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**THE ONTARIO DISABILITY SUPPORT PROGRAM
(2019, VOLUME 1, CHAPTER 3.09 ANNUAL
REPORT OF THE AUDITOR GENERAL OF ONTARIO)
BACKGROUND MATERIAL FOR HEARINGS ***

Prepared for:

Standing Committee on
Public Accounts

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INTRODUCTION

This research package has been prepared by the Legislative Research Service with input from the Office of the Auditor General (Auditor). It provides a brief audit report summary and relevant documents for the Committee's hearings on the Ontario Disability Support Program (Chapter 3.09, Volume 1, Auditor's *2019 Annual Report*). It is recommended that Members refer directly to Chapter 3.09 (see Appendix 1) when quoting the Auditor.

OVERVIEW

The Ontario Disability Support Program (ODSP) is a social assistance program under the Ministry of Children, Community and Social Services (Ministry) created to meet the needs of people with disabilities who are in financial need. The program provides income support, including health and other benefits. An employment-support program is also available to ODSP recipients to help them prepare for, obtain, or maintain employment. In 2018/19, the Ministry provided ODSP income support to more than 510,000 individuals including recipients and their qualifying family members.

The Ministry provides income support to eligible recipients to help cover the costs of their shelter and basic needs including food, clothing and other necessary personal items. Recipients are provided a flat rate for basic needs and funding for shelter is paid based on the expenditures incurred, up to the maximum shelter allowance available.

In addition to basic rates there are allowances for special purposes, such as the special diet allowance, pregnancy or breast-feeding nutritional allowance, and a remote communities allowance. In March 2019, 39% of recipient cases received a special diet allowance, 15% of recipient cases received medical transportation benefits and 7% of recipient cases received funding for diabetic supplies.

Eligibility

To be eligible for ODSP income support, applicants must first demonstrate financial need by providing evidence that their assets and income levels do not exceed specified amounts. Applicants whose income and assets do not exceed these limits are then assessed to determine whether they have a medical condition that meets the definition of a disability under the *Ontario Disability Support Program Act, 1997* (ODSP Act), or qualify as a member of a prescribed class, such as individuals who are 65 years old or over and ineligible for Old Age Security. An applicant must also live in Ontario, and be a Canadian citizen or be legally entitled to reside in Canada permanently.

Disability Determination Adjudicators (adjudicators) in the Adjudication Unit are responsible for determining if, based on the information provided in the disability

determination package, the applicant meets the definition of a “person with a disability” under the ODSP Act. Under the ODSP Act, a person is disabled if:

- the person has a substantial physical or mental impairment that is continuous or recurrent and expected to last one year or more;
- the direct and cumulative effect of the impairment on the person’s ability to attend to his or her personal care, function in the community and function in a workplace, results in substantial restriction in one or more of these activities of daily living; and
- the impairment and its likely duration and the restriction in the person’s activities of daily living have been verified by a person with the prescribed qualifications.

Among ODSP recipients, 39% of the cases were defined as mental illnesses (psychoses or neuroses) whereas 18% were identified as developmental disabilities—the two most common disabilities.

Governance

The Ministry of Children, Community and Social Services delivers ODSP directly through its front-line staff in 47 local offices. The Ministry also contracts with approximately 150 service providers to deliver ODSP employment supports across the province.

ODSP is governed by the *Ontario Disability Support Program Act, 1997* (ODSP Act) and its regulations.

Costs

Since the Auditor General’s 2008/09 audit of ODSP, the cost of the program has increased by approximately 75%, from \$3.1 billion to approximately \$5.4 billion in 2018/19.

The audit report explained that a significant contributing factor to the program’s rising cost is the increase in the number of individuals and families receiving ODSP.

