond dated June 9, 2020.	Page 53

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## 9. Items for Information

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## 10. Addendum

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## 11. In-Camera

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## 12. Open Meeting

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- |  |
|--|
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|--|

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## 15. Adjournment



**Board of Health Meeting  
AGENDA**

**June 24, 2020 at 5:00 pm**

**Webex Audio and Videoconference | Algoma Community Room**

***\* Meeting held during the provincially declared emergency***

**BOARD MEMBERS**

Lee Mason - BOH Chair  
Ed Pearce - F&AC Chair  
Deborah Graystone - Gov. Chair  
Dr. Patricia Avery  
Louise Caicco Tett  
Sally Hagman  
Micheline Hatfield  
Dr. Heather O'Brien  
Brent Rankin  
Matthew Scott

**APH EXECUTIVE**

Dr. Marlene Spruyt - Medical Officer of Health/CEO  
Dr. Jennifer Loo - AMOH & Director of Health Protection  
Justin Pino - CFO /Director of Operations  
Antoniette Tomie - Director of Human Resources  
Laurie Zeppa - Director of Health Promotion & Prevention  
Tania Caputo - Board Secretary

***\* Proceedings are being recorded via Webex and will be available for public viewing.***

*L. Mason*

**1.0 Meeting Called to Order**

*L. Mason*

a. Declaration of Conflict of Interest

**2.0 Adoption of Agenda**

*L. Mason*

**RESOLUTION**

THAT the **Board of Health agenda dated June 24, 2020** be approved as presented.

**3.0 Delegations / Presentations**

*L. Mason*

**4.0 Adoption of Minutes of Previous Meeting**

*L. Mason*

**RESOLUTION**

THAT the May 27, 2020 **Board of Health minutes and and June 3, 2020 Board of Health Special Meeting Minutes** be approved as presented.

**5.0 Business Arising from Minutes**

*L. Mason*

**6.0 Reports to the Board**

a. **Medical Officer of Health and Chief Executive Officer Reports**

*M. Spruyt*

i. MOH Report, June 2020

ii. More to Public Health than Covid-19

iii. APH Covid-19 Response - Slide deck will be posted in Addendum

**RESOLUTION**

THAT the **report of the Medical Officer of Health and CEO for June 2020** be adopted as presented.

**b. Finance and Audit**

**i. Finance and Audit Committee Chair Report**

*E. Pearce*

**ii. Financial Statements**

**RESOLUTION**

THAT the **unaudited Financial Statements for the period ending April 30, 2020** be approved as presented.

**ii. Summary of Covid Costs as of April 2020**

**iii. Terms of Reference - Finance and Audit Committee**

**RESOLUTION**

THAT the **Terms of Reference for the Finance and Audit Committee** be approved as presented.

**c. Governance**

**i. Governance Committee Chair Report**

*D. Graystone*

**RESOLUTION**

THAT the Governance Committee Chair report for June 2020 be accepted as presented.

**ii. 02-05-060 Meetings and Access to Information - Policy**

**iii. 02-05-085 Orientation Board Members - Policy**

**iv. 02-05-015 Conflict of Interest - Policy**

**v. 02-05-045 Attendance at Meetings Using Electronic Means - Policy**

**vi. 06-02 Ontario Building Code Appointments - Bylaw**

**vii. 15-01 To Provide for the Management of Property - Bylaw**

**viii. Terms of Reference for the Governance Committee**

**RESOLUTION**

THAT the Board of Health has reviewed and approves **Policy 02-05-060 Meetings and Access to Information** as presented, and;

THAT the Board of Health has reviewed and approves **Policy 02-05-085 Orientation Board Members** as presented, and;

THAT the Board of Health has reviewed and approves **Policy 02-05-015 Conflict of Interest** as presented, and;

THAT the Governance Committee has reviewed and approves **Policy 02-05-045 Attendance at Meetings Using Electronic Means** as presented, and;

THAT the Governance Committee has reviewed and approves **Bylaw 06-02 Ontario Building Code Appointments** as presented, and;

THAT the Governance Committee has reviewed and approves **Bylaw 15-01 To Provide for the Management of Property** as presented, and;

THAT the Governance Committee has reviewed and approves **the Terms of Reference for the Governance Committee** as presented.

**7.0 New Business/General Business**

*L. Mason*

**8.0 Correspondence**

*L. Mason*

- a. Memo from the Ministry of Health regarding **Pandemic Pay Eligibility** dated May 27, 2020.
- b. Letter to the Transitional Regional Lead West, Ontario Health from Grey Bruce Health Unit regarding **Reporting Inaccuracy COVID-19 Enhanced Surveillance of Long-Term Care**, dated June 8, 2020.
- c. Letter to the Prime Minister of Canada, The Deputy Prime Minister and the Minister of Finance from The Timiskaming Board of Health regarding **Basic Income for Income Security during Covid-19 Pandemic and Beyond** dated June 9, 2020.

**9.0 Items for Information**

*L. Mason*

**10.0 Addendum**

*L. Mason*

**11.0 In-Camera**

*L. Mason*

For discussion of labour relations and employee negotiations, **matters about identifiable individuals**, adoption of in camera minutes, security of the property of the board, litigation or potential litigation.

**12.0 Open Meeting**

*L. Mason*

Resolutions resulting from in-camera meeting.

**13.0 Announcements / Next Committee Meetings:**

*L. Mason*

**Governance Committee Meeting**

September 9, 2020 @ 5:00 pm

Webex Audio / Video Conference | SSM Algoma Community Room

**Board of Health Meeting**

September 23, 2020 @ 5:00 pm

Webex Audio / Video Conference | SSM Algoma Community Room

**Finance & Audit Committee Meeting**

October 14, 2020 @ 5:00 pm

Webex Audio / Video Conference | SSM Algoma Community Room

**14.0 Evaluation**

*L. Mason*

**15.0 Adjournment**

*L. Mason*

**RESOLUTION**

THAT the Board of Health meeting adjourns.

**Board of Health Meeting  
MINUTES**

**May 27, 2020 at 5:00 pm**

**Webex Audio and Videoconference | Algoma Community Room**

**\* Meeting held during the provincially declared emergency**

**BOARD MEMBERS**

**APH EXECUTIVE**

**PRESENT :**

Tania Caputo - Board Secretary

Audio and Video  
Conference:

**BOARD MEMBERS**

Dr. Marlene Spruyt - Medical Officer of Health/CEO

Lee Mason - BOH Chair

Justin Pino - CFO /Director of Operations

Ed Pearce - F&AC Chair

Antionette Tomie - Director of Human Resources

Deborah Graystone - Gov. Chair

Laurie Zeppa - Director of Health Promotion & Prevention

Dr. Patricia Avery

Dr. Jennifer Loo - AMOH & Director of Health Protection

Louise Caicco Tett

Sally Hagman

Micheline Hatfield

Brent Rankin

Matthew Scott

**REGRETS :** Dr. Heather O'Brien

L. Mason advised the board that Provincial appointees Karen Raybould and Adrienne Kappes have not been reappointed to the Board.

**1.0 Meeting Called to Order**

**a. Declaration of Conflict of Interest**

None declared

**2.0 Adoption of Agenda**

**RESOLUTION**

**Moved:** P. Avery

**2020-39**

**Seconded:** D. Graystone

THAT the Board of Health agenda dated May 27, 2020 be approved as presented.

**CARRIED**

**3.0 Delegations / Presentations**

Not applicable

**4.0 Adoption of Minutes of Previous Meeting**

**RESOLUTION**

**Moved:** S. Hagman

**2020-40**

**Seconded:** B. Rankin

THAT the Board of Health minutes dated April 22, 2020 be approved as presented.

**CARRIED**

**5.0 Business Arising from Minutes**

Not applicable

**6.0 Reports to the Board**

**a. Medical Officer of Health and Chief Executive Officer Reports**

**i. MOH Report, May 2020**

M. Spruyt provided the report of the Medical Officer of Health noting that recent work at the North Regional Table includes reviewing hospitals with respect to their reopening plans. Public Health reviews and approves those plans based on a number of criteria. APH is also busy supporting business reopenings that are underway. Communication priorities are focused on reinforcing the advice about physical distancing, hygiene, to reduce the spread of the virus. M. Spruyt reported that testing in Algoma is above the provincial and Northern Ontario average. Board of Health members relayed concerns regarding testing and the interpretation and communication of results. Public response to communication is a concern and the Board discussed varying perspectives on how the community is reacting to the Provincial Emergency orders.

**RESOLUTION  
2020-41**

**Moved:** M. Hatfield  
**Seconded:** D. Graystone

THAT the report of the Medical Officer of Health and CEO for May 2020 be adopted as presented.

**CARRIED**

**b. Finance and Audit**

**i. Financial Statements**

J. Pino provided an overview of the financial statements. A question was asked about contributions from municipalities and noted that it may be an item of discussion in the future. L. Mason reiterated information provided at the April 2020 Board meeting about the schedule of levy payments from municipalities.

**RESOLUTION  
2020-42**

**Moved:** P. Avery  
**Seconded:** L. Caicco Tett

THAT the unaudited Financial Statements for the period ending March 31, 2020 be approved as presented.

**CARRIED**

**c. Governance**

- i. Governance Committee Chair Report**
- ii. 02-05-088 Stakeholder Communication**
- iii. 02-05-001 Board of Directors**
- iv. 02-05-010 Board Minute posting**
- v. 02-05-030 Board Member Code of Conduct**

D. Graystone presented the Governance chair report and overview of the newly created Stakeholder Communication policy. Discussion followed to question and clarify how this policy will shape the overall strategy of communication with the municipalities.

**RESOLUTION  
2020-43**

**Moved:** B. Rankin  
**Seconded:** P. Avery

THAT the Governance Committee has reviewed and approves the creation of **02-05-088 Stakeholder Communication** as presented, and;

THAT the Governance Committee has reviewed and approves **02-05-001 Board of Directors** as presented, and;

THAT the Governance Committee has reviewed and approves **02-05-010 Board Minute Posting** as presented, and;

THAT the Governance Committee has reviewed and approves **02-05-030 Board Member Code of Conduct** as presented, and;

THAT the **Governance Committee Chair report** for the month of May 2020 be accepted as presented.

**CARRIED**

**7.0 New Business/General Business**

Not Applicable

**8.0 Correspondence**

- a. Letter to the Minister of Health from Peterborough Public Health regarding **Provincial Leadership in the Monitoring of Food Affordability and Food Insecurity** dated April 30, 2020.**

- b. Letter to the Minister of Children, Community and Community and Social Services from Timiskaming Health Unit regarding **Consultation for a new Ontario Poverty Reduction Strategy**, dated April 30, 2020.
- c. Letter to the Chief Medical Officer of Health from The Corporation of the Township of St. Joseph regarding **Transparency of Algoma Public Health** dated May 1, 2020.  
**Note that this was amended to include:** A letter with the same content was also received from the Town of Blind River, Tarbutt Township, and Johnson Township.
- d. Letter to the Prime Minister of Canada, Deputy Prime Minister, Minister of Finance from Simcoe Muskoka District Health Unit regarding **Basic Income for Income Security during Covid-19 Pandemic and Beyond**, dated May 20, 2020.

**Item 8 c.**

S. Hagman shared copies of the letters 10 municipalities drafted and sent to the CMOH with a notation that they were cc: to the Chair of the Board and the MOH regarding "inability to access appropriate information" in relation to Covid-19 testing results.

Discussion regarding the reporting concerns brought forward by members of the board and in relation to the letter sent to the CMOH by the municipalities followed and a vote was taken to proceed by resolution:

<b>RESOLUTION 2020-44</b>	<b>Moved:</b> L. Caicco Tett <b>Seconded:</b> E. Pearce
-------------------------------	--

THAT a special meeting of the Board of Health be held to address and identify the reporting concerns between APH leadership and a number of municipalities in the Algoma region and create a process to move forward.

