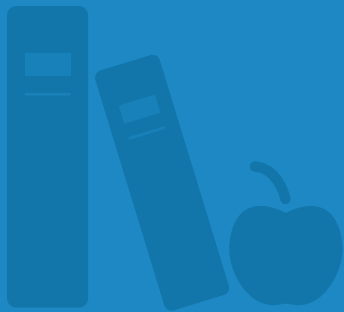


2017 • 2018

# ANNUAL REPORT





## Office of the Ombudsman of Ontario

### We are:

An independent office of the Legislature that resolves and investigates public complaints about Ontario government organizations and municipalities, universities and school boards. The Ombudsman recommends solutions to individual and systemic administrative problems.

### Our Values:

**F**air treatment  
**A**ccountable administration  
**I**ndependence, impartiality  
**R**esults: Achieving real change

### Our Mission:

We strive to be an agent of positive change by promoting fairness, accountability and transparency in the public sector.

### Our Vision:

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

Office of the Ombudsman of Ontario  
Bell Trinity Square  
10<sup>th</sup> Floor, South Tower  
Toronto, Ontario  
M5G 2C9

Telephone: 416-586-3300  
Complaints line: 1-800-263-1830  
Fax: 416-586-3485  
TTY: 1-866-411-4211  
Website: [www.ombudsman.on.ca](http://www.ombudsman.on.ca)



@Ont\_Ombudsman



Ontario Ombudsman



OntarioOmbudsman



June 2018

The Speaker  
Legislative Assembly  
Province of Ontario  
Queen's Park

Dear Speaker,

I am pleased to submit my Annual Report for the period of April 1, 2017 to March 31, 2018, pursuant to section 11 of the *Ombudsman Act*, so that you may table it before the Legislative Assembly.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Paul Dubé', is written over a light blue circular background.

**Paul Dubé,**  
Ombudsman

Office of the Ombudsman of Ontario  
Bell Trinity Square  
10<sup>th</sup> Floor, South Tower  
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# OMBUDSMAN'S MESSAGE



PHOTO BY STEF + ETHAN

■ Paul Dubé, Ombudsman

## The value of independent oversight

In many organizations, an Annual Report is a showcase of numbers, an illustrated balance sheet that carefully quantifies success, growth and value. As I present my third Annual Report as Ontario's Ombudsman, I can see evidence of all of those things, but they are not easily quantified or reduced to a set of figures.

Although we gather and report many statistics, our work is fundamentally about brokering human solutions to human problems. We hear from tens of thousands of people each year – **21,154** in fiscal 2017-2018. Many are frustrated with those they perceive as faceless bureaucrats – public sector officials who they feel have failed them in some way, usually by applying a rule, correctly or incorrectly. We help them resolve their issues by connecting them with the right public servants, most of whom welcome the opportunity to break a systemic logjam or find an innovative solution to a well-worn complaint. Most often, we find the problems we uncover are the result of rules that need to be reviewed and improved, rather than that of uncaring officials.

How do you measure the value of these interactions? In this report, we offer our best measure of our work in 2017-2018 – but the biggest stories aren't confined to the fiscal year. In fact, those with the most impact were many years in the making.

## From recommendation to law

Most people know that an Ombudsman is not a lawmaker; an Ombudsman can only

make recommendations. We do so based on the evidence of our investigations, and in the public interest. But our recommendations are almost always accepted – and when the government enacts them into law, they can bring enormous, lasting benefits to millions.

This past year alone, three major pieces of legislation were passed by the government that demonstrate precisely how our Office functions as an effective agent of positive change – by making sensible, evidence-based recommendations, and diligently following up on them. All three of these new laws incorporate recommendations that I made in reports and multiple submissions over the past two years, several of them building on a decade of work by this Office:

1. The *Safer Ontario Act, 2018*, passed in March 2018, will extend Ombudsman jurisdiction to all three of the province's police oversight bodies and require all police to be trained in de-escalation techniques in conflict situations, as I recommended. It also finally bolsters the Special Investigations Unit through standalone legislation, as this Office first recommended in 2008.
2. The *Correctional Services Transformation Act, 2018*, passed in May 2018, will indeed transform many aspects of how the province places and tracks inmates in segregation, or solitary confinement. This reflects my recommendations from our investigation last year, sparked by the case of a man who was in segregation for more than four years – but it also builds on years of work by our staff, who continue to flag urgent matters

involving vulnerable inmates to the leadership of the correctional system.

3. The *Modernizing Ontario's Municipal Legislation Act, 2017*, passed in May 2017 along with amendments to the *Municipal Act, 2001*, reflects calls for stronger municipal oversight that can be traced from the earliest days of this Office, under Arthur Maloney in 1975, up to my recent submissions to the relevant legislative committee. The changes they bring incorporate much of what we have called for in the two years since we were given full jurisdiction over municipalities, such as mandatory codes of conduct and access to integrity commissioners in all municipalities. They also make improvements to the open meeting rules – such as a clearer definition of “meeting” – that this Office has long recommended.

Of course, the enactment of new legislation is far from the end of the story; the key to its effectiveness is in how well it is administered, and that is where our Office provides additional value. Only independent oversight can provide impartial evaluation of whether these new laws fulfill their promise and affect Ontarians fairly and equitably. If they do not, we will be there to address the complaints when they arise and propose constructive solutions.

In a similar vein, we continue to see slow but steady progress in response to our 2016 report on services for adults with developmental disabilities who are in crisis, *Nowhere to Turn*. The problems in the developmental services sector are complex and often heart-wrenching, and took years to document; I appreciate that it will take time for the Ministry of Community and Social Services to implement all 60 of my recommendations

as well. We continue to assist people with complaints in this area, and to work with the Ministry. Thus far, although I have some concerns about the lack of detail the Ministry has provided publicly about its actions to date, I am encouraged by its efforts, as well as additional investments in services in this sector.

## Behind the numbers

I often remind the organizations we oversee that complaints are a good thing – they represent feedback from the people they serve and an opportunity to do better. A surge of complaints can clearly signal a problem, which is why our Office monitors and reports on complaint trends throughout this report. A complaint trend, be it sudden or slow-growing, can also spark an investigation. Such was the case with our ongoing investigation into driver licence suspensions by the Ministry of Transportation, which in turn has led to an increase in complaints for that ministry.

But our numbers also demonstrate that complaint volume alone is not the whole story. Consider: In the two fiscal years since we were given full oversight of municipalities, we received **5,158** complaints, but only resorted to formal investigations in **5** cases. It's a similar story for school boards: **1** formal investigation in the past two fiscal years; **1,816** complaints resolved. And universities: **443** complaints in two years, no formal investigations yet. As with all the provincial bodies we oversee, it is rare that we can't resolve an issue without formal investigation. Most complaints are resolved through behind-the-scenes work, pointing people in the right direction, and suggesting best practices. These results aren't documented in investigative reports, but their value is borne out in improved

policies and procedures on the ground.

Complaints about correctional facilities – already our top source of complaints – grew to **5,010** in 2017-2018, in part because we took a new approach to counting complaints that arise from inmates about the same issue at the same time. Meanwhile, complaints in several areas have declined. Does that mean those organizations are doing better? Sometimes, certainly. For example, I am confident that the decline in complaints about the Family Responsibility Office (FRO) in the past few years is related to the diligent work of its leadership, including establishing a special unit in the Assistant Deputy Minister's office to address the FRO's response to complaints. Complaints about the FRO remain high, but its efforts to improve customer service and learn from concerns raised are encouraging.

Shifts in complaint numbers about municipalities also suggest a bigger story: General complaints declined slightly, but are about a wider range of more complex issues – with a smaller proportion relating to councils themselves. Similarly, complaints about closed municipal meetings continued to decline, although a higher proportion of the meetings we investigated turned out to be illegal. This tells me that our work with municipal stakeholders – building relationships with them as we share our expertise in resolving issues and promoting fairness and accountability – is paying dividends. As more municipalities have engaged their own integrity commissioners and developed local accountability mechanisms, fewer people will look to our Office to police the conduct of locally elected officials – something that has never been our role. As always, we will stand ready to help where local mechanisms fail or can't reach.



## Human stories

Ultimately, the best measure of our work is the people we have helped, which is why we share their stories (protecting their confidentiality, as always) throughout this report.

There is also a human story to tell within our own Office, as we continue to build our team in conjunction with our expanded jurisdiction (the number of public sector bodies we oversee more than doubled in 2016, to more than 1,000). As we grow, we are not only maintaining our high professional standards, but also fostering a culture of teamwork based upon a shared passion for fairness and good governance. This team's dedication, professionalism, expertise and, yes, humanity, is what makes a difference for Ontarians every day, and shines through in this report.

I am privileged to work with such a team, and to have the opportunity, in my work with ombudsman organizations from across North America and around the world, to see how our influence is felt outside of Ontario. As the International Ombudsman Institute's Regional President for North America, and as host of our Office's respected "Sharpening Your Teeth" course for ombudsmen and administrative watchdogs, I have been gratified to see offices from across Canada and around the world draw on our expertise, and share their best practices with us as well.

These exchanges make us better at what we do, thereby enabling us to enhance the benefits we provide for the people and public sector institutions of Ontario.



■ May 1, 2018: Ombudsman Paul Dubé with IOI president Peter Tyndall, Toronto.



We come here to Toronto, to one of the brightest stars in the ombudsman community worldwide. Everyone is aware of the work of [Ombudsman Ontario], of "Sharpening Your Teeth," of the tremendous work that's done on own-initiative investigations, and just the authority and reputation of an office that punches well above its weight."

– Peter Tyndall, president of the International Ombudsman Institute (IOI) and Ombudsman of Ireland, speaking at the opening of IOI 40<sup>th</sup> anniversary board of directors meeting, May 1, 2018, Toronto



# 2017-2018 at a glance



**1.** November 21, 2017: Ontario's Officers of the Legislature meet at our Office (left to right, French Language Services Commissioner François Boileau, Information and Privacy Commissioner Brian Beamish, Child Advocate Irwin Elman, Environmental Commissioner Dianne Saxe, Ombudsman Paul Dubé, Auditor General Bonnie Lysyk, Integrity Commissioner David Wake, Chief Electoral Officer Greg Essensa). **2.** May 15, 2017: Ombudsman Paul Dubé introduces International Ombudsman Institute president Peter Tyndall at Forum of Canadian Ombudsman biennial conference, Ottawa. **3.** October 1, 2017: Our Office's Run for the Cure team, the Ombudsman Watchdogs, at Queen's Park. **4.** October 23, 2017: Don Sword, of the New South Wales Ombudsman (Australia), conducts training for our staff and other invited offices in handling complaints, Toronto. **5.** November 18, 2017: Our staff let people know how we can help at a community government services fair, Scarborough. **6.** October 16, 2017: International delegates at our annual "Sharpening Your Teeth" training course (along with 65 trainees from across Canada), including the ombudsmen of Bermuda and Botswana. **7.** September 28, 2017: Ombudsman Paul Dubé speaks on panel at Forum of Canadian Ombudsman training course, Toronto. **8.** March 19, 2018: Ombudsman Paul Dubé speaks at "Sharpening Your Teeth" training, which we were invited to deliver for staff of state ombudsman offices from across Australia, Hobart (Tasmania).



9. April 18, 2018: Ombudsman Paul Dubé is an invited speaker at international mediation conference, Casablanca (Morocco). 10. February 6, 2018: General Counsel Laura Pettigrew speaks at “Sharpening Your Teeth” training, which we were invited to deliver for members of the Mohawk Council of Akwesasne, Cornwall. 11. May 2, 2018: Ombudsman Paul Dubé with fellow IOI board members at Queen’s Park. 12. February 26, 2018: Deputy Ombudsman Barbara Finlay and General Counsel Laura Pettigrew share systemic investigation tips with staff of the French Language Services Commissioner. 13. October 27, 2017: General Counsel Wendy Ray welcomes public servants from Guangdong, China to our Office. 14. April 3, 2018: Ombudsman Paul Dubé speaks at Autism Ontario’s flag-raising for World Autism Day, Toronto. 15. January 16, 2018: Ontario’s Chief Digital Officer Hillary Hartley visits our Office for a Q&A with staff. 16. October 10, 2017: General Counsel Wendy Ray and Laura Pettigrew were invited to deliver our “Sharpening Your Teeth” training to staff of officers of the Newfoundland and Labrador legislature, St. John’s. 17. September 12, 2017: Our Office’s booth at the Ontario East Municipal Conference, Kingston. 18. September 26, 2017: Ontario Legislature interns visit 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.

The Ontario Ombudsman promotes fairness, accountability and transparency in the public sector by resolving and investigating public complaints and systemic issues within his jurisdiction.

According to the International Ombudsman Institute, of which our Office is a member, more than 140 countries have independent ombudsman offices, at the local, regional and national levels.

## Did you know?

The International Ombudsman Institute (IOI) was founded 40 years ago in Canada. In May 2018, the IOI's board of directors, representing ombudsman institutions from all over the world, marked this anniversary at a meeting in Toronto.

The IOI promotes the development of ombudsman institutions around the world as important to democratic oversight, and supports them through research, training and information exchange.



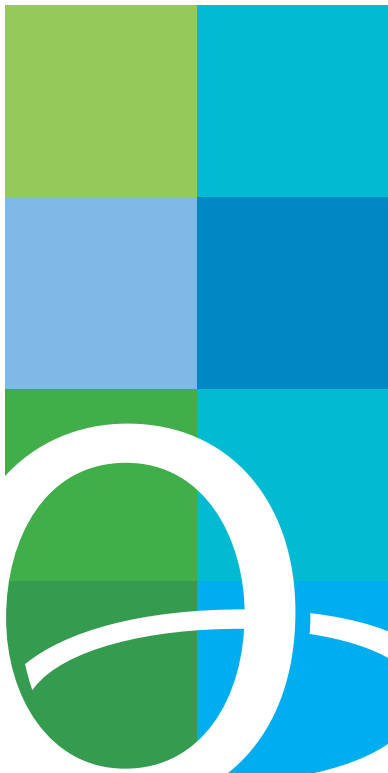
■ May 2, 2018: Ontario Lieutenant Governor Elizabeth Dowdeswell with IOI board of directors group at the Ontario Legislature.



Ombudsmen do vital work to address and combat ... alienation and disengagement. You bridge the gaps between citizens and institutions. You champion responsiveness and transparency. You build trust and restore people's faith in the social contracts that underpin good governance.

You are appointed by those in power to serve those who feel powerless. It takes a fearless and tenacious spirit to speak truth to power."

– Lieutenant Governor Elizabeth Dowdeswell, greeting the International Ombudsman Institute (IOI) board of directors at Queen's Park, May 2, 2018, 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 promoting fairness, accountability and transparency in the public sector.

### Our vision

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

Our Office was established in 1975 under the *Ombudsman Act*.

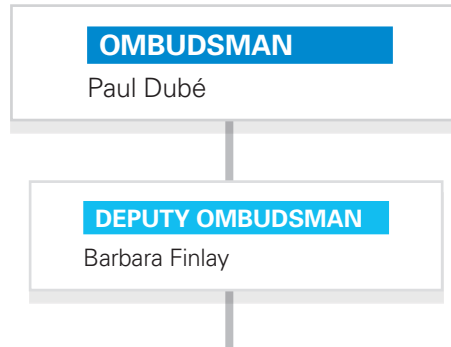
Per the *Ombudsman Act*, complaints to our Office are confidential and investigations are conducted in private. Our services are also free of charge.



I am often asked how, as Ombudsman, I can effect positive change in the public sector when I can only make non-binding recommendations. One of the ways I do this is by publishing reports like this one, in which I document the commitment of public sector officials to act on my proposals, and follow up on them with public updates on their progress, usually in my Annual Report. We are uniquely positioned to be able to inform public sector bodies on how well the changes are working.”

– Ombudsman Paul Dubé, commenting in his municipal investigation report, *By-law Surprise*, released April 2018

# WHO WE ARE



<p><b>EARLY RESOLUTIONS TEAM</b></p> <p>Complaint intake, triage, referrals, issue identification and analysis, research and complaint resolutions. <b>Director:</b> Eva Kalisz Rolfe</p>	<p><b>INVESTIGATIONS TEAM</b></p> <p>Individual investigations, proactive work, complex complaint resolutions, identification of trends and systemic issues. <b>Director:</b> Sue Haslam</p>	<p><b>SPECIAL OMBUDSMAN RESPONSE TEAM</b></p> <p>Systemic issue investigations, extensive field work, follow-up. <b>Director:</b> Gareth Jones</p>	<p><b>LEGAL SERVICES TEAM</b></p> <p>Legal support, evidence analysis, report preparation, municipal closed meeting investigations. <b>General Counsel:</b> Laura Pettigrew and Wendy Ray</p>
<p><b>HUMAN RESOURCES TEAM</b></p> <p>Recruitment, training, human resources administration and facilities. <b>Director:</b> Cheryl Fournier</p>	<p><b>FINANCE AND INFORMATION TECHNOLOGY TEAM</b></p> <p>Financial services and administration, information technology. <b>Director:</b> Tim Berry</p>	<p><b>COMMUNICATIONS TEAM</b></p> <p>Reports and publications, website, media relations, social media, video, presentations and outreach activities. <b>Director:</b> Linda Williamson</p>	



PHOTO BY STEF + ETHAN

■ May 23, 2018: The Ombudsman and (most of) our staff, outside our offices at 483 Bay Street, Toronto.

# WHAT WE DO

We receive thousands of complaints about public sector bodies every year, almost all of which we are able to resolve without need for a formal investigation.

The Ombudsman is an office of last resort. If you have not already tried to resolve your issue with existing mechanisms, we will refer you to the appropriate officials. If you have tried other avenues and were not satisfied, we can review those processes.

We resolve most cases without need for a formal investigation, but the Ombudsman can decide to conduct a formal investigation if he determines it is warranted, and it is within his jurisdiction. However, some organizations are outside of our jurisdiction, and some complaints raise issues that are not part of the Ombudsman's role.



I just wanted to let you know how grateful I am that you took the time to talk with me... You made a big impact on my life.”

– Email to Ombudsman staff from complainant



## We can:

- Help you connect with the appropriate officials, if you have not already tried to resolve your complaint.
- Navigate the bureaucracy to find a resolution, if your efforts to do so have failed, and the matter is within our jurisdiction.
- 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 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.



## 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
  - municipal police or police services boards
  - self-regulating professions (e.g., lawyers, doctors, nurses, teachers)
  - the federal government
  - university student associations
- Investigate complaints within the jurisdiction of other watchdogs, e.g., the Ontario Patient Ombudsman, Ombudsman Toronto, the Ontario Child Advocate.

# 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.



## QUESTIONS

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



## 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.



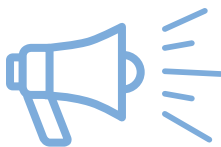
## REFERRALS

If your complaint is not about an Ontario government or broader public sector body within our mandate, 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.



## INVESTIGATION

If we are unable to resolve the matter informally, the Ombudsman may decide to conduct an investigation. The public sector body is formally notified, and we may conduct interviews and request documents and any 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 the results of all formal investigations 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.



# ABOUT THIS REPORT

Our Office oversees 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, and **21** universities.

This report is organized by topic area, rather than by government ministry or agency, arranged by case volume, as shown in the accompanying chart: For example, the first two categories are Law & Order and Social Services, because they generated the highest number of cases. 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 to this report, and on our website.

## CASES BY TOPIC AREA

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



### GOOD TO KNOW

Watch for “Good to Know” boxes throughout the report for other 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

# 2017-2018 HIGHLIGHTS



**21,154**

Total cases received



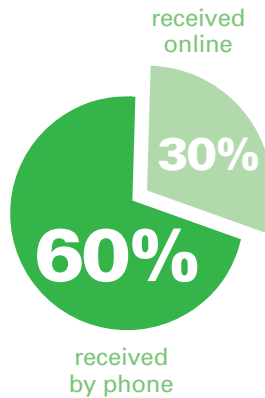
**49%**

closed within  
one week



**63%**

closed within  
two weeks



Outreach  
with  
stakeholders



**62**

outreach events  
in 2017-2018 in

**22** Ontario  
communities



Training/consultation with  
representatives from

**5** **8**  
provinces countries



## Top 5 complaint topics



Correctional facilities

**5,010**

cases received



Municipalities

**2,491**

cases received



Family Responsibility  
Office

**912**

cases received



School boards

**871**

cases received



Ontario Disability Support  
Program

**760**

cases received



## Communications



**1,350**

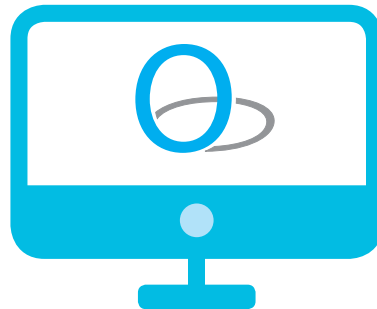
news articles published  
in fiscal 2017-2018



648  
broadcast media stories

**152,250**

website visitors from **180** countries



**674,605**

website pageviews



**387,718** people

Facebook reach



**2.5 million**

Twitter impressions



**7,715**

YouTube views



## Reports on investigations

**42**

recommendations

*The Route of  
the Problem  
(school busing),  
August 2017*

**16**

recommendations

*By-law  
Surprise (by-law  
enforcement),  
April 2018*

**22**

reports and letters

*Municipal  
closed  
meeting  
investigations*



## Submissions on legislation

**Bill 68**

*Modernizing Ontario's Municipal Legislation  
Act, 2017 – April 11, 2017*

**Bill 175**

*Safer Ontario Act, 2018 – February 22, 2018*

**Bill 6**

*Correctional Services Transformation Act, 2018  
– April 19, 2018*

# YEAR IN REVIEW – CASES BY TOPIC



## LAW & ORDER

### Overview

Year after year, this is the largest category of complaints to the Ombudsman. In fiscal 2017-2018, it was also the area most dramatically affected by legislative change. Two new laws – the *Safer Ontario Act, 2018* (passed in March 2018), and the *Correctional Services Transformation Act, 2018* (passed in May 2018), propose significant reforms to policing and correctional services, respectively. Both also reflect longstanding Ombudsman recommendations to improve oversight and governance of these areas, for the benefit of those who work in and are affected by policing and correctional services.

Although our Office has never had direct oversight of policing operations or the courts, our jurisdiction over the Ministry of Community Safety and Correctional Services and the Ministry of the Attorney General has enabled us to contribute to important reforms in police training, civilian oversight of and support services

for police, as well as improvements to Legal Aid Ontario.

The most common source of complaints in this area is consistently the province’s correctional facilities. The Ombudsman and staff visited several of these in 2017-2018, and plan to see many more firsthand in 2018-2019.

### Trends in cases – policing

The province’s new policing legislation, the *Safer Ontario Act, 2018*, proposes dramatic improvements to the oversight of police, reflecting longstanding recommendations by our Office and expanding the Ombudsman’s jurisdiction with regard to police watchdogs.

When the Act is proclaimed in force, it will reconstitute the province’s three oversight bodies, bolstering their function and giving them new names: The Office of the Independent Police Review Director (OIPRD) will be renamed the Ontario

### TOP 5 CASE TOPICS



Policing Complaints Agency; the Ontario Civilian Police Commission will become the Ontario Policing Discipline Tribunal; and the Special Investigations Unit (SIU) will be called the Ontario Special Investigations Unit.

It will also bring all three bodies within the Ombudsman's jurisdiction, a longstanding recommendation by our Office. Until the new Act is in effect, we only have oversight of the SIU, and must turn away complaints about the other bodies. In 2017-2018, we received **8** complaints about the SIU and **31** about the OIPRD; the latter were referred back to the organization or elsewhere, as warranted.

This change will provide more Ontarians with recourse to the Ombudsman for issues relating to civilian oversight of police, although municipal police services and most policing operations of the Ontario Provincial Police remain outside of our jurisdiction (we oversee some of the administrative functions of the OPP). In 2017-2018, we received **273** complaints about municipal police, and **123** about the OPP, which were resolved through referrals to local officials or the OIPRD wherever possible.

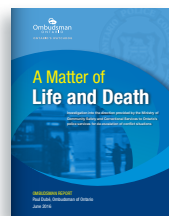
The new legislation also reflects important recommendations by the Ombudsman

to improve how police are trained to de-escalate conflict situations, and to support the SIU's mandate – please see the relevant updates under **Investigations**.

## Investigations – policing

### Police de-escalation training

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



#### Investigation update:

All 22 of the Ombudsman's recommendations were accepted by the then-Minister of Community Safety and Correctional

Services when this report was released, including that a new regulation be developed that would require police officers to use de-escalation techniques in conflict situations before resorting to force, whenever it is safe to do so. The recommendations specified that this regulation and a new use-of-force model for police training across the province be in place within a year.

Ministry officials have kept our Office updated on their efforts to implement the recommendations, which are ongoing, nearly two years after the report's release. In August 2017, the Ministry provided us with a detailed report on academic research it had undertaken in order to develop new de-escalation training. In October 2017, the Ombudsman advised the Deputy Minister that he was disappointed with the limited scope of progress on the issue.

