



Annual Report of the French Language Services Commissioner of Ontario

OFFICE OF THE OMBUDSMAN OF ONTARIO

2022-2023



Office of the Ombudsman of Ontario

We are:

An independent office of the Legislature that resolves and investigates public complaints about services provided by Ontario public sector bodies. These include provincial government ministries, agencies, boards, commissions, corporations and tribunals, as well as municipalities, universities, school boards, child protection services and French language services.

Land acknowledgement and commitment to reconciliation

The Ontario Ombudsman's work takes place on traditional Indigenous territories across the province we now call Ontario, and we are thankful to be able to work and live on this land. We would like to acknowledge that Toronto, where the Office of the Ontario Ombudsman is located, is the traditional territory of many nations, including the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee, and the Wendat peoples, and is now home to many First Nations, Inuit and Métis peoples.

We believe it is important to offer a land acknowledgement as a way to recognize, respect and honour this territory, the treaties, the original occupants, their ancestors, and the historic connection they still have with this territory.

As part of our commitment to reconciliation, we are providing educational opportunities to help our staff learn more about our shared history and the harms that have been inflicted on Indigenous peoples. We are working to establish mutually respectful relationships with Indigenous people across the province and will continue to incorporate recommendations from the Truth and Reconciliation Commission into our work. We are grateful for the opportunity to work on this part of Turtle Island.

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December 2023

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

Dear Mr. Speaker,

Pursuant to section 12.5 of the *French Language Services Act*, Interim French Language Services Commissioner Carl Bouchard and I are pleased to submit the Annual Report on the activities of my Office under that Act, so that you may table it before the Legislative Assembly.

This report covers the period from October 1, 2022 to September 30, 2023.

I support the recommendations made herein by the Commissioner and, pursuant to s.12.5 (3) of the Act, a copy of this report will be provided to the Minister of Francophone Affairs.

Sincerely,

A blue ink signature of Paul Dubé, consisting of a large, stylized 'D' followed by 'Dubé'.

Paul Dubé
Ombudsman

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COMMISSIONER'S MESSAGE

Tangible results

I am pleased to present the 2022-2023 Annual Report of the French Language Services Commissioner of Ontario. The Commissioner plays an important role in supporting Ontario's Francophone community, and is responsible for monitoring compliance with the *French Language Services Act* and recommending ways to improve the delivery of government services in French.

This report covers the period from October 1, 2022 to September 30, 2023. This historic year for Ontario's Francophone community included the coming into force of Ontario Regulation 544/22, which sets out specific measures that must be taken in order to actively offer services in French. The modernization of the federal *Official Languages Act* also made this a landmark year for Francophone communities across Canada.

During the period covered by this report, we received **386** cases, the highest yearly total since the Office of the Ombudsman of Ontario was given jurisdiction to monitor compliance with the *French Language Services Act* and make recommendations for improving the delivery of government services in French. This report is full of examples showing how the application of the Ombudsman approach to resolving complaints has made it possible to improve services in French and effectively promote language rights in Ontario.

You will see the word "Result" throughout this report, precisely because our intervention and assistance, consistent with Ombudsman methodology, has led to many positive results for Francophones who sought our help.

Francophones in Ontario are increasingly turning to the French Language Services Unit within the Ombudsman's Office to resolve issues in accessing government services in French. The work we do every day as an independent office, exemplifying our commitment to fulfilling this important mandate, helps improve the delivery of these services, and I know that many of the examples in this report will be instructive.



Carl Bouchard, Interim Commissioner of French Language Services of Ontario.



September 25, 2023: Staff of the French Language Services Unit with Interim Commissioner Carl Bouchard at the Franco-Ontarian Monument on Franco-Ontarian Day, Toronto. The FLS Unit is supported by the Ombudsman's Legal Services, Communications, Finance, IT, and People and Culture teams.

“ This report is full of examples showing how the application of the Ombudsman approach to resolving complaints has made it possible to improve services in French and effectively promote language rights in Ontario. ”

I am especially pleased to be presenting this year's report at a time when the number of Francophones in Ontario is the highest it has ever been, with more than 650,000 Ontarians meeting the inclusive definition of Francophone. More than 30,000 people have joined the Franco-Ontarian family since the 2016 census, and they can rest easy knowing that we will make sure their language rights are respected.

This year has also been a time of change. I was honoured to be entrusted by Ontario Ombudsman Paul Dubé to take on the duties of Interim French Language Services Commissioner on March 3, 2023. My priority, as it has been since I joined the French Language Services Unit as Director of Operations in early 2020, has been to continue to demonstrate the dedication of the Ombudsman and our entire team to ensuring compliance with the *French Language Services Act*. I am also committed to staying connected with Francophones to ensure that calling our Office becomes a reflex for them whenever they find their language rights are not respected.

Between March and September, I met with approximately 60 Francophone organizations in Ontario and travelled to many parts of the province, including Ottawa, Sudbury, Chatham Kent, the Niagara Peninsula and Orillia. I had some memorable encounters and heard your concerns, ideas and vision for Ontario's francophonie. I also showed how the French Language Services Unit at the Ombudsman's Office can serve as a go-to resource if you encounter problems accessing government services in French in your daily life.

Not only did you trust us with a record number of cases this year, you also provided a wealth of positive feedback that tells us we are worthy of your trust. We have included examples of these comments throughout this report.

According to the 2021 census, while the number of Francophones in Ontario is growing, their proportion compared to the total population is in decline. Through continuous outreach and education, we must forge strong ties with government agencies to ensure French language services remain one of Ontario's top priorities.

“ I am proud that our approach is leading to meaningful improvements, as this report demonstrates. ”

We have diligently followed up on every recommendation made in our 2019-2020, 2020-2021 and 2021-2022 Annual Reports on French language services. In this report, you will see that the Ontario government has taken steps towards implementing all of our recommendations. You will also see that the Ministry of Francophone Affairs, the Ministry of Colleges and Universities and Laurentian University are moving ahead on the implementation of all 19 recommendations issued in our 2022 investigation report on Laurentian University's cuts to French-language programming as a result of its financial restructuring.

“These steps in the right direction give us good reason to be optimistic about things to come.”

In July 2023, I launched our Office's second investigation under the *French Language Services Act*, to determine whether the government is meeting its language-related obligations in the way it communicates with Ontarians through out-of-home (outdoor) advertising. I launched this investigation on my own motion, based on cases that drew our attention to how often French has been missing in recent advertising, in particular on some electronic billboards, bus shelters and buses. This raised serious questions about how government agencies communicate with Francophones in Ontario.

Along the same lines, our team has recently started proactively looking deeper into a number of significant trends we have observed in cases. For example, in the same year that the “active offer” of services in French became mandatory for all provincial services, we noticed that many agencies still have English-only social media accounts. Our analysis of this trend led to my first recommendation in this report.

Our proactive efforts also included a review of a complaint about a wide range of unilingual traffic signs across the province, which prompted the ministries responsible for this matter to begin working to resolve the problem.

Finally, we identified a key trend in many cases we handled, which arose not from their subject matter, but the way they were resolved: Often, the real issue was not that service in French was not available; it was that staff either did not know how to provide such service or were unaware they were required to do so. Beyond my first recommendation, all the other recommendations in this year's

report are based on this observation. I am confident that, once implemented, these recommendations will ensure better and more effective delivery of existing French language services.

These recommendations draw on cases we have handled and are meant to address the underlying issues, thereby preventing similar occurrences in the future. If you, your family or friends have ever encountered a lack of French language services, you will undoubtedly be familiar with the issues raised in the cases we reviewed and will be pleased with how they were resolved. I hope that this report and the progress we have seen on past recommendations will encourage you to continue to contact us, or to reach out for the first time.

Happy reading!



Carl Bouchard
Interim French Language Services Commissioner of Ontario

“ I am very satisfied with your service and pleased that the Ministry apologized to me for what I went through. Now that I have received the document I asked for, I can breathe a huge sigh of relief. The service I received was quick and efficient. Everything was perfect, and even went beyond my expectations! ” [Translation]

MEETING WITH AND LISTENING TO THE FRANCO-ONTARIAN COMMUNITY



1. March 31, 2023: Interim Commissioner Carl Bouchard speaks to health professionals at a meeting of local health agency Entité 3, Toronto. **2.** April 26, 2023: At a business forum in Ottawa hosted by the Fédération des gens d'affaires francophones de l'Ontario, left to right: Carline Zamar, general director of the Mouvement Ontarien des femmes immigrantes francophones; Laurence Dutil-Ricard, lawyer at Junction Law; Interim Commissioner Carl Bouchard; Geneviève Grenier, vice-president, Chartered Professional Accountants Canada. **3.** March 17, 2023: Interim Commissioner Carl Bouchard speaks at a celebration marking International Francophonie Day at Massey College, Toronto. **4.** April 13, 2023: Interim Commissioner Carl Bouchard (centre) attends the official opening of the offices of Francophone business support groups La Société Économique de l'Ontario and La Fédération des gens d'affaires francophones de l'Ontario, Toronto. **5.** May 17, 2023: Collage of photos from visit by the Interim Commissioner and staff to Centres d'Accueil Héritage seniors community, Toronto. **6.** May 24, 2023: The leadership of Laurentian University welcomes Interim Commissioner Carl Bouchard (third from right), Sudbury.