**CARRIED**

**9.0 Items for Information**

- a. **alPHa - Association of Local Public Health Agencies - Information Break**

**10.0 Addendum**

Not applicable

**11.0 In-Camera 6:48 pm**

For discussion of labour relations and employee negotiations, matters about identifiable individuals, **adoption of in camera minutes**, security of the property of the board, litigation or potential litigation.

<b>RESOLUTION 2020-45</b>	<b>Moved:</b> P. Avery <b>Seconded:</b> S. Hagman
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THAT the Board of Health go in-camera.

**CARRIED**

**12.0 Open Meeting - 7:03 pm**

There were no resolutions resulting from the in-camera meeting.

**13.0 Announcements / Next Committee Meetings:**

**Board of Health Special Meeting**

June 3, 2020 @ 5:00 pm

Webex Audio / Video Conference | SSM Algoma Community Room

**Finance & Audit Committee Meeting**

June 10, 2020 @ 5:00 pm

Webex Audio / Video Conference | SSM Algoma Community Room

**Governance Committee Meeting**

June 17, 2020 @ 5:00 pm

Webex Audio / Video Conference | SSM Algoma Community Room

**Board of Health Meeting**

June 24, 2020 @ 5:00 pm

Webex Audio / Video Conference | SSM Algoma Community Room

**14.0 Evaluation**

L. Mason reminded Board of Health members to complete the meeting evaluation.

**15.0 Adjournment 7:15 pm**

**RESOLUTION**

**2020-48**

**Moved:** M. Hatfield

**Seconded:** P. Avery

THAT the Board of Health meeting adjourns.

**CARRIED**



**Board of Health Special Meeting**

**MINUTES**

**June 3, 2020 at 5:00 pm**

**Webex Audio and Videoconference | Algoma Community Room**

*\* Meeting held during the provincially declared emergency*

**PRESENT :** **BOARD MEMBERS**

**APH EXECUTIVE**

Dr. Marlene Spruyt - Medical Officer of Health/CEO

Tania Caputo - Board Secretary

**Audio and Video Conference:** Lee Mason - BOH Chair  
Ed Pearce - F&AC Chair  
Deborah Graystone - Gov. Chair  
Dr. Patricia Avery  
Louise Caicco Tett  
Sally Hagman  
Micheline Hatfield  
Dr. Heather O'Brien  
Brent Rankin  
Matthew Scott

**1.0 Meeting Called to Order 5:02 pm**

**a. Declaration of Conflict of Interest**

None declared

**2.0 Adoption of Agenda**

**RESOLUTION**

**Moved:** D. Graystone

**Seconded:** B. Rankin

THAT the Board of Health Special Meeting agenda dated June 3, 2020 be approved as presented.

**3.0 Reporting Concerns**

L. Mason read the resolution for the Special Meeting:

**THAT a special meeting be held to address and identify the reporting concerns between APH leadership and a number of municipalities in the Algoma region and create a process to move forward.**

There was discussion to recap the events leading up to this meeting and agreement about the concerns that would be addressed. Board members expressed opinions to improve the communication process that goes beyond the Stakeholder Communication Policy that was approved in the May 27, 2020 Board of Health meeting. There is recognition and support from the Board that APH should follow best practice guidelines while also having a clear process and route of communication when information is requested by APH stakeholders. It is important to note that APH staff continue to support municipalities and other community stakeholders on all Public Health issues and communication plays a vital role in that process.

There were letters sent to the Chief Medical Officer of Health regarding Transparency of Algoma Public Health by the Town of Blind River, St. Joseph Municipality, Tarbutt Township, Johnson Township, the City of Elliot Lake, The Corporation of the Township of Prince, The Township of Macdonald, Meredith & Aberdeen Add'l, Plummer Additional, The Corporation of the Town of Bruce Mines, and Laird Township. Four of the ten letters were received by the chair of the Board of Health and the MOH by carbon copy. The requests for information process was discussed with suggestions to clarify and improve visibility of these steps on the website and to communicate the process to the municipalities.

The grouping of the 4 areas in Algoma that were developed to report positive cases were discussed by M. Spruyt. Through consultation with the municipalities, the defined areas for data reporting will be reviewed. Also, the number of tests taken and results where available would be included in the reporting.

Three directives were decided to move forward with:

- 1) The APH Website will contain a post outlining the process for communicating with the Board of Health. A specific communication to the municipalities acknowledging there have been concerns and inviting them to reach the Board of Health by this means.
- 2) APH will review how the reporting areas are defined in consultation with the municipalities.
- 3) Include in the reporting data the tests that are done and results where available.

#### 4.0 Announcements / Next Committee Meetings:

##### **Finance & Audit Committee Meeting**

June 10, 2020 @ 5:00 pm

Webex Video / Teleconference | SSM Algoma Community Room

##### **Governance Committee Meeting**

June 17, 2020 @ 5:00 pm

Webex Video / Teleconference | SSM Algoma Community Room

##### **Board of Health Meeting**

June 24, 2020 @ 5:00 pm

Webex Video / Teleconference | SSM Algoma Community Room

#### 5.0 Adjournment 6:14 pm

##### **RESOLUTION**

**Moved:** E. Pearce

**Seconded:** D. Graystone

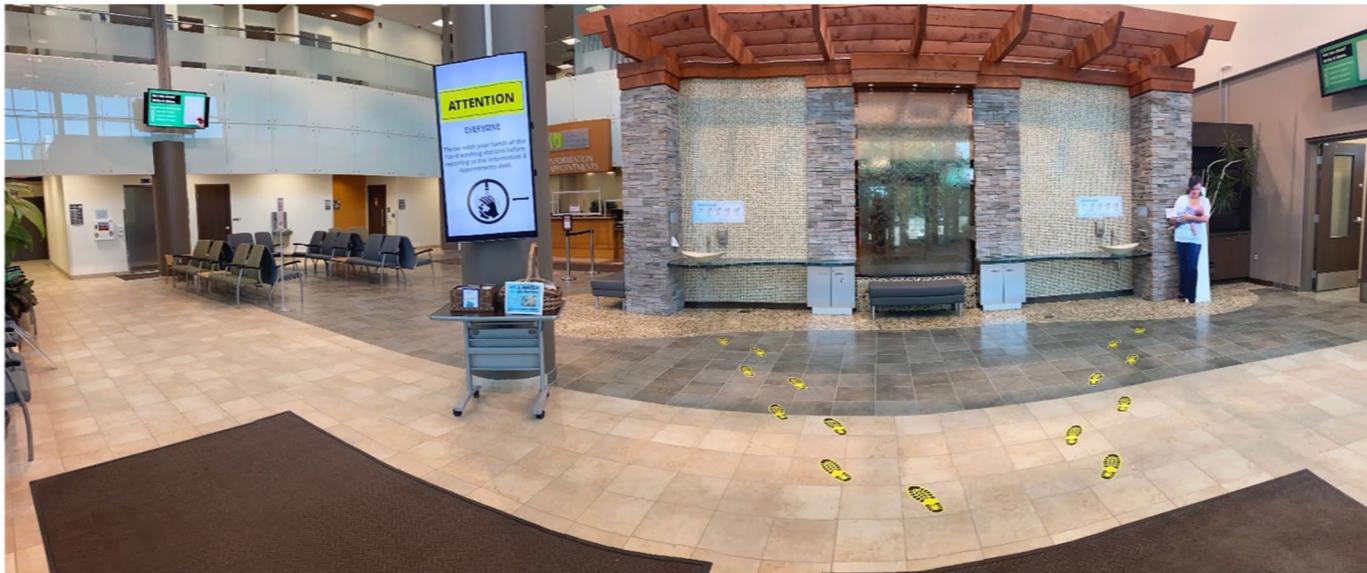
THAT the Board of Health meeting adjourns.



*Algoma*  
**PUBLIC HEALTH**  
Santé publique Algoma

June 2020

# Medical Officer of Health / CEO



*Steps to Hand Hygiene Success at  
Algoma Public Health SSM Office*

Prepared by:  
Dr. Marlene Spruyt and the  
Leadership Team

Presented to:  
Algoma Public Health Board of Health  
24/06/2020

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## APH AT-A-GLANCE

### How do we resume regular operations during a Pandemic?

As the number of new COVID-19 cases in the province stabilizes to a number below 200 per day, we are beginning to refocus on the other work of Public Health.

The massive lockdown of our economy and our social structure has and will continue to have major effects on the fabric of our society, particularly those that were already vulnerable. Those living in poverty, or who were marginally employed, single-parent families, the elderly, those with mental health conditions, those with substance use disorders, those that are living alone; these special populations and others have disproportionately been impacted by the societal changes and will require greater support when we move into the recovery phase.

At APH we are supporting other businesses and agencies in the community to resume their activities while continuing to protect their customers, clients and employees from a virus that we do not fully understand, and is still out there in the community. We are developing protocols for the resumption of operations to create a COVID-normal environment, with no road map and minimal evidence. As we support others in this activity we also have to look within our agency and determine how we can continue the COVID-19 outbreak management and continue providing regular programs and services.

Boards of Health are responsible for the assessment, planning, delivery, management and evaluation of a range of public health programs and services that address multiple health needs and respond to the contexts in which these needs occur. (Ontario Public Health Standards (OPHS), 2018). The Ministry has not yet provided clear expectations for the provision of and reporting of this work for the year 2020.

Our Continuity of Operations Team has been working through a somewhat compressed planning process. We have examined each program area to identify what services we have continued to deliver and what community needs still exist for paused services as well as attempting to identify what new needs may have emerged because of the Pandemic response. We are exploring how to ramp up those programs and services and still be nimble enough to respond to a potential second wave of COVID cases.

In some cases, we have developed new ways of delivering services and identified that the new method is actually as effective and may be more efficient. These new methodologies will become our COVID-normal way of operating for the foreseeable future and will likely never return to the “old way” of delivery. For other programs face to face interactions will need to resume and new processes worked out that will minimize close encounters.

We will continue to work from home wherever possible but for some employees, the technology or their home environment is not ideal and we wish to support their return to work while maintaining their safety. We are considering additional physical barriers, working in shifts or cohorts and of course ongoing use of additional cleaning and personal protective equipment.

## PARTNERSHIPS

We have developed many new partnerships as we assist others in applying public health principles for dealing with this pandemic situation to the particular type of work they do. Overall this has strengthened our credibility and will assist us when we move forward in our work to create healthier communities.

# There is much more to public health than COVID-19

Date: June 15, 2020

Authors: [Trevor Hancock](#), [Paul Kershaw](#), [Lindsay McLaren](#), [Marjorie MacDonald](#), [Shannon Turner](#), [Suzanne F. Jackson](#)

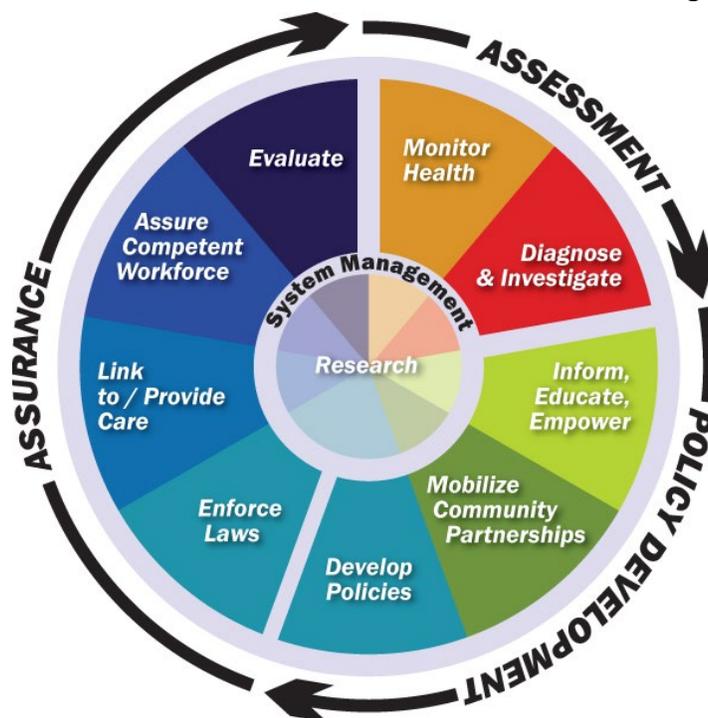
Ironically, the prominence that the COVID-19 pandemic has brought to public health may pose a threat if it leads people and politicians to believe public health is only about infectious disease.