The Ombudsman also made a submission to the Standing Committee on Justice Policy as it made final amendments to Bill 175, the *Safer Ontario Act, 2018*, urging them to include de-escalation training in the bill. This amendment was made before the Act became law in March 2018 – to require that no one can become a police officer without training in “techniques to de-escalate conflict situations.”

The Ministry advised us that its work on standards to be built into the Ontario Police College curriculum would be completed by July 2018. In April 2018, it announced that “a new police response framework that will help improve interactions with both vulnerable individuals and the general public” would be established by summer. It noted that the framework would serve as the foundation for Ontario Police College training as well as on-the-job training by police services, and would “ensure that the enhanced training is delivered consistently across the province.”

The Ministry has assured the Ombudsman that it is committed to all of the recommendations, which also include such things as conducting research on body-worn video cameras for police.



This builds on the province's ongoing work to integrate de-escalation techniques into the training programs of new recruits. These actions are part of the province's plan to address the recommendations in the Ontario Ombudsman's 2016 report.”

– Ministry of Community Safety and Correctional Services press release, April 3, 2018

## Special Investigations Unit (SIU)

Reports: *Oversight Unseen* and *Oversight Undermined*, released 2008 and 2011



**Investigation update:** In both of our Office's reports on systemic investigations related to the SIU, the Ombudsman recommended standalone legislation to support the SIU in its work as the province's independent civilian agency for investigating all incidents of police-

involved deaths or serious injury. Other recommendations included making SIU Director's reports public and making it an offence for police to refuse to co-operate with SIU investigations.

The Ombudsman reiterated these recommendations to the Ministry throughout the development of the new *Safer Ontario Act, 2018*, in submissions to the independent review conducted by Justice Michael Tulloch and, subsequently, the legislative committee that reviewed the former Bill 175 before it became law. These key changes were included in the new Act.

However, the Ombudsman and others raised concern that Bill 175's provisions for ensuring police co-operation with the SIU could be undermined by the qualifying clause "unless it is impracticable to do so." The clause remains in the legislation. Our Office will monitor any issues that emerge from new complaints about the SIU or the administration of the new Act.



■ February 22, 2018: Ombudsman Paul Dubé addresses legislative committee on Bill 175.

## Trends in cases – correctional services

Correctional facilities traditionally generate more complaints to our Office than any other aspect of the Ontario public sector; understandably so, given the control they exert over the lives of those housed in them. To ensure that these complaints are responded to and resolved as quickly and efficiently as possible, our staff prioritize situations where there is a

potential for a serious, significant impact on an inmate's well-being. These typically include concerns about inmates' health care, prolonged or frequent lockdowns, placements in solitary confinement, assaults by other inmates and the use of force by correctional officers. Complaints that are best handled at the institutional level are referred to the appropriate officials.

In fiscal 2017-2018, we received **5,010** complaints about Ontario's adult correctional facilities. This is significantly



We have seen historically the reluctance of police chiefs to respect and comply with the SIU's mandate. This wording will enable and reinforce the problem the section was intended to remedy.”

– Ombudsman Paul Dubé, submission to Standing Committee on Justice Policy regarding Bill 175, the *Safer Ontario Act, 2018*, February 22, 2018

higher than last year's total of **3,998** – but this increase is largely due to a change in how we count complaints from groups of inmates. It is also reflective of the fact that we continue to see many group complaints from inmates about common significant issues, such as access to health care, overcrowding of facilities and frequent lockdowns.

As of this year, complaints from several inmates about the same issue in the same institution are counted individually, just as they would be if several people complained about the same concern with any other public sector body. There were approximately **800** such complaints, meaning that the overall increase this year over last is actually about 300. This is consistent with our complaint totals for correctional facilities in the past five years.

TOTAL COMPLAINTS ABOUT CORRECTIONAL FACILITIES	
2017-2018	<b>5,010</b>
2016-2017	<b>3,998</b>
2015-2016	<b>4,051</b>
2014-2015	<b>3,904</b>
2013-2014	<b>3,839</b>
2012-2013	<b>4,477</b>

Ombudsman staff meet regularly with senior Ministry officials and correctional facility officials to discuss complaint trends, individual cases involving serious impact on inmates, and possible systemic issues. These discussions help resolve cases quickly and efficiently, and enable officials at the facilities to take proactive measures to avert future complaints. We also received **15** complaints about youth custody facilities, down from 20 in 2016-2017, which were referred to the appropriate officials.

Over the 2017-2018 winter, the Ombudsman and staff visited correctional facilities, including the Ottawa-Carleton Detention Centre, the Ontario Correctional Institute and the Toronto South Detention Centre. These observational visits provided the Ombudsman and staff a chance to see the infrastructure and conditions of confinement at these institutions firsthand, and to speak directly with correctional staff, Ministry staff, and inmates.

Among the serious, systemic issues we have flagged to the Ministry in recent years are the use of force by correctional officers and the use and tracking of segregation placements of inmates. In both cases, the Ombudsman launched formal investigations into these issues, and the Ministry accepted all of the resulting recommendations. The new *Correctional Services Transformation Act, 2018* will profoundly affect correctional services when it comes into force, particularly segregation placements. More information about these matters can be found under **Investigations**.

### Medical issues

Health care continues to be the most common type of complaint from inmates, representing more than half of the complaints we receive about correctional facilities. Most relate to problems or delays in receiving medication or treatment, and lack of access to doctors or dental care. We refer most cases relating to medical or treatment decisions back to the internal complaint mechanisms within the facilities, but our staff follow up on cases where the delay or lack of access to care could seriously affect the inmate's health or safety.

For example, an inmate who was scheduled to have his left foot amputated due to infection complained to us that

the infection had spread to his upper leg and the correctional facility was not responding to his concerns. After our staff made inquiries, the man was sent to hospital, where a doctor confirmed and treated the secondary infection.

A woman who had been on methadone prior to being incarcerated complained to us that the dose she was receiving in jail was too low. When we asked health care staff at the correctional facility to double-check her dose with her usual pharmacy, they confirmed they had made an error and corrected her dose.

We also helped an 81-year-old inmate with diabetes who complained that his blood sugar levels were too high and health care staff at his correctional facility would not adjust his medication. After our staff made inquiries, a doctor reviewed and adjusted the man's medications. The inmate later contacted us to report he was receiving "excellent service" from medical staff.

### Inmate-on-inmate assaults

As we reported last year, the Ministry began handling incidents of inmates assaulting one another differently in December 2016 – directing facilities to complete a local investigation report whenever such an assault results in serious injury. We received **64** complaints about inmate-on-inmate assaults this fiscal year, compared with 63 in 2016-2017. Our Office continues to monitor how the Ministry's direction has been implemented.

We followed up on one case where a man was assaulted by his cellmate and had to be taken to hospital for injuries to his left eye. When the facility and regional office initially told us that reports were not done for inmate-on-inmate assaults, we pointed to the Ministry's direction requiring



■ January 25, 2018: Ombudsman Paul Dubé and staff visit Ottawa-Carleton Detention Centre.

reports for cases of serious injury and the relevant policy. As a result, the Ministry reminded all regional offices and facilities of their obligations to complete local investigation reports in accordance with policy requirements.

### Lockdowns

A lockdown occurs when all inmates in a correctional unit, or even the entire facility, are confined to their cells. During lockdowns, inmates are generally unable to use common areas, phones or showers, participate in programs, or receive visitors – and they can last for days or sometimes weeks. Lockdowns are commonly the result of staff shortages, but can also occur for other reasons, such as security concerns or medical quarantine.

We received **437** complaints about lockdowns in 2017-2018 – a significant number that reflects multiple complaints from inmates at the same facilities complaining at the same time. Given the potential for serious impact on inmates' health and well-being during long or repeated lockdowns, our staff carefully review such complaints and, where warranted, make inquiries with the relevant facilities, or referrals to their

internal complaint mechanisms.

For example, when we received multiple complaints about frequent lockdowns at a small provincial facility, we learned the lockdowns were part of the institution's strategy to avoid conflicts and assaults between groups of inmates. The facility was releasing small groups of inmates from lockdown in rotating shifts to protect their safety, while still giving all an opportunity to leave their cells.

At another facility, many inmates complained about being on lockdown for five weeks. Our staff made inquiries to ensure the lockdown was being tracked and reported as required; we were told it occurred initially because of a search for weapons, and then because of staff shortages.

When we inquired with a facility where **37** inmates complained about lockdowns, overcrowding, infrequent bedding and clothing changes, overcrowding and bedbugs, facility staff confirmed that the lockdowns were due to staffing issues and searches, but that two visits by a pest control company had found no evidence of bedbugs.

## Investigations – correctional services

### Tracking of inmates in segregation

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



#### Investigation update:

In December 2016, the Ombudsman launched a systemic investigation into the tracking of inmates who are placed in solitary confinement,

officially known as segregation. The investigation was prompted by a steady rise in complaints to our Office, a lack of response by the Ministry to the recommendations the Ombudsman made in May 2016 as part of its consultations on the matter, and the discovery by the Ontario Human Rights Commission's Chief Commissioner of a 24-year-old inmate who had been held in segregation in Thunder Bay Jail without trial for more than four years.

The Ombudsman's April 2017 report, *Out of Oversight, Out of Mind*, found that the Ministry's systems for tracking inmate segregation placements were error-ridden and inaccurate, and that oversight at senior levels was severely lacking, meaning many vulnerable inmates were left isolated for long periods without the proper reviews. The Ministry accepted all **32** of his recommendations, including that it report back to our Office on its progress in implementing them.

In November 2017, the Ministry reported that **4** recommendations were fully implemented, **12** were partially



implemented, and **16** were in progress. Changes implemented to date include:

- Having correctional staff at all facilities enter every segregation placement into a database, and training staff on how to properly input this data;
- Creating a daily report to show segregation use across the province, and sharing this report with staff at each facility;
- Requiring each facility's segregation review committee to examine the reporting for each segregated prisoner;
- Hiring additional staff to improve the timeliness of reporting and data entry.

Several of the Ombudsman's recommendations are expected to be implemented through the new *Correctional Services Transformation Act*. Once it is in force, it will include a new definition of segregation, a cap on the length of segregation placements, and independent reviewers to scrutinize placements.

In April 2018, the Ombudsman made a submission to the Standing Committee on Justice Policy's hearings before the law

was passed, urging several amendments to fix remaining gaps in the bill. These included concerns about ensuring inmates can contact our Office by phone or email without interference, and about transitional provisions exempting some correctional facilities from the new segregation limits.

Also in April 2018, as part of the province's settlement with a former inmate and joint agreement with the Ontario Human Rights Commission, Justice David Cole was appointed to conduct an independent review of the province's compliance with the terms of the agreement, which deals with such issues as how inmates with mental illness are assessed and treated, particularly with regard to segregation placements. Our Office will monitor and report on the effect of these initiatives.

**Individual cases:** Notwithstanding the systemic improvements underway in the wake of the Ombudsman's report, we continue to address complaints about segregation placements. We received **296** such complaints this fiscal year, compared to 275 in 2016-2017 and 186 the year before.

Our review of one case revealed a serious inaccuracy in the Ministry's daily internal report on segregation placements. We discovered that when an inmate moved from one facility to another, the inmate's history of placements was not shown – instead, the data in the report indicated all placements being at the same facility, regardless of where the person had actually been housed. This was troubling in the case of one inmate who had been transferred between facilities 11 times, including several placements in closed confinement that had led him to two suicide attempts; instead of showing this pattern of transfers between institutions, the report erroneously showed all 19 of his segregation placements as being at one facility. After our staff flagged this problem to the Ministry, it updated the programming for the report so it displays an accurate history of inmates' prior placements.

We also continue to see cases where facility staff have not completed the required reporting or completed a care plan for an inmate with mental health issues, or where the records of a person's placement provide contradictory details. We follow up on these cases with the relevant facilities, and bring them to the attention of senior Ministry officials as warranted.

For example, a man in immigration detention at a provincial facility spent nearly 120 days in segregation, but it was only counted as 91 days because the clock was restarted when he was out of segregation for a single day. In fact, his segregation review documents identified at least three different start dates and contradictory and incomplete information about his placement. We brought these issues to the attention of facility staff who acknowledged the gaps and noted that updates to the segregation tracking and



“While I understand the need for transitional provisions, even short segregation placements can have severe impacts on inmates' well-being. The government's aim must be to eliminate indefinite segregation as soon as possible for all inmates at all correctional facilities. Allowing any institution to be exempted from the Act's new safeguards undermines its impact and may result in unintended consequences.”

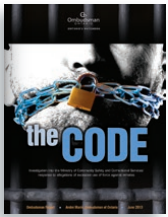
– Ombudsman Paul Dubé, submission to the Standing Committee on Justice Policy regarding Bill 6, the *Correctional Services Transformation Act, 2018*, April 19, 2018

reporting systems were underway.

When a man complained to us that he had been in segregation for more than a month without knowing why, we discovered that the correctional facility had not been completing the required documentation and five-day reviews of all segregation placements. We were told that this was due to insufficient resources and the facility had recently put a manager in place to do the reviews. The man, who told us he was experiencing mental health effects from the isolation, was transferred out of segregation and thanked our staff for their help.

## Excessive use of force by correctional officers

Report: *The Code*, released June 2013



### Investigation update:

The excessive use of force by correctional officers is a serious issue that our Office has monitored and investigated for

decades, including investigations in 1998 and 2013. The latter investigation was launched after four years of our staff alerting the Ministry to serious complaints – more than 350 in all – about correctional staff abusing inmates and, in some cases, covering it up.

The Ombudsman's June 2013 report, *The Code*, made **45** recommendations to the Ministry to eradicate a "code of silence" among staff with regard to excessive force, and to improve staff training and reports and investigations of incidents. The Ministry accepted all of the recommendations, and has fully implemented **39** to date.

Among other things, it has implemented a zero-tolerance policy regarding the "code of silence," issued new policies and procedures for investigating use-of-force incidents, and clarified when and how correctional staff are authorized to use force. It has also revamped its recruitment process, including adding mandatory psychological assessments and an updated training curriculum that provides clear instruction on the use of force, restructured its investigations unit for greater transparency and independence, and undertaken to retrofit and install closed-circuit cameras in facilities.

In December 2017, the Assistant Deputy Minister and staff met with the Ombudsman to share their latest progress report, noting that work is continuing on the six outstanding recommendations. These include completion of the closed-circuit video retrofit, policies for the use of hand-held video recording equipment during use-of-force incidents, and training of correctional staff and managers in defensive tactics. We will continue to monitor the Ministry's progress on these recommendations until they are implemented.

**Individual cases:** Complaints about correctional staff using excessive force are much lower than they were before the release of *The Code*, but they have increased in recent years – from 43 in 2015-2016 to 65 in 2016-2017, to **74** in 2017-2018. We deal with these on a case-by-case basis, by making inquiries as warranted and monitoring the response of mechanisms such as the Ministry's Correctional Services Oversight and Investigations unit (CSOI), which looks into significant contraventions of Ministry policy, including the excessive use of force.

One inmate complained that correctional officers used excessive force against him after a fight between two other inmates broke out and he jokingly refused to return to his cell. He said he was injured when they took him down and pepper-sprayed him. We followed up with the facility and received a copy of the local investigation report. Upon review at the regional level, the file was sent for further investigation by the CSOI.

Another inmate was sent to hospital with an injured thumb after correctional officers used force and pepper spray on him in the wake of a fight amongst inmates. Our Office received the local investigation report detailing the incident, which was ultimately referred to the CSOI for further investigation regarding the use of force.

## Other trends in cases

### Parole hearings

Our Office received **37** complaints in 2017-2018 from inmates and family members of inmates raising concerns about the parole hearing process. Many involved parole hearings being scheduled past an inmate's parole eligibility date (contrary to legislation) or delayed due to lack of hearing space, and inmates being denied parole due to missing or incomplete documentation.

For example, a woman reported that she was eligible for parole in late July, but her scheduled hearing at the beginning of that month was rescheduled until the end of August because the Ontario Parole Board (OPB) had not been provided with relevant documentation.

Another woman's parole hearing was rescheduled twice because of missing documentation due to a broken fax machine. Almost two months after her original hearing date, she was granted parole and released soon after.

Our Office followed up on these cases. The OPB, in collaboration with the Ministry of Community Safety and Correctional Services, has taken steps to improve communication and access to information throughout all stages of the hearing process, including changing scheduling practices to ensure hearings are scheduled prior to inmates' parole eligibility dates, as required by law.

## Legal Aid Ontario (LAO)

We received **120** complaints about Legal Aid Ontario (LAO) in 2017-2018, compared with 111 the previous fiscal year. The most common complaints involved disagreement or dissatisfaction with decisions made by LAO about eligibility for legal aid, or poor communication or service.

For example, a 17-year-old youth with cerebral palsy required legal assistance in seeking financial support from his parents. He needed to appeal the cancellation of his legal aid certificate before an upcoming court submission deadline. Our Office contacted LAO and as a result, it convened a special committee meeting to review the teen's appeal, where his certificate was reinstated.

Our inquiries in another case prompted LAO to improve its training for staff who handle complex legal documents. We were initially told LAO could waive the costs that a man was ordered to

pay at the end of a lengthy family law dispute, since lawyers on both sides were obtained through LAO, and the man was facing financial hardship. But almost six months later, LAO discovered its staff had made an error and it could not waive the man's costs. After our staff inquired, LAO provided him with a thorough explanation and committed to additional training for its staff.

## Case summaries

### Welcome assist

A woman who broke her collarbone before she was sent to jail complained to us that she had been waiting for eight days for a sling for her arm. She said her doctor had given her a sling to immobilize the injury and manage pain, but personnel at the correctional facility told her she would be put in segregation if she had one, because it could be considered a weapon. After our staff spoke to health care workers at the institution, we were told the woman would be seen by a doctor that day, and that there would be no problem if a sling was prescribed, as many inmates in general population are permitted to have assistive devices.

### About time

We helped a woman from Manitoba who had struggled for six months to get Legal Aid Ontario to recognize her approval for legal aid in a custody case in Ontario. After we contacted LAO, its staff acknowledged the delay, reviewed the woman's file and granted her a legal aid certificate.

## Weekend schedule

A man serving weekend time in jail who required anxiety medication three times a day sought our help because the correctional facility would not give him his medication on Saturday mornings when he arrived, or on Sunday evenings before he left. When our staff inquired, health care staff at the jail said this did not fit their medication schedule, and the man would normally be expected to take his medication at home, before and after his jail time. Once we explained that he could not access the medication on weekends, the health care staff agreed to provide him with his Saturday morning and Sunday night doses.

## Lost and found

We referred a man to the right internal complaint mechanism at the Office of the Children's Lawyer so he could voice concerns about delays in receiving documents and in setting his court date, all of which resulted in added legal costs for him. We spoke with staff at the Office of the Children's Lawyer who acknowledged their mistake in losing track of the man's court date until the last minute, and provided him with information on how to file a complaint. They also made changes to their processes to ensure similar errors are averted.



## SOCIAL SERVICES

### Overview and trends in cases

Ontarians rely on the provincial Ministry of Community and Social Services, as well as the Ontario Works program administered by municipalities, for a wide range of programs and services.

Given the large volume of people they serve, it is perhaps not surprising that the two top sources of complaints to our Office (excluding correctional facilities) are consistently the Family Responsibility Office and the Ontario Disability Support Program. However, it is worth noting that cases about both are on the decline. Our staff meet regularly with senior Ministry officials to flag recurring problems in these areas.

Cases related to Ontario Works are up slightly from last year, likely reflecting growing awareness of the fact that our Office now oversees (since 2016) municipal programs. We also received **269** complaints about Social Justice Tribunals Ontario, the group of administrative tribunals that deal with a

wide range of matters, including social benefits and child custody. (In 2016-2017, we received 238.) Since all tribunals are required to have a public complaints process, we refer most complaints accordingly. We cannot overturn tribunal decisions, although we can review the fairness of a tribunal’s processes.

Services for individuals with developmental disabilities can be complex and difficult to navigate, generating some **127** complaints. As we have for several years, our Office continues to work with both the Ministry of Community and Social Services and the Ministry of Children and Youth Services in addressing individual and systemic problems in this area.

We also continue to receive complaints about children’s aid societies – **367** this fiscal year – although they have never been within the Ombudsman’s jurisdiction. We refer these complaints to the Ontario Child Advocate (formerly known as the Provincial Advocate for Children and Youth), who, like the Ombudsman, is an independent officer of the Legislature who can conduct investigations.

### TOP 5 CASE TOPICS



## Family Responsibility Office (FRO)

Complaints about the FRO dropped below 1,000 in 2017-2018 for the first time in five years. Responsible for enforcing court-ordered child and spousal support, the FRO was the source of **912** complaints to our Office, a decrease from the 1,036 complaints received last year, and the lowest number received since 2012-2013.

In recent years, our staff have worked closely with FRO and Ministry management and monitored changes – such as the implementation of a “Resolution Unit” within the Assistant Deputy Minister’s office to deal with escalated complaints and improve processes and customer service. Although our statistics show that the FRO remains the most complained-about Ontario government organization, the recent downward trend in the numbers is encouraging.

TOTAL FRO COMPLAINTS	
2017-2018	<b>912</b>
2016-2017	<b>1,036</b>
2015-2016	<b>1,025</b>
2014-2015	<b>1,167</b>
2013-2014	<b>1,157</b>
2012-2013	<b>794</b>

## Errors and poor service

A frequent issue raised by FRO clients this fiscal year was, as in past years, poor service. One support payor called us after trying for six months to recoup an overpayment from the FRO, which had taken more than \$18,000 from the sale of his house to address unpaid

support. Although the man, his lawyer and his MPP’s office all notified the FRO that it had garnished too much money from the sale, its response was that it could not correct this, and he would need to address it in court. After our staff escalated the matter to the FRO Resolution Unit, the file was reviewed again and FRO officials issued him a refund of almost **\$8,000** and an apology.

Another man complained that FRO staff would not respond to him about his concerns that its records were wrong and his support payments were more than required. After we intervened, the FRO acknowledged it had made an error in the man’s case in 2016, and refunded him **\$3,663.91** that he had overpaid.

A woman complained to us that she was receiving limited and sporadic child support payments and could not resolve the issue with the FRO. Our staff learned there had been a delay in linking the woman’s file with the files of two other support recipients, all of whom had support agreements with the same man. We confirmed that the FRO corrected this, and also helped the woman submit the correct paperwork so she could recover a portion of the money owed to her sooner.

FRO management has recognized it needs to improve its customer service, and is working on initiatives to improve the information given to new clients about the agency’s role and function, and provide all clients with new ways to access and communicate with case workers.

## Enforcement issues

Complaints about FRO enforcement decisions come from both sides of the

support equation: Many are from support recipients who say the FRO does not do enough to ensure payments are made; many others are from payors who say its enforcement actions go too far. In our meetings with senior FRO officials, they have acknowledged a more proactive approach to enforcement is needed, and are reviewing their processes and service delivery model.

One woman told us that her ex-husband hadn’t made voluntary support payments in 14 years and was more than **\$35,000** in arrears. She had tried in vain to raise her concerns with FRO officials that their enforcement actions were not aggressive enough. After our staff made inquiries, the FRO suspended the man’s driver’s licence and initiated the process to take him to court to address the unpaid arrears.

At the same time, support payors complained that it was difficult to get the FRO to stop unwarranted enforcement against them. In one case, a man told our staff the FRO was still garnishing his wages even though his support obligation had ended in 2012. After our intervention, the FRO corrected its records and reimbursed him **\$11,738.52** that it had wrongly taken from him.

## Interjurisdictional cases

The FRO’s Interjurisdictional Support Order (ISO) Unit, which works with agencies in other provinces or countries to enforce court-ordered support in situations where one of the parties lives outside of Ontario, was also the subject of **47** complaints – down from 2016-2017 and 2015-2016, when we received 76 and 58 complaints respectively.

Our work on these cases has seen some improvements in how the FRO co-ordinates enforcement efforts with agencies in other jurisdictions. For example, we helped a woman obtain **\$1,400** in support for her adult daughter, whose support payor lives in British Columbia. FRO delays in sending her the required forms from the B.C. agency caused her to miss out on the payments. The case prompted the FRO and the B.C. agency to launch a pilot project allowing FRO clients to receive certain documents directly from B.C.

We also continue to monitor the ISO Unit's review, noted in last year's Annual Report, of cases involving United Kingdom residents which were found to have stalled. FRO staff identified **82** such cases and sent additional information to the U.K.

## Wage garnishments

The FRO is required to issue a wage garnishment to support payors' employers (essentially taking the payment directly from the person's paycheque) – except in exceptional circumstances. However, our Office has received numerous complaints about FRO officials agreeing not to issue wage garnishments without giving a clear explanation of why the cases were considered exceptional.

We have also had complaints about cases when the FRO issues wage garnishments, but the payors' employers fail to impose them. In one case, the ex-spouse of a Canadian Forces member complained to us that she was still not receiving payments, months after the FRO issued a wage garnishment. In response to our inquiries, FRO staff escalated the

case with Canadian Forces officials, and the woman soon began receiving support payments.

Our staff continue to monitor issues related to the FRO's handling of wage garnishments.

