



  
**Ombudsman**  
ONTARIO

ONTARIO'S WATCHDOG



# ANNUAL REPORT

2020/2021



Office of the Ombudsman of Ontario

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June 2021

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, 2020 to March 31, 2021, 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 light blue background.

**Paul Dubé**  
Ombudsman

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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.



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# Ombudsman's Message

## Essential Lessons from a Pandemic Year

At this time last year, reporting on the impact of the first few months of the COVID-19 pandemic on Ontario public services, I observed that in mid-March 2020, “everything changed.”

In fiscal 2020-2021, as the province and the world struggled with the pandemic's first, second and third waves, much of what had been unprecedented became entrenched: Public servants (including our entire Office) working from home; masking and social distancing; virtual meetings, hearings and classes; and varying degrees of lockdowns.

It is precisely in circumstances such as a global pandemic that citizens need and rely upon their governments and public services more than ever. Our role in overseeing Ontario's public sector has proven vital: As experts in navigating the complexities of government, we helped thousands of people get answers and connect with the right officials. As administrative problem solvers, we provided guidance to government and flagged urgent issues, particularly those involving vulnerable people. As experienced investigators, we probed complex and systemic issues and, when appropriate, made recommendations for corrective change.

We received **20,015** cases between April 1, 2020 and March 31, 2021. That number is lower than in recent years, and understandably so, given that many Ontarians



were grappling with matters well beyond those of public administration. Our move to working remotely also temporarily affected our ability to receive complaints by mail and through our central phone intake line - although we quickly established new lines to ensure vulnerable populations could reach us, and always remained accessible online.

Through it all, our staff demonstrated that independent oversight of public services is essential, particularly in times of crisis. They ensured transparency, accountability, fairness and respect for people's rights. They ensured Ontarians' complaints were heard and addressed, and that investigative action was taken when necessary. Examples of the results they achieved can be found throughout this report.

## Opportunities from crisis

Those achievements, of course, would not have been possible without the co-operation and tremendous efforts by public servants. Their work at all levels throughout the pandemic – in advising political leaders, implementing new policies and pivoting existing ones to adapt to new and rapidly changing demands – must be recognized. Thanks to our long-established working relationships across the public sector, we were able to provide guidance, propose best practices and improvements, and resolve problems behind the scenes.

For example:

- Throughout the pandemic, senior members of our team have met regularly with ministry leadership and stakeholders to address urgent and ongoing concerns about vulnerable groups like children and youth in care, adults and children with developmental disabilities, and inmates in provincial correctional facilities. These consultations keep us abreast of policy changes and allow us to flag complaint trends and concerns. Our long track record with the Ministry of the Solicitor General and the Ministry of Children, Community and Social Services has served these populations well in this time of crisis, and our new Children and Youth Unit has enabled us to do the same for young people in need of protection.
- Municipalities across Ontario have worked hard to adapt to the new reality of holding council meetings virtually – ensuring transparency and public participation amid myriad technical difficulties. Municipal staff have done a commendable job of advising and assisting councils in this transition, and have largely embraced the best practices and recommendations stemming from our investigations in this area. Many have expressed gratitude for our searchable online digest of open meeting investigation reports. They also welcomed our tips and best practices for municipal integrity commissioners.
- The Ministry of Health accepted all of my recommendations in our latest systemic investigation