MEETING WITH AND LISTENING TO THE FRANCO-ONTARIAN COMMUNITY



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7. June 21, 2023: At College La Cité's graduation ceremonies, left to right: Vice-president Lynn Casimiro, President Lise Bourgeois, Director Hélène Grégoire, and Interim Commissioner Carl Bouchard, Toronto. 8. May 24, 2023: Health Sciences North/Horizon Santé-Nord hospital CEO Dominic Giroux (left) and Dr. Nathalie Aubin welcome Interim Commissioner Carl Bouchard, Sudbury. 9. September 26, 2023: Interim Commissioner Carl Bouchard with Ontario Provincial Police (OPP) members and local students at Franco-Ontarian flag-raising ceremony, OPP Headquarters, Orillia. 10. May 23, 2023: Students in Collège Boréal's Forestry Technology program greet Interim Commissioner Carl Bouchard, Sudbury. 11. May 16, 2023: Interim Commissioner Carl Bouchard (centre), at an interagency meeting of local health agency Entité 2, St. Catharines. 12. September 19, 2023: French Language Services Unit staff at Centres d'Accueil Héritage seniors community with deputy general director Fabien Schneider (right), Toronto. 13. May 23, 2023: Interim Commissioner Carl Bouchard meets with Joanne Gervais, Director-general of the Association des communautés francophones de l'Ontario du grand Sudbury, Sudbury. 14. June 29, 2023: French Language Services Unit staff at Cooperation Council Ontario's open house with Executive Director Julien Jeremie (centre), Toronto.

About the Office of the Ombudsman

Established in 1975, the Ombudsman of Ontario is an independent Officer of the Legislature, appointed by the Legislative Assembly, who resolves and investigates public complaints about the Ontario government and broader public sector services. The Ombudsman's jurisdiction includes all provincial government ministries, agencies, corporations, boards, commissions and tribunals, as well as municipalities, universities and school boards. As of May 1, 2019, the Ombudsman's jurisdiction was extended to child protection services and French language services.

Role of the Ombudsman

The role of the Ombudsman is to enhance governance by promoting transparency, accountability, and fairness within government and the public sector, as well as promoting and protecting the rights of Ontarians. He does not overturn decisions of elected officials or set public policy, but makes recommendations to ensure administrative fairness, transparency and accountability. The Ombudsman's recommendations have been overwhelmingly accepted by the government, resulting in numerous reforms.

The Ombudsman publishes reports with recommendations when he conducts individual and systemic investigations. He also publishes an Annual Report, which includes complaint statistics and highlights of the work of all areas of our Office – including the French Language Services Unit.

Between April 1, 2022 and March 31, 2023, the Office of the Ombudsman received **24,551** cases (complaints and inquiries). Some 44% of these were resolved within one week, and 54% within two weeks.

Under the *Ombudsman Act*, the Ombudsman's jurisdiction does not include: Provincial politicians, decisions of judges or courts, patient care at hospitals and long-term care facilities, professional associations (e.g., doctors, lawyers, teachers), or police. The Ombudsman has no jurisdiction over federal government or private sector organizations. However, we can take complaints about French language services provided by certain hospitals, long-term care homes and other bodies specified in the regulations to the *French Language Services Act*.

Role of the French Language Services Commissioner

Ontario's *French Language Services Act* has been in effect since 1989, defining the linguistic rights of Franco-Ontarians to services in French at head or central government offices and in designated areas throughout the province.

The role of French Language Services Commissioner was established in 2007 to ensure compliance with the Act, by reviewing complaints from the public, conducting investigations and making recommendations to improve the delivery of government services in French.

Under the *French Language Services Act*, the Commissioner can review complaints about the offer of services in French by or on behalf of government agencies and institutions of the Legislature. These include ministries, boards, commissions and corporations that have a majority of members and directors appointed by the Lieutenant-Governor in council, as well as agencies designated in O. Reg. 398/93. The regulation specifies more than 250 hospitals, long-term care facilities, daycares, universities, and other public sector or non-profit entities.

As part of our Office, the Commissioner is completely independent of government, political parties, individual complainants and interest groups. The Commissioner has the power to investigate on his or her own initiative – that is, without a complaint – and to make recommendations to improve the delivery of French language services. These recommendations are based on evidence gathered through the assessment of complaints and interaction with individuals, government agencies, and officials as well as an analysis of relevant legislation.

The Commissioner leads the French Language Services Unit, a team of Early Resolution Officers and Investigators that is supported by the Ombudsman's Legal Services, Communications, Finance and Information Technology, and People and Culture teams.

The Commissioner and the Director of Operations, French Language Services Unit, are members of the Ombudsman's Executive Management Team.

What we do

Aside from its principal focus on answering questions from our stakeholders and informing Franco-Ontarians about their rights, the Commissioner's work involves four areas in particular:

- Building productive and appropriate relationships;
- Being proactive through education and by disseminating information;
- Managing cases; and
- Overseeing investigations.

The importance of cases

The cases – complaints and inquiries – we receive allow us to:

- Inform Franco-Ontarians of their rights;
- Explain the role of the Commissioner, the French Language Services Unit, and the Ombudsman;
- Gain a unique perspective on the state of French language services in Ontario by engaging directly with individuals on the challenges they face in accessing these services;
- Identify systemic issues that warrant investigation;
- Gather and impartially assess evidence of the impact on Francophones of lapses or gaps in French language services, upon which credible recommendations for corrective action can be founded;
- Proactively demonstrate to the government the gaps in French language services, and build on the relationship of trust between the government and the Office of the Ombudsman;
- Demonstrate concrete results that benefit Franco-Ontarians;
- Promote equity in language rights; and
- Contribute to the improvement of the provision of French language services.

Since we operate as an independent and impartial institution, we have a special relationship with the people of Ontario. The complaints we receive allow us to hear directly from those who feel their rights are not being respected or who believe they are being treated unfairly by the government. By listening to complainants and making inquiries with government agencies, we have a unique perspective that allows us to assess whether services are well-matched to needs, and to make recommendations to remedy service gaps where necessary.

Our role is to improve governance by promoting fairness and respect for the rights of Ontarians. We welcome complaints from people who feel their rights have been ignored. We seek to fully understand each case, identify the facts, and measure the impact of the lack of French language services on the lives of complainants.

Our procedures and strategies for dealing with complaints are adapted to each individual case and are aimed at a quick and efficient resolution for those who are directly affected, according to our principles of early resolution. We resolve the majority of cases in this preventive fashion, and formal investigations are the exception, not the norm. This complaint handling process is based on best practices for which ombudsman offices are internationally recognized.

When we receive a complaint, we obtain the complainant's consent to communicate with the parties involved – i.e., the government, its agencies or third parties. We conduct our analysis and work to find a resolution. Our goal is to resolve complaints as quickly as possible with the people who are directly affected. We may also find the complaint is groundless, in which case our impartial and independent report absolving the government agency may well serve to boost morale and public confidence in the public servants involved.

Occasionally, when cases can be handled quickly and efficiently by the organizations involved, we refer complainants to them. We are an office of last resort, but this does not mean that people cannot contact us directly regarding a lack of services in French.

Before making a referral, however, we ensure that the organization in question has a complaint mechanism and a French-speaking contact person to guide complainants. Even in cases where the complaint lies outside our jurisdiction, we still try to identify resources that complainants can use in their attempt to obtain service in French.



October 24, 2023: Interim Commissioner Carl Bouchard represents our Office at a seminar hosted by the international Francophone ombudsman association, l'Association des Ombudsmans et Médiateurs de la Francophonie, Luxembourg.

The concept of last resort allows us to call on the organizations involved in cases to be accountable, and to ensure that they can address issues and, if warranted, resolve them efficiently.

But we remain vigilant. Complainants who are not satisfied with the response they received can return to us for assistance. We are here to help and to seek a resolution when reasonable, by applying our legislation and the principles of fairness.

Proactive work

Our role involves showing leadership in several areas. We work proactively to promote and protect rights; we educate and liaise; we resolve complaints; we investigate, we inform the government of our findings, we make recommendations, we monitor and report.

We are not content to wait for issues to come to our attention through complaints or news. By virtue of our ongoing interactions with key stakeholders, our one-on-one conversations with members of the Franco-Ontarian community, and our engagement with government and various agencies and organizations, we can often resolve issues long before they lead to complaints. It is also important to note that the Commissioner, like the Ombudsman, has the power to investigate a matter on their own initiative, without receiving a complaint.

We also build productive and appropriate relationships with the government, its agencies, third parties, Ontario's Francophone community and all those who have an interest in French language services across the province.

The Commissioner not only meets with and listens to Franco-Ontarians and many Francophone associations across the province, he or she also communicates regularly with the Minister of Francophone Affairs, the Premier, and the leaders of all opposition parties, as well as other elected officials.

The Commissioner also meets regularly with counterparts across the country and around the world, such as the members of the International Association of Language Commissioners (IALC) and the international Francophone ombudsman association, l'Association des Ombudsmans et des Médiateurs de la Francophonie (AOMF).

“ There have been clear improvements every time we've reported an issue... we can see that it works. ” [Translation]

Communications and outreach

In order to effectively do our job, we must be there to hear our stakeholders' concerns and suggestions and celebrate their work and successes. The ultimate goal of our outreach efforts is to reach as many Francophones in Ontario as possible, particularly those who are new to the province, so that they know who we are, what their language rights are in this province, and the role we play in protecting those rights. We want more people to turn to us if they have trouble accessing government services in French. We also make a proactive effort to work closely with government agencies and support their efforts to improve their services.

There for everyone who needs us

For the period spanning October 1, 2022, to September 30, 2023, the French Language Services Unit focused on connecting with Franco-Ontarians, their representatives and the organizations they belong to, in multiple areas. A total of **91** virtual and in-person meetings were held – an 80% increase over last year, when our outreach efforts were somewhat limited due to COVID-19.