## Ontario Disability Support Program (ODSP)

We received **760** complaints this fiscal year about the ODSP, a social assistance program that provides income and employment supports to financially eligible Ontario residents who meet the legislated definition of disability. The program also provides coverage for drug and dental needs and disability related items. This is the lowest number of ODSP complaints we have received since 2014-2015.

TOTAL ODSP COMPLAINTS	
2017-2018	<b>760</b>
2016-2017	<b>862</b>
2015-2016	<b>843</b>
2014-2015	<b>684</b>
2013-2014	<b>621</b>
2012-2013	<b>565</b>

When ODSP clients contact our Office with a complaint, we ensure they are aware of the appropriate appeal mechanisms and, if necessary, facilitate resolution, communication and sharing of information through contact with Ministry staff. Our Office receives good co-operation from the Assistant Deputy Minister and other senior staff of the Ministry's Social Assistance Operations Division.

The most common complaints from ODSP recipients relate to difficulty in reaching or getting a timely response from their case workers. Some also had trouble getting information from case workers about the requirements for becoming and remaining eligible for ODSP assistance. Delayed or inadequate responses can result in ODSP clients being denied or missing out on benefits. Our staff helped several recipients address these problems.

For example, a woman applied for ODSP for her daughter, who has autism, four months before the girl's 18<sup>th</sup> birthday, when she would become eligible. She received no response, and when she followed up, ODSP officials told her there was no application on file and she would have to reapply. She did so, but by the time her new application was confirmed, it was four months after her daughter turned 18, meaning she had missed out on four months' worth of assistance. Our staff reviewed ODSP's documentation and discovered it had received her initial application, but it was not processed because of human and system errors. The ODSP sent her a cheque for the missed benefits.

A man complained to us that the company that provides his incontinence supplies was refusing to deliver them without receiving payment from ODSP, which was repeatedly late. He was unable to reach ODSP staff to address the issue, but when our staff inquired, we were told renovations at the local ODSP office caused delay in processing invoices and payments. The ODSP provided the man with contact information for a manager and committed to paying his supplier.

## Ontario Works

Unlike ODSP, Ontario Works is administered by municipal service providers and social services administration boards across the province. Over the two years since the Ombudsman's jurisdiction was expanded to include municipalities (beginning January 1, 2016), complaints about Ontario Works have increased steadily, as awareness has grown that we can now help recipients resolve their issues. We received **253** complaints about Ontario Works, up slightly from 248 in 2016-2017.

Our role in many such cases is to bridge communication gaps between recipients and their case workers. For instance, we received an urgent call from a mother of four, who said she had run out of money and her children had not eaten in 24 hours. They had been living in a shelter that provided meals, but now one of the children was in hospital, so the family was not able to return to the shelter three times a day for meals. Since she was unable to reach Ontario Works, our staff immediately did so, and officials there issued her a cheque for emergency funding. The woman's case worker confirmed the money reached her at the hospital within two days.

A single father who had left a job in the mining industry and hoped to return to driving a truck to support his family complained to us out of frustration with local Ontario Works staff. They had agreed to cover the \$900 cost of his truck driver exam, but he repeatedly warned them that it had to be done before July 2017 – because after that date, new legislation would require him to take an eight-week course. Ontario Works officials referred him to a skills development program

first, and did not respond to his requests for help with the licence in time. They then told him they would not provide additional funding to help him obtain his licence under the new program. Our staff spoke with a manager at Ontario Works, who acknowledged that the case could have been better handled, and confirmed that there was funding available to help the man get his licence under the new requirements.

We also received several complaints from grandparents about the eligibility requirements to access the Temporary Care Assistance (TCA) benefit, administered by Ontario Works. The TCA provides financial assistance and benefits to adults in financial need who are providing temporary care to children. In reviewing several such cases, our staff found inconsistent application of Ontario Works policy: Some grandparents who had limited income and were caring for their grandchildren received the benefit for several years, while others in the same circumstances were denied. Our review also could not find other available funding for those who didn't qualify for TCA. We have made inquiries with Ministry officials about addressing the apparent inconsistencies and lack of funding for these families.

## Developmental services

The large and complex system of support for Ontarians with developmental disabilities has benefited from significant investments in recent years, including a promise in the government's spring 2018 budget of an additional \$1.8 billion in funding over the next three years. Still, given the nature of the system and

the difficulties faced by many vulnerable people and their families in finding adequate and appropriate supports, we continue to receive many complaints in this area – **127** this past year, down from 216 the previous year.

Many of these cases stem from the same systemic issues revealed in the Ombudsman's investigation into services for adults with developmental disabilities who are in crisis, detailed in the 2016 report, *Nowhere to Turn*. We continue to monitor the Ministry's implementation of the Ombudsman's recommendations, and alert it to urgent individual cases (see further details in the **Investigations** section).

## Services for children with special needs

In 2017-2018, we received **38** complaints about services and treatments for children with special needs, consistent with the previous year's total of 34. The most common complaints involved a lack of funding and residential supports, and access to services and treatment.

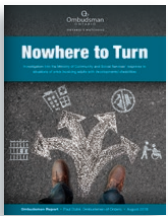
In one case, our involvement alerted the Ministry of Children and Youth Services to a policy gap regarding children who are in residential placements. A mother complained to our Office that the agency providing residential treatment services to her son collected the Children's Special Allowance (a federal program supporting children in foster care) for the 11 months he was in treatment. She argued that the agency should reimburse her the payments she would have received in family allowance, as she retained legal custody of her son, he came home on

weekends, and she was still financially responsible for providing his clothing and medications. Ministry officials acknowledged that the agency was not authorized to do this, and agreed to pay the mother the family allowance funds she would have received. The Ministry advised us it is reviewing its policy on whether agencies can collect the Children's Special Allowance for children who remain in the custody of their parents but are in residential care.

## Investigations

### Services for adults with developmental disabilities in crisis

Report: *Nowhere to Turn*, released August 2016



#### Investigation update:

The two-year mark is approaching since the release of the Ombudsman's report, *Nowhere to Turn*, which made 60 recommendations to address a lack of services for adults with developmental disabilities that was leaving many in long-term care homes, homeless shelters and even jail. The Ministry of Community and Social Services accepted all of the recommendations and committed to reporting back to the Ombudsman on its progress every six months.

The report dealt with more than 1,200 complaints received over the previous three years. We continue to receive complaints about individuals who have "nowhere to turn" – **128** in fiscal 2017-

2018, and 132 in the seven months of fiscal 2016-2017 after the report's release. Our staff respond to these cases on an urgent, individual basis, working to connect people with appropriate help in the complex developmental services system, and meeting with Ministry officials to deal with them as warranted.

For example, one mother sought our help after waiting years for a community residential placement for her adult son, who has a developmental disability, schizophrenia, and difficult behaviour, and had been living in a hospital psychiatric ward since 2010. Our inquiries revealed the Ministry was aware of the case, but had failed to include the man in its residential funding plan. After our intervention, a residential placement was found for him in a local community living home with special supports.

At the time this report was written, the Ministry had completely addressed **16** of the 60 recommendations, and **10** remained for more discussion. The Ombudsman is satisfied with the Ministry's response to the rest at present, as we continue to monitor their implementation. Among the many positive developments are new investments in supports essential for preventing and assisting with urgent situations, such as increased funding for Adult Protective Services Workers. The Ministry has also been developing communication tools to assist in reducing the involvement of people with developmental disabilities with the criminal justice system (such as a "Developmental Disabilities Justice Toolkit," for enhancing awareness about developmental disabilities among justice sector staff and first responders). The Ministry is also working on a multi-year residential planning strategy, which will include creating more

residential supports for vulnerable adults with developmental disabilities.

Our Office has also participated in many outreach activities to discuss *Nowhere to Turn*, its recommendations and its impact – attending conferences with and making presentations to groups of families dealing with developmental disabilities and other stakeholders. We continue to monitor and meet with Ministry officials on a regular basis to assist with individual cases and ensure the implementation of the rest of the Ombudsman's recommendations.

## Case summaries

### Clearer definition

An ODSP recipient complained to us about the Social Justice Tribunal of Ontario's decision on her eligibility for the ODSP's Work-Related Benefit. The benefit is paid to ODSP recipients for each month they have earnings from employment, and the woman had studied the criteria and believed she qualified. Our Office's review of the tribunal's decision and the ODSP's policy directive determined that the eligibility requirements for the benefit were not clearly defined. We raised our concerns with the Ministry of Community and Social Services, and it amended the policy directive to clarify the eligibility criteria.

### Sharing the wealth

A woman who was owed more than **\$17,000** in spousal and child support came to our Office for help in liaising with FRO officials. She provided us with documents showing that her ex-husband



was about to receive a substantial profit from selling a property. After we shared this information with FRO staff, they confirmed they had issued a garnishment of the sale and ensured the man paid the arrears in full.

## Cold case

A man contacted our office after the FRO issued an order to garnish his Old Age Security payments and his federal pension, according to a court order from 1982. He disputed his ex-wife's claim that he owed \$62,000 in child support arrears, and noted that the children were now 38 and 42 years old. We worked with staff at the FRO, who recognized that more recent orders had reduced the man's arrears to just over \$4,000. They also decided to close the case and reimburse him **\$2,000** they had garnished after they were unable to get a response from the ex-wife about when the children had stopped being eligible for support.

## Brother's keeper

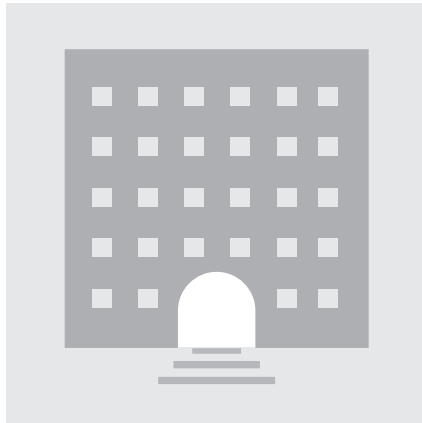
We helped sort out a case of mistaken identity between the FRO and a man who could not insure his house because a writ was registered in his name for unpaid support obligations – even though it was his brother who actually owed support arrears. The FRO has a process to deal with such claims, but instead told the man to speak to a lawyer. Our staff spoke with FRO officials to determine what documentation he could submit to prove he was not the intended subject of the enforcement action. The FRO provided him with the proof he needed to clear up the mistake and obtain insurance.

## Mailbox full

A man whose shelter allowance was terminated by the ODSP without notice complained to us after his case worker did not respond to several email messages. He had registered for a secure email program offered to ODSP clients who wish to communicate with case workers without having to phone or meet with them in person. Our staff checked with ODSP staff and found the case worker was on a leave of absence – and her colleagues were only checking her phone messages, not emails. When they looked into the man's case, they discovered some documents needed to be updated; once this was done, his shelter assistance was reinstated.

## Double trouble

A mother and adult daughter, both ODSP recipients who live together, complained to us about a mixup after the daughter successfully applied for ODSP for herself from a different office than the one where her mother was a client. She was not aware that her mother received additional ODSP benefits because she lived with her as a dependent child. When ODSP learned that the daughter was receiving ODSP directly and the mother was also receiving ODSP for her, it began deducting money from both of their benefits to recover the overpayment. The women complained to us that it was now deducting twice as much as it should. After our staff intervened, ODSP officials confirmed that because of a failure of communication between the two offices, both were making deductions to recover the debt. They reviewed the file and reimbursed the women the money they were owed.



## MUNICIPALITIES – GENERAL

### Overview and trends in cases

In 2017-2018, we received **2,491** complaints about **323** of Ontario’s 444 municipalities, as well as **27** shared local boards and corporations. Almost all of these complaints were resolved quickly and without the need for a formal investigation – for example, by referral to local accountability mechanisms or complaint processes. In fact, the Ombudsman has only had to resort to formal investigations in **5** cases since gaining full oversight of municipalities in January 2016. (The first two were reported in our 2016-2017 Annual Report; two more were completed and one launched in 2017-2018 – see updates on these under **Investigations**.)

This represents a decline from 2016-2017, when we received 2,667 complaints about 328 municipalities. Complaints about closed municipal meetings – covered in the next chapter of this report – also continued to decline. At the same time, as awareness has grown about the Ombudsman’s oversight and the type of

work we do, we are seeing complaints about a wider range of topics. Although complaints about municipal councils themselves still top the list, they now represent a smaller proportion of all complaints.

As we have for several years, our Office encouraged all municipalities to have local accountability mechanisms in place to deal with complaints about councillor conduct. In the coming months, changes to municipal legislation will come into effect, requiring all municipalities to have codes of conduct and provide access to integrity commissioners. We expect that this will help clarify the Ombudsman’s role, which is not to replace local accountability officers and mechanisms, but to serve as an independent office of last resort, to ensure they are working as they should.

Our Office continues to work with and provide resources to municipal stakeholders about such things as best practices for complaint processes and ensuring administrative fairness. This included the Ombudsman and colleagues speaking at and attending municipal stakeholder conferences across the province, as well as participating in the

### TOP 5 MUNICIPALITIES BY CASE VOLUME



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

Ministry of Municipal Affairs' consultations on its new regulations for codes of conduct and guides for councillors.

## New legislation: Integrity commissioners and codes of conduct for all

With the passage of Bill 68, the *Modernizing Ontario's Municipal Legislation Act, 2017*, every municipality is required to have a code of conduct for its council and local boards, and provide access to an integrity commissioner, by March 1, 2019.

Many municipalities have already complied with this, recognizing it as a best practice, and some have also added more accountability officers. As of the writing of this report, we are aware of **135** municipalities that have appointed an integrity commissioner, and more than **200** that have a council code of conduct. We also know of **28** that have appointed a local ombudsman, **3** with an auditor general, and **6** that have a lobbyist registrar.

Our Office encourages municipalities to have these accountability mechanisms, as local problems are best resolved at the local level, and it is not the Ombudsman's role to serve as a local integrity commissioner or other such office. Our Office can and does review complaints about integrity commissioners, but our focus in such cases is on whether they followed a fair process, considered the issues before them, acted in accordance with applicable legislation, policies, and terms of reference, obtained and considered relevant information, and provided sufficient reasons to support their decision.

Among the best practices that we routinely recommend to municipalities in this regard are that they should have a clear and publicly accessible protocol for complaints under the code of conduct, there should be no fee for making a complaint to the integrity commissioner, and the protocol should allow the commissioner discretion to decline frivolous or vexatious complaints, and set out the penalties and sanctions that the commissioner can recommend.

## Complaints about councils

Complaints about councils and committees – including elected officials' decisions and/or conduct – remained the top topic of complaint in 2017-2018, although there were fewer of them: **362**, compared to 509 the previous year. Many of these come from municipal officials, including councillors themselves. Our Office cannot overturn decisions of council, but we can review the administrative processes and implementation of council decisions.

A municipal employee complained about a public statement made by a member of council, which he felt was inappropriate and unprofessional. The municipality had mistakenly published on its website that the Ombudsman could take complaints about its code of conduct, as it had not appointed an integrity commissioner. Our staff explained that this is not our Office's role, and we worked with the municipal clerk to correct the website. A local integrity commissioner was later appointed.

## By-law enforcement

Complaints about by-law enforcement increased slightly in 2017-2018, to **267**

## GOOD TO KNOW

Our Office provides resources to municipal stakeholders on how we work, as well as about accountability mechanisms, best practices, complaint processes, codes of conduct and more.

from 251 the previous year. These involve the actions and decisions of municipal by-law enforcement officers, both when they choose to enforce a by-law and when they exercise their discretion not to enforce.

One woman was upset that the municipality hadn't done enough about her complaints about debris, weeds and vermin on her neighbour's property, although its by-law officer had visited it at least five times. After our staff contacted the by-law department, a manager looked at the property, spoke to the neighbour about it, and offered to contact the local public health unit about the insect and rodent infestations.

We also assisted a municipality where an angry resident, who had been forced by local by-law enforcement to tear down a shed beside his house, identified 79 other properties that had a shed beside the house, and filed a complaint about each one. The municipality's policy was not to respond to complaints made for vexatious reasons; it generally requires complaints to come from affected neighbours. The municipality accepted our Office's suggestion that it add this information to its website, and it also began developing a plan to publicize and explain its approach to by-law enforcement and vexatious complaints.

## Housing

Municipal service providers and district social services boards administer public housing throughout the province. We received **207** complaints related to local housing issues in 2017-2018, including some about local building codes and inspections.

When his local service board found no evidence of any plumbing problems in his public housing unit, one resident took a video showing sewage bubbling up into his sink. Our staff shared the video with the services board, which reassessed the problem and arranged to have the man’s sink unclogged and repaired.

A couple complained to us that their local Chief Building Official would not look into a shipping container on their neighbour’s property, which they feared was not anchored properly and posed a safety risk. The official said the municipality did not require permits for shipping containers. Our staff spoke to the official and pointed to examples of other municipalities where such permits are required, as well as a decision from the Building Code Commission that found a shipping

container can be considered a building. He agreed to inspect the site, and confirmed to the couple that there were no safety concerns with the container.

## Water, sewers and infrastructure

Water and sewage treatment are two of the vital services provided by municipalities, and a top topic of complaint when they don’t work well. We received **104** complaints about water and/or sewer issues in 2017-2018, including several about high water bills. We also received **130** complaints about municipal infrastructure, which includes issues about snow clearing, road maintenance, and drainage.

A woman whose aging parents were both in hospital sought our help after they received a water bill for more than \$600 – triple the usual amount – even though no one was living in the house. The municipality’s inspection found the cause of the excess water usage was a leaky toilet, but it refused to reduce the bill or the interest accrued on it. After our staff spoke to municipal officials about the situation, they agreed to reduce the interest on the bill and

explained to the woman how she could bring the matter before council to ask for further relief.

## Investigations

### By-law enforcement in the Township of St. Clair and County of Lambton

Report: *By-law Surprise*, released April 2018



#### Investigation update:

The Ombudsman’s investigation into by-law enforcement actions taken by the Township of St. Clair and the County of Lambton

found that a resident was wrongly billed for more than \$11,000 in by-law enforcement expenses that were incurred without her knowledge. The resident had no idea that a by-law enforcement officer had visited her property more than 50 times over more than four years over a complaint about vehicles on her land. She had no means to pay, and the debt was added to her tax bill.

## TOP 5 CASE TOPICS

**1** **362**  
Council/committees

**2** **267**  
By-law enforcement

**3** **207**  
Housing

**4** **130**  
Infrastructure

**5** **118**  
Planning/zoning

After several attempts to resolve the matter informally with the municipalities, the Ombudsman launched a formal investigation, which revealed several serious issues with the way the enforcement expenses were tracked, the relationship between the county and township for paying for enforcement, and the legality of the bill. The Ombudsman found that the Township of St. Clair had no legal authority to bill the resident as it did, and recommended it apologize to her and forgive the debt. As well, the County of Lambton had, at times, failed to ensure that charges for its services were clear, predictable, consistent, accurate and justified.

The Ombudsman made **16** recommendations to the township and the county, all but two of which were immediately accepted. The township responded that it would not apologize to the resident or eliminate her debt, but that council would consider reducing it. The Ombudsman continued to urge the township to “do the right thing.”

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

**Launched: December 2017**

**Investigation update:** The Ombudsman launched this investigation after an incident at a meeting of regional council on December 7, 2017, at which a journalist and a local blogger had property seized and were asked to leave the meeting. Noting that “this matter has raised serious concerns about the actions and processes of the municipality, and has understandably drawn high public



■ August 14, 2017: Ombudsman Paul Dubé with Legal and Investigations staff at Association of Municipalities of Ontario annual conference, Ottawa.

interest,” the Ombudsman assigned the Special Ombudsman Response Team to conduct the investigation. Our Office is also reviewing complaints that the meeting was illegally closed to the public, contrary to the open meeting rules in the *Municipal Act, 2001*.

At the time this report was written, investigators had completed their field work – including dozens of interviews and an extensive review of relevant documents – and the Ombudsman’s findings and report were in the process of being drafted.



I am not suggesting that the township deliberately acted contrary to law, or that it is not entitled to take steps to ensure that residents and property owners comply with prescribed property standards.... Still, the township has an obligation to understand and follow its own by-laws.”

– Ombudsman Paul Dubé, *By-law Surprise*, April 2018



■ May 11, 2017: Ombudsman Paul Dubé speaks to the Federation of Northern Ontario Municipalities conference, Nipissing.

## Notice of meetings of Elliot Lake Residential Development Commission

Report: *Public Notice*, released August 2017

**Investigation update:** This investigation dealt with an issue that normally falls within the Ombudsman's role as closed meeting investigator for hundreds of municipalities (for more, see the next chapter of this report). It focused on the failure of the Elliot Lake Residential Development Commission to hold open meetings, as it is required to do under the *Elliot Lake Act*.

The Ombudsman found that the commission's failure to notify the public of its meetings was unreasonable and wrong, because members of the public had no way of knowing about

them and thus could not exercise their right to attend. He recommended the commission provide notice of all meetings, and pass a by-law specifying how this will be done.

## Case summaries

### Code found

A mall developer told us that local councillors were interfering with the development of her project, but she believed the municipality did not have a code of conduct or integrity commissioner. We contacted the municipality and learned that it does have a code of conduct and was in the process of appointing an integrity commissioner. Immediately after our staff made inquiries, the municipality moved the code of conduct to the main page of its

website, to make it more visible to the public.

### Faster lane

We helped a man who waited more than a year to hear back from his municipality about purchasing a portion of the laneway behind his house. Municipal officials told us there was a backlog in similar applications, but confirmed this one was nearly finalized. Less than a month later, the municipality contacted the man to tell him his application was approved.

### Making it clear

A woman renting a basement apartment sought our help after a municipal construction crew broke a water pipe near her unit, flooding her apartment and damaging her belongings. The municipality did not provide a clear process or information on how to submit a claim for such damage, but after our Office made inquiries, it revised its website to include information on how to submit claims.

### Up to code

A man contacted us after getting no response to a complaint about his local Chief Building Official. Under the *Building Code Act*, municipalities are required to have a code of conduct for building officials and inspectors, and process for enforcement, but this municipality did not have a code of conduct in place. After we raised this requirement with the municipality, it developed and posted a code of conduct on its website, along with a complaint process and contact information.



## MUNICIPALITIES – CLOSED MEETINGS

### Overview and trends in cases

It has now been more than 10 years since Ontario established a new open meeting enforcement system through amendments to the *Municipal Act, 2001*, requiring every municipality to have an investigator to deal with complaints about meetings closed to the public. As of January 1, 2008, the Ombudsman became the investigator for all municipalities that did not appoint their own. This role is quite different from the rest of our work: In most other cases, we work to find informal resolutions to administrative issues wherever possible, but closed meeting investigations focus narrowly on whether or not a municipality has violated the open meeting rules in s.239 of the Act and the municipality’s procedure by-law.

Since 2008, our Office has handled nearly 2,000 such complaints and issued hundreds of reports on our investigations, which can be found on the Canadian online legal decision portal, CanLii, as well as on our website. Along the way, we have developed guidelines and best practices that we routinely share with

municipal stakeholders to promote awareness of the open meeting rules.

However, complaints to our Office about closed meetings have steadily declined in recent years, after peaking in fiscal 2012-2013 – when a few cases received significant public attention – at 305. We received **80** total complaints in 2017-2018, which is the lowest number since the 68 we received in 2009-2010, our first full fiscal year as closed meeting investigator. This is despite **223** municipalities using our Office as their closed meeting investigator as of March 31, 2018 – the highest number to date.

TOTAL COMPLAINTS ABOUT CLOSED MEETINGS, PAST 10 FISCAL YEARS	
2017-2018	<b>80</b>
2016-2017	<b>109</b>
2015-2016	<b>195</b>
2014-2015	<b>152</b>
2013-2014	<b>159</b>
2012-2013	<b>305</b>
2011-2012	<b>119</b>
2010-2011	<b>84</b>
2009-2010	<b>68</b>
2008-2009	<b>127</b>

### CLOSED MEETING CASES

We reviewed  
**59**  
complaints

about **20** municipalities  
and local boards

and issued **22** reports and letters  
about **30** meetings

**22**  
reports and  
letters issued

**18**  
procedural  
violations  
found

**44**  
best practices  
recommended

**17**  
meetings found  
illegal

**57%**  
of meetings reviewed  
were illegal

Our experience indicates that this decline is directly related to the expansion of the Ombudsman’s jurisdiction in 2016 to include complaints about all matters relating to municipalities, not just closed meetings. Prior to this, many of the closed meeting complaints we received reflected attempts by complainants to address broader issues; now that they can complain to us directly about these issues, they are less likely to complain about narrow aspects of the open meeting rules.

The decline also reflects a greater understanding of the open meeting rules throughout the province. At the same time, as the number of meetings we investigate has diminished, the proportion that the Ombudsman has found to be illegal has steadily increased.

This past fiscal year, **59** of the complaints we received were from municipalities where we are the investigator (the others were referred to municipalities’ own investigators). These resulted in investigations of **30** meetings, **17** of which were illegal under the *Municipal Act*. In other words, almost **57%** of the meetings investigated were illegal – the highest proportion we have seen to date.