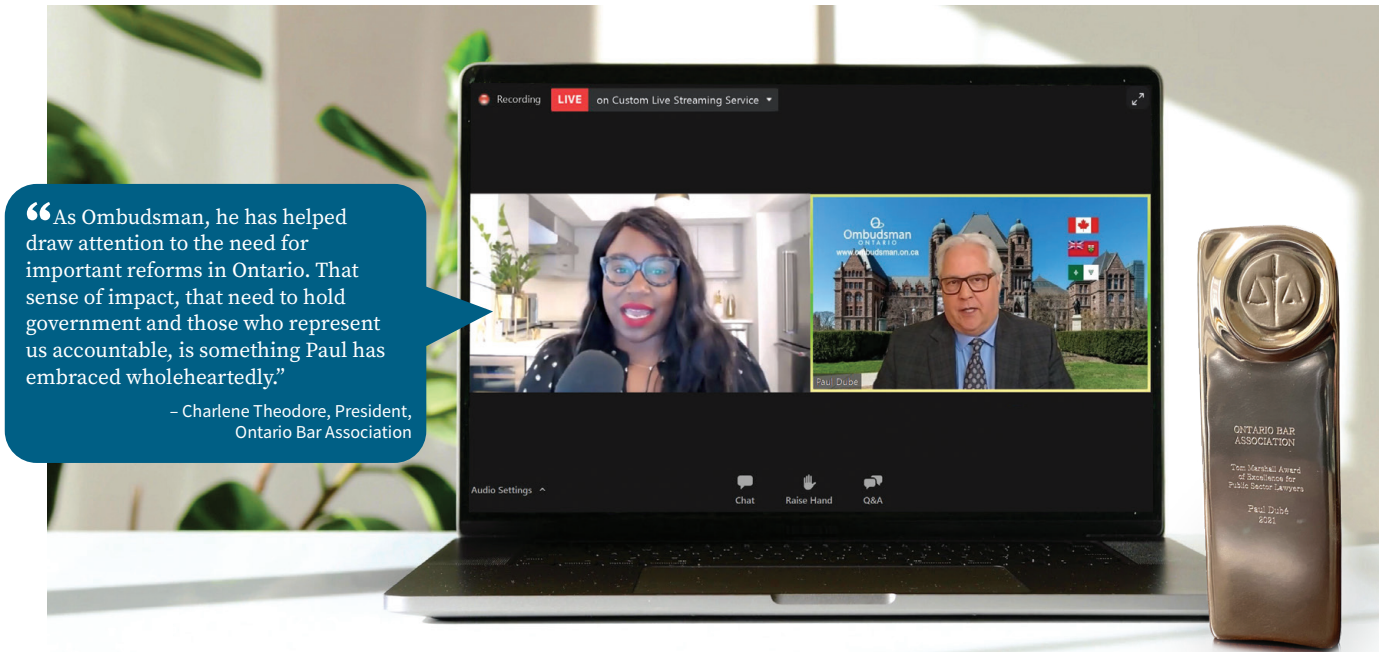
report, *Oversight 911*, agreeing to bolster oversight of its ambulance services – even as the Ministry and ambulance services themselves faced the extreme pressures of the pandemic. We have received good co-operation from the ministries of Health, Long-Term Care, Attorney General, and Children, Community and Social Services in all of our ongoing investigations, all of which are updated in the relevant chapters of this report.

- The Minister of Francophone Affairs welcomed all of the recommendations made by French Language Services Commissioner and Deputy Ombudsman Kelly Burke in her first Annual Report, released in December 2020. Commissioner Burke's proactive urging of the independent commission into long-term care to apply a Francophone lens to its work was also productive: The commission's final report this spring included a recommendation to design and implement a provincial strategy to increase French-language long-term care services. Against the backdrop of the pandemic, our French Language Services Unit also helped many Franco-Ontarians access services and information in their language.

## Gaps exposed – public health and policing

By the same token, the challenges of this pandemic year have also exposed gaps in our public services, where oversight is lacking or nonexistent. I will focus on the two most significant:

- Public health units have been central to Ontarians' experience of the pandemic, responsible for everything from playground closures to mask mandates to vaccination operations. Their work is crucially important and their decisions collectively affect millions. And yet they operate without oversight: They are exempt from the jurisdiction of my Office, and that of the Ministry of Health's Patient Ombudsman. As our report on the Ministry's ambulance services pointed out, for any public service to function as well as possible, there must be oversight, a complaint mechanism, and a way to



■ **JUNE 8, 2021:** Ombudsman Paul Dubé is honoured with the Ontario Bar Association's Tom Marshall Award of Excellence for Public Sector Lawyers.

have those complaints addressed. I encourage the government to establish independent oversight of public health units as soon as is practicable.

- Concerns about oversight and training of police continued to be a key public focus in 2020-2021 across North America after the police killing of George Floyd and several other Black individuals in the U.S. sparked widespread protests and calls for policing reform. This is an area where change in this province has stagnated: It has now been almost five years since the then-government accepted my recommendations for improved de-escalation training in my 2016 report, *A Matter of Life and Death*. Most of those recommendations – which stemmed from reviews of dozens of police-involved deaths in Ontario, going back decades – have not been implemented. I know many leaders in policing agree that changes are needed, and there have been some improvements to de-escalation training. But a new use-of-force model is long overdue, de-escalation training is still not standardized across the province, and new legislation that would address some of this and improve oversight of police is still not

in force. My fear is that the glacial pace of reform, in the face of the tragedies that continue to occur, will further undermine public confidence in the police.

