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GOOD GOVERNANCE WEEK: OCTOBER 13-16, 2009

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Oct. 12-16 is Good Governance Week: Ombudsman André Marin to speak at Economic Club of Canada on Oct. 15

To celebrate the 200th anniversary of the parliamentary ombudsman – first established in Sweden in 1809 – provincial ombudsmen from across Canada are organizing special events for the week of Oct. 12-16 to raise awareness of the work that ombudsmen do to improve governance and fairness for citizens.

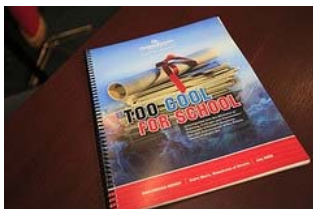
Ontario Ombudsman André Marin has asked that the week be declared “Good Governance Week” by the Legislature. The main event of the week will be a speech that Mr. Marin has been invited to give to the Economic Club of Canada in Toronto on Thursday, Oct. 15, focusing on how ombudsmen help improve government accountability. Information on the speech and ticket information will be posted soon at our website and at ECOT.ca.

Other events will include special web articles by Mr. Marin and his fellow ombudsmen, hosted at the legal blog Slaw.ca, and the release of a new publication dealing with municipal open meetings. Stay tuned – more information will be on our website in the next few weeks.

- [Latest Reports:](#)
[Ombudsman says Ministry's "Too Cool For School" Attitude Failed to Protect Students](#)
- [Good Governance Week](#)
- [Investigations Update:](#)
[LHIN, AVASTIN](#)
- [In the News](#)
- [Case Summary: Family Responsibility Office](#)
- [Sharpening Your Teeth](#)
- [Ombudsman on YouTube](#)
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LATEST REPORTS

Ombudsman investigations find Ministry failed to protect students



Two reports on investigations by the Special Ombudsman Response Team were released over the summer – *Too Cool For School* and *Too Cool For School Too*. As the titles suggest,

both reports are education-related – and both involve colleges that left vulnerable students empty-handed and insufficiently trained to work in their chosen careers. In both cases, Ontario Ombudsman André Marin was sharply critical of the Ministry

of Training, Colleges and Universities' failure to protect students.

Too Cool For School, released in July, focused on Bestech Academy, an unregistered private college in that operated illegally for two years in Stoney Creek and St. Catharines with the full knowledge of the Ministry, purporting to train students to be gas burner and furnace technicians. The

school shut down abruptly last winter, leaving students out of pocket, untrained, and without recourse to recover thousands of dollars in fees. The investigation found that not only had the Ministry allowed the college to operate illegally, it had paid for several students to attend classes at Bestech – and even subsequently hired its president to work in the Ministry. Bestech was “allowed to line its pockets with public funds while flouting the law,” Mr. Marin said, blaming the Ministry’s “inattention, indifference and dereliction.”

Too Cool For School Too, released in August, involved Cambrian College, a provincial college of applied arts and sciences in Sudbury, where students in the Health Information Management Program complained that the course left them unqualified for work in their field. Some spent tens of thousands of dollars and two years of study, only to find they could not get hired as health information management professionals because Cambrian's course had never been recognized by the profession's regulating body. As for the Ministry, the Ombudsman said it had “abdicated any responsibility to ensure that a college actually delivers a program.”



HOW TO COMPLAIN

The Ombudsman's Office oversees and investigates close to 500 provincial ministries, agencies, tribunals, and Crown corporations.

[File a complaint online](#)

Phone: 1-800-263-1830, Fax: 416-586-3485 / TTY (teletypewriter): 1-866-411-4211

Email: info@ombudsman.on.ca

Write: Ombudsman Ontario, Bell Trinity Square, 483 Bay St., 10th Floor, South Tower, Toronto, ON M5G 2C9.

Please note that an appointment is recommended for in-person complaints. **Office hours** are from Monday to Friday, 9 a.m. to 4:30 p.m.

The Ombudsman called on the Ministry to beef up enforcement against illegal private career colleges and to improve its oversight of colleges like Cambrian. He also recommended that the Ministry compensate Bestech students and that Cambrian College devise a compensation program for its students. No compensation has been forthcoming, but the Ombudsman expects the Ministry to report back to him on a quarterly basis on its progress in implementing his recommendations. It has revised its policy directive with regard to applied arts and science colleges' responsibilities in marketing their programs.

Since the release of these reports, the Ombudsman's office has received **22** new complaints about private career colleges and **15** about colleges.

Press Releases and Reports

1. [*Too Cool For School Too: Ontario Ombudsman urges stricter controls on colleges: Cambrian left students unqualified: Ministry "abdicated responsibility"*](#)
2. [*Too Cool For School: Ontario Ombudsman calls on government to better protect students: Ministry incompetence led to private career college "disaster"*](#)

INVESTIGATIONS UPDATE

Avastin investigation report to be released Wednesday

The Ombudsman's final report on the SORT investigation into the Ministry of Health and Long-Term Care's decision-making in funding Avastin for colon cancer patients is complete and will be released this **Wednesday, September 30**. The investigation reviewed complaints by several patients that their funding for the drug was cut off arbitrarily after a set number of cycles, regardless of their medical condition.