In fact, public health is necessarily concerned with the entire range of diseases and injuries that afflict humanity and is ultimately rooted in the social, environmental and economic conditions into which we are born, grow, live, work and age. The risk arises if public health comes to be seen as “out of its lane” when addressing the deeper environmental, social and economic forces that create poor health and its scope of practice is narrowed to a focus on infectious disease.

Obviously, infectious diseases matter. In addition to the clear and dramatic impact of COVID-19, the [World Health Organization \(WHO\) reports](#) 1.5 million people, mainly children, die every year from vaccine-preventable disease such as diphtheria, tetanus, pertussis (whooping cough), influenza and measles. Other major infectious diseases are [tuberculosis \(1.5 million deaths\)](#), [HIV/AIDS \(770,000 deaths\)](#) and [malaria \(405,000 deaths\)](#). [Diarrhoeal disease killed about 1.4 million people in 2016](#), almost half of whom were children under 5.

Between them these [infectious diseases kill more than 5 million people, year in and year out](#). At the current rate, in the next decade they will kill more than the worst case projected for [COVID-19](#). Most of these deaths have occurred in low-income countries but are largely preventable through a combination of immunization, sanitation, hygiene and basic treatment and at a fraction of the cost we are incurring to fight COVID-19.

But infectious diseases are not the only public health challenge we face. [The WHO reports](#) the following annual death toll from non-infectious causes: [tobacco \(8 million\)](#), [outdoor air pollution \(4.2 million\)](#), [indoor air pollution \(3.8 million\)](#), [alcohol \(3 million\)](#) and [road traffic crashes \(1.35 million\)](#). [Interpersonal violence and armed conflict killed about 675,000 people in 2012](#). Between them, they cause more than 20 million deaths annually, as many as the worst-case scenario for COVID-19 every two years.



10 essential public health services and the activities all communities should be engaged in.

These sources of illness and death are in turn affected by the social and ecological determinants of health. Poverty, inequality, hunger, homelessness and unaffordable, poor quality housing all adversely affect health. This is why the [2008 WHO Commission](#) on the Social Determinants of Health found “social injustice is killing people on a grand scale.”

In addition, climate change and other massive and rapid global ecological changes – and the economic system that drives these changes – are a major threat to human health.

Thus, our health and wellbeing depends on public health engaging directly at multiple levels on all of these issues. It would be a tragic mistake – and one with serious consequences for the health of the population – if COVID-19 resulted in governments narrowing the scope of their investments in public health to focus primarily on infectious disease.

Yet there is evidence this was already happening before COVID-19, with public health nurses eased away from community-based prevention to more clinically oriented work.

But as the [Canadian Medical Association Journal recently noted](#), “health care workers are not the front line; they are our last line of defence” in the fight against COVID-19.

The CMAJ is right. The front line is made up of public health staff who work in every community in Canada every day, pandemic or not, to prevent illness and promote wellbeing, thus reducing the burden of disease the healthcare system faces.

While we can again expect to hear the call for public health to be strengthened, as was the case after SARS, we must ensure that any such strengthening is not focused solely on the capacity to fight infectious diseases but instead strengthens the entire field of public health. Anything less would result in harm to the health of Canadians.



## **CHAIR REPORT**

**June 11, 2020**

At the June 11, 2020 meeting of the Finance and Audit Committee, the Committee reviewed the following items;

### **1. Financial Statement**

The Committee reviewed the unaudited Financial Statements for the period ending April 30, 2020 and recommends their approval to the Board.

### **2. Terms of Reference**

The Committee reviewed and accepted the Terms of reference with some minor modification to the language for clarification.

**Algoma Public Health  
(Unaudited) Financial Statements      April 30, 2020**

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Algoma Public Health  
Statement of Operations  
April 2020  
(Unaudited)

	Actual YTD 2020	Budget YTD 2020	Variance Act. to Bgt. 2020	Annual Budget 2020	Variance % Act. to Bgt. 2020	YTD Actual/ YTD Budget 2020
<b>Public Health Programs</b>						
<b>Revenue</b>						
Municipal Levy - Public Health	\$ 1,894,249	\$ 1,894,249	\$ -	\$ 3,788,497	0%	100%
Provincial Grants - Cost Shared Funding	3,248,637	2,889,519	359,118	8,668,558	12%	112%
Provincial Grants - Public Health 100% Prov. Funded	474,340	499,262	(24,922)	1,497,786	-5%	95%
Provincial Grants - Mitigation Funding	0	269,512	(269,512)	808,535	-100%	0%
Fees, other grants and recovery of expenditures	117,424	177,563	(60,139)	620,814	-34%	66%
<b>Total Public Health Revenue</b>	<b>\$ 5,734,649</b>	<b>\$ 5,730,104</b>	<b>\$ 4,545</b>	<b>\$ 15,384,190</b>	<b>0%</b>	<b>100%</b>
<b>Expenditures</b>						
Public Health Cost Shared	\$ 4,677,212	\$ 4,714,669	\$ 37,458	\$ 13,886,405	-1%	99%
Public Health 100% Prov. Funded Programs	408,770	472,746	63,976	1,497,786	-14%	86%
<b>Total Public Health Programs Expenditures</b>	<b>\$ 5,085,982</b>	<b>\$ 5,187,416</b>	<b>\$ 101,434</b>	<b>\$ 15,384,190</b>	<b>-2%</b>	<b>98%</b>
<b>Total Rev. over Exp. Public Health</b>	<b>\$ 648,667</b>	<b>\$ 542,689</b>	<b>\$ 105,979</b>	<b>\$ 0</b>		

**Healthy Babies Healthy Children**

Provincial Grants and Recoveries	\$ 89,011	89,001	(10)	1,068,011	0%	100%
Expenditures	66,134	89,001	(22,867)	1,068,011	-26%	74%
<b>Excess of Rev. over Exp.</b>	<b>22,877</b>	<b>-</b>	<b>22,877</b>	<b>-</b>		

**Public Health Programs - Fiscal 19/20**

Provincial Grants and Recoveries	\$ -	-	-	-		
Expenditures	-	-	-	-		
<b>Excess of Rev. over Fiscal Funded</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>		

**Community Health Programs (Non Public Health)**

<b>Calendar Programs</b>						
<b>Revenue</b>						
Provincial Grants - Community Health	\$ -	\$ -	\$ -	\$ -		
Municipal, Federal, and Other Funding	103,677	103,373	304	316,244	0%	100%
<b>Total Community Health Revenue</b>	<b>\$ 103,677</b>	<b>\$ 103,373</b>	<b>\$ 304</b>	<b>\$ 316,244</b>	<b>0%</b>	<b>100%</b>
<b>Expenditures</b>						
Child Benefits Ontario Works	5,647	8,167	2,520	24,500	-31%	69%
Algoma CADAP programs	96,736	97,248	512	291,744	-1%	99%
<b>Total Calendar Community Health Programs</b>	<b>\$ 102,383</b>	<b>\$ 105,415</b>	<b>\$ 3,032</b>	<b>\$ 316,244</b>	<b>-3%</b>	<b>97%</b>
<b>Total Rev. over Exp. Calendar Community Health</b>	<b>\$ 1,294</b>	<b>\$ (2,042)</b>	<b>\$ 3,336</b>	<b>\$ 0</b>		

**Fiscal Programs**

<b>Revenue</b>						
Provincial Grants - Community Health	\$ 482,433	\$ 482,433	\$ 0	\$ 5,699,196	0%	100%
Municipal, Federal, and Other Funding	47,684	47,684	-	123,847	0%	100%
Other Bill for Service Programs	0	-	-	-		
<b>Total Community Health Revenue</b>	<b>\$ 530,117</b>	<b>\$ 530,117</b>	<b>\$ 0</b>	<b>\$ 5,823,043</b>	<b>0%</b>	<b>100%</b>
<b>Expenditures</b>						
Brighter Futures for Children	3,694	9,537	5,843	114,447	-61%	39%
Infant Development	41,280	53,669	12,389	644,031	-23%	77%
Preschool Speech and Languages	43,647	51,188	7,541	614,256	-15%	85%
Nurse Practitioner	13,482	13,482	0	161,784	0%	100%
Community Mental Health	250,927	286,769	35,842	3,441,227	-12%	88%
Community Alcohol and Drug Assessment	49,073	59,830	10,757	737,898	-18%	82%
Stay on Your Feet	6,823	8,333	1,510	100,000	-18%	82%
Bill for Service Programs	0	-	-	-		
Misc Fiscal	-	-	-	9,400	#DIV/0!	#DIV/0!
<b>Total Fiscal Community Health Programs</b>	<b>\$ 408,926</b>	<b>\$ 482,808</b>	<b>\$ 73,882</b>	<b>\$ 5,823,043</b>	<b>-15%</b>	<b>85%</b>
<b>Total Rev. over Exp. Fiscal Community Health</b>	<b>\$ 121,191</b>	<b>\$ 47,309</b>	<b>\$ 73,882</b>	<b>\$ -</b>		

Explanations will be provided for variances of 15% and \$15,000 occurring in the first 6 months