## GOOD TO KNOW

The Ombudsman’s reports and letters on all of the closed meeting cases cited here can be found on our website. Our closed meeting reports can also be found on [CanLII.org](http://CanLII.org), the Canadian Legal Information Institute’s free database of case law and legal documents.

We issued **22** reports and letters on these cases (available on our website). In addition to finding **17** meetings illegal, the Ombudsman also found **18** violations of the procedural requirements of the Act, and made **44** “best practice” recommendations for municipalities to improve their handling of closed meetings. In most cases, we received excellent co-operation from municipal staff and elected officials, and the Ombudsman’s recommendations were accepted and implemented.

Our staff also assist municipal officials who contact us – not to complain, but to ask general questions about the open meeting rules, the Ombudsman’s interpretation of them, or our process. We consulted with municipalities on **19** occasions in 2017-2018.

## New legislation, new rules

A longstanding issue with the open meeting rules has been the lack of a clear definition of “meeting.” As of January 1, 2018, provisions of the new *Modernizing Ontario’s Municipal Legislation Act*, passed in May 2017, took effect, including a new definition of “meeting” and four new exceptions to the open meeting rule.

A “meeting” now means a regular, special, or other meeting of a council, local board, or committee of either of them, where a quorum of members is present, and members discuss or otherwise deal with any matter in a way that materially advances business or decision-making.

In addition to the existing 10 exceptions in s. 239(2), these four new ones were added, permitting a meeting or part of a meeting to be closed to the public if the subject matter being considered is:

(h) 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;

(i) 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;

(j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or

(k) 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.

All four new exceptions are discretionary, meaning that the municipality or local board can opt to discuss matters that fit within these exceptions in an open meeting, and the Ombudsman encourages officials to interpret them narrowly in the interest of transparency and accountability.

None of the investigations we conducted in fiscal 2017-2018 involved these new provisions, but our Office will share information with municipal stakeholders about their application and best practices as we receive and review relevant cases.

Under the new legislation, municipalities that are found to have violated the open



meeting rules are now also required to respond to the Ombudsman (or their own investigator), by passing a resolution stating how they intend to address the investigator's report.

## Exception-al cases

Most of the complaints we investigate about potentially illegal meetings revolve around whether or not a municipal council, local board or committee correctly interpreted, cited and/or used the exceptions in s.239 of the Act. To assist municipal stakeholders and anyone interested in this area of law as it continues to develop, our Office is in the process of creating a digest on our website that will allow closed meeting reports to be searched by topic or issue – such as how certain exceptions can be used, what constitutes a “meeting,” or procedural matters like passing a resolution to close a meeting. As in previous years, the most common issues we investigated in 2017-2018 related to misuse of the s.239 exceptions, and some procedural matters.

### *Personal matters*

Under the exception in s.239(2)(b), municipal meetings can be closed for discussions about personal matters about an identifiable individual. Misinterpreting this exception is the most common mistake municipalities make when closing meetings, as they struggle with the line between professional and personal information when discussing employees, colleagues and others.

We reviewed several cases this year in which municipalities correctly applied this exception to close certain meetings, such as when the **Township of St.-Charles**

council discussed several employees' personal information, including their performance, conduct, and employment status. The same was true when the **City of Cornwall** council met with council for the **Township of South Glengarry** to discuss the performance and conduct of members of the Cornwall Regional Airport Commission.

In contrast, when the **City of Timmins** council closed a meeting to talk about individuals at a private business, it was illegal because the information was publicly available and the discussion did not reveal anything personal.

### *Labour relations or employee negotiations*

Often cited in conjunction with the exception for personal matters, s.239(2)(d) permits closed session discussions about labour relations or employee negotiations. The Ombudsman found this exception was correctly used by council for the **Town of Georgina** for a discussion about specific employees in the context of an organizational review, and by council for the **Township of North Huron** to talk about the general work environment of its volunteer firefighters, where the issue was relevant to negotiations in an ongoing labour dispute.

### *Litigation or potential litigation*

The exception for discussions about litigation or potential litigation is intended to apply when there is a reasonable prospect of litigation; the courts have found there must be more than a “mere suspicion” that litigation could arise. The Ombudsman found several meetings closed under this exception illegal for this reason – for example, the **Township of Russell** council's discussion of a sponsorship and fee proposal for

a local sports facility was sensitive, but no ongoing or potential litigation was discussed.

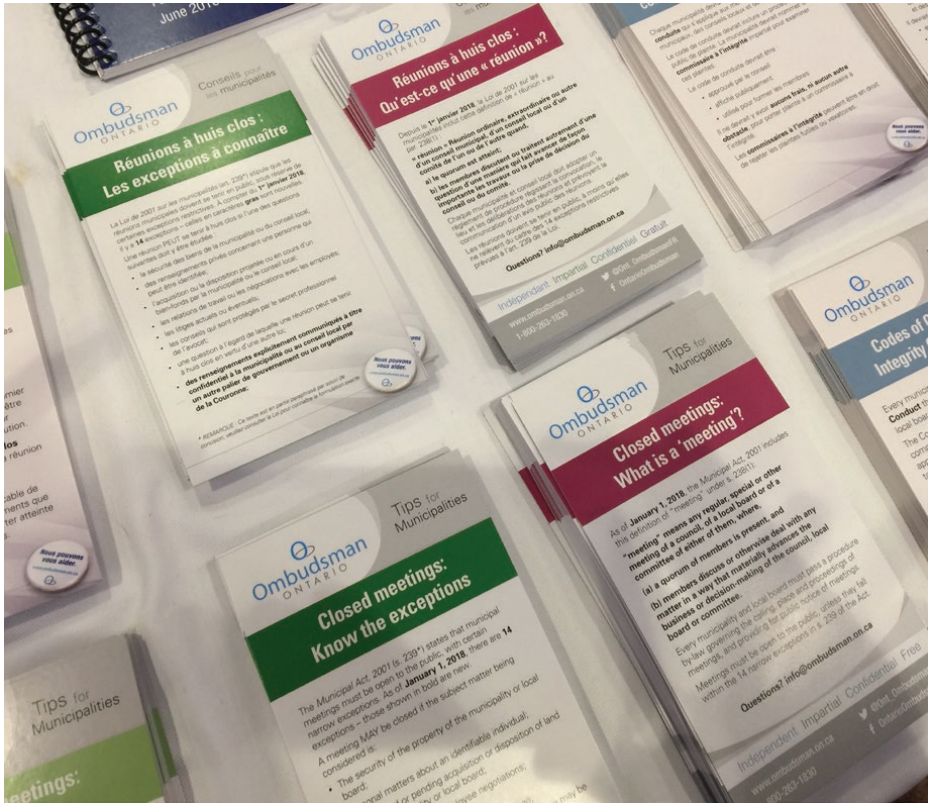
### *Security of the property*

The exception for discussions about the security of the property of the municipality or local board is meant to apply to discussions where there is a threat of loss or damage to property, such as fraud or vandalism, but it is often misused. For example, the **Town of Deep River** council wrongly relied on this exception to discuss a police service consultation plan, as there was no potential threat, loss or damage involved.

### *Procedural matters*

The Ombudsman also made numerous recommendations to municipalities for best practices with regard to giving public notice of closed meetings and providing meaningful information on the agenda about topics to be discussed. Our most common best practice recommendations are that municipalities pass a clear resolution before any closed meeting, setting out the general nature of what is to be discussed – and that they ensure the discussion does not stray from this. In one case we reviewed, the **Township of Lanark Highlands** passed a resolution to go in camera, describing the nature of the discussion as “council and staff communication and structure” – but the closed meeting lasted for approximately four hours and covered a variety of topics.

The Ombudsman also routinely recommends that all municipal councils, committees and local boards make audio or video recordings of closed meetings, to ensure an accurate record. He found issues with lack of detail in closed



■ Our Office’s new “tip cards” for municipal stakeholders are a quick reference guide to recent changes in legislation, such as the new definition of “meeting.” See our website or contact us to obtain copies.

meeting minutes in several municipalities this fiscal year, including in the townships of **Russell** and **Tehkummah**, and the **City of Welland**. However, he also reminded the **City of Niagara Falls** that a recording does not take the place of complete and accurate written minutes.

More and more municipalities have begun to make digital recordings of their meetings. As of the writing of this report, these included: The **Cities of Brampton, London, Niagara Falls, Oshawa, Port Colborne, Sarnia, Sault Ste. Marie** and **Welland**; the **Towns of Amherstburg,**

**Fort Erie, Midland, Wasaga Beach** and **Pelham**; the **Municipalities of Brighton, Central Huron, and Meaford**; and the **Townships of Brudenell, Lyndoch and Raglan, Adelaide Metcalfe, McMurrich/Monteith, and North Huron.**

## Case summaries

### Above board

In a report about the **Town of Fort Erie’s Ridgeway Business Improvement Area** board, the Ombudsman found that

the board held a closed meeting without giving public notice or passing a resolution to close the meeting. The topics discussed by the board fit within the exceptions in the Act, but the board failed to take meeting minutes and made a decision about an employee’s contract that was not permitted in camera. The Ombudsman recognized that the board had never been trained on the open meeting rules and did not have its own procedure by-law or staff support from the town. He recommended that the town ensure all of its local boards receive training and support going forward to ensure they meet their obligations under the Act.

### Telephone tag

When the Mayor of the **Municipality of Brighton** made a series of phone calls to four councillors to discuss an opportunity to sell land in the municipality’s industrial park, it was an illegal serial council meeting. During the phone calls, members of council discussed specific terms of a proposal that was ultimately sent to a party interested in purchasing the property. The Ombudsman recognized that the council members may have been motivated by a desire to act quickly and secure an economic advantage, but local government must remain vigilant to ensure that decision-making is done in a transparent and accountable fashion.

### Social statement

A committee of council in the **Town of Carleton Place** met in closed session to talk about a public statement made by the town’s Mayor that included comments about an individual member of the

public. The Mayor referred to “attacks” against himself and members of council by someone he called a “disgruntled developer.” That individual then posted publicly on social media, linking to the Mayor’s statement, stating that the Mayor and the town had opened themselves up to a discrimination lawsuit. The committee relied on the exception for litigation or potential litigation to discuss the matter in camera. The Ombudsman found that there was not a reasonable prospect of litigation at the time of the meeting, as the social media post was rhetorical and did not contain a threat of litigation.

### Too-secret ballot

The **City of Welland** went in camera to talk about how to fill a vacant seat on council, citing the exception for personal matters. Council discussed the process it would use to fill the seat, deciding to use a simple vote rather than a ranked ballot. It then chose a candidate by secret ballot. Staff prepared a motion for open session that named that individual as the appointee. Council returned to open

session and voted on the motion as part of a block of items arising from prior discussions. The Ombudsman found that the discussion was not permitted in camera because it was about the process to appoint the new councillor; no personal information about the candidates was discussed. The vote held in the closed meeting was also illegal, as it was not procedural or to give directions to staff, nor was it permitted by the city’s procedure by-law, which prohibits the use of secret ballots.

### Lock lapse

When the **Township of Russell** held a special meeting in July 2017, the public door to the town hall was locked by mistake. A member of the public arriving to observe the meeting was locked out, and only able to enter two or three minutes later when someone exited. This short delay was enough to cause the person to miss most of the council meeting, which was only five minutes long. Staff told us that they manually unlock the doors ahead of meetings, but

that they might have been automatically locked again when another government office in the building closed. The Ombudsman found that the meeting was illegally closed to the public, and urged the township to ensure that access doors are unlocked during meetings.

### Power gathering

The **Town of Grimsby** is the sole shareholder for its municipally-owned hydro company, Niagara Power Inc. When members of council attended a shareholders’ meeting hosted by the company’s board, the Ombudsman found that it was an illegal meeting of council. Council failed to provide public notice of the meeting, and the public was not permitted to attend or to access the meeting minutes. However, when council met informally after a meeting to hear an update from a member of the company’s board, that gathering was not a meeting of council because the information discussed was not council business, but an update about a matter being addressed by the company’s board of directors.



It’s no fun to get a complaint, but that’s life. It can be constructive, though.... Yes, they found a mistake that we are going to correct, but I’m impressed with the way the Ombudsman’s office treated this complaint.”

– City of Cornwall Councillor Bernadette Clement, as quoted in the *Cornwall Standard-Freeholder*, December 18, 2017



## EDUCATION – EARLY YEARS THROUGH GRADE 12

### Overview and trends in cases

This marks the second full fiscal year that the Ombudsman has had jurisdiction over school boards and universities, in addition to the provincial government’s education-related ministries and other bodies. Our last two Annual Reports divided the education sector according to levels of government – provincial programs (including colleges) in one chapter, then school boards and universities in their own. With this report, we are now reporting on the education sector as most Ontarians know it – starting with early childhood education programs and the primary and secondary school systems, followed by post-secondary education and related programs.

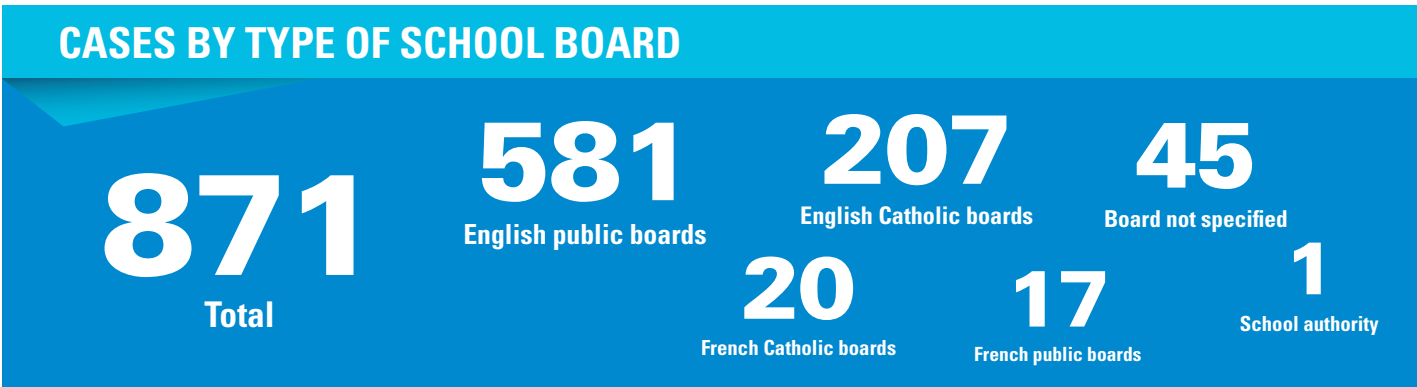
Complaints about education for children through Grade 12 declined overall in 2017-2018. Although general complaints about the Ministry of Education were about the same as last year – **51** – and did not reflect any significant new trends, complaints about school boards dropped

to **871** from 945 in 2016-2017.

All of these complaints were resolved informally. In fact, the Ombudsman has only launched one formal investigation related to school boards – the investigation of the Toronto school bus driver shortage – since gaining this jurisdiction in 2015. However, in resolving complaints, our staff often work with the relevant officials to determine how the case can be settled locally, review existing complaint avenues or policies, or suggest best practices to avert future complaints.

### School boards and school authorities

We received **74** fewer school board cases in 2017-2018 than in the previous year, which saw a surge of more than 100 complaints because of a school bus driver shortage in Toronto in September 2016 (the Ombudsman’s report on this was published in August 2017 – see the update under **Investigations**). The number of school boards complained about remained about the same as in



2016-2017: **64** out of 72 boards. We also received **1** complaint about one of the province's 10 school authorities, and **8** about provincial schools that provide education to students who are deaf, blind or have severe learning disabilities.

Although transportation was still an issue in some boards this fiscal year, the most common complaints continued to be about the actions of school board staff and the adequacy of boards' services to students with special needs. Other complaint trends involved student discipline, as well as boards' decisions to close or consolidate schools; generally, we referred these cases to existing complaint mechanisms at the local level.

Our Office also assisted several boards as they implemented policies and procedures to deal with exclusions under section 265(1)(m) of the *Education Act*, along with trespass notices. As well, we continued to monitor the implementation of improved trustee conduct procedures, such as the work being done by Waterloo Region District School Board.

To share information about how we work and spread awareness about how our Office can help parents, students, educators, trustees and other stakeholders, the Ombudsman and numerous staff members spoke at conferences and a variety of outreach events in the education sector, and senior team members also met with several boards.

## Complaints about and from staff

Because we are an office of last resort, when we receive complaints about school board staff, we generally refer

them to the responsible superintendent for a response. In some cases, we provided referrals to the Ontario College of Teachers. We also received complaints from board staff about the actions of their employers; in most cases, we were able to refer them to their union.

Where staff had already raised concerns with their board – for example, with respect to the adequacy of a workplace harassment investigation or a hiring process – we reviewed the boards' actions. In these cases, our staff generally found that the boards had policies and procedures in place to deal with these matters, and were following them. We suggested that one board develop a clear hiring policy and procedure for management positions in order to better manage candidates' expectations.

## Special education

Our Office received **108** complaints related to special education in 2017-2018. These related to the adequacy of in-school supports for these students, as well as the response of educators to parents' concerns. As an impartial officer, the Ombudsman cannot advocate for specific programs or services on behalf of parents or students; rather, our Office's role in such cases is to ensure they are aware of available complaint processes and appeal avenues, and that boards are responding to them in accordance with relevant legislation and policies.

Complaints about special education often arise when students are transitioning between programs, such as from a specialized program to a regular classroom, or vice-versa. One mother complained to us when her son was unable to return to

school after he had been withdrawn from a specialized behavioural program. Our review determined that the specialized program and the school board had failed to communicate with each other about the student's status, and there was no protocol in place for transitions or for home instruction in such cases. As a result of our inquiries, the student was able to transition back into his original school, and the board assigned an administrator to ensure co-ordination between the board and its specialized program providers.

## Exclusions and trespass notices

An exclusion can be imposed by a principal when the presence of an individual is a risk to the health and safety of students. We have seen several cases where exclusions have been used to temporarily remove students whose behaviour is having an impact on others, with the intention of giving the school time to deal with the excluded student's behavioural needs.

Under the *Education Act*, such an exclusion is subject to an appeal to the board, but our Office has noted very few school boards that have appeal processes in place. When we deal with complaints about exclusions, we remind boards of the requirement in the Act, and encourage them to adopt policies and procedures for imposing and appealing exclusions. We are aware of at least two boards having done so in 2017-2018.

We also received complaints from across the province about boards imposing access and communication restrictions on parents, usually after an incident between a parent and school staff that the principal or area superintendent deems to be

contrary to the board’s code of conduct or a threat to safety. Restrictions can range from limiting a parent’s contact with a certain person at the school to barring them from all board property.

In reviewing such cases, we look at the terms of the restriction, how it was communicated, and whether it can be appealed. We encourage boards to include information about restrictions and trespass notices in their codes of conduct, or create and publicize standalone policies to address them.

Our review of a restriction on one father determined that the board had not informed him he could appeal it to the director. As a result, the board updated its trespass notice template to include information about how to appeal.

### School closings and property matters

School closings and consolidations continued to be a common complaint trend in several areas of the province in 2017-2018, along with other complaints about school property matters.



The Ombudsman has made a number of important recommendations that, together with changes we have already made, will help improve the busing experience for TDSB students and parents alike. The disruptions last fall should not have happened and we believe the steps that are being taken will ensure it doesn’t happen again.”

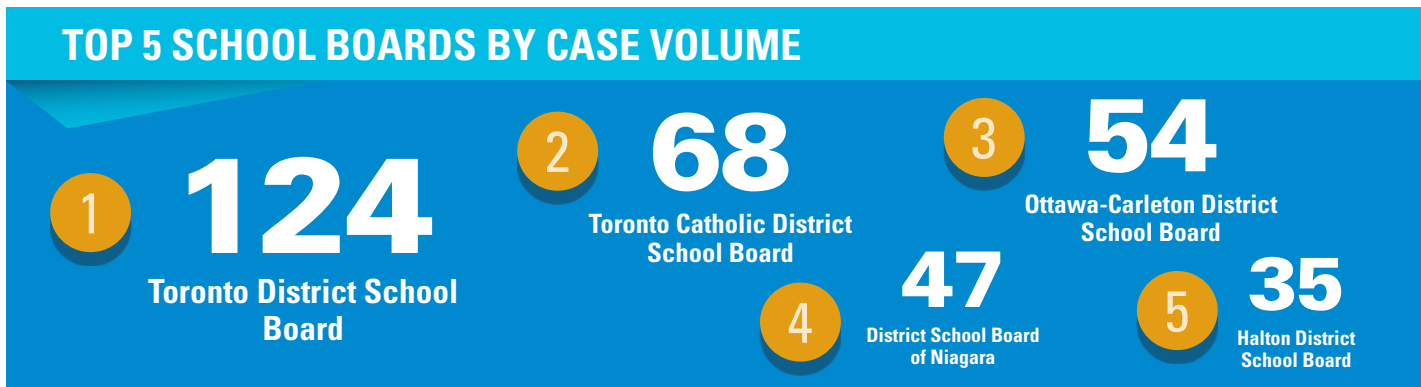
– John Malloy, Director, Toronto District School Board, responding to the Ombudsman’s report *The Route of the Problem*, August 10, 2017

The process for closing or consolidating schools is set out in the Ministry of Education’s Pupil Accommodation Review Guideline. In June 2017, in the wake of a surge of complaints about closings, the Ministry instructed boards to put new pupil accommodation review processes on hold, pending its consultations on updated guidelines. In April 2018, the Ministry released a revised Pupil Accommodation Review Guideline.

Our Office also dealt with complaints regarding the disposing of old school sites and renaming of newly consolidated ones. Our review focused on the relevant legislation, regulations, policies and

procedures. In a case involving the impact of a private development on a school, we were able to validate the processes undertaken by the school board to keep parents and the community engaged and informed.

The Ombudsman does not serve as an appeal body for school board decisions on which schools to close. Our Office’s focus is on whether policies and procedures have been followed and are reflective of best practices. Consistent with our role as an office of last resort, we also refer complaints about recently concluded pupil accommodation reviews to the Ministry of Education’s administrative



review process. Through this process, individuals who have participated in a pupil accommodation review can petition the Ministry to appoint a facilitator to conduct an independent review of the process undertaken by the school board leading up to its decision.

## Busing

Our Office continued to receive complaints about busing from across the province: **88** in 2017-2018. Although the number of complaints for the Toronto public and Catholic school boards dropped in the wake of the Ombudsman's report on their handling of a bus driver shortage the previous school year (see update under **Investigations**), we did see complaints from other school boards across the province.

These included **9** complaints about busing in French-language boards, most related to the two Toronto-based boards and their transportation consortium around the start of the 2017-2018 school year. Our Office monitored the situation at these boards

and spoke with the relevant transportation consortia as needed about their plans to remedy these delays.

We also received a few complaints from families who were not satisfied with the response of transportation consortia to requests for busing in exceptional circumstances, and about changes in some boards' busing policies. These were resolved locally through contacts with relevant officials.

## High school registrations and exemptions

In June 2017, the Human Rights Tribunal of Ontario reached a settlement in a case involving the Simcoe Muskoka Catholic District School Board, requiring the board to implement – and share with other Catholic boards – a procedure for handling high school students' requests to be exempted from religious studies. Our Office has received complaints about several boards refusing such exemptions, which are provided for in the *Education Act*. To ensure consistent application of

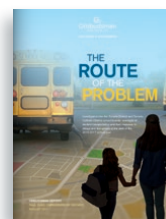
the rules in the Act, we encourage all affected boards to have procedures in place for handling exemptions.

We also encourage all boards to have procedures for handling registration requests from 16- and 17-year-olds who are on their own ("withdrawn from parental control," under the *Education Act*). We helped one 16-year-old deal with this, after she moved to a different community from her parents and her new local board refused to register her. Our staff confirmed with the girl and her family that she had withdrawn from parental control, and the board agreed to register her. Shortly thereafter, it updated its registration policy to account for such situations.

## Investigations

### School busing issues in Toronto

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



#### Investigation update:

In the first weeks of September 2016, some **2,687** Toronto students – including more than 300 with special needs – were stranded at

bus stops and at their schools, waiting for buses that were hours late or never arrived. Parents and school administrators scrambled to make arrangements for stranded children, but several young and vulnerable students were put at risk as overwhelmed bus drivers, unfamiliar with routes and security protocols, left them at wrong stops or without the required supervision.



The TCDSB is appreciative of the recommendations contained in the Ombudsman's report, as it reaffirms the solutions we have already undertaken collectively with our transportation partners since last September. The report will also help us monitor performance and support our ongoing commitment to provide an optimum level of school bus service for our students."

– Rory McGuckin, Director, Toronto Catholic District School Board, responding to the Ombudsman's report *The Route of the Problem*, August 10, 2017



■ August 10, 2017: Ombudsman Paul Dubé releases report on school busing problems in Toronto, *The Route of the Problem*, at the Ontario Legislature.

After receiving nearly **90** complaints, the Ombudsman launched a systemic investigation into the Toronto District and Toronto Catholic District school boards' oversight of student transportation and their response to the busing crisis. We received a further **78** complaints after the investigation was launched.