## Act locally, think globally

The most obvious lesson from the pandemic has been that viruses know no borders, so our search for effective strategies to deal with its impact on public services should not be constrained by geography. Through our work with our fellow ombudsmen and administrative watchdogs around the world, we continue to share strategies and expertise. These include the International Ombudsman Institute (IOI), where I serve as President of the North America Region, and its Francophone counterpart, the Association des ombudsmans et médiateurs de la francophonie (AOMF).

This international co-operation produced a significant milestone in December 2020, when the United Nations ratified a resolution “on the role of the Ombudsman and mediator institutions in the promotion and protection of human rights, good governance and the rule of law.” This



historic resolution, supported by the IOI, AOMF and others, will help bolster and protect ombudsman institutions around the world. It encourages UN member states to establish effective ombudsman institutions and ensure they have the necessary independence, legal authority, security of tenure, budget and mandate to fulfil their role.

Across Canada, my provincial counterparts and I have taken turns hosting monthly information sessions for colleagues across the country, and regularly discuss common complaint topics, such as long-term care and vaccine passports. And we continue to liaise with colleagues in the International Association of Language Commissioners and the Canadian Council of Child and Youth Advocates.

## Five more years

One year ago in this space, I noted that the pandemic would ultimately provide lessons for public services and opportunities to strengthen them in future. Those lessons and opportunities are still emerging. I am committed to building on them in the years to come, and honoured that the Legislative Assembly has entrusted me to do so, having reappointed me to a second five-year term as of April 1, 2021.

In the past five years, this Office has seen two unprecedented expansions of its mandate, more than doubling the number of public bodies within our jurisdiction: Municipalities, universities and school boards were added in 2015-2016; then child protection services and French language services in 2019-2020. I am enormously proud of the work that our dedicated, resourceful and talented team has done across such a broad range of topic areas.

I will leave the last word to a complainant who was kind enough to send us a letter of thanks last summer after we resolved her issue. Her words perfectly capture what we aspire to do for Ontarians and how we aspire to do it - in a fair, diligent and impartial way. It is a great privilege to be able to do this work, and my team and I look forward to helping many more Ontarians in the years to come.

“ I am writing this letter to convey my sincere thanks and appreciation for the time and dedication I was provided in addressing my complaint. The time taken to listen to my concerns [...] in an open and unbiased manner was remarkable.

“I was provided ample opportunity to provide any information regarding this complaint and I felt truly heard and understood. Even amidst the global pandemic of COVID-19, I received detailed responses and updates, including suggestions for actions I could take [...].

“I was fortunate enough to receive a resolution that was beyond my expectation and I cannot thank [your staff] enough for helping to facilitate this. My experience was true to the values, mission and vision of the Ombudsman of Ontario.”

– Email from complainant, August 26, 2020

# 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.

If a complaint has merit, an 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. An ombudsman acts impartially, not on behalf of either party.

## Ontario Ombudsman

Established in 1975, the **Ontario Ombudsman** is an Officer of the Legislature, independent of the government and political parties. We promote fairness, accountability and transparency in the public sector by resolving and investigating public complaints and systemic issues within the Ombudsman's jurisdiction.

The *Ombudsman Act* stipulates that complaints to our Office are confidential and investigations are conducted in private. Our services are free of charge.



[Your Early Resolution Officer] was able to do in weeks, during a pandemic crisis, what [the agency] failed to do... I can sleep a little better instead of being angry at my government."

– Complainant

## The Ombudsman around the world

Ombudsman institutions protect people from maladministration and violation of their rights in more than 100 countries worldwide. Our Office works collaboratively with provincial, national and international oversight bodies to share insights, strategies and best practices. Participation in organizations related to our jurisdiction optimizes our knowledge and skills and enables us to better serve Ontarians. They include:

**International Ombudsman Institute (IOI):** Established in Canada in 1978, the IOI is the only global ombudsman organization, with a membership of almost 200 independent institutions from more than 100 countries. The Ontario Ombudsman is a Director on the IOI's World Board, and President for the North American Region.

**Canadian Council of Parliamentary Ombudsman (CCPO):**

Every province and territory that has a parliamentary ombudsman is part of the CCPO. Through the CCPO, we support each other and share expertise to optimize our service to the people and institutions we serve.