and variances of 10% and \$10,000 occurring in the final 6 months

**Algoma Public Health**  
**Revenue Statement**  
For Four Months Ending April 30, 2020  
(Unaudited)

	Actual YTD 2020	Budget YTD 2020	Variance Bgt. to Act. 2020	Annual Budget 2020	Variance % Act. to Bgt. 2020	YTD Actual/ Annual Budget 2020	Comparison Prior Year:		
							YTD Actual 2019	YTD BGT 2019	Variance 2019
Levies Sault Ste Marie	1,334,689	1,334,689	0	2,669,377	0%	50%	1,219,050	1,219,050	0
Levies Vector Bourne Disease and Safe Water							29,716	29,716	0
Levies District	559,560	559,560	0	1,119,120	0%	50%	516,288	511,079	5,189
<b>Total Levies</b>	<b>1,894,249</b>	<b>1,894,249</b>	<b>0</b>	<b>3,788,497</b>	<b>0%</b>	<b>50%</b>	<b>1,765,034</b>	<b>1,759,845</b>	<b>5,189</b>
MOH Public Health Funding	2,463,159	2,089,187	373,972	6,946,279	18%	35%	2,448,301	2,448,300	1
MOH Funding Needle Exchange	21,567	21,567	0	45,290	0%	48%	21,567	21,567	0
MOH Funding Haines Food Safety	8,200	8,200	0	17,220	0%	48%	8,200	8,200	0
MOH Funding Healthy Smiles	256,633	256,633	(0)	538,930	0%	48%	256,633	256,633	(0)
MOH Funding - Social Determinants of Health	77,801	60,160	17,641	126,350	29%	62%	60,167	60,167	0
MOH Funding Chief Nursing Officer	30,375	40,504	(10,129)	85,050	-25%	36%	40,501	40,500	1
MOH Enhanced Funding Safe Water	5,167	5,167	0	10,850	0%	48%	5,167	5,167	0
MOH Funding Infection Control	96,626	104,136	(7,510)	218,680	-7%	44%	104,134	104,133	1
MOH Funding Diabetes	50,000	50,000	0	105,000	0%	48%	50,000	50,000	0
Funding Ontario Tobacco Strategy	144,534	144,533	1	303,520	0%	48%	144,534	144,533	1
MOH Funding Harm Reduction	50,000	50,000	0	105,000	0%	48%	50,000	50,000	0
MOH Funding Vector Borne Disease	27,175	36,232	(9,057)	101,448	-25%	27%	36,233	36,233	(0)
MOH Funding Small Drinking Water Systems	17,400	23,200	(5,800)	64,960	-25%	27%	23,200	23,200	0
<b>Total Public Health Cost Shared Funding</b>	<b>3,248,637</b>	<b>2,889,519</b>	<b>359,118</b>	<b>8,668,577</b>	<b>12%</b>	<b>37%</b>	<b>3,248,637</b>	<b>3,248,633</b>	<b>4</b>
MOH Funding - MOH / AMOH Top Up	52,153	50,695	1,458	152,086	3%	34%	41,718	42,150	(432)
MOH Funding Northern Ontario Fruits & Veg.	39,134	39,133	1	117,400	0%	33%	39,134	39,133	1
MOH Funding Unorganized	176,800	176,800	0	530,400	0%	33%	176,800	176,800	0
MOH Senior Dental	206,253	232,633	(26,380)	697,900	-11%	30%	0	0	0
One Time Funding	0	0	0	0	0%	0%	0	0	0
<b>Total Public Health 100% Prov. Funded</b>	<b>474,340</b>	<b>499,262</b>	<b>(24,922)</b>	<b>1,497,786</b>	<b>-5%</b>	<b>32%</b>	<b>257,652</b>	<b>258,083</b>	<b>(431)</b>
<b>Total Public Health Mitigation Funding</b>	<b>0</b>	<b>269,512</b>	<b>(269,512)</b>	<b>808,535</b>	<b>-100%</b>	<b>0%</b>	<b>0</b>	<b>0</b>	<b>0</b>
Recoveries from Programs	3,647	9,177	(5,529)	27,511	-60%	13%	13,414	20,914	(7,499)
Program Fees	63,173	67,095	(3,921)	201,284	-6%	31%	70,743	79,531	(8,788)
Land Control Fees	10,096	20,000	(9,904)	160,000	-50%	6%	12,115	45,000	(32,885)
Program Fees Immunization	28,675	38,333	(9,658)	115,000	-25%	25%	32,788	51,667	(18,878)
HPV Vaccine Program	0	3,000	(3,000)	12,500	0%	0%	442	4,000	(3,558)
Influenza Program	0	1,500	(1,500)	25,000	0%	0%	885	0	885
Meningococcal C Program	0	625	(625)	7,500	0%	0%	349	0	349
Interest Revenue	12,452	13,333	(881)	40,000	-7%	31%	15,064	10,667	4,397
Other Revenues	(620)	24,500	(25,120)	32,000	0%	-2%	2,618	12,333	(9,715)
<b>Total Fees, Other Grants and Recoveries</b>	<b>117,424</b>	<b>177,563</b>	<b>(60,139)</b>	<b>620,795</b>	<b>-34%</b>	<b>19%</b>	<b>148,419</b>	<b>224,111</b>	<b>(75,693)</b>
<b>Total Public Health Revenue Annual</b>	<b>\$ 5,734,649</b>	<b>\$ 5,730,105</b>	<b>\$ 4,545</b>	<b>\$ 15,384,190</b>	<b>0%</b>	<b>37%</b>	<b>\$ 5,419,742</b>	<b>\$ 5,490,673</b>	<b>\$ (70,931)</b>

Explanations will be provided for variances of 15% and \$15,000 occurring in the first 6 months and variances of 10% and \$10,000 occurring in the final 6 months

**Algoma Public Health**  
**Expense Statement- Public Health**  
For Four Months Ending April 30, 2020  
(Unaudited)

	Actual YTD 2020	Budget YTD 2020	Variance Act. to Bgt. 2020	Annual Budget 2020	Variance % Act. to Bgt. 2020	YTD Actual/ Budget 2020	Comparison Prior Year:		
							YTD Actual 2019	YTD BGT 2019	Variance 2019
Salaries & Wages	\$ 3,072,470	\$ 3,139,111	\$ 66,641	\$ 9,391,091	-2%	33%	\$ 2,801,794	\$ 3,010,474	\$ 208,680
Benefits	806,398	763,761	( 42,637 )	2,286,778	6%	35%	732,837	728,363	(4,474)
Travel	46,859	63,667	16,807	199,676	-26%	23%	60,040	63,690	3,650
Program	243,285	246,371	3,086	669,660	-1%	36%	154,134	210,478	56,344
Office	19,399	22,567	3,168	67,700	-14%	29%	29,141	34,515	5,374
Computer Services	239,495	257,223	17,728	853,146	-7%	28%	249,010	301,646	52,636
Telecommunications	72,166	81,207	9,041	279,612	-11%	26%	97,663	115,895	18,232
Program Promotion	13,900	31,058	17,157	94,173	-55%	15%	6,579	20,977	14,398
Professional Development	5,939	45,167	39,227	135,500	-87%	4%	38,093	32,234	(5,859)
Facilities Expenses	251,559	258,139	6,580	774,417	-3%	32%	247,285	253,333	6,048
Fees & Insurance	201,089	152,960	( 48,129 )	253,880	31%	79%	149,253	142,360	(6,893)
Debt Management	153,633	153,633	0	460,900	0%	33%	153,633	153,633	0
Recoveries	(40,211)	(27,448)	12,764	(82,343)	47%	49%	(34,372)	(34,910)	(538)
	<b>\$ 5,085,982</b>	<b>\$ 5,187,416</b>	<b>\$ 101,434</b>	<b>\$ 15,384,190</b>	<b>-2%</b>	<b>33%</b>	<b>\$ 4,685,090</b>	<b>\$ 5,032,688</b>	<b>\$ 347,598</b>

Explanations will be provided for variances of 15% and \$15,000 occurring in the first 6 months and variances of 10% and \$10,000 occurring in the final 6 months

## **Notes to Financial Statements – April 2020**

### **Reporting Period**

The April 2020 financial reports include four-months of financial results for Public Health and the following calendar programs: Child Benefits Ontario Works, and Algoma CADAP programs. All other programs are reporting one-month result from operations year ended March 31 2020.

### **Statement of Operations (see page 1)**

#### **Summary – Public Health and Non Public Health Programs**

As of April 30 2020, Public Health programs are reporting a \$106k positive variance.

Public Health Revenues are indicating a \$5k positive variance. The provincial government had indicated that they would be providing one-time mitigation funding in 2020 to assist all public health units and municipalities in managing funding formula changes. As of April 30 2020 Mitigation Funding associated with changes to the cost-sharing formula have not flowed to health units. Management has reached out to the Ministry regarding timing of this flow of funding however dates are unknown at this time. The negative variance associated with mitigation funding is being offset with the positive variance associated with cost-shared Provincial Grants being greater than budgeted. 100% Provincially Funded programs are showing a negative \$25k variance. This negative variance is associated with timing of receipts related to the Ontario Seniors Dental program. The negative variance associated with Fees, Other Grants and Recoveries is attributable to timing as the bulk of fees are typically received between the spring and fall months.

There is a positive variance of \$101k related to Total Public Health expenses being less than budgeted. Salary and Wages expense is driving this positive variance.

APH's Community Health (Non-Public Health) Fiscal Programs are one-month into the fiscal year.

Notes Continued...

## **Public Health Revenue (see page 2)**

Overall, Public Health funding revenues are within budget.

The municipal levies are within budget.

Provincial Cost-Shared funding is reflecting a \$359k positive variance. As a result of the Ministry announcement to change the cost-sharing funding formula from 75% provincial funding to 70% provincial funding, management budgeted accordingly. As of April 30 2020, Provincial Cost-Shared funding is flowing similar to 2019 ratios.

Offsetting the positive variance noted with Cost-Shared Funding is the negative variances associated with 100% Provincially Funded programs, Public Health Provincial mitigation funding, and Fees Other Grants and Recoveries.

100% Provincially Funded programs are showing a negative \$25k variance. The negative \$26k variance associated with the Ontario Seniors Dental revenue is related to timing of receipts associated with the program.

Public Health Mitigation funding has yet-to-flow with regards changes to the cost-sharing formula. The negative variance associated with mitigation funding is being offset with the positive variance associated with Provincial Cost-Shared Funding.

Fees, Other Grants & Recoveries are showing a negative variance of \$60k. This is a result of timing of receipts of Fees, Other Grants & Recoveries. APH typically captures the bulk of its fees between the spring and fall months.

## **Public Health Expenses (see page 3)**

### ***Salary & Wages***

There is a \$67k positive variance associated with Salary and Wages. This is primarily associated with the Healthy Smiles and the Ontario Seniors. Dental programs. The 2020 Operating Budget included a Data Analyst position to support these programs and other agency needs. Management has recently approved the position for posting.

### ***Travel***

There is a \$17k positive variance associated with Travel expenses. This is a result of APH employees working virtually as opposed to travelling within the District of Algoma. Management is anticipating Travel expenses to be less than budgeted for 2020 as a result of the impact of COVID-19 pandemic.

### ***Program Promotion***

Program Promotion expense is indicating a positive \$17k variance. This is a result of timing of expenses not-yet-incurred.

Notes Continued...

***Professional Development***

There is a \$39k positive variance associated with Professional Development. This is a result of APH employees participating in less Professional Development opportunities to-date as a result of the COVID-19 pandemic. Specially, the Ontario Public Health Convention (TOPHC), one of the major provincial Public Health conferences, which some APH staff typically attend, was cancelled in March.

***Fees and Insurance***

Fees and Insurance is showing a negative \$48k variance. Insurance expense is \$21k over budget due to unanticipated increases in insurance premiums not budgeted. Additionally legal fees are currently \$27k over budget.

**Financial Position - Balance Sheet (see page 7)**

APH's liquidity position continues to be stable and the bank has been reconciled as of April 30 2020. Cash includes \$1.15M in short-term investments.

Long-term debt of \$4.65 million is held by TD Bank @ 1.95% for a 60-month term (amortization period of 180 months) and matures on September 1, 2021. \$272k of the loan relates to the financing of the Elliot Lake office renovations which occurred in 2015 with the balance related to the financing of the 294 Willow Avenue facility located in Sault Ste. Marie.

There are no material accounts receivable collection concerns.

**NOTE:**

1. Management is tracking COVID-19 associated costs. Costs will be reported in the time-period in which they are incurred.



**Algoma Public Health**  
**Statement of Financial Position**  
(Unaudited)

**Date: As of April 2020** **April 2020** December 2019

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**Assets**

**Current**

Cash & Investments	\$	<b>3,326,008</b>	\$	3,456,984
Accounts Receivable		<b>151,016</b>		433,414
Receivable from Municipalities		<b>201,770</b>		74,976
Receivable from Province of Ontario				

<i>Subtotal Current Assets</i>		<b>3,678,794</b>		3,965,374
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**Financial Liabilities:**

Accounts Payable & Accrued Liabilities	<b>806,693</b>		1,579,444
Payable to Gov't of Ont/Municipalities	<b>78,259</b>		514,362
Deferred Revenue	<b>297,436</b>		281,252
Employee Future Benefit Obligations	<b>2,910,195</b>		2,910,195
Term Loan	<b>4,836,784</b>		4,836,784

<i>Subtotal Current Liabilities</i>		<b>8,929,367</b>		10,122,037
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<b>Net Debt</b>		<b>(5,250,573)</b>		(6,156,664)
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**Non-Financial Assets:**

Building	<b>22,867,230</b>		22,867,230
Furniture & Fixtures	<b>1,998,117</b>		1,998,117
Leasehold Improvements	<b>1,572,807</b>		1,572,807
IT	<b>3,252,107</b>		3,252,107
Automobile	<b>40,113</b>		40,113
Accumulated Depreciation	<b>(10,429,282)</b>		(10,429,282)

<i>Subtotal Non-Financial Assets</i>		<b>19,301,092</b>		19,301,092
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<b>Accumulated Surplus</b>		<b>14,050,519</b>		13,144,428
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**Algoma Public Health**  
**COVID 19 - 402**  
*April 30, 2020*

<i>Account Name</i>	<i>Curr YTD</i>	<i>BGT YTD</i>	<i>Variance</i>	<i>Annual BGT</i>	<i>Funds Remaining</i>
<b>Revenue</b>					
<b>Expenses</b>					
Management Salaries and Wages	236,308	0	-236,308	0	-236,308
Non-Union Salaries and Wages	36,017	0	-36,017	0	-36,017
CUPE Salaries and Wages	118,908	0	-118,908	0	-118,908
ONA Salaries and Wages	385,118	0	-385,118	0	-385,118
Travel Food/Lodging/Other	190	0	-190	0	-190
Program Materials and Supplies	5,111	0	-5,111	0	-5,111
Office Equipment Purchased	2,254	0	-2,254	0	-2,254
Telecommunications	4,836	0	-4,836	0	-4,836
Media	8,018	0	-8,018	0	-8,018
Janitorial	1,364	0	-1,364	0	-1,364
Security	1,514	0	-1,514	0	-1,514
	799,638	0	-799,638	0	-799,638
<b>Surplus/(Deficit)</b>	<b>-799,638</b>	<b>0</b>	<b>799,638</b>	<b>0</b>	<b>799,638</b>

# BOARD OF HEALTH FOR ALGOMA PUBLIC HEALTH FINANCE AND AUDIT COMMITTEE TERMS OF REFERENCE

Original: May 22, 2015  
 Reviewed: Sep 28, 2016  
 Reviewed: Nov 13, 2019

The following Terms of Reference are in accordance with By-Law No. 95-1. The Committee is advisory to the Board unless the Board expressly delegates authority to the Committee on a particular matter.