The Franco-Ontarian community is diverse and multi-faceted and all should be aware that they can contact us if they need help with individual issues. Our staff met with representatives from the education, health care, business and law sectors, groups representing seniors, women, the 2SLGBTQ+ community, newcomers and various ethnocultural communities, and local and regional associations. We are always keen to make new contacts, on our own initiative or by invitation.

Reaching Francophones across the province

We also travelled beyond Toronto, to Ottawa, Sudbury, Orillia, Chatham and the Hamilton/Niagara area to attend **28** meetings and special events with Francophone communities there, a 50% increase from last year. These events drew diverse audiences that included, among others, judges, lawyers, health care professionals, education professionals, senators, students and members of the Ontario Provincial Police.



This collage shows a selection of the many virtual meetings between Interim Commissioner Carl Bouchard and Franco-Ontarian stakeholder groups between March and October 2023.

“ In order to effectively do our job, we must be there to hear our stakeholders’ concerns and suggestions and celebrate their work and successes. ”

Working on a broad range of fronts

Between October 1, 2022, and September 30, 2023, **60** regular high-level meetings were held with members of government and senior ministry officials in order to move forward on active cases and discuss matters of current interest.

We promote productive dialogue with provincial ministries and agencies, and the French Language Services Unit works with them in a collaborative and proactive manner to help them improve their services.

Here are some examples of the feedback we have received from them:

“ You made this whole process stress-free and really showed how effective your office can be in supporting both Ontario citizens and the Ministry. ”

“ Thank you for this... it is helpful so we can monitor and look to improve our services and compliance [with the *French Language Services Act*]. ”

“ All our exchanges over the past 18 months in meetings, emails and letters have been extremely fruitful to us, and we appreciate the fluid relationship our offices have built. ”

“ [Our organization's] French language services have greatly benefitted from our conversations, positively impacting the French-speaking community in Ontario. ”

Some **20** meetings were also held with other commissioners/peers to share best practices and discuss matters of common interest. These included the Office of the Commissioner of Official Languages of Canada (with whom we have signed a Memorandum of Understanding), and our counterparts elsewhere in Canada and around the world, as members of the International Association of Language Commissioners and the international Francophone ombudsman association, l'Association des Ombudsmans et des Médiateurs de la Francophonie.

In addition to several posts about French language services each week on our social media accounts, there were also **10** signed messages, **2** statements on our website, and **15** interviews with media across the province. We created a new poster explaining the services provided by the French Language Services Unit, which community and government organizations can share with their members and clients. We also share news about the French Language Services Unit in the Office's monthly newsletter (visit www.ombudsman.on.ca to sign up).



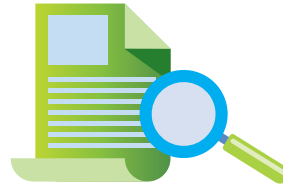
These mini-posters and all our reports can be found on our website or ordered from our Office.

“ Thank you so much for your help! It is much appreciated. ” [Translation]

2022-2023 HIGHLIGHTS

Complaints and inquiries received

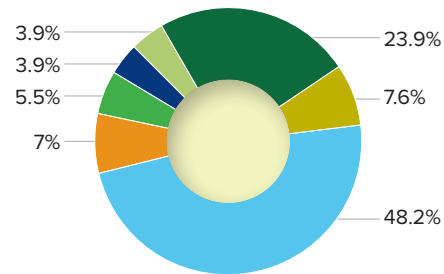
October 1, 2022 – September 30, 2023



386 cases

Top case topics

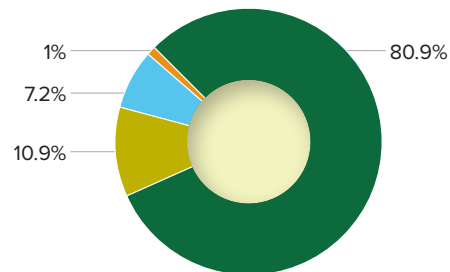
- WRITTEN COMMUNICATIONS
- ONLINE SERVICES
- IN-PERSON SERVICES
- TELEPHONE SERVICES
- SOCIAL MEDIA
- SIGNAGE
- OTHER



Disposition of closed cases

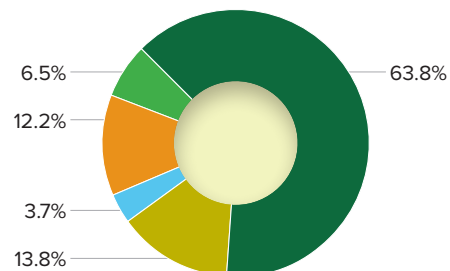
- ORGANIZATIONS SUBJECT TO THE *FRENCH LANGUAGE SERVICES ACT (FLSA)**
- FEDERAL, PRIVATE, OUTSIDE ONTARIO
- PROVINCIAL PUBLIC SECTOR NOT SUBJECT TO THE *FLSA***
- INFORMATION SUBMISSIONS

*Complaints and inquiries regarding ministries, boards, commissions, corporations and agencies designated under the French Language Services Act (FLSA).
**E.g., non-designated municipalities, school boards and agencies.



Disposition of cases closed under the *French Language Services Act (FLSA)*

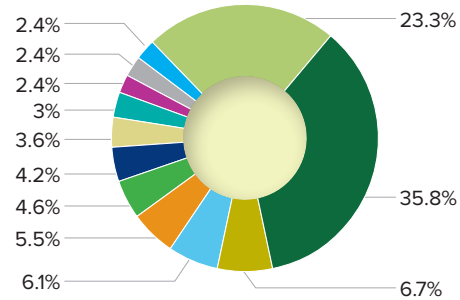
- RESOLVED WITH OUR OFFICE'S INTERVENTION
- INQUIRIES MADE OR REFERRAL GIVEN
- CLOSED AFTER OUR OFFICE'S REVIEW
- WITHDRAWN BY COMPLAINANT
- RESOLVED WITHOUT OUR OFFICE'S INTERVENTION



2022-2023 HIGHLIGHTS

Top organizations (subject to the *FLSA*) by case volume

- MINISTRY OF COLLEGES AND UNIVERSITIES
- MINISTRY OF TRANSPORTATION
- MINISTRY OF PUBLIC AND BUSINESS SERVICE DELIVERY
- METROLINX
- DESIGNATED AGENCIES – HEALTH AND LONG-TERM CARE
- MINISTRY OF THE ATTORNEY GENERAL
- MINISTRY OF TOURISM, CULTURE AND SPORT
- MINISTRY OF HEALTH
- TREASURY BOARD SECRETARIAT
- MINISTRY OF THE SOLICITOR GENERAL
- TRIBUNALS ONTARIO
- OTHER*



*See the Appendix of this report for a breakdown of these cases.

Communications and outreach



28
Events
attended

91

Meetings and discussions
with Franco-Ontarian
stakeholders
and community
organizations



60



Meetings and discussions
with cabinet ministers,
deputy ministers, MPPs,
other ombudsmen and
officers of the Legislative
Assembly

20



Meetings with
Canadian and
international
counterparts
and
organizations



15 Media
interviews



12 Videos, statements
and signed social
media messages

Summary

The French Language Services Unit received a total of **386** cases (complaints and inquiries) between October 1, 2022, and September 30, 2023.

The most common complaint topics were in-person services (accounting for 48.2% of all cases about organizations subject to the *French Language Services Act*), written communications (23.9%), online services (7.6%), telephone services (7%) and social media (5.5%).

The four organizations that were the subject of the most complaints were:

- The Ministry of Colleges and Universities (**35.8%**)
- The Ministry of Transportation (**6.7%**)
- The Ministry of Public and Business Service Delivery (**6.1%**)
- Metrolinx (**5.5%**)

We received **115** complaints and inquiries (in the “in-person services” category) regarding the Ministry of Colleges and Universities after the Ministry announced on June 30 that it would not be providing funding to the University of Sudbury to create a standalone French-language university. Although these cases were spurred by a political decision by the government – and the Office of the Ombudsman normally does not intervene in such decisions – we are taking a close look at these cases. We are continuing to contact complainants directly, as is our standard practice, and assess whether our Office and the Commissioner have a role to play from the standpoint of compliance with the *French Language Services Act*.

Our work with the Ministry of Colleges and Universities continued with a follow-up on our 2021 report and recommendations regarding Laurentian University’s cuts to French-language programming as a result of its financial restructuring. The Ministry of Colleges and Universities, Laurentian University and the Ministry of Francophone Affairs have all reported progress in implementing the recommendations of our report.

Meanwhile, our investigators have been busy with a whole new investigation into English-only government billboards and other out-of-home advertising, announced by the Interim Commissioner in July 2023. Additionally, as mentioned in the **Ombudsman’s Annual Report** (released in early October

2023), our investigators are involved in the Special Ombudsman Response Team's investigation regarding adults with developmental disabilities who are being inappropriately housed in hospitals. Among other things, the investigation is looking into whether appropriate services in French are available in the community.

Most of our work continues to involve resolving individual cases and pursuing proactive work. For example, this year we took a proactive look at the social media accounts for around 50 agencies, many of which were only available in English.

We also closely reviewed a complaint regarding approximately 600 unilingual road signs throughout the province, and we are continuing to work with the responsible ministries to resolve the matter.

As usual, throughout this report, we have highlighted numerous cases we have resolved – many of which have led to improvements that will prevent future complaints.

Note: To protect complainant confidentiality, all identifying information in individual stories is anonymized. Some details, including gender, may have been removed or changed.

Investigations

Unilingual government out-of-home advertising

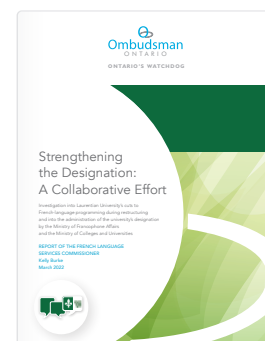
On July 6, 2023, the Interim Commissioner initiated a systemic investigation on his own motion in response to complaints about the lack of French in the provincial government's out-of-home advertising. We noticed that French was missing in recent advertising, in particular on a number of electronic billboards, which raised serious questions about how government agencies communicate with Francophones in Ontario.