**Forum of Canadian Ombudsman (FCO):** The FCO brings together a range of ombudsman offices across Canada, including those that operate within public sector bodies or organizations. Our Office participates in FCO conferences and workshops, including its “ombudsman essentials” training program with Osgoode Professional Development.

**International Association of Language Commissioners**

**(IALC):** The French Language Services Commissioner represents our Office in the IALC, which shares best practices and expertise in protecting minority language rights around the world.

**Canadian Council of Child and Youth Advocates**

**(CCCYA):** Our Office is a member of the CCCYA, an association of independent officers of the legislature from across Canada who have mandates to advance the rights of children and youth.

**L'Association des Ombudsmans et des Médiateurs de la**

**Francophonie (AOMF):** The AOMF supports independent ombudsmen, mediators and human rights commissioners throughout the French-speaking world.

**United States Ombudsman Association (USOA):** The USOA fosters the development of professional ombudsman offices across the U.S., Canada and elsewhere.

**Canadian Association for Civilian Oversight of Law**

**Enforcement (CACOLE):** Our Office regularly shares expertise in oversight of law enforcement with members of CACOLE, which advances the application of civilian oversight of law enforcement throughout Canada and abroad.

**International Corrections and Prisons Association (ICPA):**

An international organization of correctional services professionals and oversight bodies, the ICPA promotes standards for humane and effective correctional practices.



[Y]ou have shown how strongly committed you are to the Ombudsman concept and the principles of a transparent and fair administration. Under your able leadership, the Office of the Ontario Ombudsman took on additional mandates and further grew to become a well-established and highly regarded institution.”

– Letter from Werner Amon, Secretary General of the International Ombudsman Institute, congratulating Ombudsman Paul Dubé on his reappointment, December 21, 2020



Ombudsman institutions protect people from maladministration and violation of their rights in more than **100** countries worldwide.

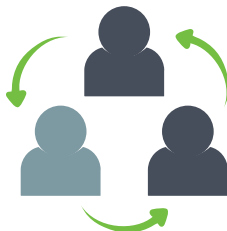
# How we work



## COMPLAINT INTAKE

We take complaints via the complaint form on our website, by email, phone or letter, or in person (when COVID-19 restrictions permit). Our staff will contact you for more details to pursue your complaint. We will not divulge your name or information to anyone without your consent, and there is no charge for our services.

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



## REFERRALS

If your complaint is not within the Ombudsman's jurisdiction, we will refer you 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.



## 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.



## 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 investigation 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.

## WE CAN:

- ✓ Review and investigate complaints about provincial government organizations, administrative tribunals, municipalities, universities, school boards, child protection services and French language services.
- ✓ Help you connect with the appropriate officials, if you have not already tried to resolve your complaint.
- ✓ 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 your efforts to do so have failed, and 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, and make recommendations for constructive change.

## WE CANNOT:

- ✗ Overturn decisions of elected officials or set public policy.
- ✗ Redo the work of other investigative bodies or accountability mechanisms.
- ✗ Take sides in disputes.
- ✗ Provide legal advice or representation.
- ✗ Act as an advocate for a person or public body; we advocate for fairness.
- ✗ Take complaints about:
  - Individual elected officials at the municipal, provincial or federal levels
  - The Premier, Cabinet and its decisions, and political staff
  - Judges and the provincial and federal courts
  - Legal disputes
  - Private companies or individuals
  - Local, provincial or federal police services or conduct (except some Ontario Provincial Police administrative matters)
  - The federal government and its departments and agencies
  - Federally regulated industries (banks, insurance companies, etc.)
  - Self-regulating professions (e.g., lawyers, doctors, nurses, teachers)
  - Student associations and student unions
  - Local public health units
  - Hospitals and long-term care homes (except those designated under the *French Language Services Act*)