<b>Name:</b>	Finance and Audit Committee
<b>Mandate:</b>	<p>To assist the Board in meeting its responsibilities, the Finance and Audit Committee (the “Committee”) shall:</p> <ul style="list-style-type: none"> <li>• Act in an advisory capacity to the Board; and</li> <li>• Ensure the adequacy and effectiveness of financial reporting by reviewing and recommending approval to the Board of financial statements, accounting policies, internal and external audits, internal controls, management plans and information.</li> </ul> <p>From time to time the Board may instruct the Committee to act on its behalf. In such cases, a motion by the Board must be passed stating the specifics of the assignment, the timeframe under which the Committee will carry out the assignment and a requirement to report back its actions and decisions to the board at its earliest possible convenience.</p>
<b>Roles and Responsibilities</b>	<p>These Finance and Audit Committee functions are fulfilled through the following roles and responsibilities: Review and make recommendations to the Board regarding monthly financial statements and other monthly/quarterly financial reporting being presented to the Board;</p> <ul style="list-style-type: none"> <li>• Review and make recommendations to the Board regarding the annual Operating and Capital Plan;</li> <li>• Review and make recommendations to the Board regarding the annual audited financial statements;</li> <li>• Review and recommend the annual audit plan, audit fees, and scope of audit services (engagement letter);</li> <li>• Meet with external auditors to review the findings of the audit including but not limited to the auditor’s Management Letter, any weaknesses in internal controls and the Executive Management’s response to such letter;</li> <li>• Review and report to the Board any changes in accounting policies or significant transactions which impact the financial statements in a significant manner as per the annual financial statements;</li> <li>• Periodically review the need for an internal audit and if required make such recommendation to the Board;</li> <li>• Monitor the internal audit process, ensure all items from the internal auditor’s reports are resolved and assess the internal audit performance;</li> </ul>

	<ul style="list-style-type: none"> <li>• Monitor the effectiveness of internal controls to ensure compliance with Board policies and standard accounting principles;</li> <li>• Review and ensure that all risk management is complete with respect to all insurance coverage for the Board;</li> <li>• Review and make recommendations to the Board regarding long-term financial goals and long-term revenue and expense projections;</li> <li>• Review and make recommendation to the Board concerning any material asset acquisitions;</li> <li>• Review and make recommendations to the Board regarding financial, Investing and banking transactions, providers and signing officers; and</li> <li>• Review other projects or developments as directed by the Board.</li> <li>• Complete tasks as stated in the Board's Annual Activity Plan</li> </ul>
<b>Chair:</b>	<p>The Chair of the Committee shall be elected annually by the Board and shall serve no longer than three terms. The Chair of the Finance and Audit Committee will also serve as the 1<sup>st</sup> Vice-Chair of the Board of Health.</p> <p>The Committee chair in consultation with the MOH/CEO/CAO is responsible for: establishing Committee agendas; conducting the meetings; liaison with the Board Chair, the Board and the MOH/CEO/CAO; reporting to the Board on the activities of the Committee and presenting Committee recommendations to the Board.</p> <p>The Committee may elect a vice-chair on an annual basis.</p>
<b>Recorder:</b>	The secretary to the Board will act as recorder for the Finance and Audit Committee.
<b>Reporting and Accountability to the Board:</b>	<p>The Committee will keep brief decision minutes of its meetings in which shall be recorded all matters considered at each meeting. These minutes will be circulated to the full Board once approved by the Committee.</p> <p>The Committee chair will report to the Board on recommendations from the Committee, including a brief outline of the issue, the options considered, the conclusions and recommendations arrived at and the implications and risks associated with the recommendations. In the absence of the Committee chair, this responsibility may be delegated to the Vice-Chair or another Director member of the Committee or to staff.</p>
<b>Committee Performance:</b>	The performance and effectiveness of the Committee shall be assessed annually as part of the Board's evaluation process. The evaluation will be based on the Committee fulfilling its Mandate.
<b>Membership:</b>	<p>The Finance and Audit Committee shall be comprised of:</p> <ul style="list-style-type: none"> <li>• Up to six (6) members of the Board of Health plus the Board Chair and no less than three (3) voting members;</li> <li>• MOH/CEO/CAO of Algoma Public Health, resource</li> <li>• CFO or designate of Algoma Public Health, resource</li> </ul>
<b>Frequency:</b>	<p>A minimum of four (4) meetings will be held annually as outlined in the Board's annual activity plan. Additional meetings can be held at the call of the Chair or at the request of the Board.</p> <p>The location of the meetings will be at APH's main office unless otherwise agreed upon by the Committee.</p>

<b>Term:</b>	The Committee shall be appointed annually by the Board.
<b>Committee Operations:</b>	<p>Quorum for Committee meetings is a majority of the voting members of the Committee.</p> <p>The Committee shall operate in accordance with the procedures for Board meetings as set out in By-Law No. 95-1</p> <p>The Committee may, with the approval of the Board, establish sub-committees.</p>
<b>Amendments:</b>	The Committee will review the Terms of Reference on an annual basis and make recommendations for any amendments to the Board for its review and decision re: approval.
<b>Distribution of Minutes:</b>	Minutes shall be made available to the committee members and the Board of Health via the electronic platform.

## Governance Meeting

June 17, 2020

### Attendees

**APH Executive:** Marlene Spruyt  
Jennifer Loo  
Tania Caputo

**Committee Members:** Deborah Graystone - Chair  
Lee Mason  
Heather O'Brien

The Governance Committee reviewed multiple policies and by-laws scheduled for review. An updated schedule for policy review was provided for information only.

The following policies were reviewed:

**Policy #02-05-060 Meetings and Access to Information** - This policy was discussed but no amendments were made. Reviewed and approved as is.

**Policy #02-05-080 Performance Evaluation for MOH CEO Policy** - This policy was deferred to our next meeting in September.

**Policy #02-05-085 Orientation Board Member Policy** - This policy was discussed and approved with no amendments

**Policy # 02-05-015 Conflict of Interest Policy** - This policy was discussed with some approved amendments along with potential additional amendments and will be reviewed again at our next Governance meeting.

**Policy #02-05-045 Attendance at meetings Using Electronic Means** - This policy was discussed, reviewed and approved as is. Note should be made that although during this pandemic electronic meetings are acceptable, this policy is intended for regular meeting times.

**By-Law #06-02 Ontario Building Code Appointments** - This policy was discussed, reviewed and approved as is. We ensured that trained alternates were available.

**By-Law #15-01 To Provide the Management of Property of the Board of Health** - This policy was discussed, reviewed and approved with no revisions.

Governance Committee Terms of Reference were reviewed -minor amendments made regarding having minutes available to board and committee members through electronic means. These amendments were approved by the committee.

Next Governance Meeting was scheduled for September 9, 2020.

## Algoma Public Health – Policy and Procedure Manuals – Board Policies and Bylaws

<b>APPROVED BY:</b>	Board of Health	<b>REFERENCE #:</b>	02-05-060
<b>DATE:</b>	Original: Oct 28, 2015 Revised: Mar 28, 2018 <u>Reviewed: Jun 24, 2020</u>	<b>SECTION:</b>	Policies
		<b>SUBJECT:</b>	Meetings and Access to Information

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### **PREAMBLE:**

As reflected in the Algoma Public Health Strategic Plan the Board of Health strongly supports the principles of accountability and transparency. This policy regarding Meetings and Access to Information instructs the Board and informs the public as to:

- i) how meetings of the Board will be held
- ii) how the public can access information from Board meetings
- iii) how information from Board meetings will be disseminated
- iv) the terms under which a meeting or part of a meeting may be closed to the public in accordance with Section 239 of the *Municipal Act*.

### **POLICY:**

Board of Health meetings are open to the public and the Board will conduct its meetings subject to Section 239 of the *Municipal Act*.

Minutes of Board of Health, Finance Committee and Governance Committee meetings will be posted on Algoma Public Health's Website and emailed to each municipal clerk in Algoma Public Health's catchment area with the exception of the in-committee minutes.

Copies of Board records in the possession or under the control of the Secretary to the Board may also be made available to members of the public and shall be processed in accordance with the General Administrative Manual (GAM) policy for information requests. Payment of the costs of photocopying shall be in accordance with the Algoma Public Health fee schedule.

*Municipal Freedom of Information and Protection of Privacy Act* does not apply to a record of a meeting closed under subsection (3.1). 2006, c. 32, Sched. A, s. 103 (3) of the *Municipal Act*.

In the event that the APH receives a complaint relating to a closed Board of Health meeting, APH will utilize the services of the Ombudsman Ontario as the investigator when required in accordance with s.239 of the *Municipal Act*. (reference 03-08).

The Secretary to the Board of Health will ensure that members of the media covering Board meetings have access to relevant information.

In accordance with Section 239 of the *Municipal Act*, which also applies to local boards or committees of local boards, a meeting or part of a meeting may be **closed** to the public if the subject matter being considered is:

- the security of the property of the municipality or local board;
- personal matters about an identifiable individual, including municipal or local board employees;

- a proposed or pending acquisition or disposition of land by the municipality or local board;
- labour relations or employee negotiations;
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- a matter in respect of which a Council, board, committee or other body may hold a closed meeting under another Act;
- information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- a trade secret or scientific, technical, commercial or financial information that belongs to the municipal local board and has monetary value or potential monetary value; or
- a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26.
- A meeting is held for the purpose of educating or training the members and at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee. 2006, c. 32, Sched. A, s. 103 (1).

A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* if the council, board, commission or other body is the head of an institution for the purposes of that Act. (1990, c. 25, s. 239 (3))

Before holding a meeting or part of a meeting that is to be closed to the public, a municipality or local board or committee of either of them shall state by resolution,

- (a) the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting; or
- (b) in the case of education or training sessions, the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed under article 239 subsection 3.1 of the *Municipal Act*.





**SCOPE**

This policy applies to new and continuing members of the BOH.

**RESPONSIBILITIES**

MOH/CEO and/or BOH Chair (or appropriate designate(s)) will:

- Set up an orientation meeting with each new BOH member prior to the first BOH meeting;
- Within three months of appointment review the orientation material with the BOH member to provide a clear understanding of relevant BOH and APH information;
- Provide ongoing orientation to all BOH members during their tenure on the BOH;
- Provide each BOH member with current and complete orientation material: and
- Ensure the orientation material is kept up to date and revised information is provided to each BOH member.

BOH Members will:

- Attend an initial orientation meeting with the BOH Chair and/or MOH/CEO upon becoming a member of the BOH;
- Ensure they have a working understanding of their role as a BOH member and all information as outline in the orientation material;
- Attend/participate in continuing education activities; and
- Use the orientation material as a BOH resource.