Since 2008/09, the average monthly number of ODSP cases—a single individual or a family unit—has increased by 50%. In 2008/09 there were 247,500 cases and in 2018/19 there were 370,700. The number of beneficiaries (recipients and their dependents) has also increased by about 50% from approximately 342,100 in 2008/09 to 511,200 in 2018/19. For reference, from 2008/09 to 2018/19 the population in Ontario increased by 12%.

The audit report identified reasons for the ODSP cost increase since the Auditor’s 2008/09 audit including the following:

- a 50% increase in the number of recipients and beneficiaries;
- income support rate increases over this period of time; and
- an increase in the percentage of income support costs payable solely by the province from 80% in 2008 to 100% in 2011 (the change had already been identified and was set to take place at the time of the last audit; previously, municipalities had covered a percentage of the program costs).

RECENT CHANGES TO ODSP

The government announced in November 2018 that it planned to reform the delivery of social assistance in Ontario. The Ministry told the Auditor General that a range of service delivery improvements, along with the transformation of ODSP employment supports through integration with Employment Ontario, are in progress.

AUDIT OBJECTIVES AND SCOPE

This audit assessed whether there are effective systems and processes in place to ensure only eligible recipients, according to legislation and policy requirements, receive income support; that employment supports provided are appropriate to needs; and that the program is measured for effectiveness and results are reported publicly.

As noted earlier, the Auditor General's Office previously audited the ODSP program in 2008/09.

MAIN POINTS OF AUDIT

The audit report concluded that the Ministry of Children, Community and Social Services does not have effective systems and procedures in place to ensure that only eligible recipients receive income support and that recipients are receiving the employment supports they need. The audit found that the Ministry was not taking sufficient steps to ensure that all recipients continue to be eligible for the program and that non-disabled adults are participating in required Ontario Works employment assistance activities. Further, the audit report concluded that the Ministry does not have effective processes and systems in place to measure, evaluate and publicly report on the effectiveness of the Ontario Disability Support Program. The audit found that 2.5% of Ontarians are ODSP recipients—the highest rate among all Canadian provinces.

In particular, the audit found:

- since 2009/10 the Ministry has overpaid recipients nearly \$1.1 billion and written off approximately \$400 million in overpayments;

- the Ministry does not currently have a quality assurance process to assess the appropriateness of disability approval decisions, and decisions on whether to assign a medical review date; and, the rationales for these decisions were not always sufficiently detailed or clear;
- the employment outcomes of ODSP recipients are not improving—fewer than 2% of disabled adults are referred annually to the Ministry’s employment supports, and most dependent family members who are not disabled are not participating in mandatory employment assistance activities;
- caseworkers often do not complete required third-party checks to confirm applicants are financially eligible for ODSP;
- over 40% of ODSP applicants are confirmed to be disabled after a cursory review of their application, representing a 56% increase from the time of the last audit;
- ineligible recipients likely remain on ODSP because caseworkers rarely assess recipients’ ongoing eligibility, which can lead to overpayments; and
- the Ministry has no process to assess the appropriateness of disability approval decisions, despite significant differences between adjudicators.

AUDITOR’S RECOMMENDATIONS AND POSSIBLE QUESTIONS

Increased Caseload by 50%

As noted earlier, the audit found that since 2008/09, the average number of ODSP cases has increased by 50% from approximately 247,500 in 2008/09 to 370,700 in 2018/19. The audit report stated that this increase in case numbers is one of the contributing factors to the 75% increase in program costs in the last ten years.

Recommendation 1

We recommend that the Ministry of Children, Community and Social Services investigate and identify the extent that either its policies and procedures to administer and deliver the Ontario Disability Support Program and/or its non-compliance with these policies and procedures have contributed to caseload growth, and take corrective action so that only individuals who are eligible for ODSP receive benefits from the program.

Possible Questions

1. What specific factors have contributed what percentage to ODSP caseload growth?
2. What steps has the Ministry taken to ensure that only financially and medically eligible individuals receive assistance from ODSP?