## VALUES, MISSION AND VISION



### OUR VALUES

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



### OUR MISSION

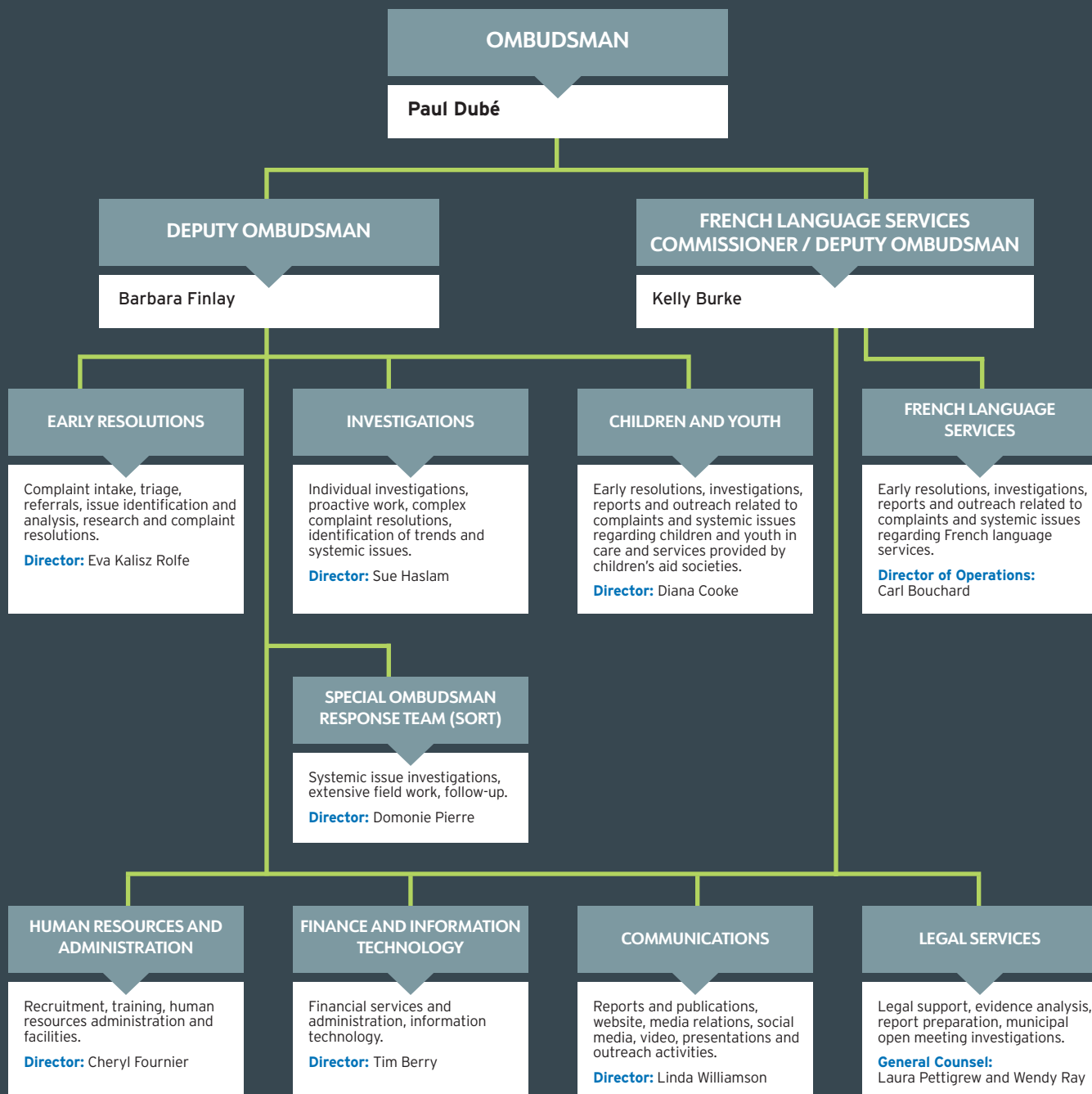
We strive to be an agent of positive change by enhancing fairness, accountability and transparency in the public sector, and promoting respect for French language service rights as well as the rights of children and youth.



### OUR VISION

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

# Who we are



# About this Report

Cases discussed in this report were received between April 1, 2020 and March 31, 2021.

We use “cases” to mean individual complaints and inquiries. Individual cases often involve multiple issues and several different public sector bodies, requiring input and collaboration from teams across our Office.

This report is organized by topic area, rather than by government body. The chapters are arranged in order of case volume, as shown in the accompanying chart. 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**.

