



## Getting it Right – Municipal Property Assessment Corporation

Since the Ombudsman's investigation of MPAC and his 2006 report *Getting it Right*, senior MPAC staff have provided our Office with regular updates on their progress in implementing the Ombudsman's recommendations. The Ombudsman made **22** recommendations aimed at making the property tax system fairer and more transparent, and MPAC and the Ministry of Finance agreed to all of them. The government froze assessments for two years to allow implementation of these changes and most have been in place since assessments resumed in 2008.

MPAC staff recently responded to the Ombudsman's recommendation that property assessment notices

be amended to describe not only the average municipal assessment increase or decrease, but also the average percentage change within the property owner's particular neighbourhood zone. MPAC noted that this has been challenging, since property owners and municipalities may have different concepts of what their "neighbourhood" encompasses. It has used its About My Property web portal to enable property owners to find assessment details for up to 24 comparable properties in their neighbourhood; meanwhile, MPAC committed to continue to fine-tune the availability of "neighbourhood zone" information based on customer feedback. While the Ombudsman agreed that these steps did in principle meet the spirit of the recommendation, he advised MPAC that his office would continue to closely monitor any complaints related to this issue.

“We respect the Ombudsman's work, we acted on his recommendations and we believe that the municipal governments have the tools necessary to ensure an orderly transition.”

– Jim Watson, Minister of Municipal Affairs and Housing, *Hansard*, October 15, 2009



## Between A Rock and A Hard Place – Children with special needs

In early 2009, the Ombudsman sounded the alarm about a new surge in complaints from families who were once again being forced to turn to children's aid societies in order to obtain residential treatment and services for their children's severe special needs. This same issue was the subject of the Ombudsman's 2005 SORT report, *Between a Rock and a Hard Place*.

The Ombudsman met with the Minister of Children and Youth Services, who confirmed the Ministry's commitment to ensuring adequate resources so that no family is forced into such a position. The Ombudsman expressed concern, however, that an early warning system was needed to allow

the Ministry to identify serious cases and work more closely with local service co-ordination agencies. He suggested better monitoring mechanisms to improve officials' awareness of waiting lists and budgetary constraints at the local level.

During the 2009-2010 fiscal year, our Office received **39** complaints relating to services and treatment for children with special needs, after receiving **24** in 2008-2009. Ombudsman staff continue to closely review all complaints and, where warranted, work with senior Ministry officials and service co-ordination agencies to ensure that families receive the services they need without having to give up custody rights. Here are some details of a few of the cases we have handled in connection with this issue:

- The mother of a 13-year-old boy with mental health issues was referred to the Ombudsman by a support group for parents when her son's behaviour became so violent and aggressive that she felt she could no longer care for him at home. At the suggestion of her son's psychiatrist, she had contacted the local children's aid society (CAS) and entered into a temporary care agreement – but she did not want to lose permanent custody. Ombudsman staff contacted a manager at the local service co-ordination agency, who acknowledged that the CAS had become involved in response to an “urgent” situation. The boy has since been placed in treatment in an intensive residential program and the temporary care agreement with the CAS was terminated.
- The mother of a 12-year-old girl who has complex special needs told our office she urgently needed a residential placement because the girl was becoming increasingly violent. The local CAS had informed her that this was putting her other children, aged 2 and 4, at risk. The mother feared she would have to surrender custody of her daughter to the CAS if a residential placement was not found. The CAS initially placed the girl in a group home on an emergency basis and Ombudsman staff, the Ministry's regional program manager and a local service co-ordination agency worked together to secure interim funding to allow the girl's placement to continue, without the mother having to give up her custody rights. A longer-term funding proposal and plan of care have since been approved by the Ministry.

Our Office also intervened in several other cases where children with severe special needs were in short-term placements or assessment facilities and their families had come up against brick walls in their attempts to procure suitable long-term arrangements for them. In each case, Ombudsman staff worked closely with local service co-ordination agencies and Ministry staff to find long-term solutions.

The Ombudsman also received complaints from parents of babies with severe medical problems. These families reported that the available local health services were woefully inadequate for their children's needs, and local service co-ordination agencies felt they were unable to assist because the children's needs were largely medical.

These desperate families had apparently fallen through the cracks between the Ministry of Health and Long-Term Care and the Ministry of Children and Youth Services. Ombudsman staff worked with both Ministries, as well as Community Care Access Centres, to resolve each case. Officials agreed there was a need for better communication between ministries to help these families. For example:

- One couple was struggling to care for an infant girl who suffered severe complications as a result of oxygen deprivation during birth and required constant care and monitoring. The local Community Care Access Centre (CCAC) provided some nursing care, but the family still struggled to cope with the baby's needs. They applied for funding through the Special Services at Home program operated by the Ministry of Children and Youth Services (MCYS), but were told no new funding was available and there was a long waiting list. Local hospital officials suggested that the family give up custody of the baby to the local CAS. MCYS officials told Ombudsman staff they could not help because the baby's needs were mostly medical, and referred the family to the Health ministry instead. Our Office persisted and ultimately the local service co-ordination agency assisted the family in its dealings with the CCAC and ensured they could access all available community services. An agreement was also reached to provide in-home care for the baby when her mother returned to work.

- The mother of a 7-month-old boy who had undergone three heart surgeries and was facing at least two more was having trouble getting enough nursing care for the boy through her local CCAC. She felt she could not meet the boy's needs at home and tried to find a place where he could get 24-hour care for, among other things, cerebral palsy and Williams syndrome. A hospital social worker told the mother to contact her local CAS for help, but the CAS informed her she would have to surrender custody of her child. The MCYS local service co-ordination agency could not help either, although a Ministry director offered her and her family a temporary 21-day respite care arrangement. After Ombudsman staff contacted all of the officials involved, the Ministry agreed to fund placement of the child at a residential care facility selected by the family, and the local service co-ordination agency reached a voluntary agreement with the family to help them manage available funding and services for the boy.
- A single mother of four children, ranging in age from 12 months to 7 years, was referred to the Ombudsman by the Office of the Provincial Advocate for Children and Youth, after her 2-year-old son, who suffered from numerous health problems, had a tracheotomy. The boy required complex medical care and 24-hour monitoring, and his mother feared that the amount of home nursing care provided by the local CCAC would be inadequate. The hospital asked the local CAS if it would take the boy into foster care, but it would not, noting that the child needed medical help, not protection. Ombudsman staff found there were no clear lines of communication between the Health and Child and Youth Services ministries and no easy way of co-ordinating services. We worked with staff from both ministries, the local service co-ordination agency, the Local Health Integration Network and the CCAC, to arrange increased nursing hours, daycare services, transportation to medical appointments and training for family members, all to assist the mother without forcing her to turn the boy over to foster care.

“Why are parents still being put through this? Why are these kids getting the necessary help only after a crisis point has been reached? ... Marin rightly calls this an ‘appalling situation’ ... Once was too much. Twice is unconscionable.”

– *Toronto Star* editorial, June 29, 2009