Verification of Completeness and Accuracy of Applicant-Declared Income and Assets

The audit sampled files and found that at three of four offices visited caseworkers did not carry out one or more of the mandatory Equifax or CRA checks for the majority of files the Auditor's Office reviewed. Further, the audit found that at two offices, approximately 20% of the files did not include a Social Insurance Number for at least one of the adults in the family unit. Finally, the audit found that when caseworkers did conduct mandatory third-party verification checks, they did not always identify and follow up on significant discrepancies that could affect an applicant's eligibility.

Recommendation 2

To better identify and prevent applicants who are not financially eligible for the Ontario Disability Support Program (ODSP) from receiving benefits, we recommend that the Ministry of Children, Community and Social Services (Ministry):

- implement a process to monitor and to take corrective action in instances where local ODSP offices and their caseworkers are not complying with the requirement to verify the accuracy and completeness of each applicant's declared income and assets using the third-party information sharing agreements the Ministry has in place;
- provide mandatory, relevant and comprehensive training for caseworkers on how to interpret the results of third-party checks, and to identify and investigate discrepancies between the information applicants have declared and the information obtained from third-party checks; and
- review the information held in the Social Assistance Management System to identify and collect all missing information, such as a Social Insurance Number, required to carry out third-party checks.

Possible Questions

3. Has the Ministry implemented a process to monitor and take corrective action when caseworkers do not comply with requirements to check the accuracy and completeness of applicants' declared income and financial assets?
4. Has the Ministry undertaken actions to plan for and automate third-party checks of applicants' declared income and assets?
5. Has the Ministry updated and delivered its training for caseworkers on how to obtain and interpret the results of third-party checks of applicants' declared income and assets?

Risk of Financially Ineligible Applicants Transferring from Ontario Works to ODSP

Applicants in immediate financial need can apply to Ontario Works prior to an ODSP assessment process. For such cases, the audit found that Ontario Works caseworkers at the four offices visited did not carry out one or more of the mandatory CRA and Equifax third-party checks for between 23% and 100% of the files (the rate varied among the offices) reviewed. In addition, ODSP caseworkers did not carry out one or more of these required third-party checks once the file was transferred to ODSP.

Recommendation 3

To prevent financially ineligible Ontario Works recipients from transferring to the Ontario Disability Support Program (ODSP) and receiving income support that they are not entitled to, we recommend that the Ministry of Children, Community and Social Services:

- update its directives, policies and business procedures to clearly define and communicate Ontario Works responsibilities for performing third-party checks prior to transferring recipients to ODSP, and ODSP case worker responsibilities in instances where these checks have not been performed;
- implement a process to monitor compliance with these requirements; and
- put in place mechanisms to hold Ontario Works service managers accountable in instances of non-compliance with ODSP requirements.

Possible Questions

6. What steps has the Ministry taken to prevent financially ineligible Ontario Works recipients from receiving ODSP?
7. Has the Ministry updated its communication with caseworkers to clearly define the responsibilities for performing third-party checks of an applicant's declared income and assets?
8. Has the Ministry implemented a program to hold Ontario Works (OW) service managers and caseworkers (municipality staff deliver the OW program) accountable for failing to comply with requirements?

Reviewing Disability Decisions for Appropriateness

The audit found the number of new ODSP applications approved as meeting the definition of a person with a disability increased from 48% in 2008/09 to 59% in 2018/19. This was primarily due to an increase (56%) of new applications approved after a cursory review at the triage stage of adjudication, from 27% in 2008/09 to 42% in 2018/19. The audit also found that

- the Ministry has never determined the average time needed to effectively assess an application;
- the Ministry has not analyzed the reasons for differences between adjudicator approval rates;
- a sample of email feedback to adjudicators showed that adjudication managers focused on increasing productivity, including examples where managers focused on increasing the number of disability decisions without regard for case complexity;
- adjudicators' rationale for rejecting applications was clear, whereas the reasons for approving an application were less detailed;
- in almost 20% of the sample of approved applications reviewed, it was not clear from the application and the adjudicator's rationale how the applicant met the definition of a person with a disability, including examples where there did not appear to be substantial impairments or restrictions to their activities of daily living identified; and
- the Ministry does not record basic information of health-care professionals who complete disability applications in its information systems.

