

2018 | 2019

Annual Report





► **On the cover:**

The icons represent the many areas of the public sector where we helped Ontarians in 2018-2019 (Social Services, Law & Order, Education, Municipalities, etc.), and the two new areas added to our jurisdiction as we “turn the page” into 2019-2020: Children & Youth, and French Language Services.

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June 2019

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

Dear Mr. Speaker,

I am pleased to submit my Annual Report for the period of April 1, 2018 to March 31, 2019, pursuant to section 11 of the *Ombudsman Act*, so that you may table it before the Legislative Assembly.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Paul Dubé', is written over a large, stylized blue 'D'.

Paul Dubé,
Ombudsman

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Ombudsman's message



June 27, 2018: Ombudsman Paul Dubé at a news conference at Queen's Park.

A defining moment

In many ways, this past year has been a defining one for the Office of the Ombudsman of Ontario. Without question, fiscal 2018-2019 was one of the busiest years in this Office's 44-year history in terms of complaints handled – **27,419**, representing an increase of almost 30% over the previous year. It was also historic in terms of our mandate, which was expanded by government for the second time in four years.

When I began my term as Ombudsman in 2016, our jurisdiction had just been effectively doubled, as municipalities, universities and school boards were added to the more than 500 provincial bodies already within our mandate. The past three years have involved intensive work to build relationships with new

stakeholders and bolster our staff and their expertise in these new areas – all while continuing our core work of overseeing provincial administration.

Then, in November 2018, we learned that the scope of our mandate would grow again, under new legislation transferring the responsibilities of the French Language Services Commissioner to our Office, as well as the investigative function of the Provincial Advocate for Children and Youth.

Although these changes presented us with the opportunity and duty to help more Ontarians than ever before, the blending of these two other organizations into ours presented significant challenges – even for an office experienced in navigating bureaucracy.

Along with the numerous logistical matters involved in co-ordinating three different bargaining units at several

separate locations, this required closely reviewing all three offices' legislated mandates and organizational structure, and proposing a new budget to the Legislative Assembly to ensure we had adequate funds to carry out our added responsibilities in the most effective and efficient way possible.

As fiscal 2019-2020 began and we prepared for the transition to take effect on May 1, we had established a framework to ensure that service to the public would continue uninterrupted, with work on ongoing cases, investigations and issues continuing under two new units within our Office. Our revised organizational structure (included in this report and posted in detail online) illustrates how our new dedicated units for French Language Services and Children and Youth will operate, utilizing the expertise of investigators and other specialists from those former offices.

Opportunities in change

All of this, of course, played out against the backdrop of much broader changes across Ontario, thanks to the millions of voters in the provincial and municipal elections in 2018 who elected hundreds of new representatives at the local level – and changed the provincial party in power for the first time in 15 years.

Understandably, political change and the administrative changes that go with it tend to make offices like ours busier, as the public and government officials alike seek answers about everything from good governance practices to the execution of political decisions.

Times like this provide us with a literal defining moment: An opportunity to demonstrate what an ombudsman can – and, sometimes, cannot – do in responding to public concerns. We often have to explain that an ombudsman oversees the administrative branch of government, not the executive branch. Simply put, our role is not to police politicians, or to intervene in or overturn political decisions at any level. Where we can often provide valuable assistance is in ensuring that the execution of those decisions, through the delivery of government services, is fair.

This report is full of examples of the myriad ways that our staff do just that. They responded to hundreds of complaints about the implementation of the new government's changes to the Ontario Autism Program and the Electric and Hydrogen Vehicle Incentive Program – both matters we continue

to monitor. They worked collaboratively with the Ontario Cannabis Store as it struggled in the first weeks after the federal government legalized recreational cannabis. (The OCS was our single most complained about agency in 2018-2019, with **2,411** cases. Not only were we able to resolve the bulk of these quickly, we helped the OCS and partners like Canada Post address serious service gaps.)

A little-known aspect of what we do is our proactive work, aiming to resolve issues informally and quickly wherever possible, flagging problems to organizations and suggesting ways they can address them before they fester and grow, and suggesting best practices to help them deal with complaints internally.

When we do investigate, we follow up on recommendations that have been accepted, and monitor the effects of changes – often for years. For example, this year, 14 years after a systemic investigation that revealed desperate parents of children with severe special needs were being forced to surrender their custody to children's aid societies in order to get them the care they needed, we continued to hear of similar situations. Because of our long experience with this issue, we were able to connect these families with the right officials to get them the help they needed.

Telling stories, recognizing rights

Stories like this are the best way for us to define our Office's unique role and demonstrate our value. The Swedish word

"ombudsman" is translated different ways in different contexts around the world – sometimes as "citizen's representative," but also "people's defender," or (in Quebec and elsewhere), "citizen's protector."

To me, the most fitting description is that the Ombudsman does work and gets results that neither elected officials nor the courts can provide (for the original, more eloquent version, see the 1984 quote from Supreme Court of Canada Justice Brian Dickson, on page 11).

This definition illustrates the breadth of a role that deals with everything from complex procedural questions to urgent human rights matters. Indeed, as we now prepare to spread awareness of our new responsibilities relating to child protection and the promotion of French linguistic rights, the stories in this report serve as reminders of the profound human impact our work can have.

Just a few examples:

- I and several staff members visited correctional facilities across the province, where we sometimes observed unacceptable housing conditions; our staff also assisted many transgender and Indigenous inmates in ensuring their specific rights were accommodated.
- We revealed the violation of a journalist's rights during a chaotic municipal council meeting, and recommended ways the municipality could ensure such a mistake never recurs.

- We continue to monitor the province's efforts to reduce the inhumane practice of solitary confinement – particularly of inmates with mental illness – and to improve police training for de-escalating conflict situations involving people in crisis.

Within our Office, I made it a priority this year to assess the relationship between provincial institutions and Indigenous peoples, determine what role the Ombudsman can play in reconciliation and the improvement of services, and obtain training for our team that would let us approach these issues in an informed manner. We are already seeing the benefits of this training, as we put what we have learned into practice in our outreach discussions and assessment of complaints from Indigenous people. We are committed to continuing this journey of learning and relationship-building.

Looking ahead

Speaking of relationship-building, we have already taken steps to ensure that we are involved with the new communities and interested parties we are now serving as a result of our expanded mandate. This includes hosting the annual conference of the International Association of Language Commissioners (IALC) – an invaluable opportunity to discuss the promotion of minority language rights with experts from around the world – and attending the annual meeting of the Canadian Council of Child and Youth Advocates (CCCYA).

The Office of the Ontario Ombudsman is known around the world for the calibre and impact of its work. One of the factors that enhances our ability to

serve Ontario effectively is the contact we have with other ombudsman offices across the country and around the globe. The exchange of information, best practices, and strategies for enhancing governance through organizations like the Forum of Canadian Ombudsman and the International Ombudsman Institute make us more effective in driving changes that benefit Ontarians. We look forward to reaping similar benefits from, and making similar contributions to, the IALC and CCCYA.

I know I have recognized the professionalism and dedication of my team in the past, but over the past year they have amazed me with their resilience and devotion to serving the people and institutions of Ontario. This is the most intelligent and committed group of people with whom I have ever had the privilege to work. I am truly blessed and grateful – and hopeful that those from the former Child Advocate and French Language Services offices who have joined their expertise and passion with ours will share that sentiment. They will make us a stronger organization and significantly increase the value we can add in improving governance in Ontario.

Finally, I must acknowledge the tremendous work done by the two former Officers of the Legislature who built up the organizations we are now fusing, François Boileau and Irwin Elman. Their leadership defined the offices of the French Language Services Commissioner and the Provincial Advocate for Children and Youth, and led to strong relationships with the communities they service. We are committed to building on their success.

“Having good people like [your staff member] at the other end of the line when you're struggling to fight for your basic human rights is incredibly helpful and appreciated. I think it's important to recognize good work. Today [your staff member] had a huge impact on me and made me feel heard and respected, and for this I'm extremely thankful. ... Please pass on my compliments to her and the rest of your staff for all the amazing work that they do.”

– Message to Ombudsman
from complainant



2018-2019 at a glance



1. August 20, 2018: The Ombudsman and staff at the annual conference of the Association of Municipalities of Ontario, Ottawa. **2.** July 18, 2018: Ombudsman Paul Dubé speaks to local media about his report on an investigation in Niagara Region. **3.** September 18, 2018: Members of the Ontario Legislature Internship Programme visit our Office. **4.** November 5, 2018: Participants at our annual training course for ombudsmen and administrative watchdogs, "Sharpening Your Teeth," Toronto. **5.** November 5, 2018: Former federal Correctional Investigator Howard Sapers speaks to "Sharpening Your Teeth" participants, Toronto. **6.** October 9, 2018: Ombudsman Paul Dubé, Montreal Ombudsman Johanne Savard, and Toronto Ombudsman Susan Opler with New South Wales Ombudsman trainer Don Sword, at training session hosted by our Office, Toronto. **7.** March 19, 2019: Ombudsman counsel Lauren Chee-Hing at University of Toronto law career day. **8.** March 26, 2019: Deputy Ombudsman Barbara Finlay with the Deputy Military Ombudsman of South Africa, at our Office. **9.** April 17, 2019: General Counsel Laura Pettigrew gives pointers on report writing at the biennial Forum of Canadian Ombudsman conference, Toronto.



10. March 8, 2019: Ombudsman staff commemorate International Women's Day. **11.** September 30, 2018: Our Office's Run for the Cure team, the Ombudsman Watchdogs, at Queen's Park. **12.** October 23, 2018: Ombudsman Paul Dubé with Northern Ireland Public Services Ombudsman Marie Anderson, who invited him to speak on "own motion" investigations, Belfast. **13.** February 27, 2019: Deputy Ombudsman Barbara Finlay speaks at the Forum of Canadian Ombudsman "Essentials for Ombuds" training course, Toronto. **14.** April 18, 2019: Ombudsman Paul Dubé meets with Carol Jolin, president of the Assemblée de la francophonie de l'Ontario, at our Office. **15.** June 13, 2018: Ombudsman Paul Dubé and his counterparts from across Canada at the annual meeting of the Canadian Conference of Parliamentary Ombudsman. **16.** March 19, 2019: Ombudsman staff at our booth at the "Seniors Information and Active Living Fair," Mississauga. **17.** April 1, 2019: Ombudsman Paul Dubé speaks to MPPs' staff at Queen's Park. **18.** September 19, 2018: Ombudsman Paul Dubé speaks at a Centre for Addiction and Mental Health event, Toronto.

About our Office

What is an Ombudsman?

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

As an office of last resort, an ombudsman typically intervenes when issues cannot be resolved within the government body. The ombudsman acts impartially, not on behalf of either party.

If a complaint has merit, the ombudsman will first seek to resolve the dispute at the lowest level possible, but will conduct an investigation when necessary. Ombudsman findings and recommendations are based on an impartial assessment of the facts and evidence.

The **Ontario Ombudsman** promotes fairness, accountability and transparency in the public sector by resolving and investigating public complaints and systemic issues within his jurisdiction. The function of the Ombudsman is to investigate decisions made, or actions taken, in the administration of a public sector body.

Our Office was established in 1975 under the *Ombudsman Act*. Per the *Ombudsman Act*, complaints to our Office are confidential and investigations are conducted in private. Our services are free of charge.

The Ombudsman is the International Ombudsman Institute's Regional President for North America, and a member of

the Association des ombudsmans et médiateurs de la francophonie (international francophone ombudsman association), the Forum of Canadian Ombudsman, the United States Ombudsman Association, the International Association of Language Commissioners and the Canadian Council of Child and Youth Advocates.



“

The traditional controls over the implementation and administration of governmental policies and programs – namely, the legislature, the executive and the courts – are neither completely suited nor entirely capable of providing the supervision a burgeoning bureaucracy demands...

“The Ombudsman represents society’s response to these problems ... His unique characteristics render him capable of addressing many of the concerns left untouched by the traditional bureaucratic control devices.

“He is impartial. His services are free, and available to all.

“Because he often operates informally, his investigations do not impede the normal processes of government.

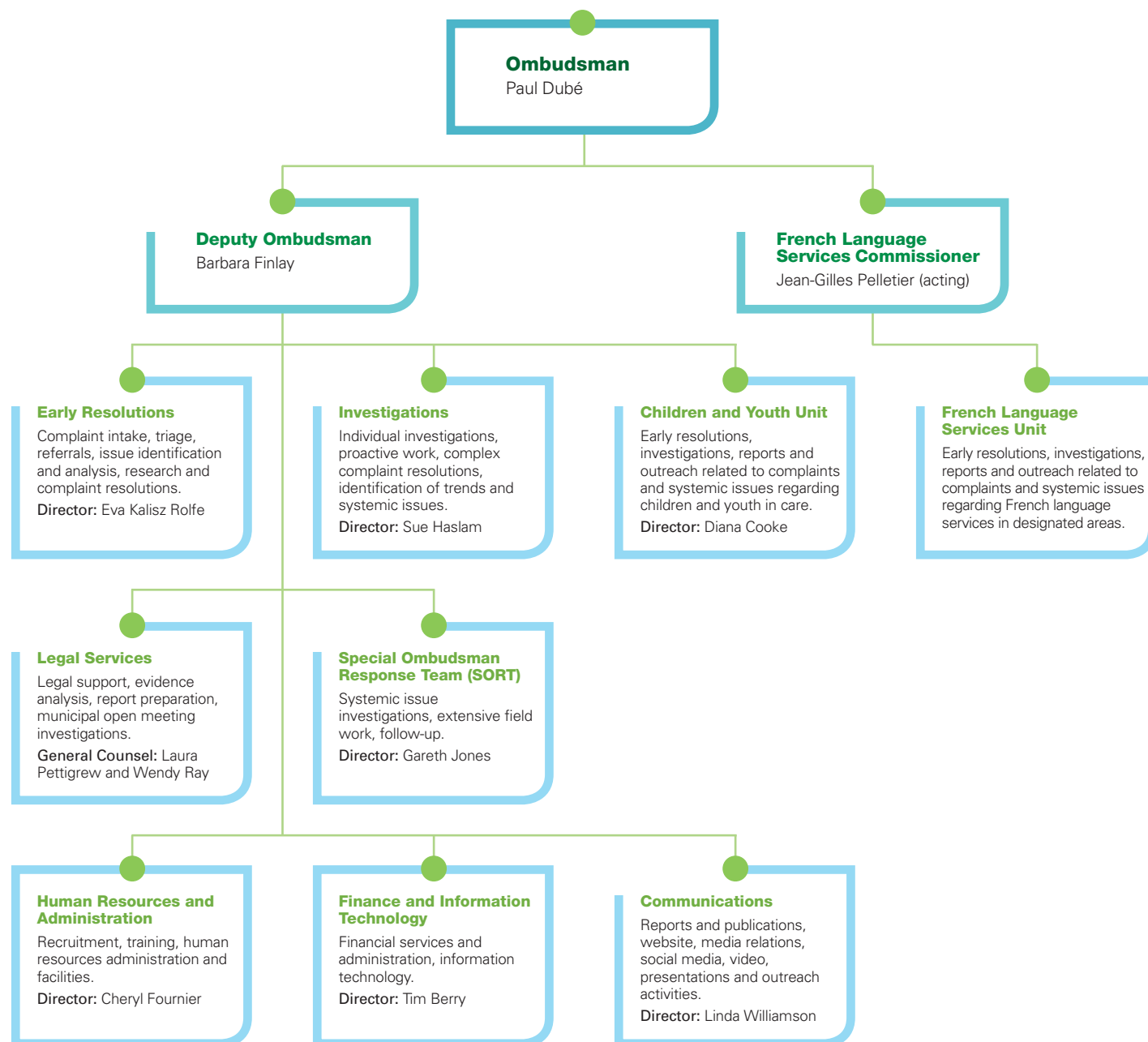
“Most importantly, his powers of investigation can bring to light cases of bureaucratic maladministration that would otherwise pass unnoticed... On the other hand, he may find the complaint groundless, not a rare occurrence, in which event his impartial and independent report, absolving the public authority, may well serve to enhance the morale and restore the self-confidence of the public employees impugned.

“In short, the powers granted to the Ombudsman allow him to address administrative problems that the courts, the legislature and the executive cannot effectively resolve.”

– Justice Brian Dickson, *Supreme Court of Canada, B.C. Development Corp. v. Friedmann, 1984*

Who we are

As of May 1, 2019, our Office has added two new teams to our organizational structure, reflecting our new oversight of children and youth in care, and French language services.



Values, Mission and Vision

Our values

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



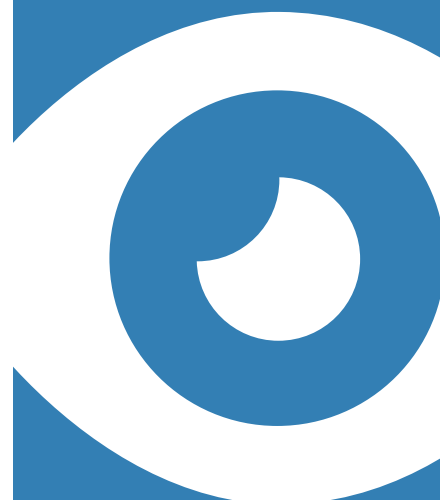
Our mission

We strive to be an agent of positive change by 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.



What we do

We receive tens of thousands of complaints about public sector bodies, most of which we are able to resolve without need for a formal investigation.

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

The Ombudsman can decide to conduct a formal investigation if he determines it is warranted, and it is within his jurisdiction. However, some organizations are outside of our jurisdiction, and some complaints raise issues that are not part of the Ombudsman's role.



“You helped me when no one else could! You are my hero.”

– Message to Ombudsman staff member from complainant

We can:

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



We cannot:

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

How we work



COMPLAINT INTAKE

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



QUESTIONS

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



EARLY RESOLUTION

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



REFERRALS

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



INVESTIGATION

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



FINDINGS AND REPORTS

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



RESULTS

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

About this report

In the period covered by this report – **April 1, 2018 to March 31, 2019** – the Ombudsman’s jurisdiction consisted of more than **1,000** public sector bodies, comprising more than **500** Ontario government ministries, programs, agencies, boards, commissions, corporations and tribunals, as well as **444** municipalities, **72** school boards and **10** school authorities, and **21** universities.

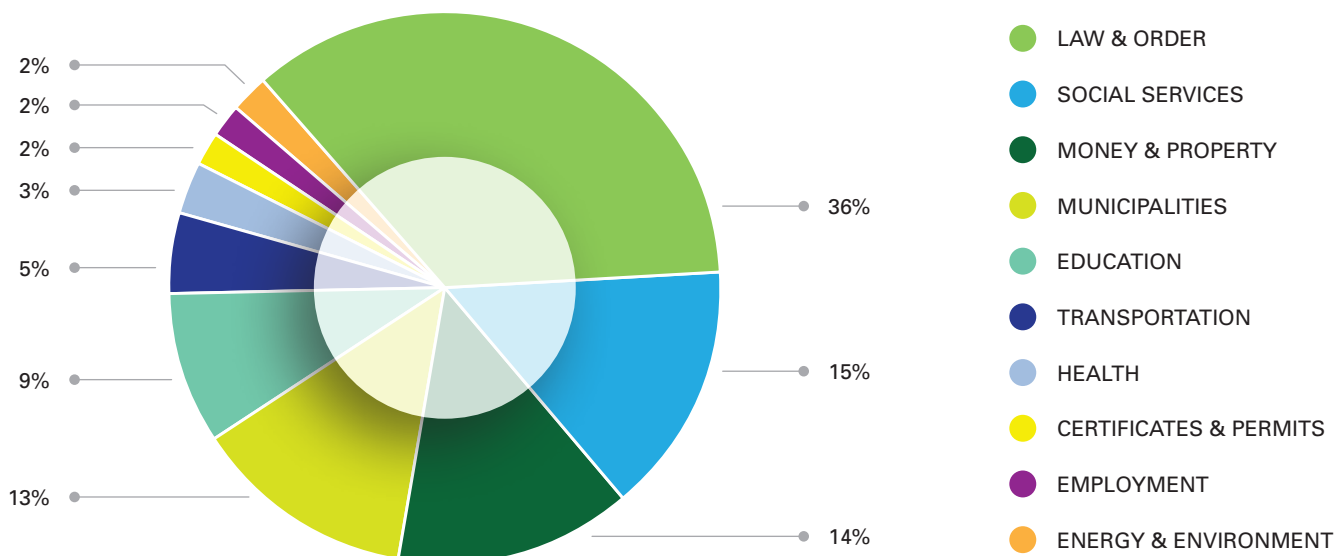
This report is organized by topic area, rather than by government ministry or agency, arranged by case volume, as shown in the accompanying chart: For example, the first two categories are **Law & Order** and **Social Services**, because they generated the highest number of cases. Each topic chapter discusses the main complaint trends and significant cases of the past year.

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



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

CASES BY SUBJECT



CASES BY TYPE



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

1

Service delivery

6

Enforcement of rules or policies

2

Administrative decisions

7

Broader public policy matters

3

Delays

8

Procedures

4

Legislation and/or regulations

9

Internal complaint processes

5

Communication

10

Funding

“I am so impressed by your instant response time and your ability to handle such vitally important issues for the common person. I have personally greatly benefited from your assistance and sincerely thank you for your efforts.”

– Message to Ombudsman staff from complainant

2018-2019 Highlights



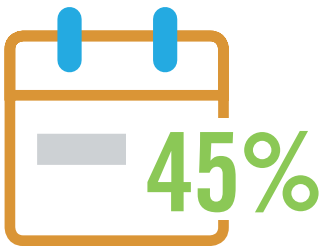
27,419

Total cases received

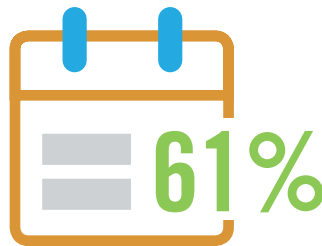


30%

increase over
last year



closed within
one week



closed within
two weeks

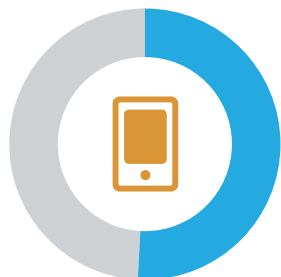
OUTREACH WITH STAKEHOLDERS



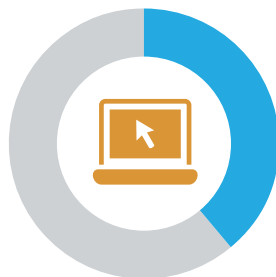
Training and consultation
with representatives from 5 provinces
and



15
countries



51% received
by phone



39% received
online

211 stakeholder questions and
consultation requests answered

TOP 5 COMPLAINT TOPICS (CASES RECEIVED)



5,711
Correctional facilities



3,002
Municipalities



2,411
Ontario Cannabis Store



873
School boards



781
Family Responsibility
Office

COMMUNICATIONS

147,412
website visitors
from **183**
countries



450,035
people
Facebook reach



1,776,260
Twitter impressions



5,611
YouTube views



628,388
website pageviews



1,244
news articles published
in fiscal 2017-2018



798
broadcast media stories

REPORTS ON INVESTIGATIONS

- *Suspended State* – released September 2018
- *Press Pause* – released July 2018



22 open meeting
investigation
reports and letters

52 general investigation
recommendations
accepted

Year in review • Cases by topic



Overview

This category, comprising matters relating to policing and correctional services across the province, as well as other organizations related to justice and law enforcement, has traditionally generated the highest volume of complaints to the Ombudsman.