## Algoma Public Health – Policy and Procedure Manuals – Board Policies and Bylaws

**APPROVED BY:** Board of Health

**REFERENCE #:** 02-05-015

**DATE:** Original: Jan 18, 1995  
Revised: Oct 28, 2015  
Revised: Jan 24, 2018  
Revised: Jun 24, 2020

**SECTION:** Policies

**SUBJECT:** Conflict of Interest

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### **POLICY:**

Each member of the Board of Health has the obligation to avoid ethical, legal, financial or other conflicts of interest and to ensure that their activities and interests do not conflict with their obligations to the Board of Health of the Algoma District Health Unit (operating as Algoma Public Health) or its welfare.

It is the responsibility of the individual to disclose any conflicts of interest to the meeting

If there is any doubt as to a perception of conflict the member shall discuss with the chair and/or Board of Health for direction.

A board member should not use information that is not public knowledge, obtained as a result of his or her appointment, for personal benefit.

No board member should divulge confidential information obtained as a result of his or her appointment unless legally required to do so.

A Board member shall remove oneself from the Board of Health if Employment at APH is being sought.

### **The purpose of the Conflict of Interest Policy is to:**

i) assist individual board members in determining when his or her participation on a board decision/discussion has the potential to be used for personal or private benefit, financial or otherwise;

ii) protect the integrity of the Board as a whole and its members by following the conflict of Interest Policy and Procedures

**Definitions: A conflict of interest situation arises where a member either on his/her own behalf or while acting for, by, with or through another, has any direct or indirect non-pecuniary or pecuniary interest in any contract or transaction with the Board or in any contract or transaction that is reasonably likely to be affected by a decision of the Board.**

Where the board member or their close relative or friend or affiliated entity uses the board member's position with the APHU to advance their personal or financial interests;

**Actual conflict of interest:** a situation where a board member has a private or personal interest that is sufficiently connected to his or her duties and responsibilities as a board member that it influences the exercise of these duties and responsibilities

**Perceived conflict of interest:** a situation where reasonably well-informed persons could have a reasonable belief that a board member may have an actual conflict even where that is not the case in fact

**PROCEDURE:**

- 1) At the beginning of every Board/Committee meeting, the ~~Board~~-Chair shall ask and have recorded in the minutes whether any board member has a conflict to declare in respect to any agenda item.
- 2) If a board member believes that he or she has an **actual conflict of interest** in a particular matter, he or she shall,
  - (a) prior to any consideration of the matter, declare to the Chair of the Board or the Chair of the relevant Committee that he or she has a conflict of interest that prevents him or her from participating;
  - (b) not take part in the discussion of or vote on any question in respect of the matter;
  - ~~(c) leave for the portion of the meeting related to the matter; and~~
  - ~~(d)~~(c) not attempt in any way to influence the voting or do anything which might be reasonably perceived as an attempt to influence other councillors or committee members or the decision relating to that matter.
- 3) Should the Board be in an in-camera session the board member shall leave the room until the agenda item has been decided.
- 4) In situations where a board member declares a **perceived conflict of interest** the Board will determine by majority vote whether the member(s) participate in the discussion and vote on the item. The minutes should reflect the discussion and the Board decision on the matter. Alternately the board member may decide on his or her own accord to not participate in the discussion and to not vote on the agenda item in question.
- 5) Prior to seeking employment with programs administered by the Board the member shall provide a letter of resignation; however, the member may seek re-appointment if not successful in the job competition.

Where a conflict of interest is discovered during or after consideration of a matter it is to be declared to the Board at the earliest opportunity and recorded in the minutes. If the board determines that the involvement of the member declaring the conflict influenced the decision on the matter, the Board shall re-examine the matter and may rescind, vary, or confirm its decision. Any action taken by the Board shall be recorded in the minutes

Where there has been a failure on the part of a Board member to comply with this policy, unless the failure is the result of a bona fide error in judgement as determined by the Board, the Board shall request that the Chair, :

- i) Issue a verbal reprimand ; or
- ii) Issue a written reprimand; or
- iii) Request that the Board member resign or

Seek dismissal of the Board member based on regulations relevant as to how the board member \ was appointed.

## Algoma Public Health – Policy and Procedure Manuals – Board Policies and Bylaws

**APPROVED BY:** Board of Health

**REFERENCE #:** 02-05-045

**DATE:** Original: Apr 17, 2013  
Reviewed: Jun 17, 2014  
Revised: May 25, 2016  
Revised: Apr 25, 2018  
Reviewed: Jun 24, 2020

**SECTION:** Policies

**SUBJECT:** Attendance at Meetings Using  
Electronic Means

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### **POLICY:**

The Health Protection and Promotion Act allows Boards of Health any means to effectively manage a health unit.

Board of Health members are expected to attend Board of Health meetings and Board Committee meetings when they are members of a committee.

A Board member, when circumstances do not permit attendance in person, can fully participate (including voting) in open public portions of a Board of Health or Board committee meeting by means of conference call, video conference call or any other electronic communication facility.

Participation during a closed “In Camera” session of a Board of Health meeting or a Board Committee meeting will not be permitted.

**Algoma Public Health – Policy and Procedure Manuals – Board Policies and Bylaws**

**APPROVED BY:** Board of Health

**BY-LAW #:** 06-02

**DATE:** Original: Apr 19, 2006

**SECTION:** Bylaws

Revised: Feb 18, 2015

Revised: May 23, 2018

**SUBJECT:** Ontario Building Code Appointments

Reviewed: Jun 24, 2020

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Being a By-law of the Board of Health of Algoma Public Health to appoint a Chief Building Official and Inspectors for the purposes of the enforcement of the Ontario Building Code Act respecting sewage systems.

**WHEREAS** the Building Code Act, S.O. 1992, Chapter 23, provides that a Board of Health appoints a Chief Building Official and such Inspectors as are necessary for the purpose of enforcement of the Act;

**AND WHEREAS** the Board of Health of Algoma Public Health deems it desirable to appoint a Chief Building Official and Inspectors for the enforcement of the Building Code Act for the purposes of sewage systems, in the jurisdiction of Algoma Public Health;

**AND WHEREAS** the Building Code Act, S.O. 1992, Chapter 23, Section 7.1. requires the establishment and the enforcement of a code of conduct for the Chief Building Officials and Inspectors;

**NOW THEREFORE THE BOARD OF HEALTH OF ALGOMA PUBLIC HEALTH HEREBY ENACTS AS FOLLOWS:**

1. (a) Christopher Spooner (Manager of Environmental Health) shall be appointed as the Chief Building Official (CBO),
  - (b) In the absence of the CBO, an Inspector designated by the CBO shall be appointed as their replacement (Acting CBO). Any dispute arising during the absence of the CBO must be heard by the CBO at the earliest return to work.
  - (c) The CBO or Acting CBO shall have all the powers and duties as set out in Section 1. 1(6) of the Act for CBO.
  - (d) The CBO shall meet the qualifications and registration as required in Section 3.1.2, Division C, Part 3 of the Ontario Building Code and register annually on the Ministry of Housing and Municipal Affairs Quarts website.
2. The Public Health Inspector(s) that meet the qualifications and registration as required in Section 3.1.4, Division C, Part 3 of the Ontario Building Code shall be appointed as Inspectors for purposes of Part 8 under the Code.
3. The CBO and Inspectors shall act in accordance with the policies and procedures governing employees at APH including the Code of Conduct.

READ AND PASSED IN OPEN MEETING THIS 23rd DAY OF MAY, 2018.

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I. Frazier, Chair

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S. Saccucci, 1<sup>st</sup> Vice-Chair

Enacted and passed by the Algoma Health Unit Board on this 16<sup>th</sup> day of April 2006

Original signed by  
G. Caputo, Chair  
A. Northan, MOH

Revised and passed by the Algoma Public Health Board on this 17<sup>th</sup> day of March 2010

Revised and passed by the Algoma Public Health Board on this 18<sup>th</sup> day of February 2015

Revised and passed by the Algoma Public Health Board on this 28<sup>th</sup> day of June 2017

## Algoma Public Health – Policy and Procedure Manuals – Board Policies and Bylaws

**APPROVED BY:** Board of Health

**BY-LAW #:** 15-01

**DATE:** Original: Jun 17, 2015  
Reviewed: Jun 28, 2017  
Revised: Apr 25, 2018  
Reviewed: Jun 24, 2020

**SECTION:** Bylaws

**SUBJECT:** To Provide the Management of  
Property of the Board of Health

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The Board of Health for the District of Algoma Health Unit enacts as follows:

1. The Board shall acquire and hold title to any real property acquired by the by the Board for the purpose of carrying out the functions of the Board and may sell, exchange, lease, mortgage or otherwise charge or dispose of real property owned by it in accordance with the Act [Health Protection and Promotion Act R.S.O. 1990, c.H.7, s.52(3)].
2. Clause 1 is subject to the requirement that the Board of Health first obtain the consent of the councils of the majority of the municipalities within the Health Unit served by the Board of Health [Health Protection and Promotion Act R.S.O. 1990, c.H.7,s 52(4);2002, c. 18, Sched I.s.9(8)].
3. Prior to the sale of any real property owned by the Board of Health, the Board shall,
  - a. By by-law or resolution passed at a meeting open to the public, declare the real property to be surplus;
  - b. Obtain not more than one (1) year before the date of sale at least one appraisal of the fair market value of the real property from such person as the Medical Officer of Health/Chief Executive Office considers qualified
4. Notice to the public of a proposed sale of real property owned by the Board of Health shall be given prior to the date of the sale by publication in a newspaper that is of sufficiently general paid or unpaid circulation within the Health Unit area to give the public reasonable notice of the proposed sale.
5. Despite the requirement of clause 3(b) of the by-law, and subject to the requirements of clause 2, the Board of Health may sell any real property owned by it to any one of the following classes of public bodies without first obtaining an appraisal:
  - a. Any municipality within the Health Unit served by the Board of Health;
  - b. A local board as defined in the Health Protection and Promotion Act.
  - c. The Crown In Right of Ontario or of Canada and their agencies.
6. The Medical Officer of Health/Chief Executive Officer shall establish and maintain a public register listing and describing all real property owned or leased by the Board and which should, to the extent that is reasonable possible, include the following information:



- a. A brief legal description of the property
  - b. The assessment roll number of the property;
  - c. The municipal address or the real property, if available;
  - d. The date of purchase;
  - e. The name of the person to whom the property was purchased;
  - f. The instrument number of the transfer or deed by which title was transferred to the municipality;
  - g. The purchase price of the real property;
  - h. A brief description of improvements, if any, on the real property;
  - i. The date of the sale of the property;
  - j. The name of the person to whom the property was sold;
  - k. The sale price of the real property.
7. The CFO/Director of Operations through the Medical Officer of Health/Chief Executive Officer shall be responsible for the care and maintenance of all properties required by the Board
8. Such responsibility shall include, but shall not be limited to, the following:
- a. The replacement of, or major repairs to, capital items such as heating, cooling and ventilation systems; roof and structural work; plumbing; lighting and wiring;
  - b. The maintenance and repair of the parking areas and the exterior of the building;
  - c. The care and upkeep of the grounds of the property;
  - d. The cleaning, maintaining, decorating and repairing the interior of the building;
  - e. The maintenance of up-to-date fire and liability insurance coverage.
9. The Board of Health will establish and maintain reserve funds which may be used for properties in which it has an ownership interest in land and/or buildings (the "Property") the purpose of which shall be for the repair and replacement on and for the Property in order to maintain the Property in good repair and condition. Contributions to the Reserve Funds will be determined by the Board's Reserve Fund Plan. The Reserve Fund Plan shall be updated from time to time at the discretion of the medical Officer of Health and the Chief Financial Officer.

10. The Board shall ensure that all such properties comply with applicable statutory requirements contained in either local, provincial or federal legislation (e.g. building and fire code).

Read a first and second time this 17<sup>th</sup> day of June 2015.

*Originally signed by*  
L. Mason, Chair  
I. Frazier, Vice-Chair

Reviewed and passed by the Algoma Public Health Board on this 28<sup>th</sup> day of June 2017  
Revised and passed by the Algoma Public Health Board on this 25<sup>th</sup> day of April 2018

# BOARD OF HEALTH FOR ALGOMA PUBLIC HEALTH GOVERNANCE COMMITTEE TERMS OF REFERENCE

Original: Sep 22, 2015  
 Reviewed: Sep 28, 2016  
 Revised: Jun 26, 2019

The following Terms of Reference are in accordance with By-Law No. 95-1. The Committee is advisory to the Board unless the Board expressly delegates authority to the Committee on a particular matter.