Recommendation 4

So that all applicants who meet the Ontario Disability Support Program's definition of a disabled individual receive benefits, we recommend that the Ministry of Children, Community and Social Services:

- review the reasonableness of its targets and expectations for the number of disability applications it expects its triage adjudicators to complete and to update its targets accordingly;
- implement a formal process to regularly review the appropriateness of decisions to approve and reject applicants as disabled; and
- monitor and investigate significant differences in the rates that adjudicators approve applicants as disabled and take steps to facilitate corrective actions where differences are determined to be unreasonable.

Possible Questions

9. Has the Ministry taken steps to clearly improve documentation supporting applications that are approved as well as applications that are rejected?
10. What is the status of the Ministry's plans to implement an oversight process to regularly review the appropriateness of decisions to approve and reject applicants as disabled?

11. What are some findings from the Ministry's review of targets and expectations for the number of disability applications it expects adjudicators to review?

Recommendation 5

So that only applicants who meet the Ontario Disability Support Program's definition of a disabled individual receive benefits, we recommend that the Ministry of Children, Community and Social Services update the Adjudication Unit's handbook and triage guidelines to reflect advances in treatment associated with medical conditions where there have been significant changes that may no longer render individuals disabled, or permanently disabled.

Possible Question

12. What is the current status of the Ministry's update on the Adjudication Unit's handbook and triage guidelines?

Recommendation 6

So that only applicants who meet the Ontario Disability Support Program's (ODSP) definition of a disabled individual receive benefits, we recommend that the Ministry of Children, Community and Social Services:

- record the name and address of health-care professionals who complete disability applications, as well as any concerns about these applications identified by adjudicators in its information system, to analyze and identify trends, and take corrective action where needed; and
- review and assess the appropriateness of applications completed by physicians that complete a disproportionately high number of disability applications.

Possible Question

13. Has the Ministry implemented a system to track concerns about disability applications completed by specific health-care professionals?

Medical Reviews Required by Legislation

The Ministry requires medical adjudicators to assign approved applicants a medical review date of either two to five years unless the adjudicator is satisfied the individual's impairment is not likely to improve. The audit found that

- In the triage stage of the application, 92% of approved applicants were not assigned a medical review date by the adjudicator and deemed disabled for life. The audit report stated that this represents an increase of over 40% since the 2008/09 audit, when 65% of approved applicants were not assigned a medical review date.

- Across all stages of adjudication, the number of approved disability applications that were not assigned a medical review date increased from 51% in 2008/09 to 80% in 2018/19.
- In the absence of a Ministry analysis of the reasons for this increase, the Auditor's Office analyzed Ministry decisions to not assign a medical review and discovered that certain conditions, including neuroses and psychoses experienced the most significant increases.
- The Ministry requires more documentation if an adjudicator assigns a medical review than it does when the adjudicator decides no medical review is required.
- At the triage and regular stages of adjudication, in over 40% of cases reviewed where a medical review was not required, the file did not contain an explanation of how the adjudicator determined the applicant's condition, impairments, and restrictions were unlikely to improve and that no medical review was required.

Recommendation 7

So that only applicants who meet the Ontario Disability Support Program's definition of a disabled individual receive benefits, we recommend that the Ministry of Children, Community and Social Services:

- analyze by disability type the increase in the proportion of cases that it does not assign a medical review, and assess whether these increases are reasonable;
- revisit the actions taken since 2015/16 that contributed to the increase in cases it does not assign a medical review, and take corrective measures where these actions have led to decisions that are not consistent with the regulations under the *Ontario Disability Support Program Act, 1997* (ODSP Act);
- review and implement changes to the Adjudication Unit's policies and guidelines where they are not consistent with the principles of the ODSP Act; and
- review and update its requirements for both obtaining evidence in support of medical review decisions and documenting the rationale for such decisions so that they are clearly supported and consistent with the regulatory requirements under the ODSP Act.