The aim of the investigation is to determine to what extent the *French Language Services Act* is being respected. This is the second investigation under the *French Language Services Act* led by the French Language Services Unit within the Ombudsman's Office. The investigation is currently ongoing. We continue to encourage anyone who has information relevant to this investigation to contact us. Our findings will be presented in a report once the investigation has been completed.

Cuts to French language programs at Laurentian University

Report: *Strengthening the Designation: A Collaborative Effort*, March 2022

Investigation update: In June 2021, the French Language Services Unit undertook an investigation into Laurentian University's cuts to French-language programming as a result of its financial restructuring and into the administration of the university's designation by the Ministry of Francophone Affairs and the Ministry of Colleges and Universities. The investigation was launched in response to complaints about the cuts, some of which were from students who found themselves unable to pursue or complete their chosen programs in French. The purpose of the investigation was to determine whether Laurentian University, the Ministry of Francophone Affairs and the Ministry of Colleges and Universities met their obligations under the *French Language Services Act (FLSA)*, in light of the university's designation under the *FLSA*.



The investigation report was released in March 2022 and concluded that Laurentian University failed to meet its obligations as a designated agency under the *FLSA* when it eliminated all programs leading to two designated Master's degrees. Likewise, the Ministry of Francophone Affairs failed in its role as the ministry responsible for administering the *FLSA* and the Ministry of Colleges and Universities failed to fulfill its role as sponsoring ministry in the administration of the *FLSA*. The report included 19 recommendations for addressing these issues and improving the provision of French language services. Laurentian University and both ministries agreed to implement all of the recommendations addressed to them and committed to reporting to us on their progress every six months.

Laurentian University, the Ministry of Colleges and Universities and the Ministry of Francophone Affairs have made significant progress in implementing these recommendations:

- The three parties have improved their collaboration;
- Their decision-making processes have been reviewed and enhanced in light of each party's obligations under the *French Language Services Act*;

- The university has hired an associate vice-president responsible for Francophone affairs and new academic program development;
- New automated communication tools and regular compliance assessments have been introduced for all designated agencies;
- The Ministry of Colleges and Universities has introduced an internal policy designed to strengthen the role of the French Language Services Coordinator; and
- The Ministry of Colleges and Universities has formed an internal working group to support staff training on matters concerning the *French Language Services Act*.

We will continue to follow up with the three parties every six months until all recommendations have been satisfactorily implemented.

“Laurentian University and both ministries agreed to implement all of the recommendations addressed to them and committed to reporting to us on their progress every six months.”

Update on recommendations – Annual Reports of 2019–2020, 2020–2021 and 2021–2022

Under the *French Language Services Act*, the Commissioner must present annual recommendations for improving the delivery of French language services in Ontario. Our practice is to follow up on all of the Office’s recommendations and publicly report on the progress of their implementation.

Our **2019–2020 report (released in December 2020)** made eight recommendations to the government for improving the planning of French language service delivery in the province. The two main recommendations were for the government to require each ministry to formulate a plan for improving French language services and for the Minister of Francophone Affairs to report annually on the implementation of these plans.



Our **2020–2021 report (released in December 2021)** made only one recommendation, which was for the government to use a new tool called the “FLSC Compass” to evaluate the quality of government services in French. The intent of this recommendation was to help government agencies gather evidence of the areas where their planning meets their objectives, and where it needs to be improved in order to provide equivalent services without delay.

Our **2021–2022 report (released in December 2022)** made two recommendations: One calling for more public service job postings to be published in French, and the other urging that Ontario Regulation 398/93 be updated. This Regulation lists the organizations that are designated as public service agencies under the *French Language Services Act*, which are required to provide service in French.

As of September 30, 2023, the government had agreed to all of the recommendations and made great strides in implementing them.

For example:

- The Government of Ontario has amended the *French Language Services Act* to require each minister to report to the Executive Council on the implementation of the Act by their ministry and the quality of the French language services provided.
- The Ministry of Francophone Affairs has worked with the Treasury Board to introduce a planning tool for French language services as part of Treasury Board’s multi-year planning process. The process now requires deputy ministers to submit an attestation indicating that each ministry has a French language services plan. The goal of this new approach is for the government to proactively incorporate French language services planning into government-wide strategic planning.
- The Ministry of Francophone Affairs encourages ministries to use the FLSC Compass to develop performance measures.



- The Ontario Public Service has started to publish bilingual job postings for all jobs open to the general public on its Careers website.
- The Ministry of Francophone Affairs has formulated a plan to update the list of agencies designated under the *FLSA* in Regulation 398/93. Some updates have already been made.

These outcomes, which are the direct result of our recommendations, demonstrate our positive influence, and attest to a strong will across the board to work together to make a tangible difference for Francophones in Ontario.

Trends in cases: Written communications and social media

Cases involving written communications – including social media – make up approximately **29.4%** of complaints and inquiries received about organizations subject to the *French Language Services Act (FLSA)* between October 1, 2022 and September 30, 2023. The cases we handled dealt with issues like reports, notices, forms, publications and other documents from government agencies and institutions of the Legislature.

The regulation on “active offer” (Regulation 544/22), which went into effect on April 1, 2023, defines the written communications obligations of government agencies subject to the *FLSA* as follows: “If an agency or institution provides to the public an English document containing information about its services, such as brochures, pamphlets, notices and email communications, whether in electronic or physical format, a French version containing the same information shall also be provided at the same time and in the same format.”

As for social media, the regulation states that “[a]ny websites, webpages, social media and other web-based content maintained by an agency or institution containing information about its services must be made available in English and in French.”

Here are a few examples of cases that we helped to resolve regarding to these obligations.

Surveys and public consultations

Public consultations are an integral part of developing public service policies and programs. Consultations make it possible to get feedback from Ontarians and other stakeholders on government initiatives. Here are some examples of issues brought to the attention of the French Language Services Unit relating to the services in French offered for public consultations.

Our voices matter too

A Francophone municipal employee in Eastern Ontario was invited to take part in an English-only survey on the quality of municipal and provincial emergency management programs. The goal of the survey was to collect information about the effectiveness of compliance review and quality assessment processes for emergency management programs. The purpose of this initiative was to follow up on recommendations made by the Auditor General of Ontario. We brought the matter to the attention of Emergency Management Ontario (EMO), which reports to the Treasury Board Secretariat.

● **RESULT:** EMO quickly rectified the situation, translating the survey and sharing it online with Francophone participants within 72 hours of the English survey being shared. EMO sent a second invitation to participate in the survey in French and English to all 444 municipal governments in the province.

Everything at the ready

A Francophone filed a complaint about an announcement of a public consultation on the reform of housing industry regulations posted to the Ministry of Public and Business Service Delivery's French LinkedIn page. The post was written in French, but four of the five attached informational documents (regulations on the code of ethics, pedagogical requirements and the disciplinary committee) were in English only. We reached out to the Ministry, and they informed us that due to tight deadlines, the documents couldn't be translated in time for the consultation.

● **RESULT:** The Ministry acknowledged that the informational documents should have been available in French. They committed to ensuring that Francophones will be able to participate fully in the next stage of implementing

these new regulations. The Ministry also offered to speak with the man who filed the complaint in order to answer his questions and get his feedback on the reform, and he was thrilled with the offer. The Ministry also committed to reviewing its consultation processes to meet its French language services obligations.

Social media

One of the measures in the regulation on active offer (Regulation 544/22) specifically applies to social media containing information about services provided by government agencies. It stipulates that such social media content must be available in French. Government agencies are also required to ensure that all third parties providing service on their behalf comply with the requirements in the *French Language Services Act*.

After receiving various complaints related to social media, we reviewed a random selection of social media accounts of Ontario government agencies. We looked at accounts for more than 50 agencies on five social media sites: Instagram, Facebook, X (twitter.com), LinkedIn and YouTube.

We noted that most of the agency accounts we reviewed did not systematically post bilingual content in compliance with the regulation.

Our review looked at whether the following key elements were bilingual: The account name, bio, and posts (including videos and text in photos). On Facebook, only half of the accounts had French or bilingual posts, and the same held true for accounts on X and Instagram. As for YouTube, about one-third of the agencies had videos in French or with French subtitles. It is worth noting that even when accounts had bilingual content, it was not always equivalent in French or included English-only photos and videos.

Here are a few examples of cases we received related to social media.

Bet on bilingual

A Francophone reached out to us because he was unable to find French versions of posts on the social media accounts of Lotto Max (Facebook, Instagram and X). The posts were only available in English. We raised this with the Ontario Lottery and Gaming Corporation (OLG), which told us that

Lotto Max is a national lottery run by the Interprovincial Lottery Corporation (ILC), partially owned by OLG.

 **RESULT:** As a result of our intervention, the ILC decided to make all lottery social media accounts (including Lotto Max) bilingual. The ILC also developed a three-phase action plan that is almost fully implemented. Francophones can now access social media content in their language on ILC-run national lottery pages and OLG-run pages. The action plan also provides for bilingual content to be posted for other OLG lotteries (Proline, PlaySmart). The man thanked us, pleased to see the positive ripple effect of his complaint.

A Place for French?

A Franco-Torontonian reached out to let us know that content on Infrastructure Ontario's X account (@InfraOntario) about plans for an upcoming spa, water park and multi-storey parking garage at Ontario Place was only available in English. He looked to see whether the posts were available in French elsewhere, but realized that all of the posts from Infrastructure Ontario, a government agency, were in English only.