Our work in this area has led to improvements affecting the rights of vulnerable people and their access to justice, from police officers living with operational stress injuries, to transgender and Indigenous inmates in provincial jails. The Ombudsman continues to prioritize these issues. We have also focused on issues related to mental illness, including improving police de-escalation training for dealing with people in crisis, and restricting the solitary confinement of inmates.

We received a total of **6,091** complaints related to the Ministry of Community Safety and Correctional Services and its programs in fiscal 2018-2019 (which changed its name to Ministry of the Solicitor General on April 4, 2019). We also received **1,073** complaints about the Ministry of the Attorney General and its programs, including the newly created cluster of administrative tribunals, Tribunals Ontario.

Trends in cases – policing

The Ombudsman's systemic investigations and submissions on legislative changes have contributed to major recent changes in this area. In

March 2019, the government passed the *Comprehensive Ontario Police Services Act, 2019*, incorporating several longstanding recommendations by our Office.

Similar to legislation passed in March 2018 by the previous government but never brought into force, the new law aims to modernize and strengthen police oversight, consistent with Ombudsman recommendations dating back more than a decade, and recommendations by Justice Michael Tulloch's independent review in 2017.

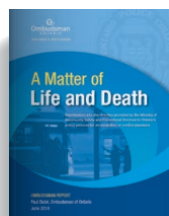
When it is in force, the Ombudsman will oversee not just the Special Investigations Unit (already within our jurisdiction, it investigates incidents where police are involved in serious injuries or deaths), but also the new Law Enforcement Complaints Authority, which will replace the Office of the Independent Police Review Director (OIPRD – currently outside our jurisdiction).

We received **11** complaints about the Special Investigations Unit in 2018-2019, and **52** about the OIPRD; the latter were referred accordingly.

The Ombudsman continues to have no oversight of municipal police services or police service boards, and our oversight of the Ontario Provincial Police is limited to its administrative functions. We received **358** complaints about municipal police services in 2018-2019, which we referred to other mechanisms where appropriate. We also continued to monitor issues related to the Ombudsman's previous systemic investigations regarding police de-escalation training and operational stress injuries (see updates under **Investigations – policing**).

Investigations – policing

Police de-escalation training



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

Investigation update:
Three years after the Ombudsman released this report

and the Ministry accepted all 22 of his recommendations to improve police de-escalation training across the province, some progress has been made, but other key areas remain to be addressed.

The Ombudsman's report called for the establishment of a new use-of-force model and a new regulation requiring officers in conflict situations to employ de-escalation techniques before using force, where safety considerations allow. In March 2019, the government passed the *Comprehensive Ontario Police Services Act, 2019*, which – similar to legislation passed by the previous government a year earlier that was never proclaimed – requires that no one can be a police officer without completing training in “techniques to de-escalate conflict situations and any other matters prescribed by the Minister.”

The Ministry advised us in April 2018 that a review of the Ontario Police College's de-escalation training curriculum would be completed by summer; it still has not been finalized. Ministry officials also continue to research the use of body-worn cameras, and will report back to our Office on their progress on all outstanding recommendations.

Operational stress injury and suicide affecting Ontario Provincial Police



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

Investigation update:
The deaths of several OPP officers by suicide in 2018

sparked renewed scrutiny of issues similar to those examined in our Office's systemic investigation report, *In the Line of Duty*. The OPP accepted all of the Ombudsman's recommendations in this 2012 report, which revealed more officers had died by suicide over the previous 23 years than were killed doing police work. Among other things, the OPP made improvements to its employee support and assistance programs for members dealing with operational stress injuries.

In August 2018, it announced an internal review of its mental health system, and of member deaths by suicide since 2012.

In September 2018, the Ombudsman announced an assessment of new complaints related to these issues, to determine whether a follow-up investigation is warranted. We have since received more than **90** complaints. Investigators have interviewed complainants and stakeholders and are in regular contact with senior OPP officials as their internal review continues.

We are also monitoring developments in the Office of the Chief Coroner's review of police suicides (announced in January 2019), and the Ministry's independent review of workplace culture at the OPP, announced in April 2019.

TOP 5 CASE TOPICS

1 **5,711**
Correctional facilities

2 **438**
Tribunals Ontario

3 **358** (outside our jurisdiction)
Municipal police

4 **275**
OPP

5 **125**
Legal Aid Ontario

Good to know

On April 4, 2019, the Ministry of Community Safety and Correctional Services changed its name to the Ministry of the Solicitor General. Because this report refers to complaints received between April 1, 2018 and March 31, 2019, it refers to the Ministry by its former name.

Trends in cases – correctional services

We received **5,711** complaints about correctional facilities in 2018-2019, up from 5,010 last year. To handle such a high volume of complaints from inmates, our staff prioritize cases where an inmate's safety or well-being might be at risk, including complaints about health care, segregation, assaults and lockdowns.

Ombudsman staff liaise regularly with relevant Ministry and correctional facility officials to discuss individual cases, complaint trends, and potential systemic issues. These discussions help us resolve complaints quickly and provide valuable feedback to the Ministry about its operations.

The Ombudsman and staff who specialize in this area also visit correctional facilities across the province to meet with correctional workers and inmates, see the infrastructure and conditions of confinement in person, and clarify our Office's role and approach to complaints. In several cases this year, these visits led to significant results because our staff were able to observe issues firsthand and suggest concrete solutions.

In the related area of probation and parole, we saw an overall decline in complaints (to **53** from 76 the previous year), particularly with regard to issues with parole hearing delays, which we raised with the Ministry and the Ontario Parole Board. The board has since implemented new practices for scheduling hearings to ensure they are held before an inmate's parole eligibility date, as required by law.

Our Office has also always had oversight of youth custody facilities. We received **47** complaints about these in 2018-2019, which represents an increase over the past two years (when we received 15 and 20 complaints, respectively). The Ombudsman and staff plan to visit several of them in 2019-2020, in conjunction with the expansion of our mandate to include more matters related to children and youth.

Medical issues

Among inmates, access to health care, including specialists and medication, is a top topic of complaint. Many complaints are referred back to the relevant facility, but our staff follow up in cases where there could be a serious impact on an inmate's health. For example:

- After we inquired about a group of inmates who complained that they were not receiving methadone at the same time each day, causing them to experience drug withdrawal symptoms, the facility changed its procedure and began administering methadone in the inmates' living units, rather than bringing them to the health care unit one at a time.
- An inmate complained that he had been without his dentures for more

than a year while in jail awaiting trial. We learned that dentures are normally only provided to inmates who have been sentenced, but the policy allows for exceptional circumstances. After we made inquiries and more information was provided by the man's dentist, his request for dentures was granted.

- We connected with a facility's health care staff to ensure that an inmate with a brain tumour was still able to have an MRI that he had scheduled before he was incarcerated.

Inmate-on-inmate assaults

We received **55** complaints about inmate-on-inmate assaults in 2018-2019, down from 64 the previous year. In several cases, we followed up to ensure the required investigations were conducted by the Correctional Services Oversight and Investigations (CSOI) unit. We also continued to find cases where facilities failed to follow the Ministry's direction that they complete local investigation reports when inmates assaulted by other inmates receive "serious injury." For example:

- Our inquiries in a case where an inmate was assaulted by 13 others revealed deficiencies with the facility's local investigation report. It was flagged and assigned for investigation by CSOI, and the facility created an action plan to improve its investigation processes.
- An inmate complained to us of three assaults by other inmates, including a sexual assault and an injury that required a trip to the hospital and stitches. After our inquiries determined that a local investigation report was never done, the facility acknowledged that it should have been done, per Ministry policy.

Indigenous inmate concerns

In May 2016, in response to the federal Truth and Reconciliation Commission's Calls to Action, the province committed to, among other things, enhancing "healing services and cultural supports for Indigenous inmates in custody." Provincial inmates receive such services through a Native Inmate Liaison Officer (NILO), who can arrange for culturally relevant ceremonies, counselling or teachings for inmates.

We received **52** complaints related to Indigenous services, most from inmates at facilities that lacked them. A group of **21** inmates at one facility wrote to us that the mental health of Indigenous inmates was becoming an "ongoing crisis." In speaking with inmates and correctional staff, we learned of at least five facilities that lacked a NILO. At three of these, staff told us that recruiting a NILO was difficult and that the relationship between Indigenous communities and the Ministry needed to be strengthened. The Ministry has agreed to update our Office on its efforts to improve Indigenous services and the NILO program, and we continue to actively monitor this issue.

Overcrowding

Correctional facilities that are over capacity sometimes resort to "triple-bunking" inmates (housing three in a cell designed for two, which usually means one must sleep on the floor), or placing them inappropriately. We received **48** complaints about overcrowding in 2018-2019, and also alerted senior officials to conditions we observed during site visits. For example:

- Two female inmates complained that they had to spend several nights in tiny change rooms, containing only a bench



November 27, 2018: Ombudsman Paul Dubé at Toronto South Detention Centre, one of several site visits and meetings with correctional officials in 2018-2019.

and no toilet. One room was so small that the women could not lie down fully, and their mattresses had to be folded to fit. After we made inquiries, senior staff at the facility directed that inmates are not to be housed in those rooms under any circumstances.

- During a site tour, our staff noticed that a female unit was triple-bunked even though a larger unit was vacant – it was used only on weekends for inmates serving intermittent sentences. After we followed up with senior Ministry officials, the larger unit was converted to a female unit, eliminating triple-bunking and doubling the facility's capacity to house women. The weekend inmates were moved to another facility.

Lockdowns

Our Office routinely receives complaints from groups of inmates when they experience a lockdown, which the Ministry describes as a "strict limitation on the movement of inmates in all or

part of an institution." We received **483** complaints about lockdowns in 2018-2019 (up from 437 the previous year), the bulk of which related to inmates lacking access to phones, showers, day rooms or activities. These included **138** complaints from inmates at a facility where a staff work slowdown resulted in several lockdowns, and **60** from the same facility during another period, when staff summer vacations prompted lockdowns.

Many inmates complained that long periods of lockdown were harmful to their mental health, as they were deprived of many basic necessities and the ability to contact loved ones or lawyers. Senior correctional officials confirmed to us that they are forced to place inmates on lockdown when there is a staff shortage. Some facilities work to redeploy staff and rotate lockdowns from unit to unit, to ensure inmates have a chance to leave their cells.

Our staff follow up on individual and group complaints with institutions around the province, as well as Ministry officials as warranted.

Transgender inmate concerns

We received **18** complaints about issues affecting transgender inmates in 2018-2019. Some inmates complained about being placed in housing contrary to their gender identification, while others sought our help in accessing services or dealing with allegations of discrimination. Our staff raised these issues with facility officials as warranted. For example:

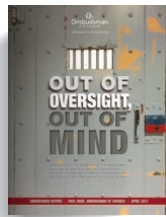
- A transgender woman sought our help after she was moved without her consent from a female unit to a male unit, where she was threatened and assaulted by another inmate. Our staff quickly confirmed that a Deputy Superintendent was following up on the incident, and that the woman was moved back to a female unit.
- Transgender inmates at one facility complained to us that they were not allowed to use the common area bathrooms in their unit. After we made inquiries, the facility changed its internal practices to ensure transgender inmates had equal access to common area bathrooms.

Voting

We received complaints from **28** inmates at several correctional facilities regarding issues with voting in the provincial and municipal elections, in June and October 2018. At one large facility, no inmates were able to vote in the provincial election because information about the voting process was not properly provided. At another facility, miscommunication resulted in some requests to vote being lost. Our Office raised these issues with senior Ministry officials, and the Ministry has committed to making the necessary changes to prevent these issues from recurring in future elections.

Investigations – correctional services

Tracking of inmates in segregation



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

Investigation update: Since the release of this report, the

Ministry has provided the Ombudsman with regular updates on its progress in implementing his 32 recommendations for improving its tracking of inmates in segregation, also known as solitary confinement. It has fully implemented 11 of these, with the other 21 in progress.

The investigation was prompted in part by a steady rise in complaints to our Office from inmates in prolonged segregation – often to the detriment of their mental health – as well as the shocking case of Adam Capay, who had spent four years in segregation in Thunder Bay awaiting trial for murder, with no accurate records or reviews of his placement.

In fiscal 2017-2018, the Ministry made improvements to its system for tracking segregation placements and ensuring that these are reported and reviewed as required. More recent changes made by the Ministry include:

- A new definition of “segregation” that aligns with internationally accepted standards, based on the conditions the inmate is experiencing rather than physical location.

- Introducing alternative housing arrangements, with conditions that are less restrictive than segregation;
- Hiring more than 200 new staff, including dedicated positions for segregation and related inmate health care needs.

The Ministry continues to work on other recommended measures, including the creation of independent panels to review segregation placements. Other improvements that were part of the *Correctional Services Transformation Act, 2018*, which was passed under the previous government in May 2018, have not been proclaimed in force.

The need for such changes was underscored by Justice John Fregeau of the Ontario Court of Justice on January 28, 2019, in his decision to set Mr. Capay free and stay his murder charge. The judge found the province’s “complete and utter failure” to manage Mr. Capay’s incarceration led to “outrageous, abhorrent, and inhumane” violations of his rights.

Individual cases: We continue to deal with complaints about segregation placements – **266** this fiscal year, down slightly from **296** last year. Some examples:

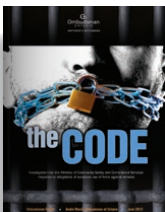
- An inmate with mental health issues complained that he had been in segregation for more than a year, to the detriment of his health. We were told that he was in segregation because he had been deemed a risk to the safety of staff and other inmates, but after we made inquiries, he received more frequent medical assessments, as required by Ministry policy.

- An inmate complained to us that he had been in segregation for almost 80 days, despite being told he would be moved. Our staff confirmed that the facility was reviewing his placement regularly, as required by policy, and that there was a plan to move him to another unit within a few days.
- An inmate was placed in segregation after she told correctional staff she had been threatened by two other inmates, but she remained there after they were released. She sought our help, saying the isolation was increasing her anxiety and depression. We contacted the facility, which removed her from segregation the next day.

“The accused, a young, mentally ill, Indigenous man, was detained in continuous segregation in deplorable conditions for 1,647 days. He was confined to his cell for more than 23 hours per day for extended periods of time. He was subjected to near total isolation during the initial three-month period of segregation during which time his mental health deteriorated dramatically. [...] It is obvious that the segregation review process in the case of the accused was meaningless at the institutional and regional levels.”

– Justice John Fregeau, *R. v. Capay*, 2019, ONSC 535, January 28, 2019

Excessive use of force by correctional officers



Report: *The Code*, released June 2013

Investigation update:

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

for years, and flagged to the Ministry several times – including in 2011, when the Special Ombudsman Response Team conducted an in-depth systemic investigation. The resulting report, *The Code*, released in June 2013, made 45 recommendations to the Ministry to eradicate the “code of silence” among staff with regard to excessive use of force, and to improve training and investigations of such incidents.

The Ministry has implemented almost all of the recommendations, apart from the installation of video cameras at all facilities, which is expected to be completed by 2020. However, we continue to keep a close eye on complaints about excessive use of force, which increased to **107** in 2018-2019, from 74 the previous year. When warranted, our staff make inquiries and monitor the response of mechanisms such as the Ministry’s Correctional Services Oversight and Investigations unit (CSOI). For example:

- An inmate complained that he was cut when a correctional officer closed the cell hatch on his hands. Our review of the facility’s local investigation of the incident revealed that photos weren’t taken at the time, as required by policy. We have since confirmed the facility has improved its investigation process.
- An inmate complained to our Office that a correctional officer dragged him out of his range and choked him. Our review of the local investigation report determined that the evidence did not corroborate the inmate’s allegations.

TOP 5 CASE TOPICS – CORRECTIONAL SERVICES

1 483
Lockdowns

2 266
Segregation placements

3 107
Excessive use of force

4 55
Inmate-on-inmate assaults

5 52
Indigenous services

Other trends in cases

Legal Aid Ontario

We received **125** complaints about Legal Aid Ontario (LAO) in 2018-19, consistent with the previous year's total of 120. Our staff were able to help several complainants sort out issues with LAO's decisions and how it communicated them. For example:

- A man's lawyer stepped down on the first day of trial, leaving him unrepresented. The man was convicted, and wanted LAO to have a new lawyer represent him when he was sentenced, but he received no response. Our inquiries revealed that LAO had sent a denial letter to him at a detention centre where he was no longer being held. Once he connected with LAO, he was able to submit his appeal.
- A woman sought our help after she received a letter from LAO denying her request to change solicitors and referring her to another program to request a senior lawyer – only to have that program tell her the referral was an error. LAO officials agreed to review their letters and ensure that only appropriate referrals are provided.

Administrative tribunal delays

Each year, our Office receives hundreds of complaints about the province's 37 administrative tribunals, which are independent, quasi-judicial bodies that make decisions about everything from benefit entitlements, to human rights matters, to property disputes. Although the focus of the tribunals runs the gamut of provincial responsibilities, from social

services to health to property, parole and other matters, their administration falls to the Ministry of the Attorney General (hence their inclusion in our **Law & Order** chapter).

We received **549** complaints about **24** different tribunals in 2018-2019 – most of which related to the Landlord and Tenant Board (**207** complaints), and the Human Rights Tribunal of Ontario (**95**). Three-quarters of these complaints related to tribunals that are now part of Tribunals Ontario, a new cluster of 19 tribunals headed by one executive chair, established in January 2019 (previously, these tribunals were in three clusters: Social Justice Tribunals Ontario, Environment and Land Tribunals Ontario, and Safety, Licensing Appeals and Standards Tribunals Ontario).

The most common complaints across these tribunals – and others not part of these clusters – relate to their decisions and long delays. The Ombudsman cannot overturn tribunal decisions or act as an appeal body, but can review their decisions and processes and make recommendations for improvement. We have been told the primary source of delay is a shortage of tribunal adjudicators.

Delays can have serious consequences for people seeking to assert their rights. Ombudsman staff have met with Tribunals Ontario's chair to share information about complaint trends and our concerns about extensive delays and backlogs. We will monitor its efforts, as well as those of individual tribunals, to address delays and improve frontline service delivery.

Case summaries

Without further delay

A woman who had been pursuing her case at the Human Rights Tribunal of

Ontario for several years sought our help after she learned that the adjudicator assigned to her case was no longer able to continue. The prospect of having to resume the entire hearing process from the beginning was especially troubling for her, as she was already dealing with post-traumatic stress disorder related to the matter. She tried to resolve her concerns directly with the tribunal, but received conflicting responses about the available options. After we made inquiries, the tribunal determined that the original adjudicator would be able to finish the hearing after all, and communicated this to her.

Re: Vision

An inmate complained to us that staff at his correctional facility had taken his eyeglasses and refused to return them. Our Office made inquiries with the facility and confirmed that the inmate's glasses had been lost. Officials at the jail agreed to ensure that he received a new prescription, and committed to paying the cost of the replacement glasses. The inmate was thankful for our help.

A time to mourn

An inmate sought our help in reaching the appropriate correctional officials after her father passed away and she could not get a response to her request to attend his funeral. She had made repeated requests for a temporary absence pass, but had heard nothing, and feared she would miss her chance to pay her respects. After Ombudsman staff spoke with staff at the facility, they made arrangements for her to visit the funeral home.



Overview and trends in cases

The provincial government provides a wide range of social services and supports to some of Ontario's most vulnerable people, through a network of programs, agencies and government-funded service providers. Municipalities also provide social assistance through Ontario Works. Given the large number of people served by so many bodies, our Office has always received a high volume of complaints in this category – and achieved significant results, both through individual resolutions and systemic investigations.

Several significant changes were made in this area in fiscal 2018-2019, particularly after the June election. The new government created the Ministry of Children, Community and Social Services, combining the former ministries of Community and Social Services, Children and Youth Services, and Immigration. It also announced changes to the way it funds services for children with autism, sparking widespread confusion and complaints.

At the same time, improvements continued at two of the organizations that our Office has repeatedly noted as top complaint generators – the Family Responsibility Office and the Ontario Disability Support Program – although complaints about the latter increased slightly.

Another significant change was the government's decision to close the independent office of the Provincial Advocate for Children and Youth, and transfer its investigative mandate to the Ombudsman as of May 1, 2019. This

change expands the Ombudsman's mandate to child protection matters, meaning that our Office will be able to investigate complaints about children's aid societies (CASs) and residential licensees, among other things. We routinely receive hundreds of complaints about CASs – **384** in 2018-2019 – but have always had to refer them elsewhere because they were outside of the Ombudsman's jurisdiction.

Ontario Autism Program

Complaints to our Office about developmental services programs – and services for children with autism in particular – have ebbed and flowed over many years, with spikes in complaints typically occurring when governments announce changes to funding programs and eligibility criteria.

On February 6, 2019, the government announced the latest such change, introducing a system of direct funding to families of children with autism, as well as a strategy to reduce or eliminate waitlists for services. Initially, the level of funding was to be determined by household income, but this was later revised to provide for some funding regardless of income. Other announcements related to continuing services that were already being provided under individual behaviour plans, expanding the list of services eligible for funding, and further consultation on supporting children with complex needs.

We received **575** complaints about autism funding for children this year, **569** of those after the February announcement. Many families and other stakeholders raised concerns about the funding cap and the potential effects of the changes, and a

significant number were angry about the government's policy decision and political approach.

In dealing with such complaints, the Ombudsman and staff distinguish political questions from administrative ones. The Ombudsman does not intervene in broad public policy decisions or actions taken by elected officials. However, our Office does work to ensure that the implementation and administration of such decisions is fair, accountable and transparent.

Senior Ombudsman staff met with officials at the Ministry to review the rollout of the new funding program and to discuss trends in complaints. These include concerns about reduced funding, inadequate communication with affected parents and stakeholders, the impact of the changes in the far North (given the unique needs of Indigenous families in fly-in and other remote communities). We continue to meet with the Ministry on a regular basis and are actively monitoring steps being taken to address the administrative issues that have been raised.

Family Responsibility Office (FRO)

The FRO, which is responsible for enforcing court-ordered child and spousal support, remains one of the most complained-about provincial organizations, although complaints continued to decline in 2018-2019. In fact, the **781** complaints we received (down from 912 last year) is the lowest number since 2011. Ombudsman staff have worked closely with FRO and Ministry leadership for several years to flag issues proactively, and the Ombudsman has complimented

FRO's efforts to improve customer service in this area.

We continue to hold regular meetings with FRO officials to flag recurring issues, and monitor their ongoing work to improve customer service and the effectiveness of FRO's enforcement efforts.

Delays and misinterpreted court orders

The most common complaints we see about FRO relate to bureaucratic lapses, such as misinterpreting court orders or failing to act quickly enough when support orders are adjusted. Such mistakes can prove costly for the people involved. For example:

- Our intervention prompted FRO to refund one man more than **\$3,600** that he had overpaid because it took so long to implement the terms of a new court order that reduced his support obligations.
- We helped a mother of three who complained that FRO's misinterpretation of a court order had resulted in it mistakenly issuing a credit to her ex-husband. As a result of our inquiries, FRO confirmed its error and adjusted the file to show the mother was owed more than **\$11,000**.