<b>Name:</b>	Board of Health Governance Committee
<b>Mandate:</b>	<p>To assist the Board in meeting its responsibilities, The Governance Committee (the “Committee”) shall:</p> <ul style="list-style-type: none"> <li>• Act in an advisory capacity to the Board; and</li> <li>• Support the Board in fulfilling its commitment to and responsibility for sound and effective governance of Algoma Public Health (subject to the requirements of the Health Protection and Promotion Act and Provincial Public Appointments Process)</li> <li>• From time to time the Board may instruct the Committee to act on its behalf. In such cases, a motion by the Board must be passed stating the specifics of the assignment, the timeframe under which the Committee will carry out the assignment and a requirement to report back its actions and decisions to the board at its earliest possible convenience.</li> <li>• Ensure the adequacy and effectiveness of the Board policies and procedures. Support the Board in overseeing key elements required to ensure accountability, transparency and effective performance.</li> </ul>
<b>Roles &amp; Responsibilities:</b>	<p>These Governance functions are fulfilled through the following roles and responsibilities:</p> <ul style="list-style-type: none"> <li>• Enable the Board to meet its fiduciary obligations by defining APH’s approach to governance and supporting processes and practices that promote a leading-edge governance culture;</li> <li>• Recommend, where appropriate, changes to the mandate of the Board of Directors and each of its Committees based on the needs of APH and evolving governance standards (subject to requirements of the HPPA and Municipal Acts)</li> <li>• Recommend, where appropriate, the development and oversee the implementation of new governance structures, processes and protocols that enable the Board to fulfill its governance role effectively;</li> <li>• Support the Board of Directors in fostering a positive relationship with its key stakeholders;</li> <li>• Support a high standard of Board conduct and performance</li> <li>• Review Board policies on a regular basis, and at a minimum of every two years, and make recommendations to the Board to ensure currency and relevancy</li> <li>• Recommend and oversee the implementation of a governance review/ evaluation process regarding the performance of the Board, the Board Chair, committee chairs, committees and individual Directors;</li> <li>• Recommend procedures for the ongoing assessment of Board and Committee meeting effectiveness;</li> <li>• Recommend changes to address effectiveness issues arising out of these evaluations;</li> </ul>

	<ul style="list-style-type: none"> <li>• Assess the adequacy of the quality and timeliness of information provided to the Board of Directors and its Committees and make recommendations to the Board of Directors for change where appropriate.</li> <li>• Approve and monitor various measures of performance accountability on a regular basis.</li> <li>• Support the Chair of the Board of Health with MOH/CEO/CAO review as requested;</li> <li>• Oversee succession planning for the MOH/CEO/CAO, including development of a clear and transparent process to recruit and select a future MOH/CEO/CAO.</li> <li>• Ensure that there is an appropriate orientation and education program for new Directors and continuing education for all Directors including making recommendations on methods to improve Directors' knowledge of Algoma Public Health and their responsibilities as Directors;</li> <li>• Oversee the implementation of orientation and education programs for Directors to ensure these are undertaken effectively.</li> <li>• The Committee shall study and make recommendations to the Board on any matter as directed by the Board.</li> <li>• Complete tasks as stated in the Board's Annual Activity Plan</li> </ul>
<p><b>Chair:</b></p>	<p>The Chair of the Committee shall be elected annually by the Board and shall serve no longer than three terms. The Chair of the Governance Standing Committee will also serve as the 2<sup>nd</sup> Vice-Chair of the Board of Health.</p> <p>The Committee chair is responsible in consultation with MOH/CEO/CAO for: establishing Committee agendas; conducting the meetings; liaison with the Board Chair, the Board and the MOH/CEO/CAO; reporting to the Board on the activities of the Committee and presenting Committee recommendations to the Board.</p> <p>The committee may elect a vice-chair on an annual basis.</p>
<p><b>Recorder:</b></p>	<p>The secretary to the Board will act as recorder for the Governance Committee.</p>
<p><b>Reporting and Accountability to the Board:</b></p>	<p>The Committee will keep brief decision minutes of its meetings in which shall be recorded all matters considered at each meeting. These minutes will be made available electronically to the full Board once approved by the Committee.</p> <p>The Committee chair will report to the Board on recommendations from the Committee, including a brief outline of the issue, the options considered, the conclusions and recommendations arrived at and the implications and risks associated with the recommendations. In the absence of the Committee chair, this responsibility may be delegated to the Vice-chair or another Director member of the Committee or to staff.</p>
<p><b>Committee Performance:</b></p>	<p>The performance and effectiveness of the Committee shall be assessed annually as part of the Board's evaluation process. The evaluation will be based on the Committee fulfilling its Mandate.</p>
<p><b>Membership:</b></p>	<p>The Governance Committee shall be comprised of:</p> <ul style="list-style-type: none"> <li>• Up to six (6) members of the Board of Health plus the Board Chair and no less than three (3) voting members;</li> <li>• MOH/CEO/CAO of Algoma Public Health, resource</li> <li>• Director of HR and Corporate Services – resource</li> <li>• Director of Promotion and Prevention – resource</li> <li>• Director of Protection and Prevention – resource member</li> </ul> <p>Board Committee members will be appointed annually by the Board.</p>

<b>Frequency:</b>	<p>A minimum of four (4) meetings will be held annually as outlined in the Board’s annual activity plan. Additional meetings can be held at the call of the Chair or at the request of the Board.</p> <p>The location of the meetings will be at APH’s main office unless otherwise agreed upon by the Committee.</p>
<b>Term:</b>	<p>The Committee shall be appointed annually by the Board.</p>
<b>Committee Operations:</b>	<p>Quorum for Committee meetings is a majority of the voting members of the Committee.</p> <p>The Committee shall operate in accordance with the procedures for Board meetings as set out in By-Law No. 95-1</p> <p>The Committee may, with the approval of the Board, establish sub-committees.</p>
<b>Amendments:</b>	<p>The Committee will review the Terms of Reference on an annual basis and make recommendations for any amendments to the Board for its review and decision re: approval.</p>
<b>Distribution of Minutes:</b>	<p>Minutes shall be made available to the committee members and the Board of Health via the electronic platform.</p>

\_\_\_\_\_  
Signature of Board of Health Chair

\_\_\_\_\_  
Date

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May 27, 2020

**Subject:** Pandemic Pay Eligibility**From:** Helen Angus, Deputy Minister**CC:** AssocDM Fraser, ADMs Hillmer, Heenan, Graham, Blair, Sabaratnam, Kaftarian, Dicerni, Dr Williams; President and CEO, Ontario Health, Matthew Anderson

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As you know, on April 25, the government announced it is providing eligible frontline and support workers with temporary pandemic pay.

Since that time, we have received inquiries about whether the list of eligible workers or workplaces would be expanded. There is a limit to the amount of funding provided by the federal government through our agreement and after careful consideration, the government will not be expanding the pandemic pay beyond those already deemed eligible.

Pandemic pay will be in effect for eligible workers from April 24, 2020 until August 13, 2020, and consists of:

1. **A temporary top-up on hourly wages:** Eligible workers will receive \$4 per hour worked on top of existing hourly wages, regardless of how much they already make; and
2. **Monthly lump sum payments:** Eligible workers who work at least 100 hours in a designated 4-week period will also be eligible to receive an additional lump sum payment of \$250 for that period, up to a total of \$1,000 in lump sum payments. The designated 4-week periods are:
  - April 24, 2020 to May 21, 2020
  - May 22, 2020 to June 18, 2020
  - June 19, 2020 to July 16, 2020
  - July 17, 2020 to August 13, 2020

In the first week of June 2020 ministries will start providing written funding commitments to employer partners that receive direct government funding, as well as to service delivery managers, followed quickly by the flow of money.

.../2

We expect some employers will begin receiving pandemic pay in early June, however exact timing will vary.

The Pandemic Pay website at [Ontario.ca/pandemicpay](https://ontario.ca/pandemicpay) will be updated in the coming days with more specific timelines.

Our ministry will continue to work with eligible employers to move the funding forward as quickly as possible, always recognizing the due diligence that is required for government funding.

If you have any questions about pandemic pay, please contact the Ministry at [MOH.PPInquiries@ontario.ca](mailto:MOH.PPInquiries@ontario.ca)

Thank you,



Helen Angus  
Deputy Minister



June 8, 2020

Bruce Lauckner  
Transitional Regional Lead West, Ontario Health  
CEO for Erie St. Clair, Hamilton Niagara Haldimand Brant, South West and Waterloo Wellington LHINS

Dear Mr. Lauckner,

Re: Ontario Health reporting inaccuracy COVID-19 Enhanced Surveillance of Long-Term Care

On the May 7, 2020, Bruce-Grey COVID-19 Update Call you debriefed myself as the Board of Health Chair and Warden of Bruce County, and Paul McQueen, Warden of Grey County among others on the status of the Grey Bruce Health Unit (GBHU) with regards to the Enhanced Surveillance of COVID-19 testing in Long-Term Care, as directed by the Ministry of Health, and the data reporting inaccuracy that took place.

In your debrief, you spoke very highly of Dr. Ian Arra as the Medical Officer of Health (MOH) for the Grey and Bruce Counties, and of the GBHU performance. You attested that the GBHU has met and exceeded the Ministry of Health's expectation by reaching testing targets before the required deadlines.

You also explained what led to presenting inaccurate testing data to the Premier erroneously reflecting suboptimal performance of a number of the health unit in the South West Ontario Health Region. The reported number of swabs completed was substantially lower than actual number by a wide margin. For the GBHU, the inaccuracy showed 5% completion rate instead of the actual 45% at the time.

You explained that data from the Ontario Laboratory Information System (about 2 week old data) was possibility used instead of the diligently reported data by these health units on a daily basis.

The inaccurate data resulted in the Premier's statement in the media on May 5, 2020 describing the less than optimal performance of these health units and their MOHs. The Premier's statement was appropriately proportionate to the data that was presented.

You indicated in the meeting, what you had confirmed with the MOH on May 6, 2020, that the data inaccuracy was immediately communicated to the Premier's Office and that correction of the data was to follow.

No further communication has been forth coming from yourself as the CEO or your office representatives regarding this data inaccuracy, nor if the issue has been reported to the Premier's Office for knowledge and correction.

We respectfully request a written response confirming and outlining the following points. First, that the data inaccuracy was appropriately reported to the Premier's Office and the correction was completed. Second, and equally important, that mitigation measures have been implemented to prevent such inaccuracy from occurring in the future.

*A healthier future for all.*

101 17<sup>th</sup> Street East, Owen Sound, Ontario N4K 0A5

[www.publichealthgreybruce.on.ca](http://www.publichealthgreybruce.on.ca)



Yours truly,

A handwritten signature in black ink, appearing to read 'Mitch Towlan'. The signature is fluid and cursive, starting with a long horizontal stroke that curves upwards and then loops back down.