 **RESULT:** As a result of our intervention, Infrastructure Ontario created another X account that posts exclusively in French (@InfraOntariofr).

In order to improve the offer of services in French and boost the compliance of Ontario government agencies with Regulation 544/22, the Commissioner recommends:

 **RECOMMENDATION 1:** That, within the next 12 months, the Ministry of Francophone Affairs develop and communicate guidelines for all government agencies, third parties and institutions of the Legislature to ensure all social media accounts comply with Regulation 544/22, and provide a copy of these guidelines to the Commissioner.

Exams

Over the past year, the French Language Services Unit reviewed cases involving professional certifications and exams for which the French services offered had a negative impact on exam takers. Here are two examples.

No room for failure

Two Francophone students from Northern Ontario reached out to us with concerns about the quality of the French version of the accreditation exam for emergency medical care assistants. According to the students, the French version of the exam contained grammatical and contextual mistakes that affected the interpretation of the text. These mistakes could put their careers in jeopardy because if assistants fail the exam, they must stop working and wait to retake it. The students told us they were afraid that failing the exam would harm their careers. Unable to wait any longer to join the workforce, one of the students ended up deciding to take the exam in English. She had to pay for additional training in order to be able to understand the material in English. We brought this issue to the attention of the Ministry of Health, which is in charge of administering the theory exam for assistants.

 **RESULT:** The Ministry informed us that a second translator would be joining the management committee for theory exams. The English and French exams will also be reviewed to ensure content is equivalent in both versions. Lastly, as another result of our intervention, the Ministry will add another step to the French exam review process that will use the Ontario government's translation services to validate the French content before use. Our Office will continue monitoring this case.

Substantial improvement

A Francophone member of the military contacted us about a regulation in the *Environmental Protection Act* that he needed for work, but was not available in French. He told us that the Ministry of the Environment, Conservation and Parks requires an exam before working with certain substances. The exam is offered by the federal government and based largely on the content of the provincial regulation in question. He was discouraged because, without access to the regulation in French, he felt at a disadvantage compared to Anglophones, and his job depended on passing this exam. He said he feared his results on the federal French exam could suffer. While the *French Language Services Act* does not require the Government of Ontario to translate its regulations, it does allow the Attorney General to recommend regulations for translation. We therefore approached the Ministry about this issue.

 **RESULT:** As a result of our intervention, the Ministry began the process of translating the regulation on ozone depleting substances and other halocarbons.

Trends in cases: Signage

We field complaints from Francophones on a regular basis about English-only government signage, particularly road signage. Many people even send us photos of the signs they've spotted and ask us why they aren't bilingual.

Signage was the subject of 3.9% of the cases we received about organizations that are subject to the *French Language Services Act*.

Translation in progress

Walking to work one day, a man noticed English-only signs about the upcoming construction of Corktown Station in Toronto for the future Ontario Line. We raised his complaint with Metrolinx, which is in charge of this project, and they told us that the staff members who designed these temporary posters were unaware of Metrolinx's rules about using French in its communications (even temporary ones) in designated regions like Toronto. Metrolinx told us it held several internal meetings with the responsible teams to inform and remind them of the importance of French language services.



Signs announcing Corktown Station – the French versions (right) were added after our intervention.

RESULT: As a result of our intervention, new bilingual signs were installed. The man who first contacted us said he was pleased with how the issue was resolved and how quickly a solution was implemented.

Road signs

Signs on roads and highways that announce weather conditions, road closures and other alerts play a crucial role in road safety in Ontario. They enable Ontarians to clearly understand key information, lowering the risk of accidents. Other general information signs announce place names and geographical features. It's important that Franco-Ontarians have equitable access to the important traffic safety, geographic and cultural information in these signs.

One complaint, 600 signs

Our Unit handled a case involving more than 600 English-only road signs in Northern Ontario, reported by a Francophone who told us he drove more than 800 kilometres to document them. The content of the signs ranged from notices about construction zones, to geographical information, to messaging like “Keeping Ontario Beautiful.”

This case brought to light many of the challenges intrinsic to providing French language services on Ontario's roads and led us to conduct an in-depth review of road signage. We began by locating each sign to establish whether it fell under municipal or provincial jurisdiction, and whether it was compliant with the *French Language Services Act*. This review lasted more than six months. We found that more than 70% of the signs were municipal, which required verifying each municipality's bylaws on bilingualism.

We also contacted the Ministry of Natural Resources and Forestry and the Ministry of Transportation about English-only signs identifying natural features like lakes or rivers.

 **RESULT:** As a result of our intervention, the two ministries have already agreed to make 12 signs bilingual.

This case opened the door to significant improvements to bilingual signage in regions designated by the *French Language Services Act*. However, our efforts and actions toward total compliance are still ongoing, given the sheer number of signs, the scope of changes to be made and the number of stakeholders from various ministries involved in the process. Our work continues and we invite all Franco-Ontarians to contact us about any English-only signs they encounter.

In addition to this large-scale case, we also regularly handle individual cases, like the following.

Returning French to the French River

A Francophone resident from the Sudbury area informed us about an English-only sign marking the French River on Highway 69, located between Parry Sound and Sudbury. We brought this issue to the attention of the Ministry of Transportation.



Road signs marking the French River, before (left) and after our intervention.

RESULT: As a result of our intervention, the Ministry installed a new bilingual sign that reads “Rivière des Français/French River.” The Francophone thanked and commended us for our work.

Trends in cases: In-person and telephone services

Some 55.2% of the cases we handled about organizations subject to the *French Language Services Act* this past year related to in-person and telephone services. When Francophones in Ontario communicate with a government agency like ServiceOntario or a ministry, they expect to be able to immediately receive equivalent services in French. This is why they contact us to share information about situations where the service they received was less than ideal.

We have helped resolve many such cases, for example:

Your call is important to us

A man called the Liquor Control Board of Ontario (LCBO) call centre in December 2022 to make an online purchase. He requested service in French and was put on a long hold before receiving unilingual English service.

RESULT: We discussed the issue with the LCBO, which adopted a new system for routing French-language calls to bilingual agents, hired more bilingual staff and enabled Francophones to leave messages in French to receive a call back.

Law and order

In an emergency, access to French language services can save lives. Some of the emergency services cases that we've handled have resulted in making Franco-Ontarians safer and more secure. For example, in recent years, the Ontario Provincial Police (OPP) has made the Ontario Alert Ready system (which includes Amber Alerts about missing children and other emergency notifications) bilingual, as our Office recommended – and this year the OPP is overhauling how it processes 911 calls.

In September 2023, Thomas Carrique, Commissioner of the OPP, also committed to flying the Franco-Ontarian flag in detachments located in designated

areas. He invited the Interim French Language Services Commissioner to the flag-raising on Franco-Ontarian Day in 2023. Commissioner Carrique also met with the Ombudsman and Interim Commissioner Bouchard earlier this year to discuss the OPP's plan to meet its “active offer” obligation.

Here are some examples of our results from cases involving the Ontario Provincial Police and Emergency Management Ontario:



September 26, 2023: Ontario Provincial Police Commissioner Thomas Carrique (right), welcomes Interim Commissioner Carl Bouchard to the Franco-Ontarian Day flag-raising at OPP headquarters, Orillia.

Telephone tag

A Francophone in Eastern Ontario reached out to tell us about her experience as a witness to a situation while camping. She had wanted the police to intervene because it appeared as if a few individuals were harassing some senior citizens, so she contacted the local OPP detachment and 911. She told us that she was put on hold after requesting police services in French. The 911 operator transferred her call to a local OPP detachment, which put her on hold and then transferred her call to an answering machine. She was unable to speak with a live officer. We brought these two issues to the OPP and the Ministry of the Solicitor General.

 **RESULT:** In light of our intervention, the OPP created a separate platform dedicated to French 911 calls. The OPP also reviewed its process and made changes to the French version of the automated call waiting message for 911 calls and for the local detachment's phone line. The woman thanked us for our work.

Checked out

A Francophone who had been unemployed for a long time requested a background check from the OPP so he could be hired for a new job. He was impatient to rejoin the workforce. The OPP uses a private service provider to conduct the background checks. After submitting his request, the man contacted the service provider several times, but was unable to receive service in French. We reached out to the OPP and the service provider. The service provider told us that the two bilingual background check agents were no longer working there.

 **RESULT:** As a result of our intervention, the OPP located the man's request and sent him the results that same day. The OPP set up a temporary process to offer its own service in French until the private service provider could hire bilingual staff. Several months later, we received confirmation that three new bilingual customer service agents had been hired.

Alert unheard

As he drove to Hamilton in a snowstorm, a driver noticed that the French version of the government's emergency weather alerts broadcast on the radio were garbled and unintelligible. The three alerts advised the public to shelter in place and warned that emergency personnel would be unable to help people trapped in their cars by the snowstorm. We brought this issue to the attention of Emergency Management Ontario (EMO). EMO stated that the operator had not properly changed the system language for the second alert, which was supposed to be in French. As a result, both the English and French versions of the message were read by the system in English, resulting in the French alert being unintelligible.

 **RESULT:** As a result of our intervention, EMO added another step to the daily alert system tests to ensure that the correct language is selected in the system prior to broadcasting. EMO also included a reminder in its operator training about how language selection works.

We also receive complaints about the lack of French language services in the judicial and correctional systems and in administrative tribunals. The two cases below show how we helped a teen in a secure youth treatment centre and a man struggling to navigate the online platform for Ontario courts.