Unproven "special" expenses

We received several complaints this year about FRO improperly accepting support recipients' claims of "special or extraordinary expenses." These are additional expenses relating to such things as a child's extracurricular activities, daycare or health care, which a court can order a support payor to cover in addition to monthly child support. In some cases, the court will require a recipient to provide proof or receipts that such costs were

incurred before FRO can enforce the amounts claimed. Some examples:

- A father complained FRO had accepted more than **\$2,200** expenses from his ex-wife without obtaining the proof required by a court order. After we made inquiries, FRO asked the recipient for proof of the expenses and she refused; the man was not required to pay.
- FRO acknowledged that it had accepted a support recipient's claim for hotel expenses related to a children's hockey tournament without verifying it, as required by a court order. Inquiries by our staff resulted in almost **\$700** in expenses being removed from the payor's file after FRO confirmed the recipient could not prove the children had been registered for a hockey tournament.

Interjurisdictional support orders

In cases where either the support payor or recipient lives outside of Ontario, FRO's Interjurisdictional Support Order (ISO) unit works with the relevant agencies to enforce court-ordered support. Complaints about the ISO unit declined in 2018-2019, to **30** from 47 the previous year. In several cases, our intervention spurred action by both agencies. For example:

- A woman who was owed more than **\$175,000** in support by her ex-husband complained to us that the enforcement agency in the U.S. state where he lives refused to register her case, and that FRO had indicated it could do nothing about it. After we spoke with FRO officials, they contacted their counterparts in the U.S., who asked the local court to register the woman's case for enforcement.

Ontario Disability Support Program (ODSP)

Providing social assistance to thousands of Ontarians who meet the legislated definition of disability, as well as coverage for drug and dental needs, medical transportation costs and special diets, ODSP consistently generates hundreds of complaints to our Office. As with FRO, however, we have worked with program officials for years to address recurring issues – and this has coincided in recent years with a decline in complaints.

We received **773** complaints about ODSP in 2018-2019, up slightly from 760 the previous year. Among the common themes we noted were difficulties in contacting or communicating with ODSP staff, a lack of timely response, or issues with ODSP decisions or service. Our Office receives very good co-operation from the Assistant Deputy Minister and other senior staff of the Social Assistance Operations Division.

Ombudsman staff often resolve complaints by facilitating communication between ODSP clients and caseworkers. Where warranted, we ensure they are aware of the appropriate appeal mechanisms. Some examples:

- A caseworker refused to release a benefit cheque to an ODSP recipient without an in-person meeting. Our Office pointed out that the client had mobility issues and would have difficulty attending such an appointment. We ensured they were able to connect and that the man received his cheque.
- An ODSP client was frustrated when he could not reach his caseworker to

discuss why ODSP had cancelled his medical transportation and special diet allowances. Our staff ensured he was provided with information on what he needed to do to have these services reinstated.

- We prompted ODSP officials to approve coverage to transport a woman to her weekly dialysis appointments after she complained they had taken too long to process her application and she could not afford transportation.
- ODSP repeatedly insisted it needed consent from its client, a woman who was terminally ill and unable to communicate, to discuss her benefits with her son, even though he had power of attorney. Ombudsman staff assisted the son in providing ODSP with the documents it needed for him to act on his mother's behalf.
- An ODSP recipient who had cancer and relied on ODSP to pay her rent was unable to contact her caseworker and feared eviction because her landlord had not received payments from ODSP for two months. After Ombudsman staff contacted ODSP officials, they immediately arranged for the landlord to receive the outstanding cheques.

Ontario Works

We received **248** complaints this year about Ontario Works, which is administered by municipal service providers and social services administration boards across the province. This number is down slightly from 253 last year. Our staff resolve many of these cases by bridging communication gaps between benefits recipients and their caseworkers, or by helping people

TOP 5 CASE TOPICS

1 781
FRO

2 773
ODSP

3 575
Ontario Autism Program

4 384 (outside our jurisdiction until May 1, 2019)
Children's aid societies

5 248
Ontario Works

understand what they need to do to apply for benefits. For example:

- A mother sought our help in reaching Ontario Works after her sons went to spend their holiday at their father's home more than 300 km away – and the father had no funds to send them home. Our staff contacted her caseworker, who confirmed that the children's transportation costs would be covered so they could return home.
- A man complained to us that Ontario Works was insisting he pick up his latest monthly cheque in person, when he had just signed up for direct deposit. Ontario Works staff explained that they had mailed the cheque to his previous home, just before he moved into a shelter. They needed him to confirm in person that he hadn't received the cheque. After speaking with us, they contacted him and offered to pay his bus fare to meet them.

Services for adults and children with developmental disabilities

With the government's three-year, \$1.8-billion investment into the extensive and complex system that provides supports for adults with developmental disabilities now into its second year, we received fewer complaints in this area than the year before – **91** in 2018-2019, down from 127 last year. Many of the issues raised are similar to the systemic ones detailed in the Ombudsman's 2016 report, *Nowhere to Turn* (see further details under **Investigations**).

Common complaints this year included insufficient funding and long waitlists

for housing – including some involving people who were waiting in hospitals to receive services. We review these complaints to ensure that Ministry staff are aware of urgent individual cases and are responding in a timely and effective manner.

We also noted that complaints about services and treatments for children with special needs increased in 2018-2019, to **46** from last year's 38. Many of these complaints related to a lack of funding and services as well as long waitlists for residential supports and treatment. Our staff review these cases to ensure that Ministry staff and service agencies are helping connect families with appropriate services and supports where possible. We also flag cases where families are being told to surrender custody of their children in order to have them placed in residential care – an issue our Office investigated and the Ministry committed to resolve after our 2005 report, *Between a Rock and a Hard Place* (see further details under **Investigations**).

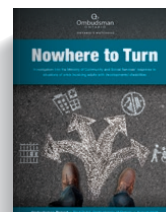
Some individual case examples:

- A mother sought our help after her local Developmental Services Ontario office told her that her son, who had lost access to the services and funding he received as a child when he turned 18, would have to wait six months to be reassessed for services. She was also caring for another son and husband with disabilities and was concerned that the lack of activities and services for her 18-year-old was affecting his mental health. Three weeks after Ombudsman staff made inquiries, the teen received his reassessment.

- The mother of a 17-year-old with autism and developmental delay sought our help in obtaining funding for residential care for her son, who could not be cared for at home because of violent behaviours. The only place available for him was the hospital, which wanted to discharge him. Ombudsman staff worked with Ministry officials to ensure they were aware that the situation was urgent, and that his funding application had been received. They confirmed they were reviewing the case, and the teen was approved for funding and moved to a residential placement shortly thereafter.

Investigations

Services for adults with developmental disabilities in crisis



Report: *Nowhere to Turn*, released August 2016

Investigation update: When the Ombudsman released this in-depth report

nearly three years ago, the Ministry agreed to implement all **60** of his recommendations to overhaul services for adults with developmental disabilities whose families are unable to care for them at home or are otherwise in crisis. The report stemmed from more than **1,200** complaints over several years – many from desperate families whose loved ones had ended up in hospitals, long-term care homes, homeless shelters and even jail because appropriate services were not available to them.

Our Office's ongoing follow-up on this report is twofold: We review regular updates from the Ministry on its progress in implementing the Ombudsman's recommendations, and we continue to help individuals who come forward with similar complaints – nearly **400** since the release of the report. Ombudsman staff flag these cases to the Ministry as necessary to confirm that the developmental services system is following its processes and these vulnerable people are receiving the services they need.

For example:

- A 35-year-old man who has dual diagnosis and was at risk of harming himself and others was stuck in hospital for more than three months because there were no community placements available. His mother complained to us that the hospital was telling her he was ready for discharge, while the local Developmental Services Ontario office insisted he was not. Ombudsman staff made inquiries and suggested the mother provide the DSO with documentation from the hospital. Soon after, the hospital and local agencies began working on finding the man a community placement.
- When a 51-year-old man with a developmental disability and seizure condition moved across the province to be closer to his sister, he lost his funding. His sister paid for him to stay at a residence in the community, but sought our help after he became injured from having seizures at the facility, which did not have adequate

services for him. Ombudsman staff raised the case with Developmental Services Ontario officials, who determined the man was in crisis and provided him support on an urgent basis. He was later moved to a long-term care home, which the sister felt was the most suitable option for his medical needs.

The Ministry has invested \$1.8 billion in increased funding in this area over three years, and it has announced that every adult with a developmental disability who is eligible to receive services as determined by Development Services Ontario will receive a minimum of \$5,000 in direct funding per year. Some funding will also be used to increase in-home supports and create new residential spots for people who in the past might have been inappropriately placed in hospitals or long-term care homes. As some of the Ombudsman's recommendations remain to be fulfilled, we will continue to monitor its progress.

Care and custody of children with complex special needs



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

Investigation update: When our Office's investigation 14 years

ago revealed that parents were being told that the only way they could obtain residential care for their children with complex special needs was to surrender custody to children's aid societies, there was agreement across the province that

this was wrong. The affected parents had custody of their children restored, and the Ministry committed to ensuring that this did not happen to other families.

Despite this, we still hear of a few similar cases every year where, even though there are no child protection concerns, families in crisis situations were required to temporarily relinquish custody of their children to children's aid societies in order to receive services. Even in cases where there are child protection concerns, they are often the result of a lack of services for the family in the home, particularly when the child with a developmental disability is living with siblings. The children's system appears to lack a process by which families can access temporary services in urgent situations. For example:

- Ombudsman staff flagged a case where a 13-year-old with autism, depression, anxiety and other behavioural issues that had required police and hospital intervention had been waiting for a residential treatment for months. The youth's mother told us the local children's aid society had asked her to consider a temporary care agreement in order to put him in a residential placement in another region, until treatment could be found closer to his home. We made inquiries and monitored the actions of the Ministry and service agencies. The teen was admitted to a residential treatment facility, without his mother surrendering custody. She informed us that his behaviours improved in this placement, and she had applied for funding to receive support services for him when he returned home.

Case summaries

Not on board

An Ontario Works recipient sought our help when he received a letter saying he would have to repay **\$1,835** to Ontario Works, and that his monthly income would be reduced by **\$202**. He was baffled and upset by this, and officials had not responded to his request for a review. When we looked into the case, we learned that the man had mistakenly told his caseworker that he paid “room and board” at his residence. Ontario Works took this to mean that his payments to his landlord also covered meals, and reduced his payments accordingly. Once it was confirmed that his rental agreement covered only accommodation, Ontario Works quickly waived the repayment request and restored his monthly payments.

Auto-threat

A pensioner who had a longstanding agreement to pay her family support arrears off at \$50/month complained to us that the Family Responsibility Office (FRO) sent her a letter threatening to garnish half of her monthly income, which would leave her with no money to pay her utility bills. When our staff contacted FRO officials, they determined the letter had been automatically generated by their system because of the age of the case. Once the woman confirmed her financial situation remained unchanged, she could continue paying \$50/month.

A parent error

A father complained to us that FRO had collected thousands of dollars of support payments from him for 14 years, even though his daughter was no longer in the care of her mother but had been made a Crown ward. FRO officials confirmed to us that they had received information in 2004 indicating that the girl was in the care of a children’s aid society, and they acknowledged they could have taken steps to gather information about her status at the time. They agreed to refund the man **\$4,100**.

Credit undo

A mother who receives support for her adult child with disabilities sought our help after she inadvertently provided inaccurate information to FRO, resulting in the termination of her support and a **\$21,000** credit to the payor. Ombudsman staff inquired with FRO officials, who agreed to review the matter instead of requiring the woman to go to court and seek a new court order. Her support was reinstated and the credit withdrawn.



Overview and trends in cases

This category includes complaints about Ministry of Finance organizations, such as the Financial Services Commission, the Ontario Lottery and Gaming Corporation, the Municipal Property Assessment Corporation and – new this year – the Ontario Cannabis Store. It also includes the Ministry of the Attorney General's Office of the Public Guardian and Trustee, which handles money and property matters for people who are incapable of doing so themselves.

Ontario Cannabis Store (OCS)

As Ontario's sole authorized seller of recreational cannabis when it became legal at the stroke of midnight on October 17, 2018, the Ontario Cannabis Store's online operation faced an overwhelming demand in its first days and weeks of operation.

We began to receive complaints within a week from people who had not received their cannabis orders, and within three weeks, more than **2,100** people from across the province filed complaints about delivery delays, lack of communication and a customer service process that was unhelpful and difficult to access. Many complainants also expressed general dissatisfaction with the province's rollout of legal cannabis, and some also raised concerns about privacy breaches, billing issues and product quality.

By the end of fiscal 2018-2019, complaints about OCS totalled **2,411**, making it the single most complained-

about government organization of the year. To deal with such a large volume of complaints quickly, we established a dedicated team to triage and prioritize these complaints, working collaboratively with senior staff at OCS and the Ministry of Finance through weekly teleconferences. Ombudsman staff stressed to OCS the importance of giving customers timely and specific information about their orders. We also followed up on all billing issues where there was a financial impact to the individual, such as duplicate charges or delayed refunds.

Among the issues we identified was a serious privacy breach involving Canada Post's online tracking portal, which allowed anyone to see the name and address of an OCS customer if they had a tracking number. The OCS and Canada Post quickly rectified this issue.

On December 7, 2018, OCS President and CEO Patrick Ford wrote to the Ombudsman thanking him for his support and engagement, noting that by working together, staff from both offices were able to resolve the vast majority of complaints.

As of April 1, 2019, cannabis is now also sold through private retail stores, regulated by the Alcohol and Gaming Commission of Ontario (AGCO). Although the Ombudsman does not oversee private businesses, we do oversee the AGCO, whose role is to ensure that licensed operators meet regulatory requirements with regard to advertising, sales to minors and storage of cannabis products. It has its own complaints process, including a customer service line and online portal. We will monitor complaints and any ongoing issues with regard to the OCS and AGCO.

“I am writing to thank you and your office for your support and engagement with the Ontario Cannabis Store (OCS) in the weeks following the federal legalization of cannabis. The feedback we have received has been very helpful [...] We know there are still some complaints and ongoing questions that will continue to require attention and we are committed to ongoing engagement with your office and our customers to address these in a timely manner.”

– Ontario Cannabis Store President and CEO Patrick Ford, letter to Ombudsman, December 7, 2018

Comments from OCS customers



“Since the Ombudsman’s office started assisting OCS, the quality of the Crown corporation’s service has been increasingly improving each week.”

“Thanks for listening and helping us get our orders fulfilled. It really did make a difference in how OCS handled the situation after your office intervened.”

“I would like to thank you for all of your hard work on this matter. You were professional and prompt throughout the entire process.”

“You and your office have a difficult job and I appreciate your time and effort.”

Municipal Property Assessment Corporation (MPAC)

Every four years, MPAC conducts a provincewide assessment of property values and issues assessment notices to owners, upon which their local property taxes are based. The last such assessment was in 2016, although MPAC also continuously reviews properties whose values change due to building, renovations or changes of use.

Complaints to our Office related to MPAC tend to be higher in assessment years. We received **57** complaints about MPAC in 2018-2019, which is consistent with the previous year’s total of 55, and other non-assessment years. Most

involved disagreement with MPAC’s decisions on property assessment values and classification, and confusion about appeals. Our staff helped facilitate communications with MPAC in some cases, or provided information about the assessment appeal process.

We continue to monitor concerns involving errors in the assessment rolls that MPAC prepares every year for all municipalities for the calculation of property taxes. We noted **2** such cases in last year’s Annual Report, which have since been resolved:

- A commercial property owner received a bill for \$100,000 in taxes owed because of an assessment roll error that wasn’t discovered for six years. After we raised this case with MPAC, it sent the owner a letter of apology.

- An owner who had always paid his property taxes automatically through his bank was surprised to learn he was in arrears because MPAC did not specifically advise him of the roll number change when he consolidated his property with an adjacent one. Ombudsman staff made inquiries with MPAC, which apologized to the man and committed to reviewing its processes to improve communications with property owners.

MPAC has committed to reviewing its processes in order to reduce errors when recording the consolidation or severance of properties, and to provide more information to property owners and local tax authorities about changes to property roll numbers in these situations.

Office of the Public Guardian and Trustee (OPGT)

For several years, Ombudsman staff have worked with OPGT officials to address individual and systemic issues with the service and communication it provides to its often vulnerable clients. Complaints about the OPGT have been on the decline as a result – we received **178** in 2018-2019, down slightly from 182 last year.

However, we continue to hear complaints about the decisions rendered by OPGT staff on clients' behalf, poor or delayed communication, or other mixups. In other cases, we confirm that OPGT is following its policies and procedures. Some examples:

- When a woman complained that she did not receive a promised \$20 increase in her weekly allowance, our inquiries revealed that OPGT staff had wrongly entered it into their system as a monthly increase instead. The error was fixed and the money was deposited in the woman's bank account.
- When the family of an OPGT client complained to us that it was selling the man's house, we confirmed that it had done a comprehensive review of his situation, and prompted OPGT officials to communicate with the family to explain this.

Ontario Lottery and Gaming Corporation (OLG) online casino

We received **75** complaints about the OLG in 2018-2019 – up from 49 the previous year, largely due to an increase in complaints about its online casino

application, PlayOLG. In October and November 2018, we received **32** cases, most of which related to poor customer service experienced by people trying to withdraw funds from their PlayOLG accounts. Despite the OLG's publicly advertised commitment to do direct deposits within 3-5 business days, some players told us they had waited up to three months to receive their money.

Ombudsman staff spoke with senior officials from OLG, who said an August 2018 promotional campaign for PlayOLG received a much higher than anticipated response. Withdrawal requests became backlogged because they could only be processed by specially trained and licensed staff, and players were notified about the delay via email and the PlayOLG Twitter and Facebook accounts. OLG staff told us they have since addressed and cleared the backlog.

OLG's self-exclusion program

To assist people who want to take a break from gaming at its facilities, the OLG has a voluntary "self-exclusion" program. In late 2016, it introduced a policy of "prize disqualification" to bar people on the self-exclusion list from winning prizes at OLG gaming facilities. Previously, people who had signed up for self-exclusion could still keep their prizes, despite agreeing to stay away from gaming.

We have reviewed **2** cases of people who were refused prizes of \$10,000 or more by the OLG because they were on the self-exclusion list. Our review of their complaints raised several issues with the OLG's actions, including that it did not do enough to publicize the new prize disqualification policy, to update its

TOP CASE TOPICS

1 **2,411**
Ontario Cannabis Store

2 **178**
Office of the Public Guardian and Trustee

3 **75**
Ontario Lottery and Gaming Corporation

4 **57**
Municipal Property Assessment Corporation

self-exclusion program list, or to keep people enrolled in the self-exclusion program out of gaming facilities in the first place. As a result of our intervention in one of these cases, the OLG resolved it to the complainant's satisfaction.

The OLG has committed to providing our Office with regular updates on its improvements to the program. These include clarifying the information on its website, improving the process through which a self-excluded player can return to gaming after completion of their self-exclusion term, and upgrading the facial recognition technology it uses to identify those who enter its facilities.

Case summaries

Sharing the wealth

The family of a man who won **\$2,000** in the lottery but died before he could collect the prize sought our help in dealing with OLG officials, whom they had contacted several times over the course of four months. They were told they would have to submit the man's death certificate, along with information about where the winning ticket was purchased, which was missing from his original claim form. After they still received no response, Ombudsman staff contacted OLG officials, who explained that the case had been delayed due to staff turnover, and more documentation was needed. They then obtained the necessary information from the family, who have since received the prize money.

Unsigned but delivered

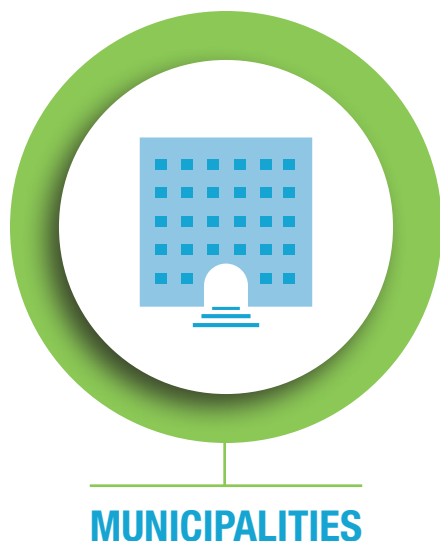
A woman placed an order with the Ontario Cannabis Store (OCS) on October 17, 2018, the first day that recreational cannabis became legal in Canada. She complained that two weeks later, she arrived home to find the package had been left on her porch – contrary to the requirement that an individual over age 19 must sign for cannabis delivery. Ombudsman staff made inquiries with OCS, which reviewed the delivery policy with Canada Post to ensure its products were being signed for and delivered to people 19 and over.

Coming up empty

A cannabis purchaser received a delivery from the OCS that turned out to be an empty box. OCS officials told him he could place a new order without charge, but he would first have to print out a return shipping label, attach it to the empty box, and send it back to them. Faced with the absurdity of having to return an empty box for a refund, he complained to our Office. After Ombudsman staff made inquiries, the OCS expedited his replacement order, without requiring him to return the original box.

Cracking the code

A small business owner sought our help after he was ordered to install fire detectors and alarms on his property, noting that he could not access the technical standard of the Ontario Fire Code that was cited in the order. He was told that because the information was copyrighted, the only way to obtain a copy was to purchase it from the company that developed it, or go through the Fire Sciences Library in Toronto. His local library was unable to help him access the information, and he complained it was unreasonable that he could not get free access to it. Ombudsman staff raised this case with the Office of the Fire Marshal, which updated its website to let the public know to contact the Fire Sciences Library and Resource Centre to arrange access to the standards and codes cited in the Ontario Fire Code and Ontario Building Code. We also spoke with the Fire Sciences Library, which implemented a new process for this type of request, and helped him get the information he needed.



Overview

The Ombudsman handles thousands of complaints about municipalities every year. These cases fall into two broad categories: Those related to open meetings – and everything else.

Since 2016, Ontarians have been able to complain to us about any aspect of municipal government and administration, and we handle these cases just as we have handled those related to the provincial government for more than 40 years: Resolving them informally wherever possible, by helping people navigate local bureaucracy or making inquiries with relevant officials. In many cases, our intervention assists both parties, resulting in clearer processes for all.

Since 2008, we have also had the important, distinct responsibility of ensuring that municipal councils, boards and committees keep their meetings open to the public, except in certain narrow circumstances. The Ombudsman investigates closed meetings in all municipalities that have not appointed their own investigator.

We have noted two distinct and encouraging trends as awareness of the Ombudsman's work with municipalities has grown: As general complaints about municipalities increase steadily, complaints about closed meetings have declined, but are more likely to involve substantive issues. Meanwhile, more people are seeking our help with a wider range of municipal matters – this year marks the first time that the top topic of complaint is not municipal councils themselves.

Part of this shift is tied to another positive development: All municipalities are now required to have codes of conduct for members of council and provide the services of an integrity commissioner (this measure came into effect on March 1, 2019, but many municipalities put these accountability mechanisms in place in 2018).

The Ombudsman has always encouraged municipalities to have their own accountability officers and clear processes for handling complaints, since local issues are best handled at the local level. Our Office does not replace these officers; our role is to ensure they are working as they should, and to intervene as warranted in areas where they cannot reach.

To ensure municipal stakeholders are aware of the various aspects of our work, the Ombudsman and staff attended and spoke at several municipal conferences and outreach events in 2018-2019, and our Office produced new communications tools – including a searchable digital digest of our open meeting investigations, the first database of its kind (see **Open Meetings: Case Digest** on our website).