Mitch Towlan

Chair of the Board of Health  
Grey Bruce Health Unit  
101 17th Street East  
Owen Sound ON N4K 0A5  
Phone: (519)376-9420, Ext. 1241

CC

Office of the Premier  
Minister of Health  
Minster of Long-Term Care  
MPP Lisa Thompson  
MPP Bill Walker  
Chief Medical Officer of Health, Dr. David Williams  
Boards of Health – Ontario



**Head Office:**

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Kirkland Lake Tel.: 705-567-9355 Fax: 705-567-5476

[www.timiskaminghu.com](http://www.timiskaminghu.com)

June 9, 2020

The Right Honourable Justin Trudeau, P.C., MP  
Prime Minister of Canada  
Office of the Prime Minister  
80 Wellington Street  
Ottawa, ON K1A 0A2

The Honourable Chrystia Freeland, P.C., M.P.  
Deputy Prime Minister  
Privy Council Office  
Room 1000  
80 Sparks Street  
Ottawa, ON K1A 0A3

The Honourable Bill Morneau, P.C., M.P.  
Minister of Finance  
90 Elgin Street, 17th Floor  
Ottawa, ON K1A 0G5

Dear Prime Minister Trudeau, Deputy Prime Minister Freeland and Minister Morneau:

**Re: Basic Income for Income Security during Covid-19 Pandemic and Beyond**

---

On June 3, 2020, at a regular meeting of the Board for the Timiskaming Health Unit, the Board supported the enclosed correspondence of Simcoe Muskoka District Health Unit, dated May 20, 2020 and passed the following motion:

**MOTION #26R-2020**

Moved by: Kim Gauthier

Seconded by: Patrick Kiely

**BE IT RESOLVED** that the Board of Health endorses the Simcoe Muskoka District Health Unit (SMDHU) call for the federal government to 'take swift and immediate action on the evolution of the CERB Benefit into legislation for a basic income as an effective long-term response to the problems of income insecurity, persistent poverty and household food insecurity, as well as a response to the economic impact of the COVID-19 pandemic'; AND

**FURTHER THAT** Prime Minister Trudeau, Deputy Prime Minister Freeland and Minister Morneau, Timiskaming's MPs, MPPs and Chief Medical Officer of Health, and all Ontario boards of health are so advised.

CARRIED

Sincerely,

Carman Kidd, Board of Health Chair

Enclosure

cc Mr. John Vanthof, MPP - Timiskaming-Cochrane  
Mr. Anthony Rota, MP – Timiskaming-Nipissing  
Dr. David Williams, Chief Medical Officer of Health  
Mrs. Loretta Ryan, Association of Local Public Health Agencies  
Ontario Boards of Health  
Ms. Pegeen Walsh, Executive Director, Ontario Public Health Association  
Mr. Doug Jelly, Chairman of District of Timiskaming Social Services Administration Board

May 20, 2020

The Right Honourable Justin Trudeau, P.C., MP  
Prime Minister of Canada  
Office of the Prime Minister  
80 Wellington Street  
Ottawa, ON K1A 0A2

The Honourable Chrystia Freeland, P.C., M.P.  
Deputy Prime Minister  
Privy Council Office  
Room 1000  
80 Sparks Street  
Ottawa, ON K1A 0A3

The Honourable Bill Morneau, P.C., M.P.  
Minister of Finance  
90 Elgin Street, 17<sup>th</sup> Floor  
Ottawa, ON K1A 0G5

Dear Prime Minister Trudeau, Deputy Prime Minister Freeland and Minister Morneau:

**Re: Basic Income for Income Security during Covid-19 Pandemic and Beyond**

On behalf of the Simcoe Muskoka District Health Unit (SMDHU) Board of Health, I am writing to convey our strong support for the evolution of the Canada Emergency Response Benefit (CERB) into a basic income for all Canadians, during the COVID-19 pandemic and beyond.

While we commend the federal government for the economic measures that have been put into place to support Canadians during this unprecedented time of the COVID-19 pandemic, we also know that many are falling through the cracks. Measures such as the CERB, the Canada Emergency Student Benefit (CESB) and the Canada Emergency Wage Subsidy (CEWS), though necessary and very important, have left many Canadians, who do not qualify for or not able to access these programs, vulnerable to household food insecurity and the negative consequences of income insecurity and poverty such as inadequate or unstable housing, and poorer mental and physical health, including chronic diseases. A basic income would address these gaps, offering support to the most vulnerable Canadians.

Before the COVID-19 pandemic, many Canadians were already experiencing household food insecurity. In 2017-18 approximately 4.4-million (1 in 8) Canadians reported being food insecure, including 1.2 million children under the age of 18.<sup>1</sup> As a result of COVID-19, this number is predicted to increase as many individuals are facing precarious employment, have had their hours reduced or have lost their jobs altogether. Many are relying on food banks and other charitable programs, however, this only meets the need on a temporary basis and is not a long term solution.

**Barrie:**  
15 Sperling Drive  
Barrie, ON  
L4M 6K9  
705-721-7520  
FAX: 705-721-1495

**Collingwood:**  
280 Pretty River Pkwy.  
Collingwood, ON  
L9Y 4J5  
705-445-0804  
FAX: 705-445-6498

**Cookstown:**  
2-25 King Street S.  
Cookstown, ON  
L0L 1L0  
705-458-1103  
FAX: 705-458-0105

**Gravenhurst:**  
2-5 Pineridge Gate  
Gravenhurst, ON  
P1P 1Z3  
705-684-9090  
FAX: 705-684-9887

**Huntsville:**  
34 Chaffey St.  
Huntsville, ON  
P1H 1K1  
705-789-8813  
FAX: 705-789-7245

**Midland:**  
A-925 Hugel Ave.  
Midland, ON  
L4R 1X8  
705-526-9324  
FAX: 705-526-1513

**Orillia:**  
120-169 Front St. S.  
Orillia, ON  
L3V 4S8  
705-325-9565  
FAX: 705-325-2091

Examples of key Canadian initiatives that demonstrate the positive impact of basic income-like programs on health and well-being include the Old Age Security and Guaranteed Income Supplement through Canada's public pension system, the Canada Child Benefit, and the Newfoundland Poverty Reduction Strategy.

Basic income pilots for working-age adults in Canada have also led to promising findings, including the Mincome pilot in Manitoba and the recent Ontario Basic Income Pilot. The research study, [Southern Ontario's Basic Income Experience](#) released in March 2020, is based on Ontario's pilot. This pilot was implemented in three Ontario cities in 2018 by the provincial government, and the project was terminated in 2019 following a change in government. While the formal pilot evaluation was cancelled, this research study made use of surveys of individuals from Hamilton, Brantford and Brant County who had been enrolled in the pilot (217 individuals participated out of 1000 enrolled households), and interviews with 40 participants. Some of the key findings cited by participants in this report include improvements in physical and mental health; increased labour market participation; moving to higher paying and more secure jobs; reduced household food insecurity; housing stability; improved financial status and social relationships; less frequent visits to health practitioners and hospital emergency rooms; improved living standards; and an improved sense of self-worth and hope for a better future.

Additional evidence supporting the potential of a basic income for reducing the prevalence and severity of household food insecurity is presented in: [Implications of a Basic Income Guarantee for Household Food Insecurity](#), a research paper prepared for the Northern Policy Institute based on the Ontario Basic Income Pilot.

Moving forward during and following the COVID-19 pandemic is an opportune time for the federal government to take action to evolve the CERB into a basic income. This would provide income security to all Canadians during the economic challenges of the pandemic itself, the post-pandemic recovery, and into the future. This is particularly pertinent given the dramatic shifts in the labour market in recent decades, such that full-time permanent employment is no longer the norm. The current CERB has helped demonstrate the logistical feasibility of delivering a basic income, and it could be readily evolved into an ongoing basic income for anyone who falls below a certain income floor. There is evidence of growing support for this concept, as outlined in Appendix A. The Basic Income Canada Network has outlined [key features](#) of basic income design for Canada, which we support.

The SMDHU has been a strong proponent of basic income repeatedly since 2015. This includes having sponsored a resolution at the Association of Local Public Health Agencies (aLPHA) general meeting endorsing the concept of basic income and requesting the federal and provincial governments jointly consider and investigate a basic income policy option for reducing poverty and income insecurity (2015), and expressing support and input into the Ontario Basic Income Pilot (2017). SMDHU has also been encouraging advocacy for income solutions to household food insecurity through our [No Money for Food is Cent\\$less](#) initiative since 2017.

In keeping with this, we strongly recommend your government take swift and immediate action on the evolution of the CERB Benefit into legislation for a basic income as an effective long-term

response to the problems of income insecurity, persistent poverty and household food insecurity, as well as a response to the economic impact of the COVID-19 pandemic.

Sincerely,

**ORIGINAL Signed By:**

Anita Dubeau  
Chair, Board of Health

AD:CS:cm

Encl. (1)

cc. Hon. Doug Ford, Premier of Ontario  
Simcoe and Muskoka MPs and MPPs  
Simcoe Muskoka Municipal Councils  
Association of Local Public Health Agencies  
Ontario Public Health Association  
Ontario Boards of Health

## **Appendix A: Examples of Support for Basic Income in Response to COVID-19 and Beyond**

On April 21, 2020, 50 members of Canada's Senate wrote a [letter](#) to the federal government calling for a restructuring of the CERB into a minimum basic income to "ensure greater social and economic equity", especially for those who are most vulnerable. In support of this letter, Senator McPhedran's Youth Advisory Council, the Canadian Council of Young Feminists, in collaboration with the Basic Income Canada Youth Network, sent their own [letter](#) to the federal government.

In our region, Simcoe North MP Bruce Stanton has expressed agreement that it's time to consider basic income. He is quoted as saying "Based on my reading of this, like Senator Boniface, I am persuaded that it could be very good public policy" ([News Story](#)).

The Ontario Dietitians' of Public Health (ODPH) have also written a [letter](#) to the federal government stating "We ask that you take immediate action to enact legislation for a basic income guarantee as an effective long-term response to the problem of persistent poverty and household food insecurity as well as shorter-term consequences of the economic fallout of the COVID-19 pandemic".

The Board of Health of the Kingston, Frontenac, Lennox and Addington Health Unit in Ontario also passed a motion requesting the federal government to provide a basic income support to all Canadians ([News Story](#)).



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June 29, 2020

The Honourable Doug Ford ([premier@ontario.ca](mailto:premier@ontario.ca))  
Premier of Ontario  
Legislative Building, Queen's Park  
Toronto, Ontario M7A 1A1

-and to-

The Honourable Rod Phillips ([rod.phillips@pc.ola.org](mailto:rod.phillips@pc.ola.org))  
Minister of Finance  
Frost Building South; 7<sup>th</sup> Floor  
7 Queen's Park Crescent  
Toronto, Ontario M7A 1Y7

Dear Premier Ford and Minister Phillips:

**RE: Kingsville Council request that the Rent Assistance Program to include all businesses in a lease agreement within all "residential-above-commercial" properties without a cap on commercial/residential ratio**

At its Regular Meeting of June 22, 2020, Kingsville Council resolved the following:

**391-2020**

**Moved By** Councillor Kimberly DeYong

**Seconded By** Councillor Larry Patterson

Whereas the COVID-19 Pandemic has greatly impacted the business community in the Town of Kingsville;

And Whereas the Province of Ontario has provided financial assistance including a multi-level Rent Assistance program to the business community impacted by the COVID-19 Pandemic;

And Whereas the Rent Assistance program offered by the Province of Ontario established an arbitrary cap on multi-use properties where it is common for "residential-above-commercial" developments, especially in downtown and Main Street corridors;



And Whereas Kingsville, particularly in our downtown business centres, has several properties with residential-above-commercial where the ratio of commercial storefront businesses represents less than 30 per cent of the entire building, thus leaving a gap where local business owners cannot qualify for rent relief with their willing landlords;

And Whereas the Town of Kingsville's newly adopted Business Retention and Expansion Project Report identified that Kingsville businesses would benefit from the Province expanding the Rent Assistance program to include all commercial lease properties regardless of overall footprint.

Now Therefore Be It Resolved That the Town of Kingsville requests that the Province of Ontario expand their Rent Assistance program to include all businesses in a lease agreement within all "residential-above-commercial" properties without a cap on commercial/residential ratio;

And Finally, That this Resolution be circulated to the Premier, Doug Ford, the Minister of Finance, Rod Phillips, our local MPP Taras Natyshak, and all Ontario municipalities requesting their support.

**CARRIED**

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jennifer Astrologo".

Jennifer Astrologo, Director of Corporate Services/Clerk  
Corporate Services Department

[jastrologo@kingsville.ca](mailto:jastrologo@kingsville.ca)

/sjk

CC: Taras Natyshak, MPP ([tnatyshak-qp@ndp.on.ca](mailto:tnatyshak-qp@ndp.on.ca))

CC: All Ontario Municipalities