Fairer treatment

A Francophone teen at a secure treatment centre run by a designated organization was having trouble accessing services in French, including in the classroom. He had made many written and oral requests to be transferred to the bilingual wing of the centre, but they were all refused. We approached the centre and the Ministry of Children, Community and Social Services about the issue.

 **RESULT:** The teen was able to have a frank conversation with the centre's management and he appreciated being heard. He now knows which staff members are bilingual, so he can have access to better communication, and he is back in a French classroom where he can continue his studies.

Starting off right

A Francophone representing himself in a dispute received an English-only email inviting him to sign up for the CaseLines platform (used by Ontario courts) to upload his documents for an upcoming hearing. He also told us that the platform was unavailable in French. We reached out to the Ministry of the Attorney General. We learned that the platform was available in French, but only after selecting a language when signing up. Francophones had to click “Register” (in English) and then choose “français” on the second page (when signing up).

 **RESULT:** As a result of our intervention, the Ministry added a language choice on the landing page. The Ministry also made sure that the sign-up invitation email is now bilingual. Lastly, we gave the man contact information for a bilingual resource person who provides tech support for the platform.

ServiceOntario and ID cards

ServiceOntario provides Ontarians with several forms of identification and other documents, including driver’s licences, photo cards, health cards and Outdoors cards. Each year, we receive a high volume of complaints from people who have trouble with ServiceOntario’s services in French. Some of these issues are related to the government’s historical inability to print French-language characters, like ç, è, é, ê and ë, on ID cards.

Francophones who have names containing these characters are now able to include them on their driver’s licence (as of September 2020) and on their health card (as of August 2022). However, we still receive complaints related to these ID cards and others. For example:

That’s my name

An Eastern Ontario mom reached out to us on behalf of her daughter. She told us that when her daughter moved, she went to a ServiceOntario branch to order a new Ontario photo card with the daughter’s new address. Unlike her previous card, the new one she received was missing the accent

on the daughter's first name. We brought the issue to the attention of ServiceOntario, which explained that the issue resulted from the computer system used to renew the photo cards, which is run by the Ministry of Transportation.

RESULT: The Ministry of Transportation department in charge of the system agreed to make the changes needed to correct the issue. In the meantime, the ServiceOntario main office has sent instructions to all of its branches on how to issue photo cards that require accents. As a result of our intervention, the woman's daughter received a new photo card with the accent on her first name.

In the eye of the ID holder

A Francophone with an Outdoors card noticed that the eye colour field on his (bilingual) card was in English only ("brown"). An Outdoors card is a plastic, wallet-sized ID issued by the Ministry of Natural Resources and Forestry that authorizes the holder to hunt and fish in Ontario. He contacted the Ministry in the hope of having the card reflect his eye colour in French ("brun," rather than "brown").

RESULT: We approached the Ministry about the issue, and as a result of our intervention, Outdoors cards are now issued with the French version of the holder's eye colour.



Outdoors card with unilingual eye colour only (left), and bilingual after our intervention.

Ministry of Transportation

We regularly get calls from Francophones who have had trouble accessing French services from the Ministry of Transportation, which provides a wide range of services, from driving tests to information on highway conditions. Here are a few examples.

Service on demand

A man who had moved from Quebec to Ontario had initiated the process to change his driver's licence. He went to a DriveTest Centre that offered service in French, but his request for service in French was refused. According to the Centre, no bilingual employees were available at that time, so the man agreed to be served in English. He said that he was offered no accommodations for accessing French services. We contacted an official at the Ministry of Transportation, who said that a bilingual employee was available that day, but that they were not asked to serve the man.

 **RESULT:** As a result of our intervention, the Centre reviewed their existing procedures to ensure services are offered in French and to hire more bilingual employees to cover the 60 hours a week they are open. We are following up regularly.

Road to improvement

A Francophone man in Northern Ontario called 511 to get information on driving conditions and selected service in French. He could not understand the automated system's French, so he chose English, which provided better service.

 **RESULT:** Our Office raised the issue with the Ministry of Transportation, which acknowledged there were issues with the automated system and said they were planning on implementing a new system. The new system is now in place, with a procedure for quality verification. The Ministry also reviewed the entire library of pre-translated words used by the new system, approximately 21,000 entries in all, to ensure the right terms were used. Finally, the Ministry established a partnership process for all of its data providers to verify the quality of new data entered into the system.

Zone change

A Franco-Torontonian contacted us to say that the web page for the “Tow Zone” pilot program operated by the Ministry of Transportation showed stickers in English only on the vehicles of authorized towing companies. The page also encouraged visitors to send messages to a unilingual English email address: “TowZonePilot@ontario.ca.”

RESULT: We contacted the Ministry about both issues. The English email address was replaced with a hyperlink in the French text and the Ministry changed the sticker to replace “Tow Zone Pilot” with a textless image and had these new stickers installed on all authorized tow trucks.



“Tow Zone” stickers, before (left) and after our intervention.

The portal is open

The doctor of a Francophone woman who needed surgery was of the opinion that it would be too risky for her to drive. He sent her file to the Ministry of Transportation’s Driver Medical Review Office to ask them to suspend her driver’s licence. The woman got a letter with a personal identification number (PIN) to create an account on the Ministry’s portal so she could track any changes in her file. The letter was in English, with a paragraph in French outlining the process for submitting a request to receive a French copy. The woman thought that this process was too complicated for people who didn’t understand English, and our Office raised the issue with the Ministry.

RESULT: As a result of our intervention, the Ministry made the letter bilingual and now sends it to drivers at the beginning of the process. That way, when someone first accesses the portal, they can choose their preferred language, which will be linked to their account for the duration of the process. The woman said she was very happy with the response.

June 2022 provincial election

After the last general election, several Francophone voters contacted us to talk about the lack of services they experienced in French. Nearly all of these cases involved in-person services at polling stations. We proactively raised the issue with Elections Ontario, who told us that they intended to update their French services policy, improve their communications strategies, increase the scope of their French services and continue their efforts to hire and train bilingual employees and volunteers.

Trends in cases: Health care

The health care sector continues to be a major source of complaints. Between October 1, 2022, and September 30, 2023, 9.1% of cases we received about organizations subject to the *French Language Services Act* were related to health care (the Ministry of Health, the Ministry of Long-Term Care, Ontario Health, and designated hospitals and organizations).

Most hospitals with obligations under the *French Language Services Act* are fully or partially designated under Regulation 398/93. With partial designations, the Regulation defines the specific services/departments for which French services must be offered to the public. There are 24 designated hospitals in Ontario, located in 13 of 26 designated regions.

Here are a few examples of cases we handled:

Patient understanding

A woman in Northern Ontario went to the emergency room of a designated hospital and was greeted by an employee who asked her COVID-19 screening questions in English only. Then, at intake, she could not access services in French. She told us that when she asked a nurse if he spoke French, it “really caused a scene.” We talked to the hospital’s Department of Patient Relations.

 **RESULT:** As a result of our intervention, the hospital's emergency services reviewed the patient's file and:

- Reminded emergency employees of the protocol for patients who identify as Francophones;
- Referred members of the public to the nearby call intake service, where there are always bilingual employees if no bilingual screening staff are present;
- Posted communications regarding COVID screening in English and French at all points of entry; and
- Had the Department of Human Resources review the French service requirements to include individual responsibilities in employee onboarding sessions, even for non-bilingual employees.

How did we do?

A patient at a designated hospital in Northern Ontario told us that on one of her many visits to the hospital, she had noticed multiple unilingual English posters, including one that said “Tell us how we’ve done,” as well as posters in French with errors, including one that misspelled “défense de vapoter” (vaping prohibited).

 **RESULT:** When we brought the issue to the hospital's attention, it took corrective action, including introducing a new poster policy to streamline key messages for patients and ensure that Francophone and Anglophone patients have an equal experience. The hospital also reviewed all of its posters to ensure that they met the institution's language and graphics requirements.

“ Thank you for all your work on this case. ”
[Translation]

When in doubt, ask

A Francophone told us about her partner's experience after undergoing heart surgery in a partially designated hospital. Her partner received follow-up calls in English from the surgeon, nurses and physical therapist, even though he had asked to receive care in French. We raised these issues with managers in the relevant departments. We discovered that the patient's preferred language in the hospital's computer system was English, as the referral form did not ask patients for their preferred language, so English was assigned by default.

RESULT: As a result of our intervention, the hospital changed the patient's preferred language in its system and sent out a reminder asking employees who enter patient data from the form to confirm patients' preferred language of communication. We contacted Ontario Health to discuss the referral form and prevent this same situation from happening to other Francophones. Ontario Health confirmed that they would add a language preference field to the form soon. We are keeping an eye on this issue in the meantime.

Francophones also receive health care from organizations other than hospitals. Here are two examples.

Double encryption

A blind Francophone man complained to us after a designated community health centre in Northern Ontario sent him confidential, encrypted documents regarding his health in English only. Since he couldn't open these documents by himself, he had to ask someone else for help, disclosing his personal data in the process of unlocking the documents.

RESULT: As a result of our intervention, a member of the centre's social work team who has been in contact with the man for a few years asked the nursing staff to exclusively send him documents that are unencrypted and in French from now on, so that they are in a format that the man can access. The centre's management also asked employees to have a member of the social work team read any confidential messages to the man.

Understanding the assessment

A Francophone man required services from the Workplace Safety and Insurance Board (WSIB) after he was injured at work. He needed a full medical examination (physical and psychological). The WSIB referred him to an English-only medical clinic and said he could use interpreters for his examination. He refused to go because he thought this would put him in an uncomfortable position and that going through a psychological examination using interpreters would overcomplicate things. He submitted a request to the WSIB for referral to a Francophone medical clinic and was denied.