Possible Questions

14. What steps has the Ministry taken to analyze the increase by disability type of cases which have not been assigned a medical review?
15. Has the Ministry streamlined the Adjudication Unit's policies and guidelines to correspond with the ODSP Act?

Majority of Non-disabled Decisions Overturned by Tribunal

The audit found that the Social Benefits Tribunal continues to overturn about 60% of the Ministry's decisions appealed to the Tribunal (about the same percentage as in 2008/09). Once at the Tribunal the percentage of Ministry decisions overturned varies significantly between the members conducting the hearings.

The audit also found that the Ministry's case-presenting officers appeared in just 16% of hearings in the last 10 years to provide the Ministry's rationale for its decision. However the audit report noted that the Tribunal upheld the Ministry's decisions at a higher rate when an officer was present at a hearing.

Since the 2008/09 audit the Ministry has attempted to reduce the number of its decisions over-turned by the Tribunal such as by providing additional training to adjudicators, and updating its adjudication framework to increase the consistency of decision-making. The audit report concluded that these efforts have been ineffective.

The audit report also noted that in British Columbia, its Employment and Assistance Appeal Tribunal (BC Tribunal), rescinded less than 5% of the appeals that it heard on disability decisions for social assistance in 2017/18. In addition, unlike Ontario's Tribunal, which has broad powers and can make a different decision than the Ministry, the BC Tribunal can only confirm or rescind the decision of the Ministry – it cannot make its own decision.

Recommendation 8

So that only eligible individuals are provided with Ontario Disability Support Program income support, we recommend that the Social Benefits Tribunal (Tribunal), while respecting Tribunal member independence:

- review the overturn and uphold rates for reasonableness between Tribunal members and determine whether any changes in training or other tools are needed to foster greater quality; and
- make improvements where needed.

Possible Question

16. What steps has the Social Benefits Tribunal taken to assess the reasonableness of the differences in decisions between members, and to determine what improvements to the Tribunal, if any, are needed?

Recommendation 9

So that only eligible individuals are provided with Ontario Disability Support Program income support, we recommend that the Ministry of Children, Community and Social Services (Ministry):

- review the impact of Ministry attendance on the outcome of Tribunal hearings, to determine whether officers should attend all hearings, or if

not, the optimal number of hearings to attend to minimize overall program costs, and to ensure that the Ministry's position is effectively explained and supported at hearings; and

- select Tribunal hearings to attend based on the risk of the Ministry's decision being overturned in the Ministry's absence.

Possible Question

17. What steps has the Ministry taken to assess the impact of in-person representation by a Ministry official at Social Benefits Tribunal hearings?

Recommendation 10

So that only eligible individuals are provided with Ontario Disability Support Program (ODSP) income support, we recommend that the Ministry of Children, Community and Social Services (Ministry):

- review whether the high overturn rate of the Ministry's decisions at the Social Benefits Tribunal has affected the Ministry's ability to reach disability decisions that are consistent with the ODSP Act; and
- assess the suitability for ODSP of models for appeals in other jurisdictions and propose alternatives to the Ontario government for an appeals framework that enhances the consistency of disability decisions between the Ministry and the appeals body with the ODSP Act.

Possible Questions

18. Has the Ministry begun to undertake an assessment of the impact that the Social Benefits Tribunal's decisions have on the Ministry's ability to reach disability decisions that are consistent with the ODSP Act?
19. Has the Ministry assessed the suitability of models for appeals in other jurisdictions that could enhance the consistency of decisions in Ontario?