Both boards and their busing consortium, the Toronto Student Transportation Group, accepted all **42** of the Ombudsman's recommendations to improve bus route planning, driver training and communication with parents. As the Ombudsman's report was published just a few weeks before the start of the 2017-2018 school year, they acknowledged mistakes and expressed confidence that,

thanks to improvements implemented during the course of the investigation, the crisis would not recur. The relatively few complaints we received about transportation in the Toronto public and Catholic boards in September 2017 were resolved informally.

In February 2018, in their first semi-annual update to our Office, the boards reported that **11** recommendations had been fully implemented, **22** were in progress, and the rest would be addressed when transportation contracts are next renewed. The improvements they have made include:

- Improved oversight of student transportation planning, including weekly meetings with bus operators

leading up to the start of school, to gauge preparedness;

- Better communication with parents, including plans for a GPS system to track buses and a web-based portal to provide real-time information on bus status (both in progress);
- Updated protocols for providing notice to parents about transportation changes, and plans for a formal, centralized complaints handling system;
- Enhanced oversight of bus operators and service contracts, including investigations and remedial action by boards where there are safety concerns or operators fail to meet standards;
- Minimum service standards for wait and response times regarding safety incidents and parents' calls to the consortium;
- Improved training of bus operators and drivers on child safety protocols and programs;
- Improved communication between the boards and transportation group.

We will continue to monitor the boards' progress on the outstanding recommendations, and the impact of these on service delivery.

The Ministry of Education also announced a provincewide review of student transportation services, which began in the fall of 2017. Our Office assisted with this in October 2017 by providing officials with a briefing on the general issues we have seen in our handling of busing complaints. A report on this review is expected in the fall of 2018.



## Case summaries

### Bus fuss

A mother of two sought our help after she was unable to get a response from her school board about why she could not get busing for her four-year-old son, even though her eight-year-old son was being bused to a school closer to home. She was on social assistance and had been spending \$20 on taxis each way to get her younger son to and from his first week of school. Our Office reached the board's transportation consortium, whose staff confirmed that the mother had only requested busing on the first day of school, and they had a backlog of such requests to work through that week – but they confirmed the younger boy was eligible for busing and contacted the mother.

### To fee or not to fee

Our staff helped two parents whose local school board wanted to charge them more than \$6,000 tuition for their son

because his legal guardian lived outside of Ontario – even though the boy did not live with the guardian. We spoke with the school board and the Ministry of Education, and found that the school board was authorized to charge such a fee – however, it agreed to waive it for the school year, to allow the family to settle the issue of the boy's guardianship.

### Searching for answers

A father contacted us after he went to pick up his daughters at their after-school program and discovered they were off premises without any prior notice. The girls, aged 4 and 10, were among a group of 60 children who were taken on a walk through a residential area as part of a safety drill. Our staff made inquiries, noting that the father was unsatisfied with the response he received from the program director and school board. The school committed to having a superintendent available to respond to issues about the after-school program and training staff to better handle future incidents.

## GOOD TO KNOW

Cases related to post-secondary education (universities, colleges, OSAP, etc.) can be found in the next chapter.



[An Ombudsman staff member] gave me advice and I followed it. I just wanted to thank her and tell her everything's been resolved. I want to thank you very much. I'm very pleased with the service I received from you people, and I do really thank you."

– Voicemail from complainant



## EDUCATION – POST-SECONDARY

### Overview and trends in cases

This category of complaint covers everything to do with education in Ontario after high school, from the loans and training programs provided by the provincial Ministry of Advanced Education and Skills Development, to complaints about post-secondary institutions themselves – including universities, colleges of applied arts and technology, private career colleges, and the College of Trades.

This marks the second full fiscal year that our Office has been able to take complaints about universities, and – most likely because awareness about our oversight continues to grow – we saw complaints in this area increase substantially, to **268** from 175 in 2016-2017.

This increased awareness also seems to have reached stakeholders at colleges of applied arts and technology, even though they have always been within the Ombudsman’s jurisdiction – the **189** complaints we received about them in 2017-2018 is the highest in the past five fiscal years:

TOTAL COMPLAINTS ABOUT COLLEGES OF APPLIED ARTS AND TECHNOLOGY	
2017-2018	<b>189</b>
2016-2017	<b>161</b>
2015-2016	<b>137</b>
2014-2015	<b>110</b>
2013-2014	<b>100</b>

Although colleges of applied arts and technology and publicly funded universities have a different governance structure – colleges report directly to the Ministry of Advanced Education and Skills Development, whereas universities govern themselves independently – our experience has shown that complaints about administrative conduct tend to be similar for both types of institutions. The most common topics of complaint for both are academic decisions, fees and admissions.

As with all complaints we receive, our Office seeks to resolve them at the local level wherever possible. Our staff worked with university, college and Ministry officials to resolve all complaints in 2017-2018 without need for formal investigation – in fact, to date, the Ombudsman has not conducted a formal investigation of a university, and it has been several years

### TOP CASE TOPICS

1

**268**

Universities

2

**189**

Colleges of applied arts and technology

3

**142**

Ontario Student Assistance Program

4

**20**

Ontario College of Trades

since our Office’s last formal investigation of a college.

## Academic appeals

Most of the complaints we receive about universities and colleges relate to academic decisions – that is, students’ marks and how the institutions handle appeals. The Ombudsman does not review individual students’ grades and cannot force a college or university to change a grade or grant an accommodation. Our role in such cases is to provide information about the appeals process and to ensure that policies and procedures are followed and that appeals are dealt with according to the principles of administrative fairness. In general, post-secondary institutions have comprehensive policies and procedures in place for academic appeals. However, our Office has worked with many of them to suggest best practices and improvements with respect to promoting procedural fairness.

A student whose performance in a university’s professional program resulted in a recommendation that he be withdrawn from the program complained to us about the process. Our review

found that the university had provided explanations to the student, but as a result of our inquiries, it committed to reviewing its performance and appeals process to improve its transparency and consistency.

Our Office encourages all colleges and universities to consider ways to ensure those who sit on academic appeal bodies understand the importance of ensuring procedural fairness at all levels of decision-making.

## Fees

Many of the complaints we received about fees at universities and colleges related to administrative levies imposed on students for late withdrawals from programs, or other missed deadlines. Our approach in such cases is to determine whether the institutions were adhering to their policies and procedures, and our experience has been that they generally do so – although where appropriate, we suggest ways that they can improve communication to ensure students are aware of their obligations.

In a few urgent cases, we helped students resolve delays in obtaining tuition refunds. For example, we helped expedite

a refund for a student who had transferred from one college to another and had been unable to pay tuition at the new institution for eight weeks while he waited for the first college to refund his tuition.

We also assisted a student who had withdrawn from college for health reasons, but had missed the deadline to withdraw. After our Office inquired, the college acknowledged it should have asked the student if he had documentation to demonstrate exceptional circumstances to justify a tuition refund. It did so, and refunded his fees in accordance with its policies.

## Admissions

Although our Office does not have direct jurisdiction over the Ontario Universities Application Centre or the Ontario Colleges Application Centre (they are both non-profit agencies created to administer the application process), we can review complaints about how individual colleges and universities handle admissions.

Some of the complaints we received in 2017-2018 involved the assessment of international credentials by post-secondary institutions, which can vary by institution.



In the interest of transparency, our Office encourages colleges and universities to make public as much information as possible about how they assess international credentials and how applicants can contact relevant admissions personnel.

### Access and communication restrictions

Students who were suspended, given trespass notices or otherwise had their access to college or university restricted often complained to our Office. In such cases, since most colleges and universities have policies and procedures in place for imposing such restrictions, our role is to ensure that the relevant policies and procedures are clearly communicated and followed, and that affected students and community members are treated as fairly as possible.

One student who was suspended for breaking her college’s code of conduct complained to us that the letter she received did not explain her appeal rights, and referred to a policy document she could not access (it was not on their website).

After we made inquiries, the college extended its deadline to allow her to appeal, and posted a clearer, updated policy online.

### Labour issues

This fiscal year saw labour actions at several colleges and universities, and we received complaints about some of them – including **27** about the five-week strike by college faculty across the province in the fall of 2017. Our Office does not get involved in labour disputes, but we do keep an eye on how colleges and universities respond to administrative issues that may arise as a result of labour actions. In the case of the college strike, we monitored the Ministry’s actions and communication with colleges about refunding tuition for affected students, and we referred complaints back to the colleges as warranted.

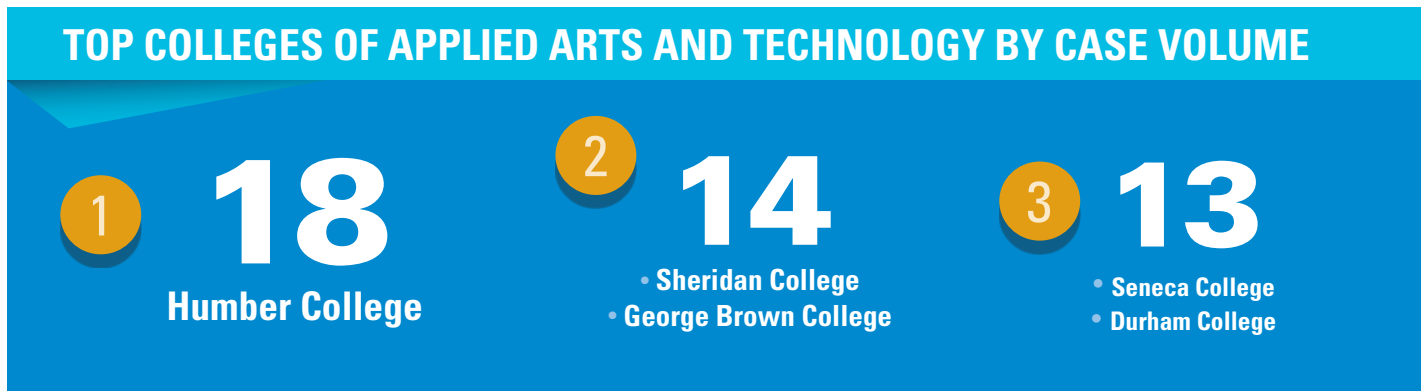
### University and college ombudsmen

As complaints are best resolved locally, our Office encourages all colleges and

universities to establish an independent ombudsman as a best practice. Information and resources on creating such an office can be obtained through the Association of Canadian College and University Ombudspersons.

The number of Ontario post-secondary institutions that have an ombudsman has fluctuated in recent years, and their offices have varied in their structure, scope and independence. Still, interest among post-secondary stakeholders in the ombudsman role has recently increased. As of the writing of this report, among the province’s 21 publicly funded universities, we are aware of **9** that have an institutional ombudsman (that is, they are appointed by the university or jointly by the university and its student union), and **2** that have a student ombudsman (that is, appointed only by their university’s student union). Among the 24 colleges of applied arts and technology, we are aware of **4** that have an institutional ombudsman.

Where possible, our Office refers complaints to these offices, depending on their structure and independence, and the type of complaints they are able to handle.



## Ontario Student Assistance Program (OSAP)

We received **142** complaints in 2017-2018 about OSAP, which provides grants and loans to post-secondary students. This is consistent with complaints in previous years, although changes to OSAP took effect in the fall of 2017 that provide increased funding to low-income students. As in previous years, complaints about OSAP involved decisions about funding eligibility, or service issues.

A student complained to us that she had waited almost a year for a response to her application to OSAP for an Ontario Student Opportunity Grant – a funding program that assists students in reducing their loan debt. She had been told she was eligible for a grant of about **\$7,000** and to expect an answer in three months. OSAP officials acknowledged to our staff that it could take them up to a year to process such applications, but in response to our inquiries, they expedited the student's grant.

We also helped a student in an accelerated program at a private career college who received an Ontario Student Opportunity Grant in her first year, but was refused in her second. After our Office spoke with college and Ministry officials to clarify a concern about how the length of her program was calculated, she was awarded a grant of **\$7,600** under a policy that applies to accelerated programs.

## Ontario College of Trades

We received **20** complaints about the College of Trades in 2017-2018 – the same as the previous year. Registration fees remained a common source of complaints, but we also heard about



■ February 15, 2018: General Counsel Laura Pettigrew and Wendy Ray speak to the Ontario University Registrars' Association about our Office's work, for the third consecutive year.

other issues – including the College's Trade Equivalency Assessment Program. One man complained that it took several weeks for the college to review and deny his application under this program for certification in a particular trade, based on his previous work experience. He also had trouble obtaining reasons for its decision. Our staff clarified the steps taken in the college's review and its reasons for delay, and its officials contacted him to explain why his application was denied.

## Case summaries

### Just missed the mark

A mother of three who was enrolled in a combined college and university nursing program was not allowed to progress to the university portion of the program because her grade in a college course was 1.5% below the required threshold. She appealed the mark, but complained to us that the

college's appeal decision did not address an in-course evaluation that had a major impact on her grade. Our Office referred her to the college's ombudsman, who was able to help her get a new evaluation by a different professor. This resulted in a high enough grade to allow her to enrol in the university portion of the program.

### Right to appeal

A university student contacted our Office with several concerns, including a stalled academic appeal, the conduct of one of his professors, administrative fees, and the university's unwillingness to release his official transcript. Our Office made several inquiries and determined that he could escalate his academic appeal to the university's senate, but that his concerns about the professor, the administrative fees and his transcript were all handled in accordance with the relevant university policies.



## TRANSPORTATION

### Overview and trends in cases

Almost everything related to how Ontarians get from place to place is counted in this category, the bulk of which is the responsibility of the Ministry of Transportation. The most common complaint topics, by far, are those involving driver licensing and vehicle registration.

We received **598** total complaints about the Ministry and its programs – the highest number in at least the past decade. This was due mostly to a new trend in complaints about DriveTest, which is licensed by the Ministry to operate 94 examination and testing centres. Because the Ombudsman does not directly oversee private companies, DriveTest was not counted in these statistics in previous years, but the significant number received this year – **104** – prompted us to bring them to the Ministry’s attention and monitor its response to them.

We also receive complaints about some transportation issues at the local level, which we refer accordingly wherever

possible, and about Metrolinx, the provincial agency mandated to manage and integrate the transportation network in the Greater Toronto and Hamilton areas.

### Driver licensing and testing

The Ombudsman’s systemic investigation into how the Ministry informs drivers of licence suspensions, launched in May 2017, is complete and a report is pending (see update under **Investigations**). However, several other issues related to driver licensing also generated hundreds of complaints, including other correspondence issues, medical review of licences, and driver testing.

#### Correspondence issues

For the past few years, Ombudsman staff have monitored the Ministry’s efforts to improve how it deals with returned mail, in the wake of a case we reported in 2015-2016 of a man who received no notice of his licence suspension because his street address didn’t allow mail delivery, and the Ministry did not track returned mail.

### TOP CASE TOPICS



The Ministry has since done a manual audit of returned mail and added training for ServiceOntario and DriveTest staff on how to properly input address data. It is also looking at longer-term improvements that will involve broad upgrades to its computer system. We continue to meet with senior Ministry officials on this issue on a regular basis.

### Medical review of licences

The Ministry's efforts to address issues within its Medical Review Section, which suspends the licences of drivers who are found to be medically unfit, have resulted in a steady decline in complaints to our Office. We received **109** cases related to the Medical Review Section in fiscal 2017-2018, down from 116 the previous year, and a sharp drop from 242 in 2015-2016. The Ministry has reported to us that its changes have resulted in more efficient processing of files and clearer communications with drivers, although we continued to see some cases that raised serious concerns.

A man whose licence was suspended for medical reasons complained to us that he wasn't given a chance to demonstrate to the Ministry that his condition – sleep apnea – had no effect on his ability to drive. After our staff made inquiries, the Ministry agreed to reverse the suspension for two months to allow the man to submit a new medical assessment of his condition.

Similarly, we helped a woman get an extension to submit medical information to the Ministry after she learned too late that its request had been mistakenly delivered to her neighbour's address. The Ministry initially told her it would take 4-6 weeks to review her medical information and decide on whether to reinstate her licence

Our staff pointed out to the Ministry that she needed the licence urgently for work, and its officials agreed to retract her suspension and give her a time extension to submit her medical report.

### DriveTest

We alerted the Ministry about a trend in complaints we received about DriveTest – the privately-operated centres it relies on to handle driver examinations and licensing services – including road tests, written tests, licence applications. We received **104** such cases in 2017-2018, most of which were about service issues, such as long wait times at test centres, problems with online services, and how complaints are handled. Ministry officials acknowledged that there are service issues and undertook to address these concerns.

In December 2017, the Ministry announced it would open two new DriveTest Centres by 2019, expand hours of operation at 13 high-demand service locations, add 90 employees, and pilot several online service improvements. Our Office will monitor the Ministry's progress in implementing its initiatives, and their impact on DriveTest service and the complaints we receive.

### Deteriorating vehicle plates

We continue to monitor the province's response to a problem with defective licence plates, which are made by inmates at a correctional centre in Lindsay. When drivers across the province began reporting that the coating on many plates was peeling, cracking and bubbling, the Ministry announced it would replace them free of charge if they were less than five years old. We received complaints from

motorists who were told they would have to pay to replace older plates, which they felt was unfair, because the requirement to report a peeling plate within five years had never been communicated to the public. After we raised this matter with the Ministry, it agreed to update ServiceOntario's website to include that plates that began peeling within five years would be replaced with no fee. We addressed **5** new complaints about this matter this fiscal year, and continue to monitor the Ministry's response.

## Investigations

### Driver's licence suspensions and reinstatements

Launched: May 2017

**Investigation update:** Focused on the adequacy and effectiveness of the Ministry's administrative processes for notifying and communicating with drivers about licence suspensions and reinstatements with regard to unpaid fines, this investigation stems from an issue that our Office flagged to the Ministry for several years.

We continue to receive complaints from drivers who had no idea their licences were invalid or suspended, and only discovered this when stopped by police or doing other transactions involving their licences. In some cases, due to the length of time the suspension was in effect, the Ministry then treated them as new drivers and required them to go through its graduated licensing program. The Ombudsman was particularly concerned that drivers who are unknowingly suspended may not be covered by insurance if they are in an accident.

As of the writing of this report, the field work of the investigation had wrapped up and the Ombudsman's findings and recommendations were in the process of being drafted.

## Monitoring of drivers with uncontrolled hypoglycemia

Report: *Better Safe Than Sorry*, released April 2014



### Investigation update:

Launched in the wake of a tragic traffic accident in which a driver with uncontrolled hypoglycemia caused the death

of three people, this report made several recommendations to address gaps in the Ministry of Transportation's system for monitoring and reporting drivers with potentially dangerous medical conditions. These recommendations have now been addressed, and the Ministry has met its commitment to keep the Ombudsman informed on its progress in implementing them.

Effective July 1, 2018, it will be mandatory for physicians, nurse practitioners and optometrists to report drivers with certain high-risk medical conditions. These medical professionals, as well as occupational therapists, will be also authorized to notify the Ministry if they are of the view that a driver has any other medical condition or impairment that may make it unsafe for them to drive.

## Case summaries

### On the road again

An Ontario man who had temporarily moved to B.C. was told upon his return that his motorcycle licence had been cancelled and he would have to go through the testing process again. He contacted our Office because he was not getting clear answers as to why his licence had been cancelled in the first place. In response to our inquiries, the Ministry's review determined that the B.C. licence office had made an error when it temporarily exchanged the man's Ontario licence. Ministry officials contacted the man directly and arranged for him to pick up his reinstated Ontario motorcycle licence at a DriveTest centre.

### Bugs in the system

An elderly woman contacted us after she was unable to get provincial officials to respond to her about a blocked highway culvert near her home that had become a mosquito breeding ground. Ombudsman staff contacted the Provincial Highway Management Branch, which committed to send someone to her property to assess the problem. Ministry officials let us know they would replace the culvert and ensure it was working properly.

### Have licence, will travel

A woman seeking to renew her driver's licence was given a temporary one, valid for three months, and told her new licence would be mailed in 6-8 weeks. When it did not arrive in the mail, she made several calls to inquire about it.

Each time, she was told the matter would be looked into, but almost 12 weeks later, with the temporary licence about to expire, she contacted our Office. She explained the matter was now urgent, as she was travelling internationally in about two weeks, and would not be able to drive during her trip if she didn't receive her new licence in time. Ministry officials acknowledged to our staff that an error on their end had delayed the woman's licence. They expedited it and ensured the woman received her licence a few days later, in time for her trip.

### Change of address

An inmate who tried repeatedly to get information from the Ministry of Transportation about his driving record and other issues complained that he could not get information from officials during the 20 minutes of phone time he was allowed. Our staff facilitated his contact with Ministry staff so he could discuss his issues. Our inquiries also found that the Ministry had notified him of an issue with his request for his driving record, but sent it to his home address, instead of the jail. It agreed to send all requested documents to the jail.

### Hits the spot

When a woman hit a pothole on a county road that damaged her vehicle, she tried to seek reimbursement. The county told her it was the Ministry of Transportation's jurisdiction, but the Ministry told her the opposite. After our staff contacted both levels of government, Ministry officials determined it was indeed in their jurisdiction, and the woman was compensated the more than **\$1,100** it cost to repair her vehicle.





## HEALTH

### Overview and trends in cases

Our Office oversees the Ministry of Health and Long-Term Care, the Ontario Health Insurance Plan and numerous programs that assist with funding drugs and medical devices. We received **602** complaints about Ministry organizations within our jurisdiction. The top source of complaints was the Ontario Health Insurance Plan (**132** cases).

We have always received hundreds of complaints ever year about hospitals and long-term care homes (in 2017-2018, there were **497** and **82**, respectively); unfortunately, they have never been within the Ombudsman’s jurisdiction. However, since 2016, the Ministry has had a Patient Ombudsman, and we now routinely refer such complaints to that office.

We are sometimes able to help when such concerns involve Ministry policies and procedures or the actions of Ministry staff. For example, when a woman complained to us that the Ministry had not taken any action or responded to her complaints about the quality of care in her

mother’s long-term care home, our staff facilitated a phone call in which Ministry officials discussed the results of their inspection of the home with her. They also sent her a copy of the inspection report and a letter explaining the inspector’s findings.

We also received **28** complaints specifically about the Patient Ombudsman (which reports through Health Quality Ontario); these complaints were resolved through communication with senior officials at that office.

### Ontario Health Insurance Plan (OHIP)

Complaints about OHIP increased slightly in 2017-2018, to **132** from 115 in the previous year. Many related to the renewal and replacement of health cards. We also heard from people who returned to Ontario after a period of absence and encountered difficulties obtaining health coverage.

One woman sought our help after she returned to Ontario after several years overseas to seek treatment for cancer.

### TOP 5 CASE TOPICS



\*Cases involving patient care issues were referred to the Patient Ombudsman

Her health card had expired, and when she asked Ministry officials to waive the customary three-month waiting period for her coverage to be restored, they told her she would have to appeal to the Health Services Appeal and Review Board. Instead, she waited three months and then attempted to renew her card at ServiceOntario – but she discovered she could not do so, because of the Ministry’s decision that she would have to appeal. After our staff contacted Ministry officials, they agreed to reconsider her situation, as she had waited the required three months. She was granted coverage, and the Ministry undertook to change the correspondence it sends out in such situations, to provide people with the opportunity to submit additional evidence to support their requests.

We continue to receive complaints from people who disagree with OHIP’s lack of coverage for specific medical procedures and treatments, including the extent of funding available for physiotherapy.

Another common complaint about OHIP is its denial of prior approval of coverage for people seeking to go outside of Ontario for medical treatment. In these cases, our Office looks at the reasons provided by the Ministry for the denial and its evaluation of the request, and reviews whether the denial is evidence-based. Our approach is similar in cases where people encounter difficulties and delays in obtaining reimbursement for emergency medical costs incurred outside of the province.

We helped one elderly man obtain reimbursement for medical costs incurred when he fell ill while in Mexico. Our Office’s review of his case found that the Ministry was following its policy, but the claims assessor handling the

reimbursement was not communicating clearly with the man about the information he needed to provide. We escalated the case to a senior manager, who determined a reimbursement was warranted, and the man received approximately **\$1,200**.

## Ontario Public Drug Programs

We received **71** complaints about Ontario’s drug programs this fiscal year, compared to 65 in 2016-2017. Many of these concerned the Exceptional Access Program and the Trillium Drug Program, and usually involved decisions not to fund certain drugs.

On January 1, 2018, the Ministry launched OHIP+, which provides prescription drug coverage for individuals below the age of 25. We received a few complaints about OHIP+ in fiscal 2017-2018. For example, people complained that they must now apply to the Exceptional Access Program in order to obtain coverage for specific drugs, which were previously covered by their private insurer without such an application process.

In several other drug program cases, Ministry drug program officials demonstrated that they were open to revisiting decisions based on additional evidence. For example, funding for a Northwestern Ontario woman’s painkillers was initially denied because the medication was not in the right format and had been dispensed in Manitoba, where she had travelled to see the nearest pain specialist. After our staff contacted the Exceptional Access Program, officials reviewed her case and refunded her **\$4,539.62** in prescription costs, covering a five-year period.

## Assistive Devices Program

We received **33** complaints about the Assistive Devices Program (ADP), which provides funding to help patients offset the costs of medical equipment and supplies. Many complaints involved service issues and disagreements with funding criteria.