Trends in cases – general municipal issues

In 2018-2019, we received **3,002** complaints about **333** different municipalities, and **36** shared local boards and corporations. This



Copies of our municipal reports and resources like our “tip cards” on municipal topics can be found on our website or obtained from our Office.

represents an increase of about 20% over the **2,491** complaints we received in the previous fiscal year (related to 323 municipalities and 27 shared boards and corporations).

Most of these were resolved effectively and efficiently, without need for a formal investigation. In fact, the Ombudsman has launched just **6** general investigations of municipalities since 2016.

This year, the Ombudsman reported on one general municipal investigation and launched another – both in the **Regional Municipality of Niagara** (see update under **Investigations**). All of his recommendations in the completed investigation were accepted.

GENERAL MUNICIPAL INVESTIGATIONS SINCE 2016

1. City of Brampton – Report: *Procuring Progress*, released March 2017
2. Township of Red Rock – Report: *Counter Encounter*, released May 2017
3. Elliot Lake Residential Development Commission – Report: *Public Notice*, released August 2017*
4. Township of St. Clair and County of Lambton – Report: *By-law Surprise*, released April 2018
5. Regional Municipality of Niagara – Report: *Press Pause*, released July 2018
6. Regional Municipality of Niagara – launched August 2018 (investigation ongoing)

*Although the Ombudsman used his general jurisdiction to investigate this body, this case focused on open meeting issues

Public housing

Housing issues hit close to home, particularly for residents of public housing across the province, and this year they topped our list of municipal complaint topics. We received **337** complaints related to municipal service providers and district social services administration boards (DSSABs) with regard to housing issues. Many of these related to decisions about funding or services, or communication issues. For example, in light of a complaint about the accuracy of a provincewide database of public housing arrears, we are working with public housing officials to review their verification practices.

Some other examples:

- We helped a woman obtain funding for a new furnace after her municipal housing service provider told her it denied her application because she had received similar funding in the past, and each household could only apply once. Our inquiries prompted the municipality to confirm that the funding program had no such limit, and the woman was granted **\$5,000** to help pay for a furnace.
- A Northern Ontario resident who received a forgivable loan for home renovations through a program administered by her social services administration board feared she would be forced to repay the loan when her son was receiving specialized medical care in Toronto. She had received permission to live away from home while attending school, but her son's illness meant she could not return home by the agreed date.

Ombudsman staff helped her reach the board, which granted her an 11-month loan extension.

By-law enforcement

Municipal by-law enforcement is understandably among the top topics of complaint to our office – **286** complaints in 2018-2019 – given that by-laws cover everything from animal control to open fires to property standards and noise. We receive complaints about municipalities deciding not to enforce by-laws, and about municipalities enforcing by-laws in an unfair or inconsistent way. In reviewing such cases, we bear in mind that municipalities have discretion in enforcing their by-laws, but when they do so, they have to act fairly. Some examples:

- We made inquiries about a car rental business that was violating a city zoning by-law, after a resident complained that the municipality would not respond to her. After we spoke with the city, the city not only enforced a by-law requiring the business to erect a fence, it sent the woman a detailed letter explaining the applicable licensing for the business and the steps the city was taking to enforce its by-laws.
- An elderly man sought our help because he couldn't access the municipality's online form to complain about his landlord's by-law violation – a large, open hole in his driveway that the man felt was unsafe. Ombudsman staff explained the situation to municipal officials, who sent a by-law enforcement officer to inspect the property right away.

Councils, committees and local accountability officers

For the first time since the Ombudsman began overseeing municipalities, councils themselves are not the top topic of complaint. We received **278** such complaints in 2018-2019, down from 362 last year. Complaints about councillor conduct are best addressed to local integrity commissioners, and now that they are mandatory in every municipality, we expect to see this decline continue.

The Ombudsman has encouraged the establishment of local ombudsmen and other accountability officers since they were first permitted by legislation in 2007. However, it has only been in the past few years that any municipalities set up local ombudsmen (except Toronto, which was required to do so by law). We are aware of **28** – as well as **3** municipalities that have an Auditor General and **6** that have Lobbyist Registrars.

We received **115** complaints about accountability officers in 2018-2019. The Ombudsman does not redo the work of these officials, but can examine their processes and identify gaps after their review of a matter is completed. We look at whether they followed a fair process, considered the issues and relevant information, acted in accordance with applicable legislation, and provided sufficient reasons to support their decision.

Some examples:

- A group of residents concerned about a councillor's conduct complained to us that their municipality had no integrity commissioner and didn't allow complaints to be filed by the public.

TOP 5 MUNICIPALITIES BY CASE VOLUME

1 **381**
Toronto*

2 **217**
Niagara Region

3 **125**
Ottawa

4 **114**
Hamilton

5 **87**
Peel Region

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



Good to know

Cases related to Ontario Works can be found in the **Social Services** chapter of this report, and cases related to municipal hydro companies in the **Energy & Environment** chapter.

After we shared best practices with the municipality, it appointed an integrity commissioner and changed its code of conduct to allow public complaints.

- A woman sought our help after the chair of her local conservation board dismissed her complaint about a member's conduct, without bringing it to the board. We spoke with the chair and pointed out the potential benefits of such best practices as a public complaints protocol and an independent third party to review complaints.
- After two council members complained to us about an integrity commissioner's investigation of them, we suggested best practices to the integrity commissioner to clarify how his findings were linked to specific provisions of the municipality's code of conduct, and to the municipality to clarify its process and timelines for code of conduct reviews.

Public conduct and trespass orders

Just as codes of conduct are useful for municipal officials, many municipalities also have standards for public conduct in municipal spaces, and policies for

dealing with unreasonable or difficult behaviour. Municipalities have the power to bar people from accessing services or municipal spaces by issuing trespass notices, and our Office encourages them to have transparent and consistent policies for doing so. We received **10** complaints about trespass orders in 2018-2019. Some examples:

- A man complained to us that his municipality had indefinitely barred him from entering any municipal property – even sidewalks and public parks. When we raised this with municipal staff, they reviewed the restriction and agreed to remove the ban on entering outdoor public spaces. They also informed the man they would review the trespass notice in six months if he abided by the rest of the conditions.
- A man who has disabilities and relies on public transportation sought our help when he was banned from his city's public transit service, but not told how long the ban would last or whether he could appeal. After we spoke with city officials, they agreed to allow the man to take transit under certain conditions. They also implemented our suggestion to make the city's standards for respectful behaviour on the transit system public by posting them on its website.

Infrastructure, water, planning and zoning

Municipalities provide a wide range of everyday services that are essential to a functioning community, but often complex. Three of the most common complaint topics relate to these functions: Water and sewer services, planning

and zoning, and infrastructure (including snow removal and road maintenance). These areas generated **141**, **135** and **135** complaints respectively.

Although the details of these individual complaints vary widely, a common theme in our intervention was to facilitate communication between local residents and municipal officials, resolving communication issues and ensuring processes were explained. Some examples:

- We received **34** complaints from residents in one municipality that their water rates had increased substantially without explanation. Town staff informed us that public information sessions on the issue had been held and further consultations were planned. We shared this information with the complainants, and the town provided them with a contact who could address further questions.
- A woman whose sewer had backed up in her basement three times complained to us that the city's suggestion was that she install a sewage ejector, for which it offered to cover 75% of the cost. She did not understand why the city would not simply change the grade of its pipes instead. After we spoke with city officials, they sent her a letter of explanation, and she decided to install the ejector.
- After a municipal council approved rezoning along a main street to allow for a large homeless shelter, a man complained to us about the advisory committee that was established to allow community participation in the site planning process. Ombudsman staff made inquiries with the

municipality, which agreed to post the terms of reference and minutes of the committee online, in the interest of transparency.

- A man complained to us that the municipality refused to regrade a ditch in front of his home. He blamed the municipality for flooding on his property. Our inquiries with municipal staff revealed that the ditch was not part of a municipal drain, and that they determined the cause of the flooding was a dam the man had built on the property. They agreed to send him a detailed letter explaining why the ditch could not be regraded.

Municipal elections

Municipal elections are held across the province every four years – and 2018 was the first election year since the Ombudsman gained jurisdiction over municipalities. We received **106** election-related complaints, most relating to procedures for filing nominations, campaigning, and other aspects of conducting elections, which are the responsibility of municipal clerks, under the *Municipal Elections Act*. Some examples:

- Would-be candidates in several municipalities complained that their local clerks didn't give them enough time to correct errors in their nomination papers before the deadline. We determined that these clerks did not have any discretion to extend deadlines that are set in legislation.
- When about a dozen people in one city complained that officials would not allow them to take photos of public election forms – permitting them only

to take notes or make photocopies at a cost of 40 cents per page – we flagged the issue to the Ministry of Municipal Affairs and Housing. We pointed out to the city that many other municipalities across Ontario allow this practice and suggested that it consider doing so in future, in the interest of transparency.

- A candidate for council who was told to stop campaigning in a local park because it contravenes a local by-law complained to us that he was being singled out. Our inquiries with municipal staff determined that the by-law is enforced when complaints are received, and other candidates had been barred from campaigning in the same park.

Investigations – general municipal issues

Seizure of media property at the Regional Municipality of Niagara



Report: *Press Pause*, released July 18, 2018

Investigation update: This investigation was sparked by a chaotic incident at a December 2017 meeting of

Niagara regional council where councillors discovered that a recording device had been left running on a table during discussions that were closed to the public.

Municipal officials seized the device, which belonged to a citizen blogger, along with a laptop belonging to a local journalist. Police were called, and the

TOP 5 CASE TOPICS – GENERAL MUNICIPAL COMPLAINTS

1 **337**
Public housing

2 **286**
By-law enforcement

3 **278**
Councils and committees

4 **276**
Infrastructure and water

5 **135**
Planning and zoning

**Good
to
know**

Looking for more info about how we work with municipalities? See the **Municipalities** section of our website for more resources.

blogger and journalist were barred from returning to the meeting.

The Ombudsman's investigation included 52 interviews and reviews of relevant documents, emails and security video. He found the Region's actions unreasonable, unjust, wrong, and contrary to law and recommended it provide a full and frank apology to the journalist for infringing his rights under the *Canadian Charter of Rights and Freedoms*. He also called on the Region to apologize to the citizen blogger, and proposed several policy improvements to ensure the municipality has a clear process to follow in future.

"Although the events of December 7, 2017 were unanticipated, they are not unprecedented in municipal administration," the Ombudsman said in his report, *Press Pause*, released on July 18, 2018. "The Region could have avoided its improvident responses to discovery of the digital recorder and laptop by having appropriate policies and procedures in place, by implementing best practices stemming from similar situations, and by exercising sound judgment."

Once the investigation was completed, the Ombudsman provided a preliminary report of his findings to the Region, as required by the *Ombudsman Act*. This process gives any organization being

investigated the opportunity to review the findings and offer a response that the Ombudsman can take into account in finalizing his report. Unfortunately in this case, the Region initially responded through a law firm in an adversarial fashion. After the report was finalized, regional council and staff indicated they accepted the Ombudsman's **14** recommendations.

The Region provided an update on its progress in January 2019, noting that apology letters were sent to the journalist and the citizen blogger, and it began making audio recordings of closed meetings in October 2018. The Region's Procedural By-Law Review Committee and its security task force will provide further updates as they continue to work on implementing other recommendations.

"I'm relieved. I was worried the incident would be swept under the carpet. It clearly wasn't. The Ombudsman did a very thorough job."

– St. Catharines Standard reporter Bill Sawchuk, whose laptop was seized by Niagara Region officials on December 7, 2017, as quoted by the Standard on July 18, 2018

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

Launched: August 2018

Investigation update: After months of public controversy over media reports

of irregularities in the hiring process for its CAO, and an investigation by a local ombudsman that raised more questions, council for the Regional Municipality of Niagara voted on August 23, 2018 to ask the Ombudsman to investigate the matter.

The Ombudsman has discretion over what he chooses to investigate. On August 30, he announced a formal investigation, noting that he took into account the request from regional council, the strong public interest, and the high volume of complaints our Office received about the matter (**113** prior to the launch of the investigation).

The Ombudsman notified the Region that the investigation would look at:

- The process the Region used to hire its CAO;
- The Region's response to concerns about the hiring, including the investigation by a municipal ombudsman and review by an external governance auditor; and
- The administration of the CAO's contract, including any extension and amendment.

Since then, a team of investigators, legal counsel, and an early resolution officer have conducted more than 45 interviews and reviewed thousands of documents. Their field work is complete, and the Ombudsman is preparing his findings. As required by the *Ombudsman Act*, the Ombudsman's preliminary findings and recommendations will be shared with the municipality for review and comment before a report is finalized and published.

Trends in cases – open meetings

Ontarians now have access to an array of tools for ensuring consistent transparency at the level of government closest to them. Since 2008, this has included the ability to complain about meetings of councils, local boards or committees that are not open to the public, and to have those complaints investigated – either by the Ombudsman, or an investigator appointed by the municipality.

As of March 31, 2019, the number of municipalities using the Ombudsman as their closed meeting investigator reached a new peak: **225** of the province's 444 municipalities now use our free services (the Ombudsman strongly discourages all municipalities from charging fees to complainants).

Complaints are handled by our dedicated Open Meetings Team. Unlike general complaints about municipalities (or other public sector bodies), open meeting cases deal strictly with whether a meeting was in compliance with sections 238 and 239 of the *Municipal Act, 2001*, and with the municipality's own procedure by-law.

We received **155** open meeting complaints in 2018-2019, **133** about municipalities where the Ombudsman is the investigator. While this is a sharp increase from last year's total of 80, **77** of these relate to one matter – meetings in February 2019 by a **City of Hamilton** committee that were held outside of City Hall and resulted in public controversy (our investigation was ongoing at the time this report was written). This spike aside, complaint trends in this area remained consistent with recent years.



We produced two brand-new reference tools this year for municipalities and anyone interested in the open meeting rules: Our pocket-sized, bilingual guide (also available on our website), and our searchable online digest.

The Ombudsman investigated **46** meetings in **16** different municipalities this fiscal year, and issued **22** reports and letters on his findings. He determined **12** meetings (**26%**) were illegal, found **18** procedural violations, and made **33** best practices recommendations to improve meeting procedures and foster transparency. (Last year, the

Ombudsman investigated 30 meetings in 20 municipalities, and found 17 meetings illegal, or almost 57%).

We received excellent co-operation from most municipal staff and elected officials, and the Ombudsman's recommendations were overwhelmingly accepted and implemented.

As part of our ongoing efforts to increase awareness of the open meeting rules across the province and share our expertise in this area of law with stakeholders, our Office also created two new tools:

- A new edition of our handbook, *Open Meetings: Guide for Municipalities*, was sent to every municipal clerk and council member after the October 2018 election, and posted on our website.
- Our Open Meetings Case Digest – a digital tool that allows users to search hundreds of summaries of our open meeting investigations by topic, keyword and municipality – was launched on our website.

Our open meeting reports are also available through the Canadian online legal library, CanLII.

New definition of “meeting,” new exceptions

Last year, changes to the *Municipal Act* included a new legal definition of “meeting” – stipulating that a “meeting” is when a quorum of members of a council, local board or committee is present, and the members deal with a matter in a way that “materially advances business or decision-making.” In addition, four new “exceptions” were added to the general rule that meetings must be open to the public (s. 239), bringing the total number of exceptions to 14.

We have always received complaints and questions – from elected officials and the public – about whether or not informal gatherings of councillors outside of council chambers constitute “meetings” that are subject to the open meeting rules. Often these involve councillors dining together or socializing, but we also receive complaints about council members

holding discussions over email, text, social media or telephone – in other words, when they are not physically “present.”

In reviewing these cases since the change, the Ombudsman has considered this new definition. For example:

- When a quorum of council members for the **Village of Casselman** attended information sessions but had no discussions and made no decisions, the Ombudsman found it was not a “meeting.”
- When a quorum of council members for the **Township of Front of Yonge** stayed in chambers after a meeting ended, but did not discuss council business, the Ombudsman found it was not a “meeting.”
- When **City of Hamilton** council members used email to discuss a vacant council seat, the Ombudsman found they did not advance council business; still, he cautioned that although emails are not technically subject to the open meeting rules, municipalities should strive for openness in their communications.

In the interest of openness and transparency, the Ombudsman encourages municipalities and local boards to receive information and updates during public meetings, and to avoid conducting business over email or by other remote means.

So far, the Ombudsman has only had occasion to investigate the use of one of the new exceptions, s.239(2)(k), which permits discussions in closed session relating to certain negotiations. In a February 2019 report, he found that the **City of St. Catharines** council’s discussion about the role and nature of a new staff position did not fit within the exception because it did not relate to any specific negotiations.

“Although emails and other remote forms of communication are no longer subject to the open meeting rules, municipalities should continue to strive for transparency and openness, regardless of the medium used to communicate... The spirit of the open meeting rules calls for discussions that advance council business or decision-making to take place in public, and not over email out of the public eye.”

– Ombudsman Paul Dubé,
City of Hamilton open meeting report,
February 22, 2019

Procedure by-laws and public notice

The *Municipal Act, 2001* requires every municipality to have a procedure by-law that sets out the calling, place, and proceedings of meetings. The by-law is an essential guide for staff and elected officials as to how a meeting is supposed to unfold, as well as a way for the public to understand the process. It must also specify how notice of meetings will be given to the public. The Ombudsman dealt with these issues in several cases in 2018-2019. For example:

- The **Township of Tehkummah’s** by-law failed to set out the rules for calling an emergency meeting.
- Both the **Village of Casselman** and the **Township of the North Shore** had procedure by-laws that had not been

updated to reflect their actual meeting practices.

- Two meetings of the **City of Hamilton's** Waste Management Advisory Committee took place without public notice. The city's by-law did not address the notice requirements for advisory committees.
- The **Municipality of Callander** posted notice of a special meeting less than 36 hours beforehand, violating its procedure by-law's requirement of at least 48 hours' notice.

Another key requirement in the Act that bolsters the concept of public notice is that a council, local board, or committee must pass a resolution before closing a meeting. The resolution must be passed in open session, and state the general nature of the matters to be discussed. This year, the Ombudsman found that the **Towns of Fort Erie** and **Petrolia**, and the **Townships of The North Shore** and **Russell** failed to provide sufficient information to the public before closing meetings. He also found that the **City of St. Catharines** passed a resolution to close a meeting that failed to describe the subject, and failed to record the resolution in the meeting minutes.

Recording meetings

Municipalities are required to make a record of all meetings, open and closed. Our Office has always strongly recommended audio or video recordings of all sessions, as a best practice.

Audio or video recordings can greatly assist with our reviews of closed sessions, ensuring an accurate record of proceedings and reducing the time and resources involved for all parties. To date,

we are aware of **23** municipalities that have taken this important step towards transparency. They are:

- Cities: **Brampton, Elliot Lake, London, Niagara Falls, Oshawa, Port Colborne, Sarnia, Sault Ste. Marie, Welland**
- Towns: **Amherstburg, Collingwood, Fort Erie, Midland, Pelham, Wasaga Beach**
- Townships: **Brudenell, Lyndoch and Raglan, Adelaide Metcalfe, McMurrich/Monteith, North Huron, Wollaston**
- Municipalities: **Brighton, Central Huron, Meaford**

Personal matters

Year after year, the most commonly misused exception to the closed meeting rules is the one that applies to "personal matters about an identifiable individual." The Ombudsman investigated several such cases this year. For example:

- The board for the **City of Owen Sound's** Downtown Improvement Area discussed an open letter about the board's meeting practices in closed session and discussed some personal opinions about the letter writer, but the meeting did not fit within the exception because it focused on how to respond to the letter, not "personal matters."
- The **Municipality of Northern Bruce Peninsula** wrongly discussed an application under the *Land Titles Act* under the "personal matters" exception; the discussion referred to a specific property's location, dimensions, and boundaries – none of which is personal information about an identifiable individual.

CLOSED MEETING CASES

155

complaints received

46

meetings investigated

33

best practice recommendations

18

procedural violations found

12

meetings found illegal

- The **Township of The North Shore** misused the “personal matters” exception for a closed session discussion about the process to fill a council vacancy.

Labour relations and legal advice

The exceptions for discussions about labour relations or employee negotiations and for solicitor-client advice are also frequently misused to close meetings. Like all the exceptions, these should be interpreted narrowly. Some examples from this year’s cases:

- Council for the **Township of Tehkummah** correctly used the “labour relations” exception for a closed session to talk about an ongoing third-party workplace investigation.
- “Labour relations” fit the discussion by council for the **Town of Petrolia** regarding terminating all of the employees at its community centre.
- The **City of St. Catharines** council’s discussion about creating a new government relations advisor position did not fit the “labour relations” exception because it did not focus on the relationship between the municipality and its employees, or any specific individual who might be hired.
- The **Township of The North Shore** correctly used the “solicitor-client” exception to discuss a previously-obtained legal opinion about firefighter remuneration.

Case summaries

Fine treatment

A man who wanted to dispute a \$40 parking ticket told municipal staff he would call back to schedule a hearing, but when he did so, he was told it had already taken place. He complained to us that he received no notice, and no one from the municipality would answer his calls and emails – meanwhile, the unpaid fine had escalated to **\$208**. Ombudsman staff spoke to a manager at the municipality, who reviewed the file and discovered several errors by the municipality, which agreed to cancel the fine, contact the Ministry of Transportation to withdraw its penalty for an unpaid fine, and send the man an explanation and apology. The manager also said staff would review the case to determine how similar errors can be prevented in future.

Pothole role

When a snowplow hit a pothole, digging up asphalt and other debris, it dumped the pile in a woman’s front yard and left a larger hole in the road. She complained to us after the municipal crew she called only filled the potholes, leaving the debris in her yard. She could not understand why the crew hadn’t also cleaned up her property. We spoke with municipal staff, who contacted her directly to explain their role with respect to her private property.

Water pressure

A man who received a water bill for more than **\$700** – around seven times more than his usual charge – called us in frustration when the local water company told him his previous bills were only estimates, but this one was based on actual use, and they could not alter his bill. Our inquiries confirmed the water meter showed he had used 10 times the normal amount of water, but the city’s finance department has a program that allows for people to apply for reductions in abnormally high bills, based on financial need. We provided the man with information on how to apply to the program.

Photo proof

After we made inquiries about a man’s complaint that the required notice of a proposed zoning by-law amendment was not posted on the relevant property, the municipality changed its practices. Municipal staff told us they had advised the owner of the property to post the notice, but never checked to ensure that it was done. The municipality now requires owners to swear an affidavit that notice has been posted – and to send a photo to prove it.



Overview

In reporting on the range of provincial public sector bodies we oversee that are responsible for educating Ontarians, we divide this category into two parts: Early years through Grade 12, and Post-secondary.

The Ombudsman has always had oversight of the provincial Ministry of Education and the Ministry of Training, Colleges and Universities (which reassumed this name after the June 2018 election, after several years as the Ministry of Advanced Education and Skills Development). We have now had oversight of school boards and universities through four school years, and have seen a steady growth in complaints in most areas – including about colleges of applied arts and technology, which have always been part of the Ombudsman’s mandate.

As in all areas of our jurisdiction, we resolve the vast majority of education-related complaints without need for formal investigation. In fact, the Ombudsman has yet to launch a formal investigation related to a university, and has conducted only **2** investigations related to school boards (one in 2017 and one this year). However, we have done extensive reviews in many cases, proposing best practices to several school boards and post-secondary institutions, and working with the relevant ministries on broader issues.

To share information about how we work and spread awareness of how our Office can help parents, students, educators, trustees and other stakeholders, the Ombudsman and staff members also spoke at a variety of conferences and outreach events in the education sector this past year.