Ineligible Recipients Likely to Remain on ODSP

The Ministry expects caseworkers to review and update recipients' application information on an ongoing basis to identify any changes in financial or other circumstances that may affect their eligibility or the amount of income support received. Caseworkers decide when it is necessary to do this.

The audit selected a sample of recipient cases and found that 58% to 100% (the rate varied among the audited ODSP offices) of the files with recipients' application information had not been updated for at least five years. In addition,

the audit found that caseworkers had not been in touch with recipients for over two years in 22% to 50% of cases. Other findings included that

- the Ministry does not regularly use information from the province's death registry to help identify deceased ODSP recipients to prevent overpayments;
- the Ministry only performed 8,262 eligibility verification reviews in the last four fiscal years (April 1, 2015 to March 31, 2019), or 1.6% of the approximately 508,300 reviews it should have performed over this period based on its directives, that state 3% of all ODSP recipient cases will be selected for an eligibility verification review each month;
- the Ministry does not analyze the findings of its eligibility reviews to prevent overpayments;
- there was a backlog of approximately 42,000 fraud allegations that had not been assessed within the Ministry's required time frame of 15 business days – 60% of these allegations were over a year old;
- the Ministry does not periodically provide training to caseworkers on how to assess and investigate allegations of fraud;
- the process of forwarding allegations of disability fraud to the Disability Adjudication Unit is not working effectively;
- between 70% to 90% of overpayments reviewed at the four local offices visited occurred because clients had not reported changes in their circumstances that affected their eligibility, or in many cases, at three of these offices, caseworkers had not completed steps designed to detect changes in eligibility on a timely basis;
- Since 2009/10 the Ministry has overpaid recipients nearly \$1.1 billion and written off approximately \$400 million in overpayments; and
- the Ministry had not followed up on approximately 19,000 recipients whose medical reviews were overdue, over half of which were overdue by two or more years.

Recommendation 11

So that only eligible recipients continue to receive Ontario Disability Support Program (ODSP) benefits, we recommend that the Ministry of Children, Community and Social Services (Ministry):

- establish a risk-based timeframe for ODSP caseworkers to periodically review the eligibility of all ODSP recipients;
- implement a process to identify deceased ODSP recipients on a timely basis to prevent overpayments;
- review the backlog of cases that ODSP directives required to be subject to an eligibility verification review over the past four fiscal

years, and design and execute a plan to identify and carry out reviews on these cases based on their relative risk;

- review the results of the eligibility verification reviews and carry out a cost-benefit analysis to determine the optimal percentage of eligibility verification reviews the Ministry should complete on an annual basis to maximize savings to the program; and
- put in place a plan to complete the number of eligibility verification reviews determined to be optimal to maximize savings to the program.

Possible Questions

20. What measures has the Ministry put into place to improve its oversight of the ODSP caseload?
21. Has the Ministry determined the optimal volume of eligibility verification reviews it should undertake on an annual basis, and established a plan to complete them?
22. What has the Ministry done to reduce overpayments to ineligible recipients?

Recommendation 12

To maximize the benefits of the eligibility verification process, we recommend that the Ministry of Children, Community and Social Services:

- enhance its systems and processes to record and analyze the causes that led to undetected changes in recipients' financial eligibility;
- clearly communicate where such instances are occurring for review by caseworkers; and
- take action to address these causes to minimize their occurrence.

Possible Question

23. What steps has the Ministry taken to incorporate findings from its ODSP eligibility reviews?

Recommendation 13

So that only eligible individuals receive Ontario Disability Support Program (ODSP) benefits, and that overpayments to recipients are identified and minimized, we recommend that the Ministry of Children, Community and Social Services take steps to:

- provide training to caseworkers on how to assess and investigate allegations of fraud;

- conduct a review of its process for assessing and investigating allegations of disability fraud and clearly communicate roles and responsibilities; and
- implement a process to monitor whether allegations of fraud have been reviewed and investigated within required time frames and take corrective action where these time frames have not been met.