For instance, we helped a man who had been waiting months for a wheelchair through the program. Our staff confirmed that the wheelchair vendor had not submitted the necessary paperwork; after we intervened and the ADP office obtained some missing information, the man received a wheelchair within a few weeks.

We also helped a vendor who was never reimbursed through the ADP for a scooter provided to a client. Our inquiries revealed that the client had switched vendors halfway through the application process, and due to a glitch in the Ministry’s electronic system, the ADP had approved funding to both vendors, but mistakenly issued funding to the first vendor instead of the one who ended up providing the scooter. The ADP corrected the error and instructed staff on how to guard against similar mistakes – including requiring signatures from all parties involved.

## Local Health Integration Networks (LHINs) and Community Care Access Centres (CCACs)

Created in 2007, the province’s 14 Local Health Integration Networks (LHINs) are non-profit agencies funded by the Ministry of Health and Long-Term Care to plan, fund and integrate health services for local

## GOOD TO KNOW

Cases related to ServiceOntario's service in issuing health cards can be found in the **Certificates & Permits** chapter.

communities. These include hospitals, long-term care homes and a wide range of community support services. Community Care Access Centres were created in 1996, to be responsible for co-ordinating home care and other home support services.

Our Office has handled hundreds of complaints about LHINs and CCACs over the years, until July 1, 2016, when CCACs were removed from our Office's jurisdiction, as they fell under the mandate of the new Patient Ombudsman. However, one year later, when the new *Patients First Act* came into effect, it eliminated the CCACs, and the LHINs assumed their responsibilities.

Our Office received **81** complaints about LHINs and **18** about CCACs in fiscal 2017-2018. Where appropriate, CCAC complaints were referred to the Patient Ombudsman, which continues to have jurisdiction over the health care experience of patients regarding certain services now handled by LHINs.

Several of the complaints we received about LHINs related to their decisions in co-ordinating home and community care services, the quality or adequacy of services, or individuals' eligibility for them.

## Investigations

### Ministry oversight of complaints about ambulance services

**Launched: May 2018**

**Investigation update:** The Ministry of Health and Long-Term Care's Emergency Health Services Land/Air Branch oversees ambulance services, including reviewing

all "serious incidents," such as when someone being transported in an ambulance is harmed, dies or suffers as a result of delays or similar issues.

The Ombudsman launched the investigation in the wake of several cases we reviewed that raised concerns about how the Ministry conducts investigations into patient complaints, as well as its oversight of those reviews and investigations conducted by local ambulance service providers.

At the time of writing this report, Special Ombudsman Response Team investigators were in the process of gathering evidence.

## Case summaries

### It's in the (e)mail

A woman contacted our Office after learning her OHIP coverage had been suspended while she was studying outside of Ontario, despite the fact that she had emailed her renewal documents to OHIP several times. We asked that her file be reviewed by OHIP's eligibility committee, which determined that her coverage should not have been suspended, and she did not have to reapply.

### Split difference

A divorced recipient of Trillium Drug Plan coverage complained to us that his access to the benefit was affected because his ex-wife would not provide a letter stating that he was no longer covered by her private insurance. Although such a letter is normally required under the program's policies, our

staff contacted officials with the program who were able to confirm the status of the man's coverage without requiring a letter from his ex-wife. As a result, he was able to access coverage for his medications without paying out-of-pocket for them first.

### Cost of living

After waiting many months for a response from Ministry officials about his experience, a man who had to relocate from Northern Ontario to Toronto for a lung transplant finally had his voice heard through our Office. Although he qualified for the Ministry's Transplant Patient Expense Reimbursement Program, he had been required to live downtown, near the transplant hospital, prepared to have his surgery at any time, for almost two years. His rent during this time was \$2,300 per month, while the program's allowance was only \$650. He contacted our Office after his complaints about the inadequate funding went unheard, and our staff put him in touch with officials who explained the program, started in 2009, was up for review in summer 2017, and his concerns would be taken into consideration. As of February 2018, the Ministry increased the program allowance to \$1,500 per month.



## EMPLOYMENT

### Overview and trends in cases

Complaints in this category – relating mostly to the Ministry of Labour and its agencies, programs and tribunals – have declined steadily over the past three years. This is largely due to efforts by the largest source of such complaints to our office, the Workplace Safety and Insurance Board (WSIB), to address individual and systemic issues.

COMPLAINTS IN PAST THREE FISCAL YEARS		
	WSIB	WSIAT
2017-2018	367	81
2016-2017	492	100
2015-2016	594	128

We continue to monitor specific issues with the WSIB and the tribunal that deals with appeals of its decisions, the Workplace Safety and Insurance Appeals Tribunal (WSIAT).

### Medical advice to WSIB

In 2015, our Office received a joint complaint from the Ontario Federation of Labour (OFL) and the Ontario Network of Injured Workers’ Groups (ONIWG) regarding the Workplace Safety and Insurance Board. Concerns were raised about the WSIB’s approach to workers’ recovery and return to work, the weighing of information from workers’ treating physicians, the identification of psychological issues and the use of medical consultants. These concerns were also published by the OFL and ONIWG in a report entitled *Prescription Over-Ruled*.

The Special Ombudsman Response Team carried out an assessment to determine whether a systemic investigation was warranted and feasible, speaking with individual workers, workers’ groups, health care professionals, the Office of the Worker Advisor, the Fair Practices Commissioner and senior staff at the WSIB. The

## TOP CASE TOPICS

**367**

Workplace Safety and Insurance Board

**81**

Workplace Safety and Insurance Appeals Tribunal

Ombudsman has also met several times with the involved parties – including the President and Chief Executive Officer of the WSIB in October 2017 and the President of the Ontario Federation of Labour in November 2017. He noted that dialogue is ongoing and the parties agreed progress is being made. We understand that these discussions have led to improvements in communication with and between physicians, as well as in oversight and governance.

Given these encouraging developments, the Ombudsman advised ONIWG leaders in February 2018 that an investigation by our Office would be premature, as we are an office of last resort. He encouraged them to meet with WSIB officials to bring forward any further concerns.

We continue to monitor steps being taken by WSIB on this topic in its consultation with stakeholders, in addition to dealing with individual complaints on a case-by-case basis.

## WSIAT backlog of appeals

An independent agency of the Ministry of Labour, the WSIAT is an administrative tribunal that serves as the last avenue of appeal for injured workers dealing with the Workplace Safety and Insurance Board. Our Office began monitoring delays at the tribunal after its caseload more than doubled in 2014-2015, leaving some appellants waiting for more than two years for hearing dates.

The WSIAT advised our Office that contributing reasons for this backlog

were changes to the WSIB's adjudication model (which resulted in more appeals to the WSIAT), and a shortage of adjudicators. Senior Ombudsman staff raised concerns with WSIAT and WSIB leadership about the human impact of these delays, and we have continued to monitor their efforts to address them. Among other things, the WSIAT hired more adjudicators and made changes to training and case management to allow them to hear more appeals.

By March 2018, the WSIAT's active appeal caseload had fallen below 5,700 cases – approaching its target of 4,000 active appeals. The median wait time for applicants to be offered a hearing date declined from 18.9 months during the first quarter of 2017 to 14.3 months in the last quarter.

## Ontario Immigrant Nominee Program

Our Office has monitored complaints about the Ministry of Citizenship and Immigration's Ontario Immigrant Nominee Program, a program to nominate skilled people for permanent residency in Ontario, after receiving 15 cases in 2016-2017. These were about delays, poor customer service and lack of communication – mostly in processing applications. For example, one woman told us she waited more than 18 months for a decision, and her repeated attempts to get an update from Ministry officials met with no response.

Senior Ministry officials advised us they were aware of the issues and

they were addressing them. Some 20 new staff were approved in 2017, primarily to process applications. At our suggestion, the Ministry also agreed to be more proactive in sharing information with applicants online about projected processing times of applications. Its approach now is to accept and then completely process a limited number of applications at a time before accepting new ones, to avoid backlogs.

We received **2** new complaints about the program this past fiscal year, which involved delay issues serious enough to warrant continued monitoring of the Ministry's ongoing improvements.



## MONEY & PROPERTY

### Overview and trends in cases

The cases in this category include complaints about Ministry of Finance organizations, such as the Financial Services Commission, the Ontario Lottery and Gaming Corporation and the Municipal Property Assessment Corporation, as well as the Ministry of the Attorney General’s Office of the Public Guardian and Trustee, which handles money and property matters for people who are incapable of doing so for themselves.

#### Municipal Property Assessment Corporation (MPAC)



Our Office’s investigation into MPAC more than a decade ago, the subject of our report *Getting it Right* in 2006, focused on nearly **4,000** complaints and revealed an unfair onus placed on property owners who challenged MPAC’s assessments. The province responded

by suspending property assessments for two years and amending the *Assessment Act* to put the onus on MPAC to prove its assessments were accurate. MPAC also made information about how properties are valued publicly accessible.

Every four years, when MPAC issues assessment notices, we see a slight increase in complaints. The most recent assessment year was 2016, and we received 116 complaints about MPAC in fiscal 2016-2017, consistent with the 108 we received in the prior assessment year, fiscal 2012-2013. This past fiscal year, complaints about MPAC again declined to a level consistent with non-assessment years – **55**, consistent with the 47 we received in 2015-2016. Most involved disagreement with MPAC’s decisions on property valuation, and sometimes confusing information being provided on how to appeal these. We also received complaints about delays by MPAC in assessing properties.

#### Assessment roll errors

A new issue we are monitoring involves errors in the assessment rolls that MPAC is responsible for preparing every year for all municipalities and local taxing authorities for the calculation of their property taxes. The assessment rolls contain a description

### TOP CASE TOPICS

1

**182**

Office of the Public Guardian and Trustee

2

**55**

Municipal Property Assessment Corporation

3

**49**

Ontario Lottery and Gaming Corporation

of each property and classification, the name of the property owner, and the current value assessment. Errors in this information can have serious financial consequences for property owners.

We received complaints of property roll numbers being associated with the wrong property owner, due to consolidations or severances of adjoining properties, resulting in the incorrect owner being assessed for property taxes – sometimes with substantial financial consequences. In one case of such a mixup, a property owner received a notice that more than **\$100,000** in taxes dating back to 2009 was owed on her property. In another, the owners of two neighbouring properties ended up paying taxes on one another's land instead of their own, but one was left owing more than **\$7,000** in back taxes because the value of the properties differed. Our Office is making inquiries with MPAC regarding possible improvements to its process for the assignment of property roll numbers.

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

Complaints about the OPGT increased in 2017-2018, to **182** from 159 in the previous year. The most persistent issue was poor customer service – case workers who delayed responding to clients, or didn't respond at all. We also heard concerns about OPGT staff taking too long to take steps to protect vulnerable people who were at risk of financial abuse. Our staff frequently help clients connect with OPGT staff or obtain explanations for how their cases were handled.

We helped one woman who had not received her weekly allowances from the OPGT. When we inquired, OPGT

staff acknowledged that the woman's allowance had been terminated by mistake. They sent her an apology along with the money she was owed.

### *Fees for class action claims*

A new issue in complaints we reviewed about the OPGT involved legal fees that it charged clients to prepare claim applications for them as part of recent class action lawsuit settlements. In 2014, the province agreed to settlements with representatives of former residents of Huronia Regional Centre, Rideau Regional Centre, and Southwestern Regional Centre. These now-closed facilities housed people with developmental disabilities from 1876 to 2009, many of whom alleged mistreatment (the class action settlements did not involve findings of wrongdoing).

Although the payment of legal fees for people who could not make claims without assistance was not expressly addressed in the court-approved settlement agreements, OPGT officials advised us that they had done a substantial amount of legal work in preparing clients' claims and that in addition to using its own staff, it had to hire external lawyers to assist. It also noted that it only charged legal fees to successful claimants.

We were also advised by the OPGT of another, similar class action settlement approved by the courts with no monies allocated to OPGT to assist its clients. Senior Ombudsman staff met with OPGT officials and urged them to address the question of legal costs for OPGT before such settlements are finalized, to avoid having to charge fees to vulnerable clients of limited means. Since this meeting, the OPGT has engaged the Civil Law Division of the Ministry of the Attorney General and class action counsel in discussions on this

issue, and has committed to providing our Office with updates.

## Investigations

### Lottery insider theft and fraud – Ontario Lottery and Gaming Corporation (OLG)

#### Report: *A Game of Trust* – March 2007



#### Investigation update:

In the 11 years since the release of our Office's report on how the OLG protects the public from theft and fraud by OLG lottery

ticket retailers, new security measures have been implemented throughout the lottery system. Now that players have to sign their tickets and can check them themselves, retailers are prevented from claiming customers' winning "free play" tickets, as one did in Burlington in 2003. Although the OLG noted that case was somewhat suspicious, it paid a \$12.5-million prize to the retailer's sister.

In accordance with the recommendations in *A Game of Trust*, all of which have been implemented, the OLG now carefully scrutinizes all lottery win claims by ticket sellers and other "insiders," and refers suspicious cases to the Ontario Provincial Police as warranted. It did so with the Burlington case, and the retailer, his sister and father were criminally charged in 2010.

The OLG also developed technology that allowed it to do what its officials told our Office was all but impossible in 2007 – determine the rightful owners of stolen tickets. In 2011, based on this technology, it paid another \$12.5 million to the group



The Ombudsman issued a report in 2007, in which it is fair to say that there was serious criticism of the way in which OLG apparently paid winnings to “insiders” under suspicious circumstances. One of the cases mentioned was [the 2003 Burlington retailer’s] win of \$12.5 million. After the Ombudsman issued his report, the then-Minister responsible for the OLG announced that the Ontario Provincial Police would be asked to investigate.... There is no doubt, in my view, that the evidence discloses a scheme to steal free play lottery tickets.”

– Justice Douglas Gray, *R. v. Chung*, April 9, 2018

of friends who had bought the original winning ticket in 2003.

The theft of that ticket, however, did not result in a criminal conviction until this year. In April 2018, an Ontario Superior Court justice found the former retailer, his father and sister guilty for their various roles in “a joint venture to steal free play lottery tickets.” They are scheduled to be sentenced in September.

## Systemic issue assessment: OLG’s self-excluded gambling policy

Launched: May 2017

In September 2016, the Ontario Lottery and Gaming Corporation changed its rules regarding people who, often due to an addiction to gambling, have asked to be excluded from its gaming facilities. Previously, if people on the “self-excluded” list entered and gambled in OLG facilities (despite their commitment not to do so), they could keep their winnings. Under the new policy, they are not permitted to win prizes.

In February 2017, staff at one facility denied a man a prize of \$10,000 because he had registered for self-exclusion more than a decade earlier. He did not remember doing so, and questioned why the OLG had not prevented him from winning several smaller prizes.

The Special Ombudsman Response Team conducted an assessment of the potential systemic issues raised in this and other such cases, including what the OLG had done to notify those affected by the change in policy.

As a result of our involvement, the OLG ran more advertisements in the media advising patrons about the prize disqualification policy, although it advised us that it did not directly contact people on its self-exclusion list to notify them because of concerns about privacy.

In December 2017, the Ombudsman met with the Chair and the CEO of the OLG to discuss what more the OLG could do to ensure that self-excluded individuals are aware of the new policy. The OLG committed to review the self-exclusion program and update our Office. Although

a formal investigation has not been launched, we continue to monitor the OLG’s efforts to deal with this issue.

## Case summaries

### Thanks a lot

A man who built an apartment building on a vacant lot in 2012 sought our help with MPAC regarding the adjusted assessment value of his property. MPAC sent the man three notices within weeks of each other, covering two four-year assessment cycles – 2009-2012 and 2013-2016. He filed a request for reconsideration using MPAC’s form for 2013-2016, and included a letter asking for reconsideration of the 2012 tax year as well. It wasn’t until 2015 that he realized that his settlement with MPAC did not cover 2012 – but by then it would not reopen his file. After our staff escalated the case to senior MPAC officials, his request was successful and MPAC helped him obtain a property tax refund from his municipality for the 2012 tax year.

### Builder beware

A man who has physical disabilities and cancer was issued a grant from the province’s Home and Vehicle Modification Program (HVMP) to build a porch lift at his home. The contractors falsely told the man that building permits were not required, and after a city inspection found it was not built to code, the lift had to be torn down. The man then called our Office for help, and after our staff spoke with the Ministry of Community and Social Services, officials there agreed to make additional funds available to the man to build another lift. They also committed to institute greater oversight of the HVMP in future.





## ENERGY & ENVIRONMENT

### Overview and trends in cases

New energy projects, hydro billing, and threats to the natural environment can be sources of concern for many Ontario residents. The Ombudsman can review complaints about all of the provincial ministries and programs that deal with these topics – including the ministries of Energy, Environment and Climate Change and Natural Resources and Forestry. Since 2016, we can also take complaints about municipal hydro companies.

In 2017-2018, we received **183** complaints related to these provincial ministries, and **114** about municipal hydro issues. We also received **84** complaints about Hydro One, although it was removed from the Ombudsman’s jurisdiction as of June 4, 2015, when the province partially privatized it. We referred these complaints to the company’s internal ombudsman.

#### Energy issues

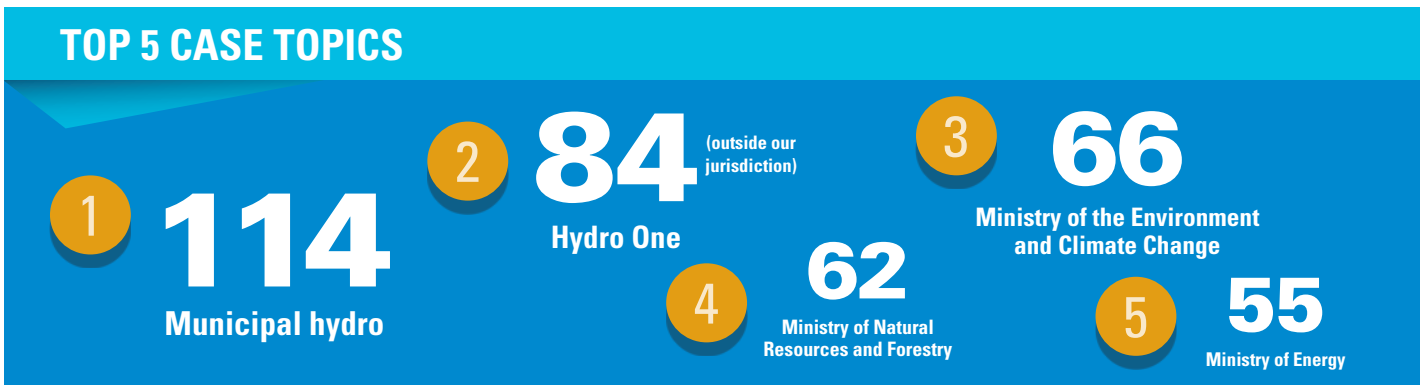
Of the **55** complaints received about the Ministry of Energy, **39** related to two

energy oversight bodies: The Ontario Energy Board (**28**) and the Independent Electricity System Operator (**11**). Concerns about the Ontario Energy Board involved its complaints process and general lack of responsiveness, while complaints about the IESO were mainly about its decisions with respect to contracts and administration of its microFIT program, a feed-in-tariff plan to encourage small green energy projects.

In May 2017, the OEB launched a review of its customer service rules, including public consultations. We saw a decrease in complaints about the OEB’s Ontario Electricity Support Program, which provides \$30-50 per month to eligible consumers, from 10 in 2016-2017 to **5** this year. These were mainly about the application process or eligibility decisions.

#### Municipal hydro complaints

Like general complaints about municipalities in 2017-2018, complaints about local hydro companies declined, from 194 in 2016-2017 to **114** this year. Most complaints were about billing errors, followed by complaints about poor service and unfair account decisions. Our staff resolved these by alerting the appropriate local officials when necessary.



For instance, a woman who was in financial need after separating from her husband complained to us that her local hydro company refused to remove her ex-spouse's name from her account, even after she provided a copy of their separation agreement. This meant she could not qualify for financial assistance under the Ontario Electricity Support Program. After our staff brought the case to the attention of a supervisor, the company agreed to remove the ex-spouse's name, enabling the woman to reapply for the financial assistance.

## Environment and natural resources issues

The Ministry of the Environment and Climate Change is responsible for enforcing provincial laws and standards in order to protect the environment. It also grants environmental compliance and renewable energy approvals to various business projects.

Complaints about the Ministry and its programs declined to **66** in 2017-2018, from 116 complaints in 2016-2017 and 78 the previous year. Many related to the Ministry's response to contaminants or spills potentially affecting the natural environment or health. In one case, our Office was able to help a man who said he was experiencing health impacts from noise pollution in his community and had been unable to reach anyone at the Ministry; our staff connected him with an environment officer who could review the matter.

We noticed a slight increase in complaints about the Ministry of Natural Resources and Forestry, to **62** from 54 in 2016-2017. These related to the Ministry's enforcement and decisions on such things

as hunting and trapping licences, Crown land, and Ontario Parks administration.

### *Environmental impact of wind turbines*

Of the **66** complaints received about the Ministry of the Environment and Climate Change, **18** were from individuals or groups concerned about the environmental impacts of wind turbines. (In 2016-2017, we received 76 such complaints, 53 of which related to a single wind project in Chatham-Kent, prior to its construction.) Noise and potential effects on well water are the most common concerns we hear about wind turbines.

In April 2017, the Ministry introduced a revised compliance protocol for wind turbine noise. This fiscal year, our Office conducted an in-depth review of the Ministry's response to noise complaints, primarily with respect to three wind facilities where noise testing had been ongoing for some time without conclusive results. We assessed whether the Ministry was adhering to compliance protocol. Where delays were identified, we made inquiries with Ministry staff to ensure that the required noise audits took place. Our reviews found that, although in some cases the noise testing was lengthy, these delays were largely outside the Ministry's control and related to unsuitable testing conditions and other factors. We confirmed the Ministry communicated the testing requirements to the turbine operators and followed up to ensure it was done.

In one case, in Saugeen Shores, the Ministry required noise abatement measures after testing confirmed a turbine exceeded noise standards. With respect to the two other wind facilities, located in Goderich and Tiverton areas, concerns involved acoustic testing delays and issues with the adequacy of the noise

testing protocol. Our Office is in regular communication with the Ministry to ensure the protocol is followed.

As a follow-up to last year's complaints about the Chatham-Kent wind project, we confirmed with the Ministry that testing was done to monitor well water and vibration impacts of the project and that results were communicated with the community. We were advised that testing found no impact on water quality. We continue to monitor the Ministry's response to wind turbine issues.

## Case summaries

### Connection made

A woman was trying without success to have hydro reconnected at a rental property and was concerned about a delay and lack of communication from the local hydro company. As a result of our Office's inquiries, the company contacted her and hydro at the property was reconnected.

### Month to month

A man sought our help with his local hydro company, which was sending him late notices and charging him interest on his quarterly water heater rental bill. He maintained he had been making monthly payments, but had been unable to resolve the matter through discussions with the company. Our staff spoke with a manager at the company, who said the company does not generally offer a monthly billing plan (as opposed to a quarterly one) to individuals with low water heater rental bills. But in light of the concerns we raised about the case, the company began doing so.



## CERTIFICATES & PERMITS

### Overview and trends in cases

Most of the **314** complaints we received about the Ministry of Government and Consumer Services in 2017-2018 (up from 280 last year) relate to issues with identification documents, licences and permits. The frontline provider of these is ServiceOntario, which was the subject of **194** of these complaints to our Office, up from 136 last fiscal year. The Registrar General, which handles documents like birth and death certificates, was the subject of **62** complaints, down from 94 in 2016-2017.

Our staff routinely help Ontarians resolve the delays, customer service problems and bureaucratic barriers they encounter in obtaining important documents through these agencies.

#### ServiceOntario

Many of the complaints we receive about ServiceOntario are about poor

customer service, and we can usually resolve them by contacting management at the relevant ServiceOntario outlet, or through the central Customer Experience office. In some cases, Ombudsman staff intervened, particularly when we discovered ServiceOntario counter staff made errors or provided incorrect or misleading information to the public.

For example, a woman who purchased a new car sought to transfer the ownership into her name and obtain new licence plates, and complained to us that ServiceOntario had instead transferred ownership to a third party and issued licence plates with the wrong number. ServiceOntario told us a staff person had entered the wrong plate number, then used it to identify the vehicle's new owner, resulting in ownership being transferred to the wrong person. As a result of our inquiries, ServiceOntario corrected the error and issued the woman a written apology.

We also received several complaints about ServiceOntario posting misleading

### TOP CASE TOPICS

**194**  
ServiceOntario

**62**  
Registrar General

or vague information on its website regarding the requirements for certain transactions. A woman who wanted to exchange her driver’s licence from another province for an Ontario one told us she consulted the website to find out what identification she would need, only to be told by ServiceOntario staff after waiting a lengthy time in line that she didn’t have the right documents. After our staff raised this with ServiceOntario, it provided a complete list of accepted documents on its website.

Another woman complained to us that ServiceOntario’s website led her to believe she would not have to pay sales tax on a trailer registration. Relying on that information, she had purchased a trailer and was surprised when she went to register it to discover it would cost \$2,000 in tax. Our Office discussed the issue with ServiceOntario, which changed the information on its website to clarify the applicable taxes.