HNHB LHIN report coming soon

The Ombudsman's investigation into the Hamilton Niagara Haldimand Brant Local Health Integration Network's use of community engagement in its decision-making process is complete and the report is in the final stages of production. More updates will be posted on our website and in our next newsletter..

at work: Ombudsman urges lawsuits

Almost three years after the Ombudsman first launched his investigation into the protection of the public from theft and fraud at the Ontario Lottery and Gaming Corporation (OLG), the issue of "insider wins" is still making news.

There have been several developments since February, when the OLG revealed in an audit that ticket retailers and employees had won \$198 million in prizes over the past 13 years – almost twice what had originally been estimated. At that time, the Ombudsman put the OLG on six months' notice that he was considering recommending a ban on retailers playing the lottery. Over the summer, responsibility for the OLG was moved to the Ministry of Finance, and in early September, the government replaced the entire OLG board of directors and CEO, citing concerns about expense claims. On Sept. 14, in response to the Ombudsman's concerns, the OLG and government announced a ban on retailers buying lottery tickets in their own stores.

Mr. Marin welcomed the move as an "inexpensive and effective" way to guard against theft and fraud of tickets and to remove stigma from honest retailers. He said his office would continue to monitor the OLG. In an interview Sept. 16 on CBC-TV's The National, he added that in the case of outstanding cases where retailers won large jackpots in suspicious circumstances, the OLG should consider bringing civil lawsuits to recover some of the money, if criminal charges cannot be laid.

PET scans to be funded in wake of Ombudsman investigation

On July 23, the province announced that it would make positron emission tomography (PET) scanning a publicly insured health service available to cancer and cardiac patients under conditions where PET scans have been proven clinically effective.

Ombudsman André Marin welcomed the announcement, which was based in part on his investigation into the government's PET scan program evaluation process. That investigation was launched in September 2007 after doctors and patients that Ontario was lagging behind other provinces in the provision of publicly funded PET scans. It has been seven years since the government decided to conduct clinical trials to determine whether it should fund PET scans for specific indications.

The Ombudsman's investigation was completed in December 2008 and a preliminary report was provided to the

TRAINING

The Office of the Ontario Ombudsman is hosting its third annual training course – **Sharpening Your Teeth: Advanced Investigative Training for Administrative Watchdogs** – in Toronto, Nov. 30-Dec. 2.

SHARPENING
your **TEETH**

Early bird registration is now open. For more information, visit our website, download the course brochure, or email training@ombudsman.on.ca.

SOCIAL MEDIA

The Ombudsman now has **1,301** followers on Twitter and **552** fans on Facebook, as of September 28. Thanks for joining the conversation – we look forward to your thoughts, ideas and discussions.

YOUTUBE

Did you know the Ombudsman has a **YouTube channel**? You can watch all of the Ombudsman's recent press conferences on YouTube.

You can also [view the video that made headlines](#) in July – taken by the Ombudsman himself on his mobile phone when he spotted a man who was shaving his head while driving.

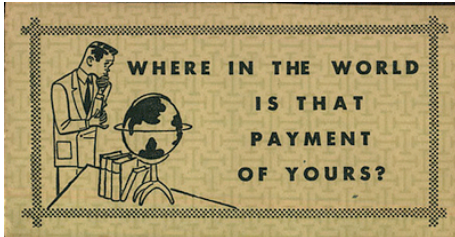
Ministry of Health and Long-Term care. After a number of meetings with senior officials, the Ombudsman determined that the issue could be resolved without need for a published report. "Our investigation determined that this is a very complex issue, nowhere near as black-and-white as it is sometimes made out to be," Mr. Marin said. "It quickly became clear to us why the evaluation process had taken so long. However, that was no justification for not taking action, which we urged the Ministry to do. I recommended that PET scans be expedited for those patients who already qualified for them under the cancer and cardiac registries. I'm gratified that the Ministry has taken my advice and finally moved forward."

The video has had thousands of views on YouTube and Twitter and sparked a debate in the media about laws restricting "distracted" driving.

- [Ontario Ombudsman comments on province's PET scan announcement \(press release\)](#)

CASE SUMMARY

Back to Zero



A woman whose ex-husband had failed to pay her spousal support payments for 10 years complained to the Ombudsman about the Family Responsibility Office (FRO), which had been unable to find him, much less enforce his support obligations. She had been forced to collect more than \$11,000 from Social Services, although her ex owed her more than **\$165,000**.

In 2008, she contacted FRO staff to inform them that her ex was turning 65, in the hope that they might be able to locate him and garnish his income if he applied for Canada Pension benefits. She was stunned to learn that the FRO had closed her case as "impractical to enforce" – and there was no amount owing reflected in her file. FRO officials advised an Ombudsman staff member that their administrative practice was to "set the balance to zero" when closing a case, even if money was still owed. They required a formal request plus a sworn statement from the support recipient in order to "reopen" her file. After discussing the issue with the Ombudsman's Office, FRO officials agreed to end the practice of closing cases where they are unable to take enforcement action. Instead, they agreed to treat such cases as "dormant" and maintain the amount owing in their records.

Thanks to the intervention of the Ombudsman's Office, the FRO not only reopened the woman's case and updated the amount owed to her to \$201,633, it managed to find and begin enforcement action against her ex-husband. For the first time since the case was registered with the FRO, she began receiving monthly support payments of \$522. *(This case summary is from the Ombudsman's Annual Report 2008-2009. Image used under Creative Commons from [wssss!](#))*

CONTACT US

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