Possible Question

24. What areas did the Ministry determine require improvement following its review of its processes to investigate allegations of fraud?
25. Has the Ministry introduced measures to assist ODSP caseworkers in better assessing and investigating allegations of financial and disability fraud?

Recommendation 14

To reduce the number and size of overpayments to recipients, we recommend that the Ministry of Children, Community and Social Services enhance its systems and processes to determine and record the cause of overpayments, to analyze the root causes and take action to reduce the length of time to identify them, and minimize their occurrence.

Possible Questions

26. Has the Ministry begun to identify and record the reasons for overpayments to recipients?
27. Has the Ministry taken steps to improve the process to identify overpayments?

Recommendation 15

So that the Ministry of Children, Community and Social Services (Ministry) only provides Ontario Disability Support Program (ODSP) payments to eligible recipients, and overpayments to ineligible individuals are minimized, we recommend that the Ministry carry out medical reviews on a timely basis in accordance with its requirements to determine whether recipients continue to have disabilities that meet the eligibility requirements for ODSP.

Possible Question

28. What has the Ministry done to ensure medical reviews occur in a timely manner?

Most Non-disabled Adults Not Participating in Required Employment Assistance Activities

Non-disabled adults in family units receiving ODSP benefits are required to participate in Ontario Works employment assistance activities, unless they have been granted a waiver by their caseworker from doing so. This is meant to encourage non-disabled members of the family to reduce the family's dependence on ODSP or leave the program. The audit found that 43,000 (75%) of non-disabled adults in the program were not participating in employment assistance activities even though their requirement to do so had not been waived. The audit also included a review of a sample of files with non-disabled adults who were not participating in employment assistance activities and determined that in almost all cases they either should have been participating or there was insufficient documentation to support why they were not. Specifically the audit found that

- approximately 45% of the non-disabled adults had not been referred to Ontario Works (OW) employment assistance activities by their ODSP caseworker as required;
- for approximately half of that 45%, caseworkers indicated the non-disabled adult individuals should be waived from participating in these activities but could not demonstrate with sufficient supporting documentation that the individuals should be granted a waiver;
- approximately one-third of the non-disabled adults had been referred to Ontario Works but were not participating due to a lack of follow-up by the Ontario Works and ODSP caseworkers; and
- approximately 20% of the non-disabled adults had received a waiver from participating but the waiver had expired.

Recommendation 16

To improve the employment outcomes of non-disabled adults on the Ontario Disability Support Program (ODSP), we recommend that the Ministry of Children, Community and Social Services:

- review and update its process for referrals to Ontario Works employment assistance to ensure that all referrals are identified and acted upon on a timely basis;
- implement a process to monitor whether all non-disabled adults have been referred to Ontario Works employment assistance or have a valid waiver in place;
- take corrective action in instances where ODSP offices and their caseworkers are not complying with the requirement to refer non-disabled adults to Ontario Works employment assistance, or ensure that valid waivers are in place; and

- put in place mechanisms to hold Ontario Works service managers accountable in the instances of non-compliance with responsibilities in relation to participation for non-disabled adults on ODSP.

Possible Questions

29. Has the Ministry taken action to ensure that non-disabled adults are referred to appropriate Ontario Works employment assistance activities when appropriate?
30. What steps has the Ministry taken to ensure non-disabled adults who cannot participate in Ontario Works employments assistance activities have proper and valid participation waiver documentation?

Large Caseloads Impact Ability of Caseworkers to Carry Out Roles and Responsibilities Effectively

The audit found that the Ministry has not established benchmarks for ODSP caseworker caseloads to ensure that caseworkers are able to meet their obligations and to execute their responsibilities efficiently and effectively. In 2009, the average caseload was 266 recipient cases whereas in 2018/19, the average caseload was 323 recipient cases.