 **RESULT:** Our Office raised this issue with the WSIB, which reviewed the case and the Francophone man's request. The WSIB updated its procedures for members of the public who identify as Francophones, and the man was able to get his full medical examination in French. He told us that he was delighted and relieved that the situation had been resolved.

He thanked us and expressed his appreciation that the Ombudsman's Office exists. He said (in French) that he was "so grateful, as I was tired of standing up for myself and what you did with the WSIB helped give me a second wind."

“ When I contacted you about my complaint, I was so discouraged and thought that there was no point making the call, as nothing could be done for me [...] I'm so grateful for your Office's services. You've blown my expectations away. ” [Translation]

Trends in cases: Procedural reminders

In many of the cases we receive, whether they're regarding communications or in-person services, we find that French services are in fact available, but the employees who are supposed to provide them are not familiar with the necessary procedures. These cases are usually resolved by having the institution send out a reminder to its personnel. Here are a few examples:

Unavailable in French

A Francophone woman received a construction notice in English only from Metrolinx, which had been mailed to tenants of a residential building in Toronto. Under the English text it said “disponible en français” (“available in French”). The notice was about trees in the woman’s neighbourhood that were slated to be cut down for the Lakeshore West Line GO expansion. The woman told our Office (in French) that she felt the French services offered by Metrolinx were “not equivalent to those received by Anglophones” and that that she “just felt frustrated.” We raised the issue with Metrolinx.

 **RESULT:** The agency informed us that this was an error and that they had reminded their team of their French service obligations. The team responsible for the notices informed us that all notices and posters regarding this issue have since been issued in French.

A true active offer

A man went to a ServiceOntario branch in central west Toronto to get an accent added to his first name on his health card. He asked for service in French, but the branch told him that no bilingual agents were available at the moment. He also noticed that several posters were in English only. The City of Toronto is a designated region under the *French Language Services Act*, which means that government agencies within it must offer services in French.

 **RESULT:** We raised the issue with ServiceOntario (part of the Ministry of Public and Business Service Delivery). It reviewed various aspects of the French services offered in this branch, which is managed by a private

provider on behalf of the government. As a result, ServiceOntario made the following improvements:

- Hired a new bilingual agent;
- Reminded employees that they are required to make an active offer of French service to clients by greeting them with: “Hello, Bonjour! Comment puis-je vous aider?” and directing Francophone clients to bilingual employees; and
- Made posters, brochures and signs in the branch available in French.

Continuity at work

While at work, a Francophone man noticed that the Ontario Labour Relations Board (OLRB) had published a notice on its website in English only about a proceeding. The OLRB confirmed to us that the missing French notice was an error. They said there had been a delay in posting the French version, as the website had been updated after office hours when no translator was available.

 **RESULT:** The Board reminded employees of its procedures for providing services in French.

Understanding the bill

A Francophone woman who was in a car crash in the Ottawa region received a bill from the Ministry of Transportation’s Highway Incident Claims Unit. She called and asked to speak to a bilingual employee, but was unable to receive services in French. In response to our inquiry, the Unit told us that the unilingual Anglophone employee who took the call was new and wasn’t familiar with the procedures.

 **RESULT:** As a result of our intervention, the Unit improved its provision of services in French by:

- Reminding employees of procedures;
- Updating the French language service procedure in their handbook; and
- Asking two bilingual agents from two other departments to help them ensure they can always provide services in French.

This type of lack of awareness or knowledge on the part of public servants about the provision of services in French often leads to complaints, even when service in French is actually available. This issue was raised in our first annual report in 2019-2020 in Recommendation 6: “That the government ensure that regular updates are provided to staff, particularly frontline staff, on French language services policies and practices.”

To improve the provision of services in French, it is essential to ensure that all employees are familiar with the policies and procedures to access them – whether they are French-speaking staff responsible for providing the services, or unilingual Anglophones responsible for directing Francophones to someone who can serve them in their preferred language.

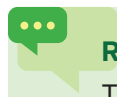
The Commissioner therefore recommends:



RECOMMENDATION 2: That Treasury Board direct every government ministry and agency within its mandate to provide regular training and reminders to all frontline staff where an obligation exists to provide services in French.



RECOMMENDATION 3: That, as part of the directions, Treasury Board require these government ministries and agencies to attest annually that they are compliant.



RECOMMENDATION 4: That, within the next 12 months, Treasury Board provide the Commissioner with a copy of the directions, and confirmation of their implementation.

CONCLUSION

Our work has made it possible for hundreds of Francophones in Ontario to receive government services in French, and for multiple government agencies to improve their offer of French language services.

Franco-Ontarians have thanked us for the quality of our interventions, and have come to us for help in greater numbers than ever.

Major advances have been made by the government, its agencies, third parties and designated organizations due to our recommendations, which demonstrates the positive influence that our Office has had on helping the public sector improve French services.

The Commissioner has issued recommendations to improve French services in Ontario, as required under the *French Language Services Act*.



RECOMMENDATION 1: That, within the next 12 months, the Ministry of Francophone Affairs develop and communicate guidelines for all government agencies, third parties and institutions of the Legislature to ensure all social media accounts comply with Regulation 544/22, and provide a copy of these guidelines to the Commissioner.



RECOMMENDATION 2: That Treasury Board direct every government ministry and agency within its mandate to provide regular training and reminders to all frontline staff where an obligation exists to provide services in French.



RECOMMENDATION 3: That, as part of the directions, Treasury Board require these government ministries and agencies to attest annually that they are compliant.



RECOMMENDATION 4: That, within the next 12 months, Treasury Board provide the Commissioner with a copy of the directions, and confirmation of their implementation.

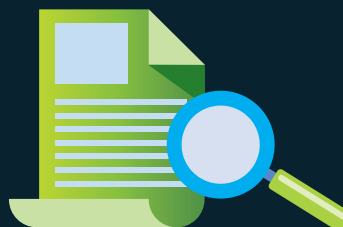
These four new recommendations are meant to help ensure that people who access services in French from the government of Ontario have a positive experience. Our Office will continue to monitor the progress made on our recommendations, and we encourage anyone who has had issues obtaining services in French from the government of Ontario to contact us.

“ I am incredibly happy and relieved that my issue could be resolved. I really appreciate you stepping in to confront the government agency. I was tired of fighting, but you gave me a second wind. When I filed my complaint, I was so discouraged that I doubted anything could be done for me – but the outcome was incredible! ” [Translation]

APPENDIX

CASES RECEIVED BY THE FRENCH LANGUAGE SERVICES UNIT

1,445
TOTAL



321

May 1, 2019 to
March 31, 2020 (10 months)

110

April 1, 2020 to
September 30, 2020 (6 months)

351

October 1, 2020 to
September 30, 2021

277

October 1, 2021 to
September 30, 2022

386

October 1, 2022 to
September 30, 2023

LIST OF RECOMMENDATIONS, 2019-2023

2022-2023

1. That, within the next 12 months, the Ministry of Francophone Affairs develop and communicate guidelines for all government agencies, third parties and institutions of the Legislature to ensure all social media accounts comply with Regulation 544/22, and provide a copy of these guidelines to the Commissioner.
2. That Treasury Board direct every government ministry and agency within its mandate to provide regular training and reminders to all frontline staff where an obligation exists to provide services in French.
3. That, as part of the directions, Treasury Board require these government ministries and agencies to attest annually that they are compliant.
4. That, within the next 12 months, Treasury Board provide the Commissioner with a copy of the directions, and confirmation of their implementation.

2021-2022

1. That the Treasury Board Secretariat review the Ontario Public Service employment policy to ensure that job postings in French are not limited to designated bilingual positions.
2. That, by September 30, 2023, the Ministry of Francophone Affairs develop a plan, addressed to the Commissioner, to update Regulation 398/93.

2020-2021

1. That Ontario government services in French be evaluated using the French Language Services Commissioner's linguistic Compass (FLSC Compass).

LIST OF RECOMMENDATIONS, 2019-2023

2019-2020

1. That the government systematically plan to offer services in French at press briefings.
2. That the government ensure that the communication of all public health information be provided in French and English simultaneously.
3. That the Ministry of the Solicitor General and the Ontario Provincial Police continue their efforts to guarantee an equivalent offer of services in French, and without delay, when issuing emergency alerts.
4. That the government plan for the provision of equivalent French language services, without delay, where required by the *French Language Services Act* and its Regulation 284/11 regarding third parties.
5. That the government regularly assess its capacity to offer services in French, particularly for frontline services.
6. That the government ensure that regular updates are provided to staff, particularly frontline staff, on French language services policies and practices.
7. That each Deputy Minister table a plan to the Executive Council that reports annually on the implementation of the *French Language Services Act* and the quality of French language services for the ministry for which they are responsible.
8. That, as part of her obligation under the *French Language Services Act* to submit an annual report on the activities of the Ministry of Francophone Affairs to the Lieutenant Governor in Council and to the Legislative Assembly, the Minister of Francophone Affairs report annually, beginning April 1, 2022, on the plans tabled by Deputy Ministers and their implementation.