GOOD TO KNOW

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

## Registrar General

The most common issue we heard in complaints about this office was delay, including delayed communication with applicants in cases where the Registrar General found information was missing from their documents.

We helped one woman who had been waiting more than 10 weeks for her marriage certificate. She had married a U.S. citizen and needed to apply for a U.S. visa in order to live with her spouse, but was unable to do so without proof of her marriage. When we raised the urgency of the situation with the Registrar General’s office, staff told us the delay was due to missing information in the woman’s application, but she had not been contacted. She quickly provided the information needed to receive her certificate.

An Ontario-born man who had changed his name and was living abroad complained to us that Registrar General officials were delaying his application for a birth certificate showing his new name. He said they were asking him to respond to questions for applicants born outside of Ontario, even though he had provided the Registrar General with a letter explaining why these questions were not applicable. After our staff spoke with Registrar General officials, they agreed to accept the man’s letter of explanation and his application was able to proceed.

## Case summaries

### Born free

An almost-retired man who wanted to get a passport to travel sought our help after three frustrating years of trying to obtain a birth certificate from the Office of the Registrar General. He complained he could not provide proof of his birth. He believed he had been born at home, as there were no hospital records, but he had no living family to confirm this. Our staff helped clarify with Registrar General officials what documents he needed, and he was able to provide church records of his baptism, a week after his birth. Registrar General staff were then able to finalize his application for a birth certificate.

### The long and short of it

A mother of two boys complained to our Office when she had trouble changing her children’s names on their birth certificates, documents they needed soon to make a trip to Disneyland in the U.S. She said miscommunication by ServiceOntario staff about how she should go about amending the boys’ long and short form birth certificate caused delays that put their trip at risk. When she asked the Office of the Registrar General to rush the documents, she was told the wait would be eight weeks. Our staff contacted these officials and provided proof of urgency – the family’s travel itinerary – and they were then able

to expedite the birth certificates so the mother and children could go to Disneyland as planned.

## It's where you live

A woman who moved to Ontario from Alberta for work sought our help after her application for OHIP coverage was rejected due to inadequate proof that she resided in Ontario. Over the course of a year, all of the documents she provided to ServiceOntario to show she lived in the province were rejected, including a letter from her employer. Meanwhile, she was accruing out-of-pocket medical expenses that she could not afford. We spoke with the manager at the local ServiceOntario office to clarify what documents the woman should provide – she undertook to get a letter from her employer, on company letterhead, specifying her address and length of time with the company.

## Family re-covered

We helped a father renew his daughter's OHIP card after she had gone three years without a valid one and her application had been rejected. He explained that the family had been homeless for a time during this period, so they were unable to receive renewal notices by mail. When they finally moved into permanent housing, the father and his son were able to renew their OHIP cards, but his daughter's renewal was rejected because her name was spelled differently on her

birth certificate and she did not have other identification. Our staff explained the family's situation to ServiceOntario officials and confirmed that the girl's name was spelled correctly on her birth certificate; they then issued her a new card.

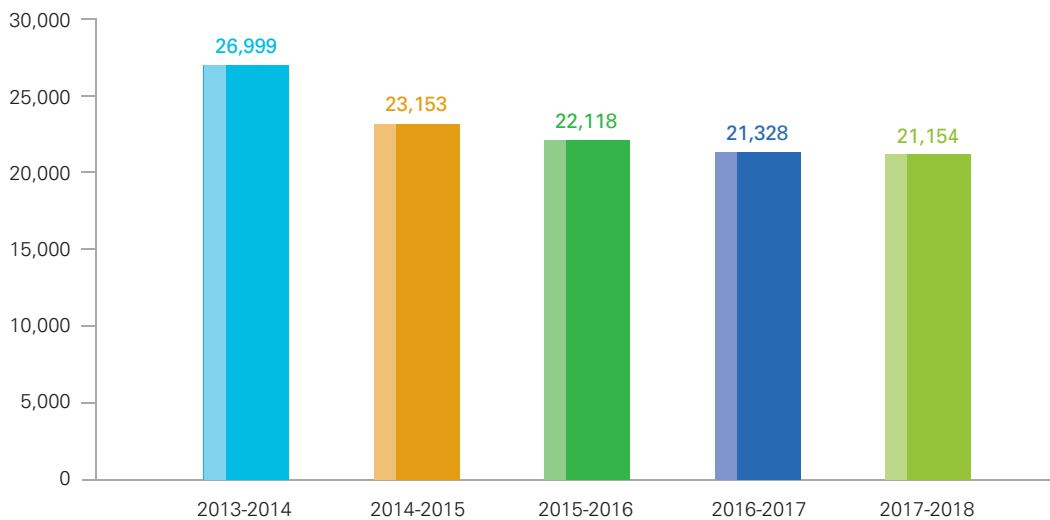
## Identity crisis

An elderly woman needed our help with obtaining new identification after she lost her OHIP card, her primary photo ID. She explained that because she was born at home and her birth was never registered, she did not have a birth certificate; nor did she have any immunization records, as her parents did not vaccinate her as a child. Our staff facilitated the delivery to ServiceOntario of non-standard identification documents, including Old Age Security documents and census data. A review by OHIP's Eligibility Review Committee deemed these acceptable proof to renew her health card.

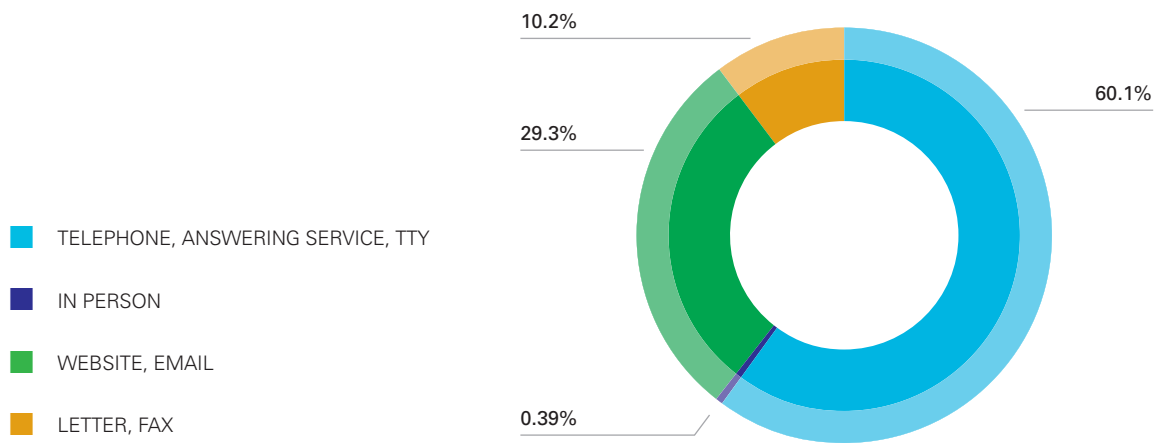
# APPENDIX

## – CASE STATISTICS

### TOTAL CASES RECEIVED FISCAL YEARS, 2013-2014 - 2017-2018



### HOW CASES WERE RECEIVED, 2017-2018





# 21,154

cases received  
in fiscal 2017-2018



## 179

consultations  
or questions



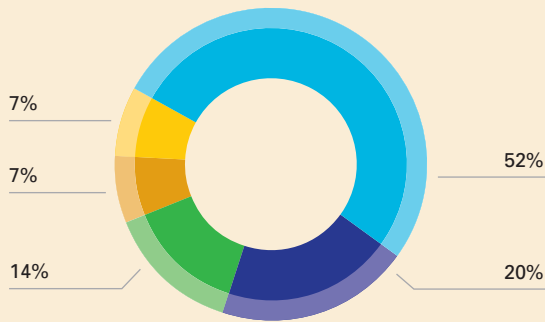
## 438

information  
submissions

### CASES CLOSED

## 13,676

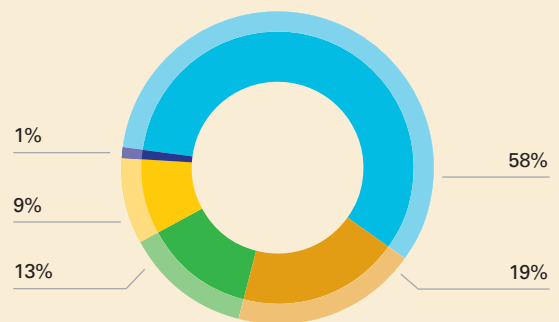
cases within  
the Ombudsman's authority



- INQUIRIES MADE OR REFERRAL GIVEN
- CLOSED AFTER OMBUDSMAN'S REVIEW
- DISCONTINUED BY COMPLAINANT
- RESOLVED WITH OMBUDSMAN INTERVENTION
- RESOLVED WITHOUT OMBUDSMAN INTERVENTION

## 6,490

outside  
the Ombudsman's authority



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

\*E.g., complaints about hospitals, long-term care, children's aid societies, municipal police  
\*\*E.g., complaints about courts, Stewardship Ontario, Tarion

## CASES BY PROVINCIAL RIDING, 2017-2018

AJAX-PICKERING	94
ALGOMA-MANITOULIN	133
ANCASTER-DUNDAS-FLAMBOROUGH-WESTDALE	67
BARRIE	125
BEACHES-EAST YORK	124
BRAMALEA-GORE-MALTON	95
BRAMPTON WEST	123
BRAMPTON-SPRINGDALE	75
BRANT	118
BRUCE-GREY-OWEN SOUND	96
BURLINGTON	93
CAMBRIDGE	96
CARLETON-MISSISSIPPI MILLS	94
CHATHAM-KENT-ESSEX	71
DAVENPORT	79
DON VALLEY EAST	69
DON VALLEY WEST	52
DUFFERIN-CALEDON	89
DURHAM	94
EGLINTON-LAWRENCE	109
ELGIN-MIDDLESEX-LONDON	104
ESSEX	91
ETOBICOKE CENTRE	85
ETOBICOKE NORTH	57
ETOBICOKE-LAKESHORE	117
GLENGARRY-PRESCOTT-RUSSELL	85
GUELPH	76
HALDIMAND-NORFOLK	85
HALIBURTON-KAWARTHA LAKES-BROCK	149
HALTON	114
HAMILTON CENTRE	126
HAMILTON EAST-STONEY CREEK	122
HAMILTON MOUNTAIN	81
HURON-BRUCE	105
KENORA-RAINY RIVER	71
KINGSTON AND THE ISLANDS	84
KITCHENER CENTRE	76
KITCHENER-CONESTOGA	72
KITCHENER-WATERLOO	71
LAMBTON-KENT-MIDDLESEX	80
LANARK-FRONTENAC-LENNOX AND ADDINGTON	118
LEEDS-GRENVILLE	96
LONDON NORTH CENTRE	110
LONDON WEST	103
LONDON-FANSHAWE	95
MARKHAM-UNIONVILLE	34
MISSISSAUGA EAST-COOKSVILLE	75
MISSISSAUGA SOUTH	64
MISSISSAUGA-BRAMPTON SOUTH	57
MISSISSAUGA-ERINDALE	76
MISSISSAUGA-STREETSVILLE	72
NEPEAN-CARLETON	65
NEWMARKET-AURORA	118
NIAGARA FALLS	163

NIAGARA WEST-GLANBROOK	84
NICKEL BELT	96
NIPISSING	109
NORTHUMBERLAND-QUINTE WEST	127
OAK RIDGES-MARKHAM	76
OAKVILLE	64
OSHAWA	148
OTTAWA CENTRE	78
OTTAWA SOUTH	51
OTTAWA WEST-NEPEAN	85
OTTAWA-ORLEANS	105
OTTAWA-VANIER	104
OXFORD	58
PARKDALE-HIGH PARK	105
PARRY SOUND-MUSKOKA	113
PERTH-WELLINGTON	74
PETERBOROUGH	90
PICKERING-SCARBOROUGH EAST	61
PRINCE EDWARD-HASTINGS	167
RENFREW-NIPISSING-PEMBROKE	120
RICHMOND HILL	57
SARNIA-LAMBTON	99
SAULT STE. MARIE	127
SCARBOROUGH CENTRE	56
SCARBOROUGH SOUTHWEST	84
SCARBOROUGH-AGINCOURT	60
SCARBOROUGH-GUILDWOOD	98
SCARBOROUGH-ROUGE RIVER	52
SIMCOE NORTH	153
SIMCOE-GREY	143
ST. CATHARINES	125
ST. PAUL'S	63
STORMONT-DUNDAS-SOUTH GLENGARRY	98
SUDBURY	128
THORNHILL	61
THUNDER BAY-ATIKOKAN	99
THUNDER BAY-SUPERIOR NORTH	86
TIMISKAMING-COCHRANE	96
TIMMINS-JAMES BAY	70
TORONTO CENTRE	179
TORONTO-DANFORTH	69
TRINITY-SPADINA	135
VAUGHAN	95
WELLAND	135
WELLINGTON-HALTON HILLS	65
WHITBY-OSHAWA	105
WILLOWDALE	49
WINDSOR WEST	148
WINDSOR-TECUMSEH	107
YORK CENTRE	81
YORK SOUTH-WESTON	87
YORK WEST	66
YORK-SIMCOE	127

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



## TOP 10 PROVINCIAL GOVERNMENT ORGANIZATIONS AND PROGRAMS BY CASE VOLUME, 2017-2018\*

		NUMBER OF CASES
1	FAMILY RESPONSIBILITY OFFICE	912
2	ONTARIO DISABILITY SUPPORT PROGRAM	760
3	WORKPLACE SAFETY AND INSURANCE BOARD	367
4	SOCIAL JUSTICE TRIBUNALS ONTARIO (SJTO)	269
5	DRIVER LICENSING	261
6	SERVICEONTARIO	194
7	COLLEGES OF APPLIED ARTS AND TECHNOLOGY	189
8	OFFICE OF THE PUBLIC GUARDIAN AND TRUSTEE	182
9	ONTARIO STUDENT ASSISTANCE PROGRAM	142
10	ONTARIO HEALTH INSURANCE PLAN	132

\*Excluding correctional facilities.

## TOP 10 CORRECTIONAL FACILITIES BY CASE VOLUME, 2017-2018

		NUMBER OF CASES
1	CENTRAL EAST CORRECTIONAL CENTRE	773
2	CENTRAL NORTH CORRECTIONAL CENTRE	612
3	MAPLEHURST CORRECTIONAL COMPLEX	569
4	TORONTO SOUTH DETENTION CENTRE	534
5	OTTAWA-CARLETON DETENTION CENTRE	317
6	HAMILTON-WENTWORTH DETENTION CENTRE	288
7	SOUTH WEST DETENTION CENTRE	237
8	ELGIN-MIDDLESEX DETENTION CENTRE	230
9	VANIER CENTRE FOR WOMEN	214
10	NIAGARA DETENTION CENTRE	198

## TOTAL CASES RECEIVED FOR PROVINCIAL GOVERNMENT MINISTRIES AND SELECTED PROGRAMS,\* 2017-2018

<b>MINISTRY OF ADVANCED EDUCATION AND SKILLS DEVELOPMENT</b>		<b>386</b>
COLLEGES OF APPLIED ARTS AND TECHNOLOGY	189	
MINISTRY-FUNDED SERVICE PROVIDER	10	
ONTARIO COLLEGE OF TRADES	20	
ONTARIO STUDENT ASSISTANCE PROGRAM	142	
<b>MINISTRY OF AGRICULTURE, FOOD AND RURAL AFFAIRS</b>		<b>7</b>
<b>MINISTRY OF THE ATTORNEY GENERAL</b>		<b>832</b>
CHILDREN'S LAWYER	33	
COURT ADMINISTRATION	54	
ENVIRONMENT & LAND TRIBUNALS ONTARIO (ELTO)	27	
HUMAN RIGHTS LEGAL SUPPORT CENTRE	12	
LEGAL AID CLINIC	12	
LEGAL AID ONTARIO	120	
OFFICE OF THE PUBLIC GUARDIAN AND TRUSTEE	182	
SAFETY, LICENSING APPEALS AND STANDARDS TRIBUNALS ONTARIO (SLASTO)	18	
SOCIAL JUSTICE TRIBUNALS ONTARIO (SJTO)	269	
<b>MINISTRY OF CHILDREN AND YOUTH SERVICES</b>		<b>71</b>
MINISTRY-FUNDED SERVICE PROVIDER	19	
SPECIAL NEEDS PROGRAMS - CHILDREN	19	
YOUTH CUSTODY FACILITIES	15	
<b>MINISTRY OF CITIZENSHIP AND IMMIGRATION</b>		<b>3</b>
<b>MINISTRY OF COMMUNITY AND SOCIAL SERVICES</b>		<b>1,927</b>
DEVELOPMENTAL SERVICES PROGRAMS	127	
FAMILY RESPONSIBILITY OFFICE	912	
MINISTRY-FUNDED SERVICE PROVIDER	84	
ONTARIO DISABILITY SUPPORT PROGRAM	760	
ODSP - DISABILITY ADJUDICATION UNIT	16	
<b>MINISTRY OF COMMUNITY SAFETY AND CORRECTIONAL SERVICES</b>		<b>5,285</b>
CORRECTIONAL FACILITIES	5,010	
OFFICE OF THE CHIEF CORONER	14	
ONTARIO PROVINCIAL POLICE	123	
OPP - CHIEF FIREARMS OFFICER	25	
PRIVATE SECURITY AND INVESTIGATIVE SERVICES BRANCH	10	
PROBATION AND PAROLE	76	
<b>MINISTRY OF EDUCATION</b>		<b>51</b>
<b>MINISTRY OF ENERGY</b>		<b>55</b>
INDEPENDENT ELECTRICITY SYSTEM OPERATOR	11	
ONTARIO ENERGY BOARD	28	
ONTARIO POWER GENERATION	12	
<b>MINISTRY OF THE ENVIRONMENT AND CLIMATE CHANGE</b>		<b>66</b>

\*Total figures are reported for each provincial government ministry including agencies and programs falling within its portfolio. Each government agency or program receiving 10 or more cases is also included.

## TOTAL CASES RECEIVED FOR PROVINCIAL GOVERNMENT MINISTRIES AND SELECTED PROGRAMS,\* 2017-2018

<b>MINISTRY OF FINANCE</b>		<b>182</b>
FINANCIAL SERVICES COMMISSION	24	
LIQUOR CONTROL BOARD OF ONTARIO	10	
MUNICIPAL PROPERTY ASSESSMENT CORPORATION	55	
ONTARIO LOTTERY AND GAMING CORPORATION	49	
<b>MINISTRY OF GOVERNMENT AND CONSUMER SERVICES</b>		<b>314</b>
CONSUMER PROTECTION ONTARIO	28	
REGISTRAR GENERAL	62	
SERVICEONTARIO	194	
<b>MINISTRY OF HEALTH AND LONG-TERM CARE</b>		<b>602</b>
ASSISTIVE DEVICES	33	
HEALTH PROFESSIONS APPEAL AND REVIEW BOARD	30	
HEALTH QUALITY ONTARIO - PATIENT OMBUDSMAN	28	
LOCAL HEALTH INTEGRATION NETWORKS	81	
MINISTRY-FUNDED SERVICE PROVIDER	58	
ONTARIO HEALTH INSURANCE PLAN	132	
ONTARIO PUBLIC DRUG PROGRAMS	71	
PERFORMANCE IMPROVEMENT AND COMPLIANCE BRANCH	23	
<b>MINISTRY OF HOUSING</b>		<b>15</b>
<b>MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION</b>		<b>3</b>
<b>MINISTRY OF INFRASTRUCTURE</b>		<b>5</b>
<b>MINISTRY OF LABOUR</b>		<b>575</b>
EMPLOYMENT PRACTICES BRANCH	50	
OCCUPATIONAL HEALTH AND SAFETY BRANCH	13	
OFFICE OF THE WORKER ADVISER	10	
ONTARIO LABOUR RELATIONS BOARD	20	
WORKPLACE SAFETY AND INSURANCE APPEALS TRIBUNAL	81	
WORKPLACE SAFETY AND INSURANCE BOARD	367	
<b>MINISTRY OF MUNICIPAL AFFAIRS</b>		<b>19</b>
<b>MINISTRY OF NATURAL RESOURCES AND FORESTRY</b>		<b>62</b>
ONTARIO PARKS	16	
<b>MINISTRY OF NORTHERN DEVELOPMENT AND MINES</b>		<b>10</b>
<b>MINISTRY OF SENIORS AFFAIRS</b>		<b>2</b>
<b>MINISTRY OF TOURISM, CULTURE AND SPORT</b>		<b>21</b>
<b>MINISTRY OF TRANSPORTATION</b>		<b>598</b>
DRIVER LICENSING	261	
METROLINX / GO TRANSIT	29	
MINISTRY-FUNDED SERVICE PROVIDER	104	
TRANSPORTATION - MEDICAL REVIEW	109	
VEHICLE LICENSING	37	
<b>TREASURY BOARD SECRETARIAT</b>		<b>8</b>

## CASES RECEIVED ABOUT MUNICIPALITIES,\* 2017-2018

**TOTAL: 2,491**

ADDINGTON HIGHLANDS, TOWNSHIP OF	3
ADELAIDE METCALFE, TOWNSHIP OF	1
ADJALA-TOSORONTIO, TOWNSHIP OF	7
AJAX, TOWN OF	9
ALFRED AND PLANTAGENET, TOWNSHIP OF	1
ALGONQUIN HIGHLANDS, TOWNSHIP OF	1
ALNWICK/HALDIMAND, TOWNSHIP OF	1
AMARANTH, TOWNSHIP OF	1
AMHERSTBURG, TOWN OF	10
ARMOUR, TOWNSHIP OF	2
ARNPRIOR, TOWN OF	2
ARRAN-ELDERSLIE, MUNICIPALITY OF	2
ASHFIELD-COLBORNE-WAWANOSH, TOWNSHIP OF	3
ASPHODEL-NORWOOD, TOWNSHIP OF	1
ASSIGINACK, TOWNSHIP OF	4
ATIKOKAN, TOWN OF	1
AUGUSTA, TOWNSHIP OF	2
AURORA, TOWN OF	8
BANCROFT, TOWN OF	6
BARRIE, CITY OF	8
BAYHAM, MUNICIPALITY OF	2
BELLEVILLE, CITY OF	9
BLACK RIVER-MATHESON, TOWNSHIP OF	2
BLIND RIVER, TOWN OF	1
BLUEWATER, MUNICIPALITY OF	1
BONNECHERE VALLEY, TOWNSHIP OF	1
BRACEBRIDGE, TOWN OF	1
BRADFORD WEST GWILLIMBURY, TOWN OF	5
BRAMPTON, CITY OF	20
BRANT, COUNTY OF	2
BRANTFORD, CITY OF	17
BRIGHTON, MUNICIPALITY OF	5
BROCKTON, MUNICIPALITY OF	1
BROCKVILLE, CITY OF	3
BRUCE, COUNTY OF	2
BURK'S FALLS, VILLAGE OF	1
BURLINGTON, CITY OF	20
CALEDON, TOWN OF	11
CALLANDER, MUNICIPALITY OF	2
CALVIN, MUNICIPALITY OF	3
CAMBRIDGE, CITY OF	10
CARLETON PLACE, TOWN OF	2
CARLING, TOWNSHIP OF	1
CASSELMAN, VILLAGE OF	3
CAVAN MONAGHAN, TOWNSHIP OF	3

CENTRAL ELGIN, MUNICIPALITY OF	10
CENTRAL FRONTENAC, TOWNSHIP OF	1
CENTRAL HURON, MUNICIPALITY OF	3
CENTRE HASTINGS, MUNICIPALITY OF	1
CENTRE WELLINGTON, TOWNSHIP OF	3
CHAMBERLAIN, TOWNSHIP OF	1
CHARLTON AND DACK, MUNICIPALITY OF	3
CHATHAM-KENT, MUNICIPALITY OF	22
CLARINGTON, MUNICIPALITY OF	6
CLEARVIEW, TOWNSHIP OF	6
COBALT, TOWN OF	2
COBOURG, TOWN OF	2
COCHRANE, TOWN OF	2
COLLINGWOOD, TOWN OF	6
CONMEE, TOWNSHIP OF	1
CORNWALL, CITY OF	7
CRAMAHE, TOWNSHIP OF	7
DAWN-EUPHEMIA, TOWNSHIP OF	1
DEEP RIVER, TOWN OF	8
DOURO-DUMMER, TOWNSHIP OF	1
DRYDEN, CITY OF	3
DUFFERIN, COUNTY OF	1
DURHAM, REGIONAL MUNICIPALITY OF	36
DUTTON-DUNWICH, MUNICIPALITY OF	3
DYSART ET AL, MUNICIPALITY OF	2
EAST FERRIS, MUNICIPALITY OF	1
EAST GWILLIMBURY, TOWN OF	3
EAST ZORRA -TAVISTOCK, TOWNSHIP OF	2
ELGIN, COUNTY OF	1
ELLIOT LAKE, CITY OF	12
EMO, TOWNSHIP OF	2
ERIN, TOWN OF	3
ESSA, TOWNSHIP OF	1
ESSEX, TOWN OF	3
FARADAY, TOWNSHIP OF	1
FAUQUIER-STRICKLAND, TOWNSHIP OF	1
FORT ERIE, TOWN OF	9
FRENCH RIVER, MUNICIPALITY OF	2
GANANOQUE, SEPARATED TOWN OF	11
GEORGIAN BAY, TOWNSHIP OF	5
GEORGIAN BLUFFS, TOWNSHIP OF	2
GEORGINA, TOWN OF	4
GILLIES, TOWNSHIP OF	1
GODERICH, TOWN OF	5
GORDON/BARRIE ISLAND, MUNICIPALITY OF	1