Recommendation 17

So that Ontario Disability Support Program (ODSP) caseworkers can effectively carry out their responsibilities designed to achieve program expectations and requirements, we recommend that the Ministry of Children, Community and Social Services (Ministry):

- assess workloads and processes to establish a roadmap that clearly identifies the Ministry's intermediate and longer-term actions to improve the ability of caseworkers to handle ODSP cases; and
- implement the actions identified in the roadmap so that program requirements can be met.

Possible Question

31. What progress has the Ministry made to improve the ability of caseworkers to handle ODSP cases?

Ministry Refers Few ODSP Recipients to Employment Supports

The ODSP employment supports program assists people with disabilities to increase their economic independence through employment. The audit found that between 2012/13 and 2018/19, only 2% of recipients participated in the program.

Further, the audit found that

- in cases reviewed at four ODSP offices visited, caseworkers had infrequent contact with recipients which limited caseworkers' ability to discuss and remind recipients about employment supports;
- the Ministry has not assessed and does not know how many individuals on the ODSP caseload could benefit from participating in employment support activities;
- the Ministry inadequately tracks whether ODSP recipients obtain employment in steady, long-term jobs;
- the Ministry does not evaluate how service providers use the funding they receive for achieving job placements or retention, or what services they provide to ODSP recipients to ensure that the Ministry obtains value for money; and
- there may be a risk that some ODSP employment service providers may be paid for job placements achieved in part or in whole by enrolling their clients in Employment Ontario programs funded by the Ministry of Labour, Training and Skills Development.

Recommendation 18

To better help Ontario Disability Support Program (ODSP) recipients to increase their economic independence, we recommend that the Ministry of Children, Community and Social Services (Ministry):

- periodically provide information on employment supports to all ODSP recipients who can benefit from them;
- assess the disabilities of recipients on the ODSP caseload to determine the proportion and number of recipients who can benefit from participating in employment supports;
- explore options to increase the number of ODSP recipients referred to employment supports to help increase the proportion of recipients who become more economically independent;
- track additional information from employment support service providers on employment outcomes, monitor whether recipients obtain long-term employment and earn sufficient income to exit from ODSP, and take corrective action where outcomes do not meet Ministry expectations;
- review the services provided by employment support service providers to determine whether they are meeting recipients' needs and assess and take steps to ensure they provide value for money;
- obtain data from the Ministry of Labour, Training and Skills Development to identify individuals who have been provided similar employment support services by both Employment Ontario service providers and ODSP service providers, and take action to recover

payments where two service providers have been paid for the same job placement; and

- work with the Ministry of Labour, Training and Skills Development to put in place processes that prevent payment to two different service providers for the same employment outcomes.

Possible Questions

32. Has the Ministry encouraged caseworkers to contact ODSP recipients whose cases they manage more frequently?
33. What steps has the Ministry taken to increase the number of ODSP recipients referred to employment supports?
34. Has the Ministry made improvements in tracking data regarding employment outcomes for ODSP recipients?

Ministry Has Not Developed Outcome Indicators and Targets to Evaluate if ODSP Goals Achieved

The audit found that the Ministry has not determined desired outcomes for the ODSP and its recipients or developed measures to determine whether outcomes are met.

Recommendation 19

To measure and improve the efficiency and effectiveness of the Ontario Disability Support Program (ODSP) for those using its supports and services, and to increase accountability of the program to Ontario taxpayers, we recommend that the Ministry of Children, Community and Social Services:

- design and implement performance indicators and related targets for intended program and recipient outcomes;
- implement a process to monitor the performance of the program against these indicators and targets and take corrective action where targets are not being met; and
- report publicly on the effectiveness of ODSP.

Possible Questions

35. Has the Ministry determined its intended goals for the ODSP program?
36. What steps has the Ministry taken to develop performance indicators to track the performance of the ODSP program?

APPENDIX

1. Section 3.09, “[Ontario Disability Support Program](#),” AG’s *2019 Annual Report*.