Trends in cases – early years through Grade 12

We received **39** general complaints about the Ministry of Education in 2018-2019 (down from 51 last year), many of which related to the government’s consultations and related changes to the health and physical education curriculum.

We received **873** complaints about school boards and school authorities, consistent with the previous fiscal year’s total of 871. Almost all of these were resolved informally, without need for formal investigation. Our intervention ranged from making referrals and facilitating communication with relevant officials, to in-depth reviews and suggesting best practices to school boards to improve their processes.

To date, the Ombudsman has launched just **2** formal investigations in the school board sector. See the **Investigations** section for further details.

School board staff and trustees

The most common topic of complaints about school boards in 2018-2019 was the conduct of school employees and school board staff. We received **170** such complaints, many of which fell within the boards’ existing processes, or those of the Ontario College of Teachers (which regulates conduct within the profession). Some related to boards’ hiring practices or internal investigations of staff. Where appropriate, we refer issues to the employees’ union, but we are able to

TOP 5 CASE TOPICS

1 **873**
School boards

2 **282**
Universities

3 **234**
Colleges of applied
arts and technology

4 **181**
Ontario Student
Assistance Program

5 **33**
Ontario College of
Trades

review matters such as management hiring practices or how boards apply their policies and procedures.

Some examples:

- A mother sought our help after a children's aid society worker alerted her to an incident involving the woman's teenage son, who has a developmental disability, and an educational assistant at his school. We spoke with the superintendent, who confirmed that the school principal should have informed the mother about the incident, which had prompted investigations by the board and police.
- The family of a former teacher who died by suicide complained to us about the board's handling of an investigation of her conduct. According to the family, the teacher was never informed of the specific allegations against her, nor was she referred to available mental health supports. Senior board officials told us that in response to the family's concerns, the board had reviewed its procedures and training to ensure that all parties involved in an internal investigation are treated fairly.

Parents and community members also complain to us about trustees, and in 2018 this included the conduct of some trustee candidates during and after the October 22 school board elections. We also received complaints about how the Ministry of Education ensures good governance of school boards, including how trustee conduct issues are addressed. We were told that the Ministry plans to hold consultations on school board governance that will include some of the concerns we raised.

Special education

Concerns about the adequacy of special education services continue to be a regular source of complaints – **96** in 2018-2019. Because the Ombudsman is independent and impartial, our Office cannot advocate for specific services or resources for individuals, but we can make sure school boards are clearly communicating with parents and are responding to relevant concerns. For example:

- We helped a mother get answers and an assessment of her two children's special needs after the school board abruptly cancelled their transportation service. Our inquiries determined that the board had provided the bus service as a courtesy, and the mother was unaware that documentation of the children's needs was required. We encouraged the board to explain its policies and procedures to her, and they set up a call to do so.
- The mother of a child who had been in a specialized behavioural program for several years – receiving just one hour of home instruction per day – sought our help in getting him back into a regular school. We spoke with school board officials, who were unaware of the mother's concerns. They immediately connected with her to review her son's situation.

In cases where parents and boards are unable to resolve such issues, we inform them of available appeal mechanisms under the *Education Act*, and through bodies like the Ontario Special Education Tribunal and the Human Rights Tribunal of Ontario. Those who have outstanding concerns can contact us as a last resort, as we also oversee provincial tribunals.

Exclusions and access/ communication restrictions

School principals have the authority under the *Education Act* to bar individuals from school who pose a risk to the health and safety of students. We often receive complaints from families seeking a way to appeal or alter student exclusions, and have noted in past reports that the Ministry of Education has not provided guidance to boards about this, leading to inconsistent practices across the province. In March 2019, the Ministry announced plans to hold consultations that will include discussion of student exclusions. We will continue to monitor this issue.

We also intervened to assist several parents who complained about access and communication restrictions placed on them by school boards. Our focus in these cases is on whether the board acted in accordance with its policies and with procedural fairness (including providing the reasons for the restrictions and communicating them clearly, along with any options for review or appeal). For example:

- A mother complained to us that the board had barred her from accessing her six-year-old daughter's school and communicating with school staff, making it impossible for her to take the girl to school or be informed about any emergencies. Ombudsman staff spoke with the superintendent and pointed out that the board's restriction letter failed to address these details, as well as any appeal process or time limit. The board agreed to improve its restriction letters and consider developing a specific policy for such restrictions.

- We helped a father who was subject to a trespass notice get a temporary exemption to pick his children up from school when their mother was out of town. After we shared best practice suggestions with the school board, it began developing a policy for such restrictions, including a process to allow for exceptional circumstances and appeals.

Busing

Most of the complaints we receive about student transportation relate to the busing services contracted by school boards, and the boards' transportation policies. Our staff have proposed best practices to the busing companies and boards to improve their communication with parents and students. For example:

- A transportation consortium had decided to stop busing a large number of secondary students after a review of all schools in the area, prompting concerns from affected families in the public and Catholic school boards. Ombudsman staff encouraged the consortium to communicate more clearly about how it determines which students are eligible for busing, and how affected families can appeal.
- A higher than usual number of "snow days" in early 2019 prompted complaints from families in several school boards who disagreed with boards' decisions to cancel (or not cancel) transportation because of freezing rain and snow. We suggested parents raise concerns about service with administrators, and general concerns about weather policies with school trustees.

TOP 5 SCHOOL BOARDS BY CASE VOLUME

1

111

Toronto District
School Board

2

74

Ottawa-Carleton
District School Board

3

58

Toronto Catholic
District School Board

4

42

Peel District
School Board

5

33

Durham District
School Board

CASES BY TYPE
OF SCHOOL BOARD

579

English public boards

219

English Catholic boards

26

French Catholic boards

13

French public boards

2

School authorities

34

Board not specified

Investigations

School busing issues in
Toronto

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

Investigation update:

Since the completion of this investigation,

which focused on the systemic issues that led to severe interruptions in school bus service in Toronto at the start of the 2016-2017 school year, we have monitored the response of the Toronto public and Catholic school boards to the Ombudsman's recommendations.

The two subsequent school years since then have started with relatively few complaints about busing. We received just **4** in September 2018, in stark contrast to September 2016, when thousands of students were left stranded at bus stops, at their schools and waiting for buses that were hours late or never arrived.

The Toronto District School Board and the Toronto Catholic District School Board, through their shared transportation consortium, have provided the Ombudsman with regular updates on their progress in implementing the 42 recommendations in his August 2017 report. In March 2019, the consortium confirmed that **25** recommendations are fully implemented. These include a communications protocol for notifying parents, schools and other stakeholders of service disruptions, and an online portal to allow parents and schools to track the location of buses in real time.

We continue to monitor the boards' progress on the outstanding recommendations, some of which can only be addressed when transportation contracts are next renewed.

Transparency of a school
closure decision in North Bay

Launched: October 2018

Investigation update: In 2016, the Near North District School Board began a pupil accommodation review to consolidate its three North Bay secondary schools due to declining enrolment. After the review was completed, trustees voted at a September 26, 2017 meeting to close one secondary school and refurbish the other two. It was one of the last school closing processes in Ontario before the province issued a moratorium on such decisions by school boards.

In the spring of 2018, as the board was working on its transition planning, the Ombudsman received complaints about the transparency of the process that led to the secondary school being closed, particularly once the matter was before trustees. After conducting an in-depth preliminary review, the Ombudsman determined that there was sufficient basis for an investigation, and notified the board in October 2018.

At the time this report was written, the investigation had been completed and the Ombudsman's findings and recommendations were being drafted. As required by the *Ombudsman Act*, the board has a chance to review these and respond before any report is finalized.

Trends in cases – post-secondary

We received **237** complaints about postsecondary funding, training and certification programs under the authority of the Ministry of Training, Colleges and Universities in 2018-2019, including **181** about the Ontario Student Assistance Program (OSAP) and **33** about the Ontario College of Trades. Other complaints related to apprenticeship programs, private career colleges and the Second Career Program.

Complaints about universities and colleges continued to increase, to **282** and **234** respectively – up from 268 and 189 last year.

The most common topic of complaints was financial matters and registration issues, followed by academic placements and assessments, and admissions decisions. Our focus in most cases is to ensure the institution has policies and procedures in place, and is applying them fairly. We also received complaints from students about the conduct of instructors and staff, as well as from instructors and staff about employment-related matters. Where appropriate, we refer employees to relevant staff associations or unions.

As of January 1, 2019, all colleges and universities were required by the Ministry to implement free speech policies and to have processes in place for individuals who wish to make a complaint about free speech on campus. The policy specifies that unresolved complaints about free speech may be referred to the Ombudsman.

Ontario Student Assistance Program (OSAP)

We received **181** complaints about OSAP in 2018-2019, up from 142 the previous year. Most related to funding decisions, adequacy of communication and general customer service concerns. We also received some **60** complaints about money-related issues involving colleges and universities – regarding tuition and other fees, as well as their communications around OSAP.

In many cases, our intervention revealed errors or a lack of flexibility, some as a result of OSAP's automated systems. Some examples:

- A college student sought our help when OSAP denied her funding halfway through the academic year because she was receiving benefits from the Ontario Disability Support Program (ODSP). In fact, she had notified the college's financial aid office months earlier that she was no longer an ODSP recipient. Our inquiries with OSAP officials revealed that they had approved her for additional funding, but an automated function of their system continued to show her as an ODSP recipient, causing a staff member to override her increase. OSAP corrected the error and the student received **\$9,510** for her second semester.
- We helped a student bridge a communication gap between her university's financial aid office and OSAP administrators. She was facing financial hardship and eviction and complained the university had not answered her questions about how to apply for funding. We contacted

TOP 5 COLLEGES OF APPLIED ARTS AND TECHNOLOGY BY CASE VOLUME

1 29
Humber College

2 26
George Brown College

3 21
Mohawk College

4 17
Centennial College

5 14
Conestoga College

OSAP officials directly to find out what information they required to process her application, which they subsequently approved.

- Our inquiries with OSAP about delays in a student's case revealed that his funding was on hold because the income amount provided in his OSAP application differed from that in his income tax return. Once OSAP determined the amount on the application was wrong, he received **\$7,139** in funding.
- A woman who had received student loans in the past had trouble getting Second Career Program funding because OSAP's system did not show she had paid off her previous loan from a federal student program. Our inquiries revealed there is no automatic communication between the National Student Loan Service Centre and OSAP when a federal loan has been paid off. Once notified that the woman's debt was paid, OSAP removed the restriction on her file.

Admissions and registrations

Admissions and registrations are perennial sources of complaint at universities and colleges, and our role in these cases is usually to ensure that the policies and procedures have been followed and that the institution communicated the decision clearly and in a timely fashion. Admissions are discretionary and students are generally not guaranteed a place in a program until they are formally registered. We can also make inquiries and suggest best practices to improve the clarity and fairness of the institutions' processes.

For example:

- As part of our review of an out-of-province student's complaint about a university's admission process, Ombudsman staff looked at how other similarly sized universities dealt with withdrawal of conditional admission offers. We found a great deal of variation, with some offering applicants multiple warnings, some offering no appeals, and others allowing appeals for exceptional circumstances. Based on this research, we suggested best practices to the university, and it agreed to clarify the conditions of admission in its offer letters and set out an appeal process on its website.
- We received **3** complaints from international students who were offered enrolment in a Toronto-based program through a partnership between a public college and a private career college. After arriving in Canada, the students were initially told that the program was oversubscribed and their options were to receive a refund, take an English class at extra cost, or defer enrollment until the fall. After we alerted the Ministry to this matter, the students were able to enrol in the program, and the Ministry committed to monitoring these partnerships to ensure the issue does not recur.

University and college ombudsmen

The Ombudsman has always encouraged colleges and universities to have their own independent ombudsmen – we are aware of **15** across the province. Where a college or university does have

an ombudsman or similar accountability office, we refer students to them before we get involved.

We also receive complaints about these offices, and our jurisdiction varies depending on their structure and financing. Where possible, we work with them to ensure they are providing the best service possible to college and university communities. For example:

- In helping a student reach his university's ombudsman, we discovered that the phone number on its website was not working and its email filter was designating potential complaints as junk mail. It also relied on staff within the university's central administration to triage complaints. The university addressed the communication issues and its ombudsman agreed to review the student's complaint. We also suggested best practices to senior university officials for ensuring the independence of its ombudsman, and they committed to reviewing the structure of the office.

Ontario College of Trades

We received **33** complaints about the College of Trades in 2018-2019, compared to 20 last year. A handful of these complaints related to concerns about a new required certification related to fire suppression systems. Others related to certification examinations and decisions. Under new legislation passed in November 2018 and measures introduced in the government's April 2019 budget, the College will be wound down and replaced with a new governance structure for certification of trades.

Case summaries

Technical difficulty

A Grade 10 student was disappointed to receive a failing grade on the writing component of the Ontario Secondary School Literacy Test. She had been permitted to submit the essay portion of the test via computer as an accommodation for her dyslexia, but due to a technical problem, the essay was never received by the Education Quality and Accountability Office (EQAO). The student's mother complained to us that EQAO officials insisted that the girl's only option was to contact her school and arrange to redo the entire test. After Ombudsman staff spoke with EQAO officials, they agreed to review the rest of the student's test results, which they prorated, giving her a passing grade.

Oh brother

In a case that officials called "unprecedented," a brother and sister complained to us about difficulties in applying to the Ontario Student Assistance Program (OSAP) – one to attend college, the other university. It turned out that the federal government had accidentally issued them identical social insurance numbers, which was not discovered until the brother's OSAP application was denied. This resulted in delays and questions regarding the sister's file, affecting her funding as well. We spoke with OSAP officials, who explained the sister would have to fill out a form, provide supporting documentation, and contact the National Student Loan

Service Centre to have her file updated before OSAP could process the brother's application. They confirmed that he would be able to receive funding retroactive to the previous academic year, when he had first applied.

Changed course

A student who was close to completing her program at a college of applied arts and technology was unsure if she had all the credits she needed for her diploma, so she enrolled in an extra course just in case. She was told that if she discovered it wasn't necessary, her enrolment would be automatically cancelled if she didn't formally register as a student for the next semester. She learned the next day that the class was not required for her to graduate, but took no action, relying on the college's advice. A week later she received a notice that she owed \$500 for the class, the deadline to cancel had passed, and she would not be allowed to graduate unless she paid. Our staff raised this matter with the college, which admitted its error in failing to cancel the student's enrolment. She was able to appeal the fee and graduate.

TOP 5 UNIVERSITIES BY CASE VOLUME

1

50

York University

2

35

University of Toronto

3

21

University of Waterloo

4

17

University of Guelph

5

15

McMaster University



Overview and trends in cases

In 2018-2019, we received **897** complaints about the Ministry of Transportation and its programs – surpassing the previous year’s decade high of 598. Once again, the most common complaints were about customer service issues relating to driver licensing, medical review of licences, and suspensions, fines and fees. We also helped drivers with problems related to correspondence and driver testing.

Our staff meet regularly with senior Ministry officials to address complaint trends and potential systemic issues proactively. In some cases, this intervention resulted in the Ministry changing its policies and/or improving communications materials. For example:

- Several motorists whose vehicles were damaged due to construction on a stretch of highway complained to us after they went through the Ministry’s claims process, only to be sent to the responsible private contractor, who refused to reimburse them. Ombudsman staff contacted the Ministry’s area office, which committed to resolving the claims.
- We reviewed **2** cases of refugee claimants whose driver’s licences from their home countries were confiscated by the Canadian Border Services Agency (CBSA) and replaced with a “certified true” copy, which Ontario officials would not accept as proof that they were experienced drivers. After our staff spoke extensively with

the Ministry, CBSA and Immigration Canada officials, the Ministry agreed to change its policy, and now accepts “certified true” copies of licenses for the purposes of proving previous driving experience.

- A novice driver who was involved in an accident while speeding complained to us after he received a 30-day licence suspension without warning, along with four demerit points. He noted that the Ministry’s website indicates that four demerit points usually result in a warning letter; it does not mention that this does not apply to novice drivers who receive four demerits all at once. After Ombudsman staff pointed this out to the Ministry, it updated its website to include links to information about its “Escalating Sanctions for Novice Drivers” program.

Medical review of licences

Complaints about the Ministry’s Medical Review Section, which is responsible for suspending drivers who are medically unfit to drive, have decreased steadily in recent years, due to the Ministry’s ongoing efforts to address issues and improve its medical review process. We received **83** cases in 2018-2019, compared to 109 in the previous year, 116 in 2016-2017, and 242 in 2015-2016.

The Ministry has told us that it aims to modernize the medical review system and make medical review information more accessible to drivers. In the meantime, our staff assisted many drivers in resolving medical review issues. For example:

Good to know

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

- We helped a commercial truck driver who was at risk of losing his job after the Medical Review Section suspended his licence because of an incorrect report from his doctor. The doctor had corrected the report and faxed it to the Ministry twice, but nothing changed and the driver feared his licence would expire and he would have to redo the test. After our staff contacted the Ministry, the man's file was reviewed and his licence reinstated right away.
- When an 83-year-old man received repeated demands from the Ministry for medical information he had already submitted, our staff contacted a Ministry official who confirmed that the file was complete and the man's licence had been reinstated.

Duplicate licences

Ombudsman staff have been monitoring the Ministry's efforts to address concerns about duplicate driver records, after a 2012 case where we discovered a convicted drunk driver still had a valid licence because his licence suspension was inadvertently entered against a duplicate (or "ghost") licence record in the Ministry's database. Over the past several

years, the Ministry has made significant progress in eliminating duplicate records for drivers who have had their licences suspended for dangerous or impaired driving. We received **1** complaint about this issue this year:

- When a driver was charged with driving with a suspended licence in 2018, it was revealed that a duplicate licence had been created for him almost 30 years earlier. In 2001, he was convicted of impaired driving and completed all the applicable requirements to reinstate his licence by 2004, but staff mistakenly reinstated the duplicate licence, and his "real" licence remained suspended. After our Office and his MPP contacted the Ministry, it waived his reinstatement fee and additional penalties.

Investigations

Driver's licence suspensions and reinstatements



Report: *Suspended State*, released September 2018

Investigation update: In May 2017, the Ombudsman launched a systemic

investigation into the adequacy and effectiveness of the Ministry of Transportation's administrative processes for notifying and communicating with drivers about licence suspensions and reinstatements with regard to unpaid fines.

Our Office had flagged this issue to the Ministry for several years, resulting in some changes to suspension notice forms, but we continued to receive

TOP CASE TOPICS

230

Driver licensing

83

Medical review

49

Metrolinx/GO Transit



September 27, 2018: Video of Ombudsman Paul Dubé's news conference to release his report, *Suspended State*. All of the Ombudsman's news conferences can be found on our YouTube channel, via our website.

complaints from drivers who had no knowledge that their licences were invalid or suspended, and only learned of this when they were stopped by police or attempted a licence transaction.

For some, so much time had passed that the Ministry treated them as new drivers and required them to redo its graduated licencing program, in addition to charging them hundreds of dollars in reinstatement fees. Of particular concern to the Ombudsman was that drivers who are unknowingly suspended are not covered by insurance if they are involved in an accident.

The Ombudsman's report, *Suspended State*, released in September 2018, found the Ministry's process for notifying drivers to be "unreasonable, unjust and wrong," and made **42** recommendations to the Ministry for improvement.

The investigation uncovered serious systemic problems with the Ministry's communications, record-keeping and customer service. Among the Ombudsman's findings:

- Drivers were left navigating complex and cumbersome service systems that lacked appropriate customer service standards.
- The Ministry relied on regular mail for licence suspensions, but failed to track the estimated 4% returned mail, and kept no records of driver suspensions returned to the Ministry.
- The suspension process was fundamentally flawed, as drivers were warned that licences "may" be suspended if they didn't pay their fines, not that the licence suspension "will" happen.

- Notices of licence suspensions were mailed on the same day they took effect, leaving drivers unknowingly driving with suspended licences while the notices were in the mail, with no advance notice or grace period.
- The wording and formatting of the Ministry's notices were confusing.

The Ministry has agreed to and already begun to address all but **4** of the Ombudsman's recommendations, **2** of which it continues to study. Ministry officials declined to accept **2** recommendations to give bureaucrats discretion to waive the graduated licensing requirements for drivers in certain circumstances, as they maintain that staff can already do this.

The Ministry committed to reviewing the wording and formatting of its notices to drivers, improving its tracking of driver addresses and returned mail, exploring digital tools such as an online portal for driver information, and making its existing online licence status checker tool free of charge. It has agreed to report back to the Ombudsman every six months on its progress in implementing these recommendations.

“As a matter of fairness and road safety, the Ministry must do a better job of informing drivers of their status, rather than leaving them to be caught by surprise.”

– Ombudsman Paul Dubé,
Suspended State

“We continue to assist the Ministry of Transportation to examine this process and are confident that this partnership will help meet current and future challenges. We recognize the importance of effective communication to the public and look forward to any opportunity to improve the process.”

– Attorney General Caroline Mulroney,
Letter to Ombudsman re Suspended
State, Nov. 15, 2018

Case summaries

Mail fail

A commercial truck driver complained to us that his licence had been downgraded and he had not been able to get an explanation or assistance from ServiceOntario or DriveTest. Our inquiries with the Ministry determined that he had completed all the required tests to maintain his commercial licence, and it had actually sent him one, but it had been returned undelivered. Once our staff alerted the Ministry to this issue, it restored the driver's commercial licence.

Passed test

A 74-year-old woman who delayed a required driver's test so she could have hip surgery sought our help after the Ministry cancelled her driver's licence.

She was required to take several tests to keep her licence after having a car accident. When the opportunity to have surgery came up, she asked staff at ServiceOntario for a time extension, and they agreed. When she later tried to take her test, she discovered that the Ministry had cancelled her licence because she had missed the testing deadline, which ServiceOntario staff had no authority to extend. Our Office made inquiries with Ministry officials, who confirmed that the ServiceOntario staff should have relayed the woman's request to them. The Ministry reimbursed the woman's fees, assisted her with priority booking of her tests, and ensured that the staff involved were aware of the correct process for handling extension requests.

Proof of payment

A driver who required his licence for work sought our help when it was suddenly suspended due to a fine he had incurred 27 years earlier. He had been convicted of impaired driving in 1990 and fined \$735. He believed he had paid the fine at the time, but in order to get his licence back, he agreed to pay another \$735, along with the \$198 licence reinstatement fee, before contacting our Office. Our staff made numerous inquiries with the Ministries of the Attorney General, Finance, and Transportation, as well as court officials in Toronto and Brampton. We discovered the man's licence had been suspended in 1994, but he had paid the fine and had his licence reinstated in 1995. His 2017 suspension was in error. It was removed from his record and he was refunded both the **\$198** reinstatement fee and the **\$735** duplicate fine.

Welcome home

A woman who had lived abroad for many years returned to Ontario and applied to exchange her foreign licence for an Ontario licence. She was asked to provide the date on which her out-of-country licence was originally issued, but it was so long ago, she had no such record. She was told she would have to go through the full novice driver program, but when our staff contacted Ministry officials, they confirmed that she could simply provide other proof of at least two years' driving experience, which she did.



Overview and trends in cases

The Ombudsman oversees the Ministry of Health and Long-Term Care, the Ontario Health Insurance Plan, and numerous programs that assist with funding drugs and medical devices. We received **547** complaints about Ministry organizations within our jurisdiction, with the top source of complaints being the Ontario Health Insurance Plan (OHIP).