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

## CASES RECEIVED ABOUT MUNICIPALITIES,\* 2017-2018

GORE BAY, TOWN OF	1
GRAND VALLEY, TOWN OF	3
GRAVENHURST, TOWN OF	4
GREATER MADAWASKA, TOWNSHIP OF	3
GREATER NAPANEE, TOWN OF	5
GREATER SUDBURY, CITY OF	72
GREENSTONE, MUNICIPALITY OF	1
GREY HIGHLANDS, MUNICIPALITY OF	5
GREY, COUNTY OF	5
GRIMSBY, TOWN OF	1
GUELPH, CITY OF	5
HALDIMAND, COUNTY OF	11
HALIBURTON, COUNTY OF	4
HALTON HILLS, TOWN OF	6
HALTON, REGIONAL MUNICIPALITY OF	17
HAMILTON, CITY OF	77
HAMILTON, TOWNSHIP OF	2
HANOVER, TOWN OF	1
HASTINGS HIGHLANDS, MUNICIPALITY OF	3
HASTINGS, COUNTY OF	10
HAVELOCK-BELMONT-METHUEN, TOWNSHIP OF	2
HAWKESBURY, TOWN OF	3
HEAD, CLARA AND MARIA, TOWNSHIPS OF	3
HEARST, TOWN OF	2
HIGHLANDS EAST, MUNICIPALITY OF	4
HILTON BEACH, VILLAGE OF	1
HORTON, TOWNSHIP OF	1
HOWICK, TOWNSHIP OF	1
HUNTSVILLE, TOWN OF	5
HURON, COUNTY OF	5
IGNACE, TOWNSHIP OF	1
INGERSOLL, TOWN OF	3
INNISFIL, TOWN OF	5
IROQUOIS FALLS, TOWN OF	3
JAMES, TOWNSHIP OF	1
JOHNSON, TOWNSHIP OF	1
JOLY, TOWNSHIP OF	2
KAPUSKASING, TOWN OF	3
KAWARTHA LAKES, CITY OF	19
KEARNEY, TOWN OF	2
KENORA, CITY OF	4
KILLALOE, HAGARTY AND RICHARDS, TOWNSHIP OF	4
KINCARDINE, MUNICIPALITY OF	4
KING, TOWNSHIP OF	5
KINGSTON, CITY OF	22

KINGSVILLE, TOWN OF	3
KIRKLAND LAKE, TOWN OF	6
KITCHENER, CITY OF	13
LA VALLEE, TOWNSHIP OF	1
LAIRD, TOWNSHIP OF	1
LAKE OF BAYS, TOWNSHIP OF	1
LAKESHORE, TOWN OF	6
LAMBTON SHORES, MUNICIPALITY OF	6
LAMBTON, COUNTY OF	7
LANARK HIGHLANDS, TOWNSHIP OF	3
LANARK, COUNTY OF	2
LARDER LAKE, TOWNSHIP OF	1
LASALLE, TOWN OF	7
LAURENTIAN HILLS, TOWN OF	2
LAURENTIAN VALLEY, TOWNSHIP OF	3
LEAMINGTON, MUNICIPALITY OF	10
LEEDS AND GRENVILLE, UNITED COUNTIES OF	6
LEEDS AND THE THOUSAND ISLANDS, TOWNSHIP OF	7
LINCOLN, TOWN OF	3
LONDON, CITY OF	61
LOYALIST TOWNSHIP	9
MACDONALD, MEREDITH & ABERDEEN ADDITIONAL, TOWNSHIP OF	1
MACHIN, MUNICIPALITY OF	2
MADAWASKA VALLEY, TOWNSHIP OF	4
MADOC, TOWNSHIP OF	2
MAGNETAWAN, MUNICIPALITY OF	3
MALAHIDE, TOWNSHIP OF	2
MANITOUWADGE, TOWNSHIP OF	3
MARATHON, TOWN OF	1
MARKHAM, CITY OF	7
MARKSTAY-WARREN, MUNICIPALITY OF	1
MATACHEWAN, TOWNSHIP OF	3
MATTAWAN, MUNICIPALITY OF	1
MCDOUGALL, MUNICIPALITY OF	1
MCGARRY, TOWNSHIP OF	3
MCKELLAR, TOWNSHIP OF	1
MCMURRICH/MONTEITH, TOWNSHIP OF	7
MEAFORD, MUNICIPALITY OF	3
MERRICKVILLE-WOLFORD, VILLAGE OF	1
MIDDLESEX CENTRE, MUNICIPALITY OF	7
MIDDLESEX, COUNTY OF	1
MIDLAND, TOWN OF	4
MILTON, TOWN OF	3
MINDEN HILLS, TOWNSHIP OF	5
MISSISSAUGA, CITY OF	35

## CASES RECEIVED ABOUT MUNICIPALITIES,\* 2017-2018

MISSISSIPPI MILLS, CORPORATION OF THE MUNICIPALITY	4
MORRIS-TURNBERRY, MUNICIPALITY OF	2
MULMUR, TOWNSHIP OF	1
MUSKOKA LAKES, TOWNSHIP OF	1
MUSKOKA, DISTRICT MUNICIPALITY OF	5
NAIRN AND HYMAN, TOWNSHIP OF	1
NEEBING, MUNICIPALITY OF	7
NEW TECUMSETH, TOWN OF	5
NEWMARKET, TOWN OF	2
NIAGARA FALLS, CITY OF	17
NIAGARA-ON-THE-LAKE, TOWN OF	6
NIAGARA, REGIONAL MUNICIPALITY OF	43
NIPISSING, TOWNSHIP OF	1
NORFOLK, COUNTY	52
NORTH ALGONA WILBERFORCE, TOWNSHIP OF	5
NORTH BAY, CITY OF	10
NORTH DUNDAS, TOWNSHIP OF	1
NORTH GLENGARRY, TOWNSHIP OF	2
NORTH GRENVILLE, MUNICIPALITY OF	1
NORTH HURON, TOWNSHIP OF	5
NORTH KAWARTHA, TOWNSHIP OF	3
NORTH PERTH, MUNICIPALITY OF	5
NORTH STORMONT, TOWNSHIP OF	2
NORTHEASTERN MANITOULIN AND THE ISLANDS, TOWN OF	3
NORTHERN BRUCE PENINSULA, MUNICIPALITY OF	4
NORTHUMBERLAND, COUNTY OF	2
NORWICH, TOWNSHIP OF	3
OAKVILLE, TOWN OF	8
OLIVER PAIPOONGE, MUNICIPALITY OF	3
ORANGEVILLE, TOWN OF	1
ORILLIA, CITY OF	5
ORO-MEDONTE, TOWNSHIP OF	2
OSHAWA, CITY OF	25
OTTAWA, CITY OF	112
OWEN SOUND, CITY OF	2
OXFORD, COUNTY OF	4
PARRY SOUND, TOWN OF	3
PEEL, REGIONAL MUNICIPALITY OF	65
PELHAM, TOWN OF	12
PEMBROKE, CITY OF	3
PENETANGUISHENE, TOWN OF	1
PERTH EAST, TOWNSHIP OF	1
PERTH, TOWN OF	2
PETERBOROUGH, CITY OF	10
PETERBOROUGH, COUNTY OF	2

PETROLIA, TOWN OF	10
PICKERING, CITY OF	2
PLYMPTON-WYOMING, TOWN OF	2
POINT EDWARD, VILLAGE OF	1
PORT COLBORNE, CITY OF	8
PORT HOPE, MUNICIPALITY OF	5
POWASSAN, MUNICIPALITY OF	1
PRESCOTT AND RUSSELL, UNITED COUNTIES OF	12
PRESCOTT, SEPARATED TOWN OF	2
PRINCE EDWARD, COUNTY OF	13
PRINCE, TOWNSHIP OF	1
QUINTE WEST, CITY OF	2
RAINY RIVER, TOWN OF	4
RAMARA, TOWNSHIP OF	3
RED LAKE, MUNICIPALITY OF	4
RED ROCK, TOWNSHIP OF	2
RENFREW, COUNTY OF	1
RENFREW, TOWN OF	1
RICHMOND HILL, TOWN OF	10
RIDEAU LAKES, TOWNSHIP OF	5
RUSSELL, TOWNSHIP OF	3
RYERSON, TOWNSHIP OF	2
SARNIA, CITY OF	18
SAUGEEN SHORES, TOWN OF	2
SAULT STE. MARIE, CITY OF	16
SCUGOG, TOWNSHIP OF	4
SELWYN, TOWNSHIP OF	4
SEVERN, TOWNSHIP OF	3
SHELBURNE, TOWN OF	1
SHUNIAH, MUNICIPALITY OF	2
SIMCOE, COUNTY OF	28
SIOUX LOOKOUT, MUNICIPALITY OF	1
SMITHS FALLS, TOWN OF	1
SOUTH BRUCE PENINSULA, TOWN OF	8
SOUTH DUNDAS, MUNICIPALITY OF	3
SOUTH FRONTENAC, TOWNSHIP OF	5
SOUTH GLENGARRY, TOWNSHIP OF	6
SOUTH HURON, MUNICIPALITY OF	2
SOUTH RIVER, VILLAGE OF	1
SOUTH STORMONT, TOWNSHIP OF	2
SOUTH-WEST OXFORD, TOWNSHIP OF	1
SOUTHGATE, TOWNSHIP OF	4
SPANISH, TOWN OF	2
SPRINGWATER, TOWNSHIP OF	7
ST. CATHARINES, CITY OF	8

## CASES RECEIVED ABOUT MUNICIPALITIES,\* 2017-2018

ST. JOSEPH, TOWNSHIP OF	1
ST. THOMAS, CITY OF	11
ST.-CHARLES, MUNICIPALITY OF	5
STIRLING-RAWDON, TOWNSHIP OF	4
STONE MILLS, TOWNSHIP OF	3
STORMONT, DUNDAS & GLENGARRY, UNITED COUNTIES OF	1
STRATFORD, CITY OF	10
STRATHROY-CARADOC, MUNICIPALITY OF	1
STRONG, TOWNSHIP OF	2
TAY VALLEY TOWNSHIP	2
TAY, TOWNSHIP OF	6
TECUMSEH, TOWN OF	5
TEHKUMMAH, TOWNSHIP OF	6
TEMAGAMI, MUNICIPALITY OF	1
TEMISKAMING SHORES, CITY OF	2
THAMES CENTRE, MUNICIPALITY OF	1
THE BLUE MOUNTAINS, TOWN OF	1
THE NATION, MUNICIPALITY	4
THE NORTH SHORE, TOWNSHIP OF	3
THOROLD, CITY OF	6
THUNDER BAY, CITY OF	18
TIMMINS, CITY OF	13
TINY, TOWNSHIP OF	6
TORONTO, CITY OF	286
TRENT HILLS, MUNICIPALITY OF	8
TRENT LAKES, MUNICIPALITY OF	1
TUDOR AND CASHEL, TOWNSHIP OF	1
TWEED, MUNICIPALITY OF	3
TYENDINAGA, TOWNSHIP OF	1
UXBRIDGE, TOWNSHIP OF	3
VAUGHAN, CITY OF	13
WAINFLEET, TOWNSHIP OF	14
WASAGA BEACH, TOWN OF	21
WATERLOO, CITY OF	4
WATERLOO, REGIONAL MUNICIPALITY OF	23
WAWA, MUNICIPALITY OF	2
WELLAND, CITY OF	16
WELLESLEY, TOWNSHIP OF	1
WELLINGTON, COUNTY OF	8
WEST GREY, MUNICIPALITY OF	1
WEST LINCOLN, TOWNSHIP OF	3
WEST NIPISSING, MUNICIPALITY OF	3
WEST PERTH, MUNICIPALITY OF	2
WHITBY, TOWN OF	3
WHITCHURCH-STOUFFVILLE, TOWN OF	11

WHITESTONE, MUNICIPALITY OF	2
WHITWATER REGION, TOWNSHIP OF	1
WILMOT, TOWNSHIP OF	1
WINDSOR, CITY OF	51
WOLLASTON, TOWNSHIP OF	8
WOODSTOCK, CITY OF	1
WOOLWICH, TOWNSHIP OF	1
YORK, REGIONAL MUNICIPALITY OF	36
UNSPECIFIED	43
<b>SHARED CORPORATIONS</b>	
ALECTRA	26
COLLUS POWERSTREAM	1
CONSERVATION AUTHORITIES	40
ENERGY + INC.	1
ERTH CORPORATION	2
ESPANOLA REGIONAL HYDRO DISTRIBUTION CORPORATION	1
ESSEX POWER CORPORATION	1
KITCHENER-WILMOT HYDRO INC.	1
LAKEFRONT UTILITIES INC.	1
LAKELAND POWER	1
NEWMARKET-TAY POWER DISTRIBUTION LTD	1
NIAGARA PENINSULA ENERGY INC.	1
PEMBROKE AND AREA AIRPORT COMMISSION	3
RIDEAU ST. LAWRENCE DISTRIBUTION INC.	2
VERIDIAN CONNECTIONS (VERIDIAN CORPORATION)	2
WELLINGTON NORTH POWER INC.	1
WESTARIO POWER	1
<b>SHARED LOCAL BOARDS</b>	
ALGOMA DISTRICT SERVICES ADMINISTRATION BOARD	1
DISTRICT OF COCHRANE SOCIAL SERVICES ADMINISTRATION BOARD	4
DISTRICT OF NIPISSING SOCIAL SERVICES ADMINISTRATION BOARD	3
DISTRICT OF SAULT STE. MARIE SOCIAL SERVICES ADMINISTRATION BOARD	2
DISTRICT OF TIMISKAMING SOCIAL SERVICES ADMINISTRATION BOARD	1
KENORA DISTRICT SERVICES BOARD	5
MANITOULIN-SUDBURY DISTRICT SERVICES BOARD	3
NIAGARA DISTRICT AIRPORT COMMISSION	1
RAINY RIVER DISTRICT SOCIAL SERVICES ADMINISTRATION BOARD	5
THUNDER BAY SOCIAL SERVICES ADMINISTRATION BOARD	8
UNSPECIFIED	1

## CASES RECEIVED ABOUT COLLEGES OF APPLIED ARTS AND TECHNOLOGY, 2017-2018

**TOTAL: 189**

ALGONQUIN COLLEGE	5
CAMBRIAN COLLEGE	5
CANADORE COLLEGE	4
CENTENNIAL COLLEGE	11
COLLÈGE BORÉAL	2
CONESTOGA COLLEGE	4
CONFEDERATION COLLEGE	3
DURHAM COLLEGE	13
FANSHAWE COLLEGE	5
FLEMING COLLEGE (SIR SANDFORD FLEMING COLLEGE)	9
GEORGE BROWN COLLEGE	14
GEORGIAN COLLEGE	12
HUMBER COLLEGE	18
LA CITÉ COLLÉGIALE	2
LAMBTON COLLEGE	5
LOYALIST COLLEGE	7
MOHAWK COLLEGE	10
NIAGARA COLLEGE CANADA	6
NORTHERN COLLEGE	4
SAULT COLLEGE	7
SENECA COLLEGE	13
SHERIDAN COLLEGE	14
ST. CLAIR COLLEGE	5
ST. LAWRENCE COLLEGE	3
UNSPECIFIED	8

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

## CASES RECEIVED ABOUT UNIVERSITIES, 2017-2018

**TOTAL: 268**

ALGOMA UNIVERSITY	4
BROCK UNIVERSITY	10
CARLETON UNIVERSITY	6
LAKEHEAD UNIVERSITY	8
LAURENTIAN UNIVERSITY	13
MCMASTER UNIVERSITY	12
NIPISSING UNIVERSITY	4
OCAD UNIVERSITY	4
QUEEN'S UNIVERSITY	6
RYERSON UNIVERSITY	8
TRENT UNIVERSITY	5
UNIVERSITY OF GUELPH	14
UNIVERSITY OF ONTARIO INSTITUTE OF TECHNOLOGY	18
UNIVERSITY OF OTTAWA	20
UNIVERSITY OF TORONTO	73
UNIVERSITY OF WATERLOO	12
UNIVERSITY OF WINDSOR	7
WESTERN UNIVERSITY	9
WILFRID LAURIER UNIVERSITY	9
YORK UNIVERSITY	19
UNSPECIFIED	6

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



## CASES RECEIVED ABOUT SCHOOL BOARDS, 2017-2018

**TOTAL: 871**

<b>ENGLISH PUBLIC SCHOOL BOARDS</b>	
ALGOMA DISTRICT SCHOOL BOARD	7
AVON MAITLAND DISTRICT SCHOOL BOARD	3
BLUEWATER DISTRICT SCHOOL BOARD	4
DISTRICT SCHOOL BOARD OF NIAGARA	47
DISTRICT SCHOOL BOARD ONTARIO NORTH EAST	9
DURHAM DISTRICT SCHOOL BOARD	13
GRAND ERIE DISTRICT SCHOOL BOARD	28
GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD	19
HALTON DISTRICT SCHOOL BOARD	35
HAMILTON-WENTWORTH DISTRICT SCHOOL BOARD	15
HASTINGS & PRINCE EDWARD DISTRICT SCHOOL BOARD	8
KAWARTHA PINE RIDGE DISTRICT SCHOOL BOARD	13
KEEWATIN-PATRICIA DISTRICT SCHOOL BOARD	4
LAKEHEAD DISTRICT SCHOOL BOARD	6
LAMBTON KENT DISTRICT SCHOOL BOARD	5
LIMESTONE DISTRICT SCHOOL BOARD	7
NEAR NORTH DISTRICT SCHOOL BOARD	12
OTTAWA-CARLETON DISTRICT SCHOOL BOARD	54
PEEL DISTRICT SCHOOL BOARD	30
RAINBOW DISTRICT SCHOOL BOARD	16
RAINY RIVER DISTRICT SCHOOL BOARD	1
RENFREW COUNTY DISTRICT SCHOOL BOARD	4
SIMCOE COUNTY DISTRICT SCHOOL BOARD	19
THAMES VALLEY DISTRICT SCHOOL BOARD	33
TORONTO DISTRICT SCHOOL BOARD	124
TRILLIUM LAKELANDS DISTRICT SCHOOL BOARD	6
UPPER CANADA DISTRICT SCHOOL BOARD	12
UPPER GRAND DISTRICT SCHOOL BOARD	3
WATERLOO REGION DISTRICT SCHOOL BOARD	20
YORK REGION DISTRICT SCHOOL BOARD	24
<b>TOTAL</b>	<b>581</b>
<b>ENGLISH CATHOLIC SCHOOL BOARDS</b>	
ALGONQUIN AND LAKESHORE CATHOLIC DISTRICT SCHOOL BOARD	4
BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD	1
CATHOLIC DISTRICT SCHOOL BOARD OF EASTERN ONTARIO	1
DUFFERIN-PEEL CATHOLIC DISTRICT SCHOOL BOARD	22
DURHAM CATHOLIC DISTRICT SCHOOL BOARD	3
HALTON CATHOLIC DISTRICT SCHOOL BOARD	10

HAMILTON-WENTWORTH CATHOLIC DISTRICT SCHOOL BOARD	10
HURON-PERTH CATHOLIC DISTRICT SCHOOL BOARD	3
HURON-SUPERIOR CATHOLIC DISTRICT SCHOOL BOARD	4
LONDON DISTRICT CATHOLIC SCHOOL BOARD	18
NIAGARA CATHOLIC DISTRICT SCHOOL BOARD	6
NIPISSING-PARRY SOUND CATHOLIC DISTRICT SCHOOL BOARD	4
NORTHEASTERN CATHOLIC DISTRICT SCHOOL BOARD	1
NORTHWEST CATHOLIC DISTRICT SCHOOL BOARD	1
OTTAWA CATHOLIC SCHOOL BOARD	8
PETERBOROUGH VICTORIA NORTHUMBERLAND AND CLARINGTON CATHOLIC DISTRICT SCHOOL BOARD	3
RENFREW COUNTY CATHOLIC DISTRICT SCHOOL BOARD	1
SIMCOE MUSKOKA CATHOLIC DISTRICT SCHOOL BOARD	8
ST CLAIR CATHOLIC DISTRICT SCHOOL BOARD	2
SUDBURY CATHOLIC DISTRICT SCHOOL BOARD	3
THUNDER BAY CATHOLIC DISTRICT SCHOOL BOARD	1
TORONTO CATHOLIC DISTRICT SCHOOL BOARD	68
WATERLOO CATHOLIC DISTRICT SCHOOL BOARD	5
WELLINGTON CATHOLIC DISTRICT SCHOOL BOARD	1
WINDSOR-ESSEX CATHOLIC DISTRICT SCHOOL BOARD	6
YORK CATHOLIC DISTRICT SCHOOL BOARD	13
<b>TOTAL</b>	<b>207</b>
<b>FRENCH CATHOLIC SCHOOL BOARDS</b>	
CONSEIL DES ÉCOLES CATHOLIQUES DU CENTRE-EST	9
CONSEIL SCOLAIRE CATHOLIQUE DE DISTRICT DES GRANDES RIVIÈRES	1
CONSEIL SCOLAIRE CATHOLIQUE MONAVENIR	4
CONSEIL SCOLAIRE CATHOLIQUE PROVIDENCE	2
CONSEIL SCOLAIRE DE DISTRICT CATHOLIQUE DE L'EST ONTARIEN	4
<b>TOTAL</b>	<b>20</b>
<b>FRENCH PUBLIC SCHOOL BOARDS</b>	
CONSEIL DES ÉCOLES PUBLIQUES DE L'EST DE L'ONTARIO	9
CONSEIL SCOLAIRE PUBLIC DU GRAND NORD DE L'ONTARIO	1
CONSEIL SCOLAIRE VIAMONDE	7
<b>TOTAL</b>	<b>17</b>
<b>SCHOOL AUTHORITIES</b>	
BLOORVIEW SCHOOL AUTHORITY	1
<b>CASES WHERE BOARD NOT SPECIFIED</b>	
	45

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

## CASES RECEIVED ABOUT CLOSED MUNICIPAL MEETINGS, 2017-2018

**TOTAL: 80**

CASES ABOUT MUNICIPALITIES WHERE OMBUDSMAN IS THE INVESTIGATOR	59
CASES ABOUT MUNICIPALITIES WHERE ANOTHER INVESTIGATOR HAS BEEN APPOINTED	21

### SUMMARY OF COMPLETED INVESTIGATIONS

MUNICIPALITY	MEETINGS & GATHERINGS REVIEWED	PROCEDURAL VIOLATIONS FOUND	BEST PRACTICES SUGGESTED	ILLEGAL MEETINGS
ALFRED AND PLANTAGENET, TOWNSHIP OF	5	4	3	5
BRIGHTON, MUNICIPALITY OF	1	0	1	1
CARLETON PLACE, TOWN OF	1	0	2	1
CORNWALL, CITY OF	1	1	1	0
DEEP RIVER, TOWN OF	1	1	3	1
ELLIOT LAKE, CITY OF	1	0	0	0
FORT ERIE BIA	1	4	3	0
GEORGINA, TOWN OF	1	0	0	0
GRIMSBY, TOWN OF	2	3	2	1
HAMILTON, CITY OF	1	0	3	1
KIRKLAND LAKE, TOWN OF	0*	0	2	0
LANARK HIGHLANDS, TOWNSHIP OF	1	2	5	1
NIAGARA FALLS, CITY OF	1	0	2	0
NORFOLK, COUNTY OF	1	0	1	1
NORTH HURON, TOWNSHIP OF	1	0	1	0
RUSSELL, TOWNSHIP OF	2	1	4	2
ST.-CHARLES, MUNICIPALITY OF	1	0	1	0
TEHKUMMAH, TOWNSHIP OF	5	0	4	0
TIMMINS, CITY OF	2	1	3	2
WELLAND, CITY OF	1	1	3	1

\* This report did not focus on a meeting, but on whether a committee of the town is subject to the open meeting rules.

## FINANCIAL SUMMARY

	(IN THOUSANDS)
<b>OPERATING EXPENSES:</b>	<b>\$</b>
SALARIES AND WAGES	8,926
EMPLOYEE BENEFITS	1,983
COMMUNICATION AND TRANSPORTATION	298
SERVICES	2,220
SUPPLIES AND EQUIPMENT	758
<b>TOTAL ANNUAL OPERATING EXPENSES</b>	<b>14,185</b>
LESS: MISCELLANEOUS REVENUE (RETURNED TO GOVERNMENT)	69
<b>NET EXPENDITURES</b>	<b>\$14,116</b>



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and investigating  
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