CASES RECEIVED ABOUT ORGANIZATIONS SUBJECT TO THE *FRENCH LANGUAGE SERVICES ACT**, OCTOBER 1, 2022 - SEPTEMBER 30, 2023**

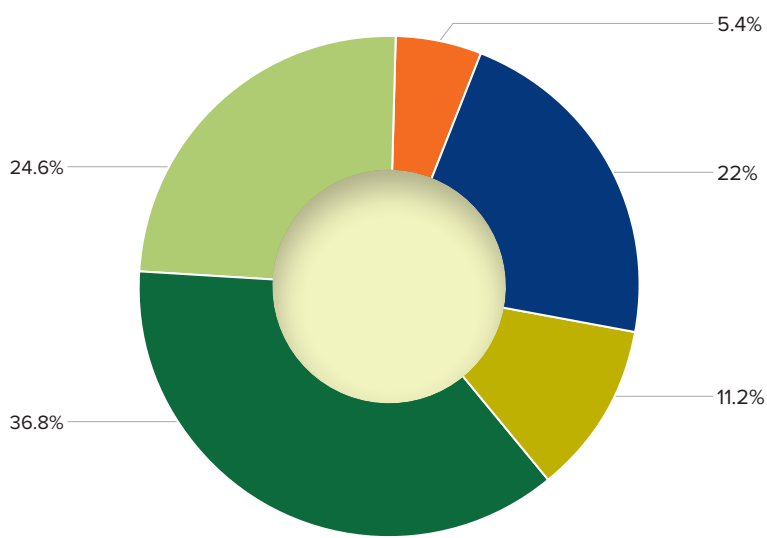
MINISTRY OF COLLEGES AND UNIVERSITIES	35.8%
MINISTRY OF TRANSPORTATION	6.7%
MINISTRY OF PUBLIC AND BUSINESS SERVICE DELIVERY	6.1%
METROLINX	5.5%
DESIGNATED AGENCIES - HEALTH AND LONG-TERM CARE	4.6%
MINISTRY OF THE ATTORNEY GENERAL	4.2%
MINISTRY OF TOURISM, CULTURE AND SPORT	3.6%
MINISTRY OF HEALTH	3.0%
TREASURY BOARD SECRETARIAT	2.4%
MINISTRY OF THE SOLICITOR GENERAL	2.4%
TRIBUNALS ONTARIO***	2.4%
MINISTRY OF LABOUR, IMMIGRATION, TRAINING AND SKILLS DEVELOPMENT	2.1%
ROYAL ONTARIO MUSEUM	2.1%
LIQUOR CONTROL BOARD OF ONTARIO	1.8%
DESIGNATED AGENCIES – CHILD & FAMILY SERVICES AND COMMUNITY SERVICES	1.8%
ONTARIO HEALTH	1.5%
MINISTRY OF FRANCOPHONE AFFAIRS	1.5%
WORKPLACE SAFETY AND INSURANCE BOARD	1.2%
INSTITUTIONS OF THE LEGISLATURE	1.2%

*Ministries, boards, commissions, corporations and agencies designated under the French Language Services Act

**Organizations that were the subject of less than 1% of cases are not listed (total – 10%).

***Cases about Tribunals Ontario (TO) were previously reported under the Ministry of the Attorney General (MAG); as of October 1, 2022, they are reported separately. Our 2021-2022 Annual Report said “almost two-thirds” of MAG cases were about TO; in fact, it was almost half.

REGIONAL BREAKDOWN OF CASES RECEIVED ABOUT ORGANIZATIONS SUBJECT TO THE *FRENCH LANGUAGE SERVICES ACT*, OCTOBER 1, 2022 - SEPTEMBER 30, 2023*



- **NORTHWEST:** BOUNDED BY PENETANGUISHENE, SUDBURY, KENORA, COCHRANE AND NIPISSING
- **NORTHEAST:** BOUNDED BY HALIBURTON, RENFREW, PEMBROKE AND HAWKESBURY
- **EAST:** BOUNDED BY KINGSTON, OTTAWA AND CORNWALL
- **CENTRE:** BOUNDED BY BARRIE, CAMBRIDGE AND OSHAWA, INCLUDING THE CITY OF TORONTO
- **SOUTHWEST:** BOUNDED BY HAMILTON, NIAGARA FALLS, WINDSOR, SARNIA AND KITCHENER

*All cases where a postal code is available.

MEETING WITH AND LISTENING TO THE FRANCO-ONTARIAN COMMUNITY



The following is a snapshot of key outreach activities, both virtual and in person, from October 1, 2022 through September 30, 2023.

Toronto, October 6, 2022 (virtual) – Roundtable with Centre francophone du Grand Toronto, Mouvement ontarien des femmes immigrantes francophones, Association des francophones de la région de York, Association des communautés francophones de l'Ontario à Toronto, and La Clé d'la Baie.

Toronto, October 13, 2022 (virtual) – Roundtable with Retraite en action, Regroupement des professionnels nés ou formés à l'étranger, Mouvement d'implication francophone d'Orléans, Regroupement des gens d'affaires de la capitale nationale and Association des communautés francophones d'Ottawa.

Toronto, October 17, 2022 – Presentation to language policy students at Glendon College on protecting language rights in Ontario.

Ottawa, October 19, 2022 (virtual) – Presentation on our investigation into cuts to French language programs at Laurentian University, to members of the Forum of Canadian Ombudsman.

MEETING WITH AND LISTENING TO THE FRANCO-ONTARIAN COMMUNITY

Ottawa, October 20, 2022 – Radio interview with “Les malins,” broadcast by Radio-Canada on January 7, 2023.

Toronto, October 27, 2022 (virtual) – Roundtable with Association des francophones de Kitchener-Waterloo, Maison de la culture francophone du Niagara, Réseau-femmes du sud-ouest de l’Ontario, Centre communautaire francophone Sarnia-Lambton, Centre communautaire francophone Windsor-Essex-Kent, and Carrefour communautaire francophone de London.

Ottawa, October 28, 2022 (virtual) – Speech to students in the University of Ottawa’s Law Practice Program for “Access to Justice in French Day.”

Winnipeg, October 31, 2022 (virtual) – Presentation with the Executive Director of Manitoba’s Francophone Affairs Secretariat to students in the University of Manitoba Faculty of Law’s Language Rights course.

Toronto, November 9, 2022 – Presentation on the French Language Services Unit to students at Université de l’Ontario français.

Toronto, November 15, 2022 (virtual) – Presentation by the French Language Services Unit to members of the Fédération des aînés et des retraités francophones de l’Ontario and Retraite en Action.

Sudbury, December 7, 2022 – Radio interview with “Jonction 11-17” on Radio-Canada.

Toronto, Windsor, December 7, 2022 – Radio interview with “Dans la mosaïque” on Radio-Canada.

Ottawa, December 7, 2022 – Radio interview with Unique-FM.

MEETING WITH AND LISTENING TO THE FRANCO-ONTARIAN COMMUNITY

Toronto, December 7, 2022 – Interview with *Le Devoir*.

Toronto, December 7, 2022 – Interview with ONFR+.

Toronto, December 9, 2022 – Interview with *Juste*, the official French-language magazine of the Ontario Bar Association.

Toronto, February 23, 2023 (virtual) – Presentation by the French Language Services Unit to the members of the Canadian Council of Parliamentary Ombudsman.

Toronto, March 9, 2023 – Interview with ONFR+.

Toronto, March 9, 2023 – Interview with Radio-Canada.

Sudbury, March 10, 2023 – Interview with Radio-Canada.

Toronto, March 13, 2023 – Interview with *Le Devoir*.

Toronto, March 17, 2023 – Speech at Massey College to celebrate International Francophonie Day.

Toronto, March 20, 2023 – Participation in International Francophonie Day event organized by Université de l'Ontario français.

Chatham, March 29, 2023 – Speech at an outreach event for bilingual health care professionals in southwestern Ontario organized by Entité 1, Assemblée de la francophonie de l'Ontario and Ontario Health.

MEETING WITH AND LISTENING TO THE FRANCO-ONTARIAN COMMUNITY

Toronto, March 31, 2023 – Speech at long-term care forum organized by Entité 3.

Toronto, April 4, 2023 – Radio interview with “Y a pas deux matins pareils” on Radio-Canada.

Ottawa, April 26, 2023 – Speech to the Forum franco-ontarien des affaires organized by the Fédération des gens d'affaires francophones de l'Ontario.

Ottawa, May 8, 2023 – Testimony before the Standing Senate Committee on Official Languages regarding minority-language health services.

St. Catharines, May 16, 2023 – Speech to interagency health services table organized by Entité 2.

Toronto, May 16, 2023 – Site visit and speech at the Centres d'Accueil Héritage.

Sudbury, May 16, 2023 – Site visit and meetings with Association des communautés francophones de l'Ontario du Grand Sudbury, Collège Boréal, Laurentian University, the University of Sudbury and Health Sciences North.

Sudbury, May 24, 2023 – Radio interview with “Jonction 11-17” on Radio-Canada.

Sudbury, May 25, 2023 – Interview with *Le Voyageur*.

Toronto, June 6, 2023 – Presentation on the French Language Services Unit to students at Université de l'Ontario français.

Ottawa, June 10, 2023 – Video message for the annual conference of the Association des juristes d'expression française de l'Ontario.

MEETING WITH AND LISTENING TO THE FRANCO-ONTARIAN COMMUNITY

Toronto, June 20, 2023 – Participation in celebrations for Quebec’s national holiday and 50 years of the Bureau du Québec à Toronto.

Toronto, June 21, 2023 – Participation in Collège La Cité’s graduation ceremony.

Welland, September 18, 2023 (virtual) – Speech to the annual conference of the Centre de santé communautaire Hamilton/Niagara.

Toronto, September 20, 2023 – Radio interview with CHOQ-FM.

Toronto, September 25, 2023 – Interview with “Le Téléjournal Ontario” on Radio-Canada.

Toronto, September 25, 2023 – Participation in the raising of the Franco-Ontarian flag at Queen’s Park.

Toronto, September 25, 2023 – Participation in the raising of the Franco-Ontarian flag at Toronto City Hall.

Orillia, September 26, 2023 – Speech as guest of honour at Franco-Ontarian flag-raising ceremony at OPP Headquarters.



OUR VALUES, MISSION AND VISION



OUR VALUES

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



OUR MISSION

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



OUR VISION

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