We also received **510** complaints about hospitals and **100** complaints about long-term care homes – about the same number that we have consistently received, even though these bodies have never been within the Ombudsman’s mandate. Wherever possible, we refer complainants to the Ministry’s Patient Ombudsman. Our office does oversee the Patient Ombudsman (the office continues to deal with complaints, although at the time this report was written, the role had not been permanently staffed since spring 2018), and we dealt with **17** complaints about it in fiscal 2018-2019 (down from 28 the previous year), which were resolved through communication with that office’s staff.

Ontario Health Insurance Plan (OHIP)

Complaints about OHIP decreased slightly in 2018-2019, to **118** from 132 in the previous year. The most common issues continue to involve the renewal and replacement of health cards. Many complainants also faced difficulties in obtaining health coverage after an absence from Ontario, or because they do not have a permanent address. For example:

- A woman sought our help after being unable to renew her health card because she did not have a permanent address and could not confirm her residency in Ontario. She told us she had serious health needs that required treatment. Our Office contacted the Ministry, whose staff agreed to look at the woman’s situation and offered to get in touch with her directly. After they spoke to her, she was issued a letter confirming her eligibility for OHIP coverage, which she was able to use, along with proof of identity, to renew her health card.

We also continue to receive complaints from people who disagree with OHIP’s lack of coverage for specific medical procedures and treatments, such as physiotherapy, or certain types of cosmetic or reconstructive surgery, or its denial of requests to cover medical treatments outside of Ontario. In these cases, we review the Ministry’s reasons for the decision and whether it is evidence-based.

Drug programs and assistive devices

We received **52** complaints about Ontario’s drug programs, down from 71 the previous year. Of these, **24** concerned the Exceptional Access Program, while **13** were about the Trillium Drug Program. Complaints about both programs usually relate to decisions not to fund or reimburse the costs of certain medications.

We also received **25** complaints about the Assistive Devices Program (ADP), which provides funding to help patients offset the costs of medical equipment

supplies. Such complaints generally relate to funding criteria or timelines.

Ombudsman staff are often able to clear up miscommunication in such cases. For example:

- An Ontario Disability Support Program (ODSP) recipient sought our help in obtaining Ontario Drug Benefit reimbursements for his medications. He had received some reimbursement, but the Ministry had denied the rest until he submitted a letter confirming his retroactive ODSP grant. Our inquiries determined that he had submitted the letter, but it was not on file. Once the man resubmitted the letter and his receipts, he was fully reimbursed.
- A man who applied for funding for a scooter complained to us that the ADP gave him no reasons for denying his request. Ombudsman staff contacted the ADP and discovered that officials there were waiting for additional information from the man's physical therapist, but the man was unaware his application was incomplete. Once we clarified this with him and he sent in the missing information, his application was approved.

Local Health Integration Networks (LHINs)

Local Health Integration Networks (LHINs) were established in 2007 as non-profit agencies funded by the Ministry of Health and Long-Term Care, to plan funding and integrate health services in 14 regions, including hospitals and long-term care homes. LHINs also assumed responsibility for co-ordinating home care and community support services in 2016 when Community Care Access Centres were eliminated.

Under new legislation passed in April 2019 (Bill 74, *The People's Health Care Act, 2019*), the LHINs and several other provincial health agencies are to be merged into a new body, the Ontario Health Agency, which will be within the Ombudsman's mandate. Our staff are monitoring these changes.

We received **100** complaints about LHINs in fiscal 2018-2019, up from 81 the previous year. Complaints related to decisions about the quality of or eligibility criteria for certain health services. We resolved the bulk of these through provision of information and referrals.

Investigations

Oversight of complaints about ambulance services

Launched: May 2018

Investigation update: In the wake of several complaints regarding patients who died, were harmed or who suffered as a result of serious delays or other issues involving ambulance services, the Ombudsman launched an investigation into how the Ministry reviews such incidents.

The Special Ombudsman Response Team has completed the field work in this investigation – including more than 60 interviews with Ministry staff, emergency service providers and stakeholders as well as dozens of complainants, and the review of thousands of data files. The Ombudsman is in the process of drafting his findings and recommendations, which will be provided to the Ministry for a chance to respond, after which his report will be finalized and published.

TOP 5 CASE TOPICS

1 **510** (outside our jurisdiction)
Hospitals

2 **118**
Ontario Health Insurance Plan

3 **100**
Local Health Integration Networks

4 **100** (outside our jurisdiction)
Long-term care homes

5 **52**
Ontario public drug programs

Case summaries

A second look

A transgender woman complained that the Ontario Health Insurance Plan (OHIP) had improperly refused her application for prior approval for breast reconstruction surgery. The woman explained that due to medical treatment she had undergone as an adolescent, she required additional reconstructive surgery that would not normally be covered for sex reassignment. Our Office made inquiries with the Ministry, and also spoke with the woman's surgeon. The surgeon then submitted a new application with additional information, which was approved, with the Ministry specifying that any medically necessary procedures would be covered.

Uncovered

A concerned social worker at a psychiatric hospital asked us if we could help a patient whose OHIP coverage had been suddenly cancelled. We discovered that the man had immigrated to Canada more than 50 years ago, and was under the guardianship of Ontario's Office of the Public Guardian and Trustee, but had no legal status. He had been temporarily given OHIP coverage several times under a program that allows psychiatric patients to be covered while they are in hospital, until they can provide the requisite documentation. We also made inquiries with the man's immigration lawyer about the man's application for permanent residency. It was granted and he was able to obtain a health card and remain in treatment.



Overview and trends in cases

Ontarians rely on the Ministry of Government and Consumer Services for everything from birth certificates to death certificates, the main providers of which are the Office of the Registrar General and ServiceOntario. Complaints about both of these bodies substantially increased in 2018-2019, in part due to lengthy delays and a backlog that peaked in February 2019.

Both offices acknowledged via their websites and social media that due to the backlog, registrations of births, deaths and marriages could take 15 weeks. The Minister also noted in the Legislature that an increase in applications and a system that required errors to be fixed manually contributed to the delays, and that staff were authorized to work overtime to ease the backlog.

Ombudsman staff routinely work with officials at the Ministry, the Registrar General and ServiceOntario to help people deal with delays and other barriers they encounter in obtaining identification documents, including poor customer service.

Birth, marriage and death certificate delays

We received **128** complaints about the Registrar General in 2018-2019, up from 62 the previous year. At least half of these were about delays, as people in need of documents in order to obtain passports, social insurance numbers or benefits contacted us in frustration. For example:

- A woman who needed a long-form birth certificate to obtain a work visa sought our help when she submitted additional information to the Registrar General and then heard nothing for two months. After our staff contacted the Registrar General's office, her document was issued within two days.

Given the volume of complaints and human impact of the delays, we spoke with Registrar General officials to ensure that additional staff and overtime were helping to clear the backlog. They also noted that technological improvements were underway to make their processes simpler and faster.

Complaints about ServiceOntario – which also handles driver's licences (see the **Transportation** chapter of this report) – totalled **269** this year, compared to 194 in 2017-2018. We continue to monitor both bodies' response to this issue.

Digital communication issues

Our staff also helped several people deal with communication glitches that raised serious concerns about the Registrar General's policies with regard to digital applications. In a few cases, the Registrar General maintained that it was prevented by the *Vital Statistics Act* from altering registrations for something like an autocorrect error on a mobile phone. For example:

- A father who used his mobile phone to register his newborn son's birth misspelled the baby's surname by one letter – thanks to autocorrect. His MPP's office tried to help, but Registrar General officials told him the only way to fix the mistake was to go through

TOP CASE TOPICS

269

ServiceOntario

128

Registrar General

the process of a formal name change. Our staff helped clarify the process for the MPP and the father by facilitating communication with the Registrar General's office.

- While registering the birth of his newborn on a mobile phone, a man selected the wrong sex in error, then corrected it, resulting in a birth registration that shows both (the incorrect sex is shown in brackets). The Registrar General's office firmly maintained that by law, errors cannot be removed, only corrected with brackets. After our Office's inquiries on this file, it implemented an additional review process for similar cases to prevent sex designation errors from being shown on the registration.

We continue to monitor the Registrar General's efforts to modernize its processes, and the effect of a proposal in the 2019 Ontario budget to allow it to make regulations to this effect.

Case summaries

Caught in the web

A woman complained to us that the Registrar General's website froze when she was in the midst of applying for death certificates for two family members. She went back to the website and filed the application, and alerted the Registrar General of this – but she wound up being charged for two applications. We suggested several ways Registrar General officials could address this issue, including staff training, clearer instructions on the website, and warnings to customers not to send duplicate applications.

Good
to
know

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

What to expect

An international student who had completed post-secondary studies in Ontario and was now employed sought our help in communicating with ServiceOntario about getting an Ontario Health card. She complained that each time she brought in the documents they requested, their expectations changed. We connected her with officials at the Ontario Health Insurance Plan (OHIP), who explained the documents she needed. They also agreed to speak with ServiceOntario about how to handle similar situations.

Welcome change

A transgender man seeking a name change complained to us when his application was rejected because the sex on his birth certificate differed from the gender on his name change application. He was advised by ServiceOntario to contact the Registrar General, whose staff said he would have to submit a letter explaining the discrepancy. In the course of our inquiries, we discovered the name change form had recently been revised and no longer required applicants to identify their gender. Registrar General staff approved the name change and acknowledged the man's application should not have been returned.



Overview and trends in cases

Our Office has noted a steady decline in cases in this category in recent years. The most common complaints relate to the Ministry of Labour's Workplace Safety and Insurance Board (WSIB), which provides wage-loss benefits and supports to injured workers, and the Workplace Safety and Insurance Appeals Tribunal (WSIAT), which serves as the last avenue of appeal for workers who are dissatisfied with the WSIB's decisions and internal appeal processes.

Most of these complaints are resolved by referral to the appropriate officials, but we also monitor and flag potential systemic issues, which has led to a decline in overall complaints. Although our Office does not oversee labour unions or self-regulating professions, our staff refer complaints to the relevant oversight and appeal mechanisms as warranted.

Workplace Safety and Insurance Board (WSIB)

Complaints to our Office about the WSIB dropped to **278** in 2018-2019, which is less than half the number we received three years ago (594). Complaints about the WSIB usually relate to delays, communication issues or customer service problems with individual claims, or disputes over compensation decisions. We refer most complaints to the WSIB's internal ombudsman – the Fair Practices Commission – or the offices of the Worker Adviser or Employer Adviser, as appropriate.

We also continue to monitor developments in consultations between the WSIB and its labour stakeholders regarding the WSIB's approach to medical advice about workers' recovery and return to work.

WSIAT backlog of appeals

Our Office has raised concerns about systemic delays at WSIAT since 2014-2015, when a spike in its caseload led to some appellants waiting more than two years for hearing dates. The Ombudsman assigned the Special Ombudsman Response Team to assess these issues, and tribunal officials confirmed that their caseload doubled to more than 9,000 in 2015 as a result of a shortage of adjudicators. Changes to the WSIB's adjudication processes had also prompted more appeals.

WSIAT leadership committed to providing the Ombudsman with regular updates as they worked to address this issue. Among other improvements, WSIAT increased its complement of adjudicators, began conducting hearings by video conference and launched a project to review and potentially resolve cases earlier in the process. The number of active appeals has dropped consistently, as have median wait times for hearings. These improvements corresponded with a steady decline in complaints to our Office. We received **68** in 2018-2019 – the lowest number in more than five years.

TOP CASE TOPICS

278

WSIB

68

WSIAT

In March 2019, WSIAT informed us that it had successfully eliminated the backlog and its caseload had returned to normal levels, at slightly under 4,000. The average wait time for a hearing was less than 10 months.

Ombudsman staff also helped individuals resolve issues with the tribunal. For example:

- When we inquired about a case where confusion led to the delay of a worker's appeal, WSIAT officials noted that they had adopted a new procedure of speaking with applicants by phone, rather than only by letter, to reduce misunderstandings and speed up the process.

Ontario Immigrant Nominee Program

As noted in our last Annual Report, our Office has monitored problems with delays, poor customer service and communication related to the Ontario Immigrant Nominee Program (OINP), which nominates skilled immigrant workers for permanent residency in Ontario. In several meetings with Ombudsman staff, the Ministry detailed its efforts to address these issues. These included ensuring the program's main processing unit was fully staffed so it could consistently process applications in 45-90 days. As well, the *Ontario Immigration Act, 2015*, proclaimed in force in January 2018, prompted the OINP to create a new set of formal policies and procedures, clarifying the criteria for nominations, and establishing an appeal process. We received no complaints about the program in 2018-2019.

Case summaries

Harsh choice

A provincial government employee complained to us that the practices of the Workplace Discrimination and Harassment Prevention Office (WDHP) were onerous and unfair. This office, part of the Ministry of Government and Consumer Services, investigates complaints of discrimination and harassment in the Ontario Public Service. When the woman was on medical leave due to the stress of the alleged harassment she had experienced, WDHP officials gave her two choices: Provide a medical certificate stating that participating in the investigation would not aggravate her medical condition, or sign a waiver stating that she accepted responsibility for any negative impacts the investigation may have on her. She did not feel able to give this kind of assurance. Ombudsman staff raised concerns with the WDHP that such requirements could deter victims of workplace harassment from making complaints. The WDHP informed us that in the wake of our discussions, it has decided to change this practice.



Overview and trends in cases

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

After the June 2018 provincial election, the names of the relevant ministries were changed, along with various programs and responsibilities. They are now the Ministry of Energy, Northern Development and Mines, the Ministry of the Environment, Conservation and Parks, and the Ministry of Natural Resources and Forestry.

The most high-profile of the program changes, in terms of complaints to our Office, were due to the new government's promise to cancel the previous government's cap-and-trade carbon emissions program and reduce gas prices, which in turn resulted in the cancellation of such related programs as the Electric and Hydrogen Vehicle Incentive Program and the GreenON rebate program.

Although Ontario's largest electricity provider, Hydro One, was removed from the Ombudsman's jurisdiction when it was partially privatized in 2015, we are able to take complaints about municipally controlled hydro corporations, as well as provincial bodies such as the Ontario Energy Board and Independent Electricity System Operator. We generally resolve these by connecting people with relevant local officials or appeal mechanisms.

Another change in this area, announced in November 2018, related to the responsibilities of the former

Environmental Commissioner of Ontario, an independent officer of the Legislature like the Ombudsman. As of April 1, 2019, that office was closed and its responsibilities transferred to the Auditor General of Ontario.

Electric and Hydrogen Vehicle Incentive Program

Between July 2018 and the end of March 2019, we received **303** complaints related to the cancellation of the Ministry of Transportation's Electric and Hydrogen Vehicle Incentive Program (EHVIP). Under the EHVIP, purchasers of eligible electric or hydrogen-powered vehicles received a rebate of between \$5,000 and \$14,000.

On July 11, the Ministry of Transportation announced a two-month transition period during which rebates could be claimed, but only for vehicles that automobile dealers either already had on their lots, or had ordered from manufacturers prior to the program cancellation. This disqualified purchasers of one type of eligible vehicle – Tesla Model 3 – because they bought directly from the manufacturer, not from dealers. We received more than **100** complaints during this period, almost all related to Tesla Model 3s.

By late August, after a successful court application by Tesla Motors Canada, the Ministry announced a new transition plan that no longer excluded vehicles ordered directly through manufacturers.

Between November 2018 and March 2019, we received more than **150** complaints, primarily about delayed rebates and a lack of information on the status of applications. Many people complained they had heard nothing for

nine months. Some noted that online guides to the program had disappeared and then reappeared with confusing information.

Our Office established a dedicated team to work collaboratively with senior Ministry staff to determine the status of applications and ensure they were being processed quickly. We alerted some complainants whose applications were incomplete, and assisted them with the process.

In March 2019, we noted a new trend in complaints from people whose applications were denied after many months, because their vehicles were not listed on a specific Ministry-approved order list. Although this requirement was stated in the EHVIP application materials, many complained it was unclear. Our work on resolving this issue is ongoing.

GreenON rebate program

We received **31** complaints about the Independent Electricity System Operator's administration of the GreenON program, which paid rebates to homeowners and businesses for energy-efficient renovations. On June 19, 2018, the government ended GreenON as part of its cancellation of the cap-and-trade emissions program. The bulk of the complaints were from homeowners who were concerned that they might not be able to complete renovations in time to claim their rebates, as well as some whose rebates were delayed. Ombudsman staff resolved these issues by making inquiries and helping complainants get information from program officials.

Ontario Electricity Support Program (OESP)

The OESP was introduced in January 2016 to assist low-income households with electricity costs through monthly credits. We received **5** complaints about eligibility and service issues with the program. For example:

- An OESP recipient sought our help after he moved to a new municipality and had to reapply to the OESP and the utility company in the new city. Our inquiries revealed that the six-week delay in his application was due to a technical glitch – OESP had been unable to verify his application through the utility because the utility's password had expired. Once this issue was addressed, OESP officials approved the man's application within a week, and added a one-month adjustment to his support. As a result of our inquiries, they also identified and alerted **24** other customers of the same utility whose applications were similarly affected.

Municipal hydro issues

We received **131** complaints about municipal hydro companies in 2018-2019, up from 114 the previous year. Most related to disconnections, customer service and billing issues. In many cases, we shared information about available complaint avenues through the utilities and the Ontario Energy Board, or connected them with utility officials. For example:

- A social housing resident contacted us in frustration over a mystery water heater rental charge on his hydro bill. The utility told him the rental was part of his lease with the local social services administration board, but he was unable to find any such reference on his lease. In the wake of our inquiries, the relevant forms for tenants now include an illustration of a shower with the words "hot water tank rental," and require them to initial to show they understand the obligation.
- We helped a woman who feared her electricity would be cut off because she was struggling to pay unpaid bills and couldn't get the hydro company's accounts receivable department to listen to her. Our staff helped her contact the company's customer care department, and let her know she could also complain to the Ontario Energy Board if the matter wasn't resolved.

Environment and natural resources issues

Complaints to our Office about the programs within the new Ministry of Natural Resources and Forestry (MNRF) remained consistent with previous years. The most common topics continue to be the Ministry's management of Crown lands, protection of wildlife habitats and endangered species, and concerns about fishing and hunting licences.

We noted a slight decline in complaints about the programs within the new Ministry of the Environment, Conservation and Parks (MECP) in 2018-2019. Among the complaints handled were concerns about the Ministry's efforts to ensure compliance with provincial standards regarding the discharge of air, noise, waste or sewage contaminants.

Some examples:

- Our staff helped a local resident connect with MNRF officials after he complained that they weren't responding to his concerns about a project that he believed would have significant impact on the renaturalization of the marshland in the area. The Ministry agreed to meet with the man to discuss his concerns.
- Two homeowners sought our help after they reported a foul-smelling liquid that was spilling onto their properties from a pipe outlet and draining into a main waterway. One had been waiting for a response from the Ministry for more than a year. Our inquiries revealed that the MECP, the Ministry of Transportation and the local municipality were all doing their own investigations into the source of the spill, but were not communicating with one another or the affected residents. In the wake of our inquiries, the MECP took a lead role in coordinating a response. We continue to monitor its plans to remediate the environmental damage.

Case summaries

All's well that ends well

After our staff assisted a Tesla owner in having his Electric and Hydrogen Vehicle Incentive Program application approved, he returned to us for help in February 2019, after he received only half of his \$14,000 rebate. Ministry of Transportation officials acknowledged they had made an error and committed to correct it. A month later, the Ministry sent the man a letter with outdated information about his file, but no additional rebate. Our staff again followed up with Ministry officials, who confirmed that they had neglected to send the second **\$7,000**. The man thanked our staff for resolving what he called a "comedy of errors."

On the hook

A woman who runs a commercial fishing business complained that the Ministry of Natural Resources and Forestry had not responded to her request for a refund of more than **\$31,000** she had overpaid in Crown lease fees over several years. She also complained that she had been waiting since 2015 for the Ministry to schedule a hearing to increase her fishing quotas. Ombudsman staff contacted the Ministry to discuss the issues and shortly thereafter, the woman received her refund, along with an explanation that the hearing delay was partly due to a shortage of qualified hearing officers. The Ministry noted that it was in the process of hiring more officers and provided the woman with a point of contact for further inquiries.

TOP CASE TOPICS

303

Electric and
Hydrogen Vehicle
Incentive Program

131

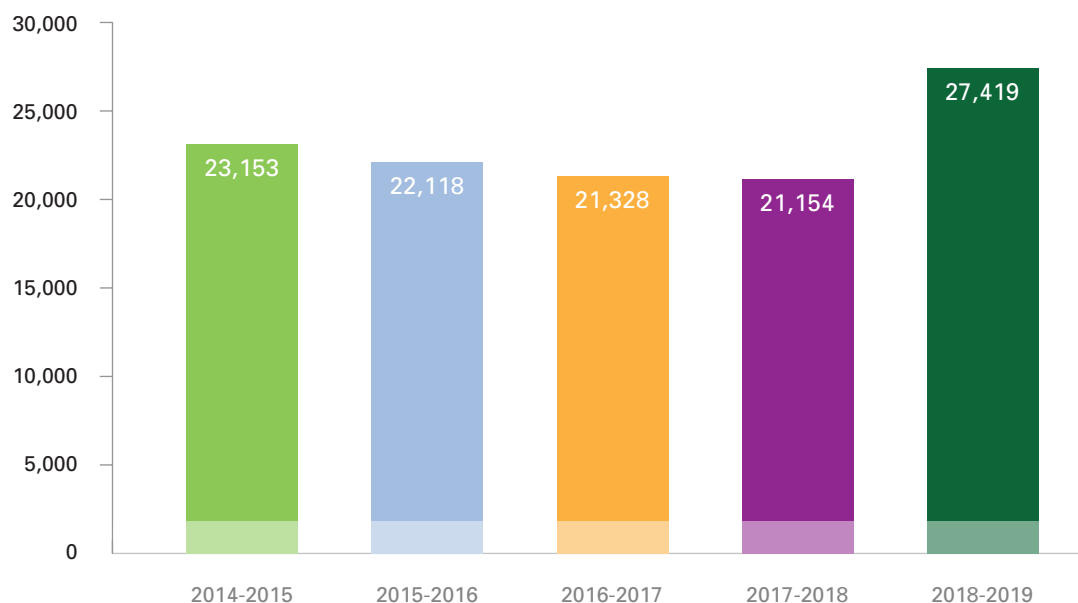
Municipal hydro

31

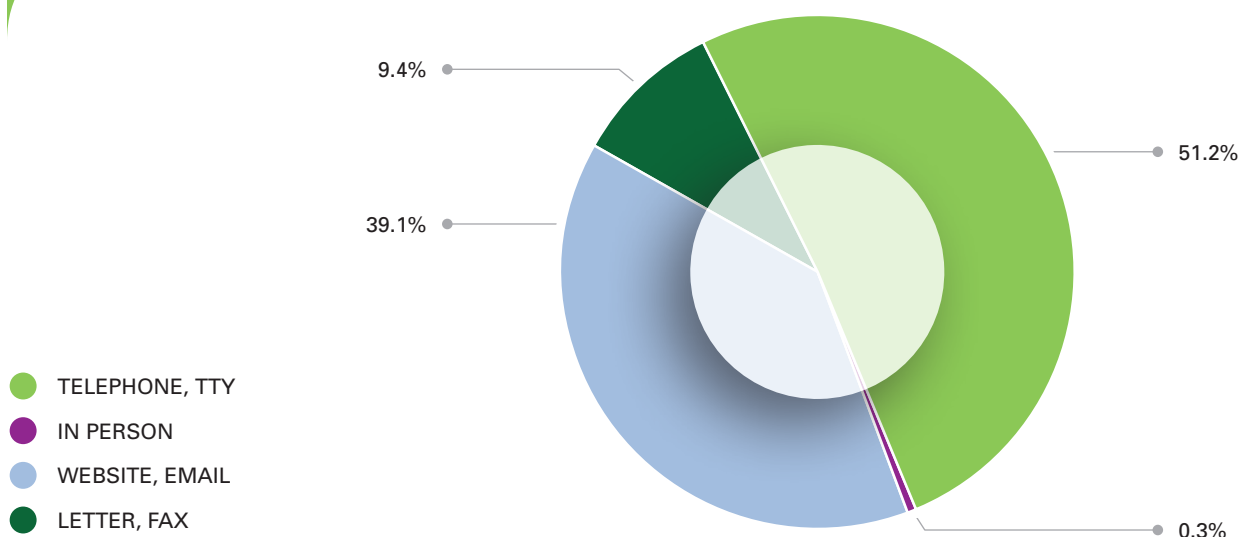
GreenON rebate
program

Appendix • Case statistics

TOTAL CASES RECEIVED, FISCAL YEARS 2014-2015 - 2018-2019



HOW CASES WERE RECEIVED, 2018-2019



DISPOSITION OF CASES, 2018-2019



27,419

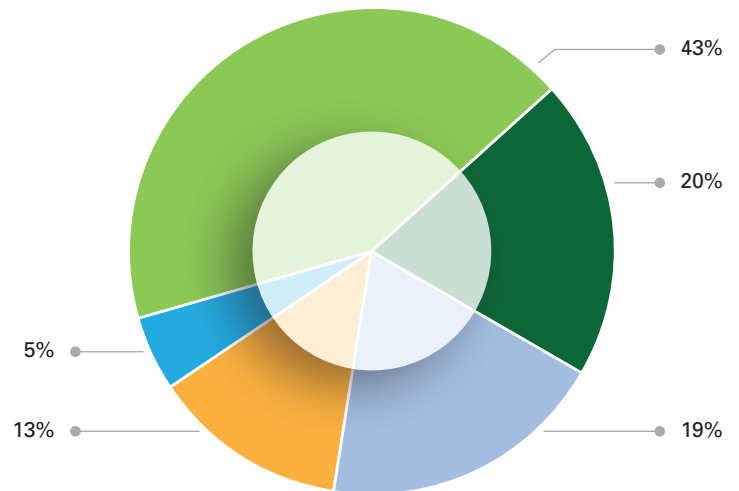
cases received
in fiscal
2018-2019

CASES CLOSED - 2018-2019

18,447

cases within
the Ombudsman's
jurisdiction

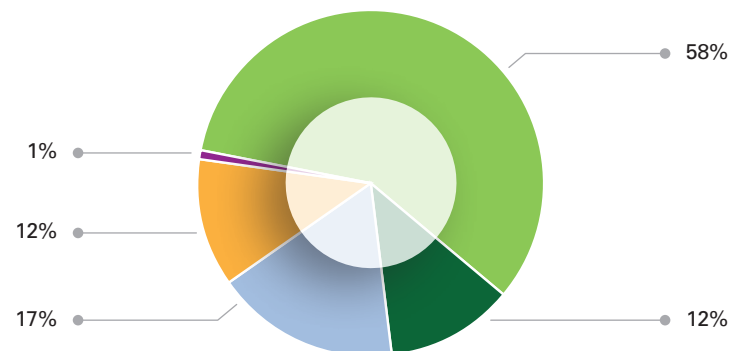
- INQUIRIES MADE OR REFERRAL GIVEN
- RESOLVED WITH OMBUDSMAN INTERVENTION OR BEST PRACTICES SUGGESTED
- CLOSED AFTER OMBUDSMAN'S REVIEW
- DISCONTINUED BY COMPLAINANT
- RESOLVED WITHOUT OMBUDSMAN INTERVENTION



7,999

cases outside
the Ombudsman's
jurisdiction

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



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

CASES BY PROVINCIAL RIDING, 2018-2019*

AJAX	113	MISSISSAUGA—ERIN MILLS	109
ALGOMA—MANITOULIN	188	MISSISSAUGA—LAKESHORE	114
AURORA—OAK RIDGES—RICHMOND HILL	107	MISSISSAUGA—MALTON	113
BARRIE—INNISFIL	148	MISSISSAUGA—STREETSVILLE	118
BARRIE—SPRINGWATER—ORO-MEDONTE	157	MUSHKEGOWUK—JAMES BAY	42
BAY OF QUINTE	144	NEPEAN	111
BEACHES—EAST YORK	197	NEWMARKET—AURORA	158
BRAMPTON CENTRE	116	NIAGARA CENTRE	161
BRAMPTON EAST	87	NIAGARA FALLS	213
BRAMPTON NORTH	103	NIAGARA WEST	95
BRAMPTON SOUTH	168	NICKEL BELT	141
BRAMPTON WEST	90	NIPISSING	146
BRANTFORD—BRANT	184	NORTHUMBERLAND—PETERBOROUGH SOUTH	150
BRUCE—GREY—OWEN SOUND	147	OAKVILLE	135
BURLINGTON	149	OAKVILLE NORTH—BURLINGTON	115
CAMBRIDGE	117	ORLÉANS	160
CARLETON	88	OSHAWA	224
CHATHAM-KENT—LEAMINGTON	141	OTTAWA CENTRE	211
DAVENPORT	163	OTTAWA SOUTH	138
DON VALLEY EAST	98	OTTAWA WEST—NEPEAN	124
DON VALLEY NORTH	103	OTTAWA—VANIER	153
DON VALLEY WEST	107	OXFORD	136
DUFFERIN—CALEDON	125	PARKDALE—HIGH PARK	142
DURHAM	179	PARRY SOUND—MUSKOKA	188
EGLINTON—LAWRENCE	135	PERTH—WELLINGTON	91
ELGIN—MIDDLESEX—LONDON	147	PETERBOROUGH—KAWARTHA	154
ESSEX	142	PICKERING—UXBRIDGE	129
ETOBICOKE CENTRE	108	RENFREW—NIPISSING—PEMBROKE	151
ETOBICOKE NORTH	105	RICHMOND HILL	75
ETOBICOKE—LAKESHORE	233	SARNIA—LAMBTON	108
FLAMBOROUGH—GLANBROOK	122	SAULT STE. MARIE	151
GLENGARRY—PRESCOTT—RUSSELL	155	SCARBOROUGH CENTRE	108
GUELPH	196	SCARBOROUGH NORTH	79
HALDIMAND—NORFOLK	117	SCARBOROUGH SOUTHWEST	168
HALIBURTON—KAWARTHA LAKES—BROCK	183	SCARBOROUGH—AGINCOURT	66
HAMILTON CENTRE	246	SCARBOROUGH—GUILDWOOD	119
HAMILTON EAST—STONE CREEK	145	SCARBOROUGH—ROUGE PARK	107
HAMILTON MOUNTAIN	148	SIMCOE NORTH	218
HAMILTON WEST—ANCASTER—DUNDAS	144	SIMCOE—GREY	227
HASTINGS—LENNOX AND ADDINGTON	137	SPADINA—FORT YORK	196
HUMBER RIVER—BLACK CREEK	104	ST. CATHARINES	215
HURON—BRUCE	149	STORMONT—DUNDAS—SOUTH GLENGARRY	133
KANATA—CARLETON	132	SUDBURY	213
KENORA—RAINY RIVER	99	THORNHILL	106
KIOWATINOONG	23	THUNDER BAY—ATIKOKAN	128
KINGSTON AND THE ISLANDS	126	THUNDER BAY—SUPERIOR NORTH	114
KING—VAUGHAN	106	TIMISKAMING—COCHRANE	142
KITCHENER CENTRE	152	TIMMINS	46
KITCHENER SOUTH—HESPELER	98	TORONTO CENTRE	204
KITCHENER—CONESTOGA	70	TORONTO—DANFORTH	139
LAMBTON—KENT—MIDDLESEX	102	TORONTO—ST. PAUL'S	110
LANARK—FRONTENAC—KINGSTON	137	UNIVERSITY—ROSEDALE	114
LEEDS—GRENVILLE—THOUSAND ISLANDS AND RIDEAU LAKES	133	VAUGHAN—WOODBIDGE	68
LONDON NORTH CENTRE	201	WATERLOO	107
LONDON WEST	175	WELLINGTON—HALTON HILLS	142
LONDON—FANSHAW	153	WHITBY	114
MARKHAM—STOUFFVILLE	128	WILLOWDALE	73
MARKHAM—THORNHILL	83	WINDSOR WEST	223
MARKHAM—UNIONVILLE	68	WINDSOR—TECUMSEH	124
MILTON	124	YORK CENTRE	99
MISSISSAUGA CENTRE	115	YORK SOUTH—WESTON	98
MISSISSAUGA EAST—COOKSVILLE	104	YORK—SIMCOE	117

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

TOP 10 PROVINCIAL GOVERNMENT ORGANIZATIONS AND PROGRAMS BY CASE VOLUME, 2018-2019*

		NUMBER OF CASES
1	ONTARIO CANNABIS STORE	2,411
2	FAMILY RESPONSIBILITY OFFICE	781
3	ONTARIO DISABILITY SUPPORT PROGRAM	773
4	ONTARIO AUTISM PROGRAM	575
5	TRIBUNALS ONTARIO	438
6	WORKPLACE SAFETY AND INSURANCE BOARD	278
7	SERVICEONTARIO	269
8	ONTARIO PROVINCIAL POLICE	275
9	COLLEGES OF APPLIED ARTS AND TECHNOLOGY	234
10	DRIVER LICENSING	230

*Excluding correctional facilities.

TOP 10 CORRECTIONAL FACILITIES BY CASE VOLUME, 2018-2019

		NUMBER OF CASES
1	CENTRAL EAST CORRECTIONAL CENTRE	770
2	TORONTO SOUTH DETENTION CENTRE	750
3	MAPLEHURST CORRECTIONAL COMPLEX	669
4	CENTRAL NORTH CORRECTIONAL CENTRE	553
5	OTTAWA-CARLETON DETENTION CENTRE	406
6	HAMILTON-WENTWORTH DETENTION CENTRE	405
7	NIAGARA DETENTION CENTRE	295
8	SOUTH WEST DETENTION CENTRE	291
9	TORONTO EAST DETENTION CENTRE	207
10	ELGIN-MIDDLESEX DETENTION CENTRE	200

TOTAL CASES RECEIVED FOR PROVINCIAL GOVERNMENT MINISTRIES AND SELECTED PROGRAMS, 2018-2019*

MINISTER RESPONSIBLE FOR WOMEN'S ISSUES		1
MINISTRY OF AGRICULTURE, FOOD AND RURAL AFFAIRS		14
MINISTRY OF THE ATTORNEY GENERAL		1,073
ALCOHOL AND GAMING COMMISSION OF ONTARIO	28	
CHILDREN'S LAWYER	39	
COURT ADMINISTRATION	96	
HUMAN RIGHTS LEGAL SUPPORT CENTRE	14	
LEGAL AID CLINIC	16	
LEGAL AID ONTARIO	125	
OFFICE OF THE PUBLIC GUARDIAN AND TRUSTEE	178	
SPECIAL INVESTIGATIONS UNIT	11	
TRIBUNALS ONTARIO	438	
MINISTRY OF CHILDREN, COMMUNITY AND SOCIAL SERVICES		2,429
DEVELOPMENTAL SERVICES PROGRAMS	91	
FAMILY RESPONSIBILITY OFFICE	781	
MINISTRY FUNDED SERVICE PROVIDER – CHILDREN AND YOUTH	23	
MINISTRY FUNDED SERVICE PROVIDER – COMMUNITY AND SOCIAL SERVICES	68	
ONTARIO AUTISM PROGRAM	575	
ONTARIO DISABILITY SUPPORT PROGRAM	773	
SPECIAL NEEDS PROGRAMS – CHILDREN	30	
YOUTH CUSTODY FACILITIES – DIRECT OPERATED	13	
YOUTH CUSTODY FACILITIES – MINISTRY FUNDED	34	
MINISTRY OF COMMUNITY SAFETY AND CORRECTIONAL SERVICES		6,091
CORRECTIONAL FACILITIES	5,711	
OFFICE OF THE CHIEF CORONER	15	
ONTARIO PROVINCIAL POLICE	275	
PRIVATE SECURITY AND INVESTIGATIVE SERVICES BRANCH	13	
PROBATION AND PAROLE	53	
MINISTRY OF EDUCATION		39
CHILD CARE QUALITY ASSURANCE AND LICENSING BRANCH	11	
MINISTRY OF ENERGY, NORTHERN DEVELOPMENT AND MINES		87
INDEPENDENT ELECTRICITY SYSTEM OPERATOR	39	
ONTARIO ENERGY BOARD	17	
ONTARIO POWER GENERATION	13	
MINISTRY OF THE ENVIRONMENT, CONSERVATION AND PARKS		49
MINISTRY OF FINANCE		2,658
FINANCIAL SERVICES COMMISSION	32	
LIQUOR CONTROL BOARD OF ONTARIO	21	
MUNICIPAL PROPERTY ASSESSMENT CORPORATION	57	
ONTARIO CANNABIS STORE	2,411	
ONTARIO LOTTERY AND GAMING CORPORATION	75	
ONTARIO SECURITIES COMMISSION	15	

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

TOTAL CASES RECEIVED FOR PROVINCIAL GOVERNMENT MINISTRIES AND SELECTED PROGRAMS, 2018-2019*

MINISTRY OF FRANCOPHONE AFFAIRS		1
MINISTRY OF GOVERNMENT AND CONSUMER SERVICES		450
CONSUMER PROTECTION ONTARIO	25	
REGISTRAR GENERAL	128	
SERVICEONTARIO	269	
MINISTRY OF HEALTH AND LONG-TERM CARE		547
ASSISTIVE DEVICES / HOME OXYGEN PROGRAMS	25	
EMERGENCY HEALTH SERVICES	15	
HEALTH CARE CONNECT	11	
HEALTH PROFESSIONS APPEAL AND REVIEW BOARD	30	
HEALTH QUALITY ONTARIO - PATIENT OMBUDSMAN	17	
LOCAL HEALTH INTEGRATION NETWORKS	100	
MINISTRY FUNDED SERVICE PROVIDER	77	
ONTARIO HEALTH INSURANCE PLAN	118	
ONTARIO PUBLIC DRUG PROGRAMS	52	
MINISTRY OF INDIGENOUS AFFAIRS		2
MINISTRY OF INFRASTRUCTURE		2
MINISTRY OF LABOUR		470
EMPLOYMENT PRACTICES BRANCH	42	
FAIR PRACTICES COMMISSION	10	
OCCUPATIONAL HEALTH AND SAFETY BRANCH	25	
OFFICE OF THE WORKER ADVISER	14	
ONTARIO LABOUR RELATIONS BOARD	24	
WORKPLACE SAFETY AND INSURANCE APPEALS TRIBUNAL	68	
WORKPLACE SAFETY AND INSURANCE BOARD	278	
MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING		12
MINISTRY OF NATURAL RESOURCES AND FORESTRY		55
MINISTRY OF TOURISM, CULTURE AND SPORT		13
MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES		492
COLLEGES OF APPLIED ARTS AND TECHNOLOGY	234	
ONTARIO COLLEGE OF TRADES	33	
ONTARIO STUDENT ASSISTANCE PROGRAM	181	
PRIVATE CAREER COLLEGES BRANCH	10	
SECOND CAREER	13	
MINISTRY OF TRANSPORTATION		897
DRIVER LICENSING	230	
ELECTRIC AND HYDROGEN VEHICLE INCENTIVE PROGRAM	303	
METROLINX/GO TRANSIT	49	
MINISTRY FUNDED SERVICE PROVIDER	72	
TRANSPORTATION – MEDICAL REVIEW	83	
VEHICLE LICENSING	47	
TREASURY BOARD SECRETARIAT		10

CASES RECEIVED ABOUT MUNICIPALITIES, 2018-2019

TOTAL: 3,002

ADELAIDE METCALFE, TOWNSHIP OF	1	CASSELMAN, VILLAGE OF	3
ADJALA-TOSORONTIO, TOWNSHIP OF	9	CAVAN MONAGHAN, TOWNSHIP OF	4
AJAX, TOWN OF	5	CENTRAL ELGIN, MUNICIPALITY OF	3
ALFRED AND PLANTAGENET, TOWNSHIP OF	4	CENTRAL FRONTENAC, TOWNSHIP OF	1
ALGONQUIN HIGHLANDS, TOWNSHIP OF	1	CENTRAL HURON, MUNICIPALITY OF	3
ALNWICK/HALDIMAND, TOWNSHIP OF	3	CENTRE HASTINGS, MUNICIPALITY OF	4
AMHERSTBURG, TOWN OF	5	CENTRE WELLINGTON, TOWNSHIP OF	3
ARNPRIOR, TOWN OF	2	CHAMBERLAIN, TOWNSHIP OF	1
ARRAN-ELDERSLIE, MUNICIPALITY OF	1	CHAMPLAIN, TOWNSHIP OF	1
ASHFIELD-COLBORNE-WAWANOSH, TOWNSHIP OF	2	CHAPLEAU, TOWNSHIP OF	2
ASPHODEL-NORWOOD, TOWNSHIP OF	1	CHATHAM-KENT, MUNICIPALITY OF	35
ATHENS, TOWNSHIP OF	1	CHATSWORTH, TOWNSHIP OF	2
AURORA, TOWN OF	7	CLARENCE-ROCKLAND, CITY OF	2
AYLMER, TOWN OF	1	CLARINGTON, MUNICIPALITY OF	15
BALDWIN, TOWNSHIP OF	1	CLEARVIEW, TOWNSHIP OF	4
BANCROFT, TOWN OF	7	COBALT, TOWN OF	1
BARRIE, CITY OF	14	COBOURG, TOWN OF	4
BAYHAM, MUNICIPALITY OF	2	COCHRANE, TOWN OF	2
BELLEVILLE, CITY OF	4	COLEMAN, TOWNSHIP OF	4
BILLINGS, TOWNSHIP OF	1	COLLINGWOOD, TOWN OF	1
BLANDFORD-BLENHEIM, TOWNSHIP OF	1	CORNWALL, CITY OF	12
BLIND RIVER, TOWN OF	3	CRAMAHE, TOWNSHIP OF	5
BLUEWATER, MUNICIPALITY OF	1	DEEP RIVER, TOWN OF	3
BONFIELD, TOWNSHIP OF	2	DOURO-DUMMER, TOWNSHIP OF	2
BONNECHERE VALLEY, TOWNSHIP OF	3	DRUMMOND/NORTH ELMSLEY, TOWNSHIP OF	1
BRACEBRIDGE, TOWN OF	4	DRYDEN, CITY OF	6
BRADFORD WEST GWILLIMBURY, TOWN OF	1	DUFFERIN, COUNTY OF	4
BRAMPTON, CITY OF	35	DURHAM, REGIONAL MUNICIPALITY OF	29
BRANT, COUNTY OF	3	DUTTON-DUNWICH, MUNICIPALITY OF	2
BRANTFORD, CITY OF	30	DYSART ET AL, MUNICIPALITY OF	1
BRIGHTON, MUNICIPALITY OF	7	EAST FERRIS, MUNICIPALITY OF	3
BROCK, TOWNSHIP OF	2	EAST GWILLIMBURY, TOWN OF	3
BROCKTON, MUNICIPALITY OF	2	EAST HAWKESBURY, TOWNSHIP OF	1
BROCKVILLE, CITY OF	2	EAST ZORRA -TAVISTOCK, TOWNSHIP OF	2
BROOKE-ALVINSTON, MUNICIPALITY OF	1	EDWARDSBURGH/CARDINAL, TOWNSHIP OF	1
BRUCE MINES, TOWN OF	3	ELLIOT LAKE, CITY OF	2
BRUCE, COUNTY OF	4	EMO, TOWNSHIP OF	1
BURK'S FALLS, VILLAGE OF	4	ERIN, TOWN OF	37
BURLINGTON, CITY OF	19	ESPANOLA, TOWN OF	12
CALEDON, TOWN OF	11	ESSA, TOWNSHIP OF	7
CALLANDER, MUNICIPALITY OF	4	ESSEX, COUNTY OF	2
CALVIN, MUNICIPALITY OF	2	ESSEX, TOWN OF	14
CAMBRIDGE, CITY OF	5	FARADAY, TOWNSHIP OF	3
CARLETON PLACE, TOWN OF	7	FAUQUIER-STRICKLAND, TOWNSHIP OF	1
CARLING, TOWNSHIP OF	2	FORT ERIE, TOWN OF	11
CARLOW/MAYO, TOWNSHIP OF	2	FORT FRANCES, TOWN OF	2

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

CASES RECEIVED ABOUT MUNICIPALITIES, 2018-2019

FRENCH RIVER, MUNICIPALITY OF	1
FRONT OF YONGE, TOWNSHIP OF	1
FRONTENAC, COUNTY OF	1
GANANOQUE, SEPARATED TOWN OF	1
GEORGIAN BAY, TOWNSHIP OF	5
GEORGIAN BLUFFS, TOWNSHIP OF	4
GEORGINA, TOWN OF	8
GORDON/BARRIE ISLAND, MUNICIPALITY OF	1
GORE BAY, TOWN OF	1
GRAVENHURST, TOWN OF	4
GREATER MADAWASKA, TOWNSHIP OF	2
GREATER NAPANEE, TOWN OF	4
GREATER SUDBURY, CITY OF	68
GREENSTONE, MUNICIPALITY OF	3
GREY HIGHLANDS, MUNICIPALITY OF	3
GREY, COUNTY OF	10
GRIMSBY, TOWN OF	7
GUELPH, CITY OF	9
GUELPH/ERAMOSA, TOWNSHIP OF	3
HALDIMAND COUNTY, COUNTY OF	7
HALIBURTON, COUNTY OF	1
HALTON HILLS, TOWN OF	1
HALTON, REGIONAL MUNICIPALITY OF	25
HAMILTON, CITY OF	114
HAMILTON, TOWNSHIP OF	1
HANOVER, TOWN OF	1
HASTINGS HIGHLANDS, MUNICIPALITY OF	1
HASTINGS, COUNTY OF	18
HAWKESBURY, TOWN OF	2
HEARST, TOWN OF	4
HIGHLANDS EAST, MUNICIPALITY OF	5
HORNEPAYNE, TOWNSHIP OF	2
HORTON, TOWNSHIP OF	1
HOWICK, TOWNSHIP OF	1
HUNTSVILLE, TOWN OF	5
HURON EAST, MUNICIPALITY OF	2
HURON SHORES, MUNICIPALITY OF	1
HURON-KINLOSS, TOWNSHIP OF	4
HURON, COUNTY OF	1
IGNACE, TOWNSHIP OF	1
INGERSOLL, TOWN OF	2
INNISFIL, TOWN OF	7
IROQUOIS FALLS, TOWN OF	5
JOHNSON, TOWNSHIP OF	1
JOLY, TOWNSHIP OF	1
KAWARTHA LAKES, CITY OF	23

KEARNEY, TOWN OF	3
KENORA, CITY OF	6
KILLALOE, HAGARTY AND RICHARDS, TOWNSHIP OF	1
KILLARNEY, MUNICIPALITY OF	1
KINCARDINE, MUNICIPALITY OF	3
KING, TOWNSHIP OF	3
KINGSTON, CITY OF	20
KINGSVILLE, TOWN OF	2
KIRKLAND LAKE, TOWN OF	5
KITCHENER, CITY OF	17
LAIRD, TOWNSHIP OF	1
LAKE SHORE, TOWN OF	5
LAMBTON SHORES, MUNICIPALITY OF	4
LAMBTON, COUNTY OF	1
LANARK HIGHLANDS, TOWNSHIP OF	1
LANARK, COUNTY OF	5
LARDER LAKE, TOWNSHIP OF	1
LASALLE, TOWN OF	2
LAURENTIAN VALLEY, TOWNSHIP OF	1
LEAMINGTON, MUNICIPALITY OF	13
LEEDS AND GRENVILLE, UNITED COUNTIES OF	3
LEEDS AND THE THOUSAND ISLANDS, TOWNSHIP OF	1
LINCOLN, TOWN OF	7
LONDON, CITY OF	78
LOYALIST TOWNSHIP	3
LUCAN BIDDULPH, TOWNSHIP OF	1
MACDONALD, MEREDITH & ABERDEEN ADDITIONAL, TOWNSHIP OF	1
MACHIN, MUNICIPALITY OF	1
MADAWASKA VALLEY, TOWNSHIP OF	2
MAGNETAWAN, MUNICIPALITY OF	4
MALAHIDE, TOWNSHIP OF	1
MANITOUWADGE, TOWNSHIP OF	5
MARATHON, TOWN OF	1
MARKHAM, CITY OF	10
MARKSTAY-WARREN, MUNICIPALITY OF	3
MARMORA AND LAKE, MUNICIPALITY OF	1
MATACHEWAN, TOWNSHIP OF	11
MATTAWA, TOWN OF	1
MCDUGALL, MUNICIPALITY OF	3
MCGARRY, TOWNSHIP OF	1
MCKELLAR, TOWNSHIP OF	1
MCMURRICH/MONTEITH, TOWNSHIP OF	3
MCNAB/BRAESIDE, TOWNSHIP OF	1
MERRICKVILLE-WOLFORD, VILLAGE OF	4
MIDDLESEX CENTRE, MUNICIPALITY OF	2
MIDLAND, TOWN OF	5

CASES RECEIVED ABOUT MUNICIPALITIES, 2018-2019

MILTON, TOWN OF	8	PEMBROKE, CITY OF	4
MINDEN HILLS, TOWNSHIP OF	6	PERTH EAST, TOWNSHIP OF	1
MINTO, TOWN OF	2	PETAWAWA, TOWN OF	3
MISSISSAUGA, CITY OF	46	PETERBOROUGH, CITY OF	13
MISSISSIPPI MILLS, CORPORATION OF THE MUNICIPALITY	1	PETROLIA, TOWN OF	3
MONO, TOWN OF	1	PICKERING, CITY OF	4
MOONBEAM, TOWNSHIP OF	2	PICKLE LAKE, TOWNSHIP OF	3
MOOSONEE, TOWN OF	1	PLUMMER ADDITIONAL, TOWNSHIP OF	2
MORRIS-TURNBERRY, MUNICIPALITY OF	1	PLYMPTON-WYOMING, TOWN OF	3
MULMUR, TOWNSHIP OF	1	PORT COLBORNE, CITY OF	6
MUSKOKA LAKES, TOWNSHIP OF	1	PORT HOPE, MUNICIPALITY OF	1
MUSKOKA, DISTRICT MUNICIPALITY OF	5	POWASSAN, MUNICIPALITY OF	2
NEEBING, MUNICIPALITY OF	1	PRESCOTT, SEPARATED TOWN OF	2
NEW TECUMSETH, TOWN OF	1	PRINCE EDWARD, COUNTY OF	3
NEWMARKET, TOWN OF	12	QUINTE WEST, CITY OF	4
NIAGARA FALLS, CITY OF	11	RAINY RIVER, TOWN OF	2
NIAGARA-ON-THE-LAKE, TOWN OF	7	RAMARA, TOWNSHIP OF	9
NIAGARA, REGIONAL MUNICIPALITY OF	217	RENFREW, COUNTY OF	2
NIPIGON, TOWNSHIP OF	1	RENFREW, TOWN OF	1
NORFOLK, COUNTY	22	RICHMOND HILL, TOWN OF	14
NORTH ALGONA WILBERFORCE, TOWNSHIP OF	2	RIDEAU LAKES, TOWNSHIP OF	2
NORTH BAY, CITY OF	16	RUSSELL, TOWNSHIP OF	1
NORTH DUMFRIES, TOWNSHIP OF	1	SABLES-SPANISH RIVERS, TOWNSHIP OF	6
NORTH DUNDAS, TOWNSHIP OF	1	SARNIA, CITY OF	13
NORTH FRONTENAC, TOWNSHIP OF	4	SAUGEEN SHORES, TOWN OF	5
NORTH GRENVILLE, MUNICIPALITY OF	2	SAULT STE. MARIE, CITY OF	20
NORTH HURON, TOWNSHIP OF	3	SCHREIBER, TOWNSHIP OF	2
NORTH KAWARTHA, TOWNSHIP OF	3	SCUGOG, TOWNSHIP OF	4
NORTH MIDDLESEX, MUNICIPALITY OF	1	SEGUIN, TOWNSHIP OF	1
NORTH STORMONT, TOWNSHIP OF	1	SEVERN, TOWNSHIP OF	2
NORTHEASTERN MANITOULIN AND THE ISLANDS, TOWN OF	1	SHELburne, TOWN OF	2
NORTHERN BRUCE PENINSULA, MUNICIPALITY OF	6	SHUNIAH, MUNICIPALITY OF	1
NORTHUMBERLAND, COUNTY OF	4	SIMCOE, COUNTY OF	26
NORWICH, TOWNSHIP OF	2	SIOUX LOOKOUT, MUNICIPALITY OF	1
OAKVILLE, TOWN OF	4	SIOUX NARROWS-NESTOR FALLS, TOWNSHIP OF	1
OLIVER PAIPOONGE, MUNICIPALITY OF	6	SMITHS FALLS, TOWN OF	25
ORANGEVILLE, TOWN OF	3	SOUTH BRUCE PENINSULA, TOWN OF	7
ORILLIA, CITY OF	3	SOUTH BRUCE, MUNICIPALITY OF	3
ORO-MEDONTE, TOWNSHIP OF	4	SOUTH DUNDAS, MUNICIPALITY OF	6
OSHAWA, CITY OF	28	SOUTH FRONTENAC, TOWNSHIP OF	3
OTONABEE-SOUTH MONAGHAN, TOWNSHIP OF	5	SOUTH GLENGARRY, TOWNSHIP OF	5
OTTAWA, CITY OF	125	SOUTH HURON, MUNICIPALITY OF	1
OWEN SOUND, CITY OF	5	SOUTH RIVER, VILLAGE OF	1
OXFORD, COUNTY OF	1	SOUTH STORMONT, TOWNSHIP OF	6
PARRY SOUND, TOWN OF	3	SOUTHGATE, TOWNSHIP OF	2
PEEL, REGIONAL MUNICIPALITY OF	87	SOUTHWEST MIDDLESEX, MUNICIPALITY OF	6
PELEE, TOWNSHIP OF	2	SOUTHWOLD, TOWNSHIP OF	1
PELHAM, TOWN OF	2	SPANISH, TOWN OF	2

CASES RECEIVED ABOUT MUNICIPALITIES, 2018-2019

SPRINGWATER, TOWNSHIP OF	4
ST. CATHARINES, CITY OF	13
ST. CLAIR, TOWNSHIP OF	2
ST. JOSEPH, TOWNSHIP OF	1
ST. MARYS, SEPARATED TOWN OF	1
ST. THOMAS, CITY OF	6
ST.-CHARLES, MUNICIPALITY OF	7
STIRLING-RAWDON, TOWNSHIP OF	4
STONE MILLS, TOWNSHIP OF	2
STRATFORD, CITY OF	7
SUNDRIDGE, VILLAGE OF	4
TAY VALLEY TOWNSHIP	3
TAY, TOWNSHIP OF	5
TECUMSEH, TOWN OF	1
TEHKUMMAH, TOWNSHIP OF	8
TEMAGAMI, MUNICIPALITY OF	4
TERRACE BAY, TOWNSHIP OF	1
THAMES CENTRE, MUNICIPALITY OF	4
THE BLUE MOUNTAINS, TOWN OF	9
THE NATION, MUNICIPALITY	5
THE NORTH SHORE, TOWNSHIP OF	5
THOROLD, CITY OF	3
THUNDER BAY, CITY OF	13
TILLSONBURG, TOWN OF	1
TIMMINS, CITY OF	11
TINY, TOWNSHIP OF	4
TORONTO, CITY OF	381
TRENT HILLS, MUNICIPALITY OF	5
TRENT LAKES, MUNICIPALITY OF	3
TUDOR AND CASHEL, TOWNSHIP OF	1
TWEED, MUNICIPALITY OF	4
TYENDINAGA, TOWNSHIP OF	1
UXBRIDGE, TOWNSHIP OF	2
VAUGHAN, CITY OF	29
WAINFLEET, TOWNSHIP OF	1
WASAGA BEACH, TOWN OF	26
WATERLOO, CITY OF	3
WATERLOO, REGIONAL MUNICIPALITY OF	16
WAWA, MUNICIPALITY OF	1
WELLAND, CITY OF	11
WELLINGTON, COUNTY OF	7
WEST ELGIN, MUNICIPALITY OF	1
WEST GREY, MUNICIPALITY OF	3
WEST LINCOLN, TOWNSHIP OF	2
WEST NIPISSING, MUNICIPALITY OF	5
WHITBY, TOWN OF	5
WHITCHURCH-STOUFFVILLE, TOWN OF	15
WILMOT, TOWNSHIP OF	1

WINDSOR, CITY OF	81
WOLLASTON, TOWNSHIP OF	3
WOODSTOCK, CITY OF	8
WOOLWICH, TOWNSHIP OF	4
YORK, REGIONAL MUNICIPALITY OF	34
CASES WHERE NO MUNICIPALITY WAS SPECIFIED	55

SHARED CORPORATIONS	
ALECTRA	30
CATARAQUI REGION CONSERVATION AUTHORITY	1
CENTRAL LAKE ONTARIO CONSERVATION AUTHORITY	2
CONSERVATION HALTON	1
ENERGY + INC.	3
ESSEX REGION CONSERVATION AUTHORITY	1
GANARASKA REGION CONSERVATION AUTHORITY	1
GRAND RIVER CONSERVATION AUTHORITY	1
GREY SAUBLE CONSERVATION AUTHORITY	2
KITCHENER-WILMOT HYDRO INC.	6
HAMILTON CONSERVATION AUTHORITY	4
LAKE SIMCOE REGION CONSERVATION AUTHORITY	2
LAKEFRONT UTILITIES INC.	2
LAKEHEAD REGION CONSERVATION AUTHORITY	1
LAKELAND POWER	3
LONG POINT REGION CONSERVATION AUTHORITY	2
NEWMARKET-TAY POWER DISTRIBUTION LTD.	2
NIAGARA PENINSULA CONSERVATION AUTHORITY	8
NOTTAWASAGA VALLEY CONSERVATION AUTHORITY	2
ORANGEVILLE HYDRO	2
RIDEAU VALLEY CONSERVATION AUTHORITY	1
SAUGEEN VALLEY CONSERVATION AUTHORITY	1
ST. CLAIR REGION CONSERVATION AUTHORITY	1
TORONTO AND REGION CONSERVATION AUTHORITY	3
VERIDIAN CONNECTIONS (VERIDIAN CORPORATION)	4
CASES WHERE NO SHARED CORPORATION WAS SPECIFIED	1

SHARED LOCAL BOARDS	
ALGOMA DISTRICT SERVICES ADMINISTRATION BOARD	5
DISTRICT OF COCHRANE SOCIAL SERVICES ADMINISTRATION BOARD	7
DISTRICT OF NIPISSING SOCIAL SERVICES ADMINISTRATION BOARD	5
DISTRICT OF PARRY SOUND SOCIAL SERVICES ADMINISTRATION BOARD	6
DISTRICT OF SAULT STE. MARIE SOCIAL SERVICES ADMINISTRATION BOARD	10
DISTRICT OF TIMISKAMING SOCIAL SERVICES ADMINISTRATION BOARD	1
KENORA DISTRICT SERVICES BOARD	2
MANITOULIN-SUDBURY DISTRICT SERVICES BOARD	4
NIAGARA DISTRICT AIRPORT COMMISSION	2
RAINY RIVER DISTRICT SOCIAL SERVICES ADMINISTRATION BOARD	1
THUNDER BAY SOCIAL SERVICES ADMINISTRATION BOARD	8
CASES WHERE NO SHARED LOCAL BOARD WAS SPECIFIED	3

CASES RECEIVED ABOUT SCHOOL BOARDS, 2018-2019

TOTAL: 873

ENGLISH PUBLIC SCHOOL BOARDS			
ALGOMA DISTRICT SCHOOL BOARD	9	HURON-SUPERIOR CATHOLIC DISTRICT SCHOOL BOARD	1
AVON MAITLAND DISTRICT SCHOOL BOARD	5	KENORA CATHOLIC DISTRICT SCHOOL BOARD	1
BLUEWATER DISTRICT SCHOOL BOARD	4	LONDON DISTRICT CATHOLIC SCHOOL BOARD	9
DISTRICT SCHOOL BOARD OF NIAGARA	19	NIAGARA CATHOLIC DISTRICT SCHOOL BOARD	5
DISTRICT SCHOOL BOARD ONTARIO NORTH EAST	2	NIPissing-PARRY SOUND CATHOLIC DISTRICT SCHOOL BOARD	4
DURHAM DISTRICT SCHOOL BOARD	33	NORTHEASTERN CATHOLIC DISTRICT SCHOOL BOARD	4
GRAND ERIE DISTRICT SCHOOL BOARD	11	OTTAWA CATHOLIC SCHOOL BOARD	25
GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD	24	PETERBOROUGH VICTORIA NORTHUMBERLAND AND CLARINGTON CATHOLIC DISTRICT SCHOOL BOARD	9
HALTON DISTRICT SCHOOL BOARD	29	RENFREW COUNTY CATHOLIC DISTRICT SCHOOL BOARD	5
HAMILTON-WENTWORTH DISTRICT SCHOOL BOARD	20	SIMCOE MUSKOKA CATHOLIC DISTRICT SCHOOL BOARD	8
HASTINGS & PRINCE EDWARD DISTRICT SCHOOL BOARD	6	ST CLAIR CATHOLIC DISTRICT SCHOOL BOARD	3
KAWARTHA PINE RIDGE DISTRICT SCHOOL BOARD	4	SUPERIOR NORTH CATHOLIC DISTRICT SCHOOL BOARD	1
LAKEHEAD DISTRICT SCHOOL BOARD	6	THUNDER BAY CATHOLIC DISTRICT SCHOOL BOARD	4
LAMBTON KENT DISTRICT SCHOOL BOARD	3	TORONTO CATHOLIC DISTRICT SCHOOL BOARD	58
LIMESTONE DISTRICT SCHOOL BOARD	16	WATERLOO CATHOLIC DISTRICT SCHOOL BOARD	5
NEAR NORTH DISTRICT SCHOOL BOARD	8	WELLINGTON CATHOLIC DISTRICT SCHOOL BOARD	2
OTTAWA-CARLETON DISTRICT SCHOOL BOARD	74	WINDSOR-ESSEX CATHOLIC DISTRICT SCHOOL BOARD	5
PEEL DISTRICT SCHOOL BOARD	42	YORK CATHOLIC DISTRICT SCHOOL BOARD	11
RAINBOW DISTRICT SCHOOL BOARD	21	TOTAL	219
RAINY RIVER DISTRICT SCHOOL BOARD	2		
RENFREW COUNTY DISTRICT SCHOOL BOARD	5		
SIMCOE COUNTY DISTRICT SCHOOL BOARD	23	FRENCH CATHOLIC SCHOOL BOARDS	
THAMES VALLEY DISTRICT SCHOOL BOARD	32	CONSEIL DES ÉCOLES CATHOLIQUES DU CENTRE-EST	7
TORONTO DISTRICT SCHOOL BOARD	111	CONSEIL SCOLAIRE CATHOLIQUE DU NOUVEL-ONTARIO	1
TRILLIUM LAKELANDS DISTRICT SCHOOL BOARD	12	CONSEIL SCOLAIRE CATHOLIQUE FRANCO-NORD	2
UPPER CANADA DISTRICT SCHOOL BOARD	12	CONSEIL SCOLAIRE CATHOLIQUE MONAVENIR	9
UPPER GRAND DISTRICT SCHOOL BOARD	9	CONSEIL SCOLAIRE CATHOLIQUE PROVIDENCE	1
WATERLOO REGION DISTRICT SCHOOL BOARD	10	CONSEIL SCOLAIRE DE DISTRICT CATHOLIQUE DE L'EST ONTARIEN	5
YORK REGION DISTRICT SCHOOL BOARD	27	CONSEIL SCOLAIRE DE DISTRICT CATHOLIQUE DES AURORES BORALES	1
TOTAL	579	TOTAL	26
ENGLISH CATHOLIC SCHOOL BOARDS		FRENCH PUBLIC SCHOOL BOARDS	
ALGONQUIN AND LAKESHORE CATHOLIC DISTRICT SCHOOL BOARD	5	CONSEIL DES ÉCOLES PUBLIQUES DE L'EST DE L'ONTARIO	3
BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD	4	CONSEIL SCOLAIRE PUBLIC DU NORD-EST DE L'ONTARIO	1
BRUCE-GREY CATHOLIC DISTRICT SCHOOL BOARD	1	CONSEIL SCOLAIRE VIAMONDE	9
CATHOLIC DISTRICT SCHOOL BOARD OF EASTERN ONTARIO	4	TOTAL	13
DUFFERIN-PEEL CATHOLIC DISTRICT SCHOOL BOARD	18		
DURHAM CATHOLIC DISTRICT SCHOOL BOARD	3	SCHOOL AUTHORITIES	
HALTON CATHOLIC DISTRICT SCHOOL BOARD	9	PROTESTANT SEPARATE SCHOOL BOARD OF THE TOWN OF PENETANGUISHENE	1
HAMILTON-WENTWORTH CATHOLIC DISTRICT SCHOOL BOARD	14	CASES WHERE NO SCHOOL AUTHORITY WAS SPECIFIED	1
HURON-PERTH CATHOLIC DISTRICT SCHOOL BOARD	1		
		CASES WHERE NO SCHOOL BOARD WAS SPECIFIED	34

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

CASES RECEIVED ABOUT COLLEGES OF APPLIED ARTS AND TECHNOLOGY, 2018-2019*

TOTAL: 234

ALGONQUIN COLLEGE	11
CAMBRIAN COLLEGE	2
CANADORE COLLEGE	8
CENTENNIAL COLLEGE	17
COLLÈGE BORÉAL	1
CONESTOGA COLLEGE	14
CONFEDERATION COLLEGE	1
DURHAM COLLEGE	9
FANSHAW COLLEGE	8
FLEMING COLLEGE (SIR SANDFORD FLEMING COLLEGE)	9
GEORGE BROWN COLLEGE	26
GEORGIAN COLLEGE	6
HUMBER COLLEGE	29
LA CITÉ COLLÉGIALE	5
LAMBTON COLLEGE	4
LOYALIST COLLEGE	1
MOHAWK COLLEGE	21
NIAGARA COLLEGE CANADA	4
NORTHERN COLLEGE	9
SAULT COLLEGE	5
SENECA COLLEGE	13
SHERIDAN COLLEGE	13
ST. CLAIR COLLEGE	7
ST. LAWRENCE COLLEGE	8
CASES WHERE NO COLLEGE WAS SPECIFIED	3

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

CASES RECEIVED ABOUT UNIVERSITIES, 2018-2019

TOTAL: 282

ALGOMA UNIVERSITY	2
BROCK UNIVERSITY	12
CARLETON UNIVERSITY	10
LAKEHEAD UNIVERSITY	5
LAURENTIAN UNIVERSITY	12
MCMASTER UNIVERSITY	15
NIPISSING UNIVERSITY	9
OCAD UNIVERSITY	9
QUEEN'S UNIVERSITY	11
RYERSON UNIVERSITY	13
TRENT UNIVERSITY	2
UNIVERSITÉ DE HEARST	1
UNIVERSITY OF GUELPH	17
UNIVERSITY OF ONTARIO INSTITUTE OF TECHNOLOGY	6
UNIVERSITY OF OTTAWA	13
UNIVERSITY OF TORONTO	35
UNIVERSITY OF WATERLOO	21
UNIVERSITY OF WINDSOR	14
WESTERN UNIVERSITY	10
WILFRID LAURIER UNIVERSITY	9
YORK UNIVERSITY	50
CASES WHERE NO UNIVERSITY WAS SPECIFIED	6

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

CASES RECEIVED ABOUT CLOSED MUNICIPAL MEETINGS, 2018-2019

TOTAL: 155

CASES ABOUT MUNICIPALITIES WHERE OMBUDSMAN IS THE INVESTIGATOR	133
CASES ABOUT MUNICIPALITIES WHERE ANOTHER INVESTIGATOR HAS BEEN APPOINTED	22

SUMMARY OF COMPLETED INVESTIGATIONS

MUNICIPALITY	MEETINGS & GATHERINGS REVIEWED	ILLEGAL MEETINGS	PROCEDURAL VIOLATIONS FOUND	BEST PRACTICES SUGGESTED
AMHERSTBURG, TOWN OF	2	1	0	1
CALLANDER, MUNICIPALITY OF	7	0	1	2
CARLETON PLACE, TOWN OF	1	0	0	0
CASSELMAN, VILLAGE OF	4	0	2	4
DEEP RIVER, TOWN OF	2	0	0	1
FORT ERIE, TOWN OF	2	2	1	0
FRONT OF YONGE, TOWNSHIP OF	1	0	0	1
HAMILTON, CITY OF	4	2	1	2
NORTHERN BRUCE PENINSULA, MUNICIPALITY OF	1	1	0	1
OWEN SOUND DOWNTOWN IMPROVEMENT AREA	5	1	0	1
PELHAM, TOWN OF	2	0	0	3
PETROLIA, TOWN OF	3	1	1	5
RUSSELL, TOWNSHIP OF	2	0	1	2
ST. CATHARINES, CITY OF	1	1	2	0
TEHKUMMAH, TOWNSHIP OF	6	2	6	5
THE NORTH SHORE, TOWNSHIP OF	3	1	3	5

FINANCIAL SUMMARY

	(IN THOUSANDS)
OPERATING EXPENSES:	
SALARIES & WAGES	9,562
EMPLOYEE BENEFITS	2,090
COMMUNICATION & TRANSPORTATION	271
SERVICES	2,417
SUPPLIES & EQUIPMENT	2,039
TOTAL ANNUAL OPERATING EXPENSES	16,379
LESS: RECOVERIES	1,079
NET EXPENDITURES	\$15,300

Our Office's budget for the fiscal year 2018-2019 was **\$20.18 million**. Our unaudited actual expenditures were **\$15.30 million**, with continued spending towards our ongoing expansion as well as additional outreach. All unspent funds, and other recoveries were returned to the government.



2018 | 2019



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