## Good to know

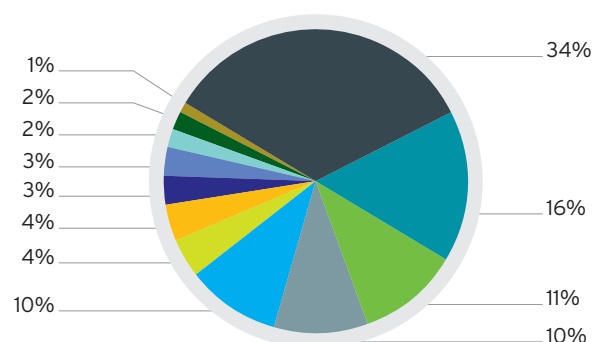
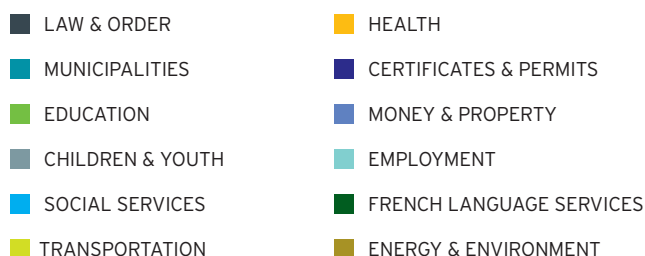
Watch for “Good to know” boxes throughout this report for explanatory notes.

## 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
- 2 Administrative decisions
- 3 Delays
- 4 Legislation and/or regulations
- 5 Communication
- 6 Enforcement of rules or policies
- 7 Broader public policy matters
- 8 Procedures
- 9 Internal complaint processes
- 10 Funding

## CASES BY SUBJECT



# 2020-2021 Highlights



Total cases  
received

20,015



34%

resolved within one week



50%

resolved within two weeks



58%

received online



31%

received by phone

## Outreach with stakeholders

44

virtual events  
[presentations,  
speeches, etc.]



295

stakeholder  
consultations and  
requests answered





# 2020-2021 Highlights

## Communications



**170,285**

website visitors from **195** countries

**683,913**

pageviews



**258,779** people

Facebook reach

**210**

Instagram posts

**3,039,463**

Twitter impressions

**7,155**

YouTube views



**1,907**

print media articles



**847**

broadcast media stories

## Top 10 case topics



**3,691**

Correctional facilities



**2,375**

Municipalities and municipal meetings



**1,402\***

Children and youth



**935**

Tribunals Ontario



**569**

School boards



**553**

Ontario Disability Support Program



**381**

Family Responsibility Office



**305**

Service Ontario



**283**

DriveTest



**267\*\***

French language services

\*Cases received by the Children and Youth Unit, and about youth justice centres  
\*\*Cases received by the French Language Services Unit - details of these will be published in the Annual Report of the French Language Services Commissioner in late 2021.

# Year in Review – Cases by Topic



## LAW & ORDER

### Overview

This case category encompasses all aspects of policing, correctional services and the justice system that are within the Ombudsman's jurisdiction. It is routinely the largest category of complaints to our Office, with the top sources being the programs and services provided through the Ministry of the Solicitor General (**3,966** cases) and the Ministry of the Attorney General (**1,329** cases).

Although the onset of the COVID-19 pandemic saw a decline in complaints in general, it also exacerbated many of the challenges faced by these organizations. Complaints about correctional facilities declined overall (to **3,691** from last year's record high of 6,000), but they increased steadily from April 2020 onward. Similarly,

Tribunals Ontario was the single most complained-about organization for the second year in a row (**935** cases), mostly due to ongoing issues with the Landlord and Tenant Board.

The Ombudsman's oversight does not include judges or court decisions, municipal police services or police service boards. Wherever possible, we refer people to other avenues where they can complain about these matters.

### Trends in cases – policing

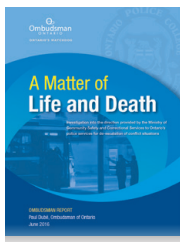
Public attention focused on policing issues with new urgency in 2020-2021 in the wake of several shocking police-involved killings of Black men and women in the U.S., which sparked months of protests across that

country, Canada and elsewhere, even amidst pandemic restrictions. These events renewed calls to ensure police have stronger civilian oversight and better training in de-escalating situations involving persons in crisis – both issues the Ombudsman has explored in systemic investigations (see more information under **Investigations – policing**).

Although we do not have jurisdiction over municipal police, we received **202** complaints that we referred to the appropriate avenues, such as the Office of the Independent Police Review (OIPRD). New legislation that will replace the OIPRD and expand the Ombudsman's mandate over all of the province's police oversight bodies (the *Comprehensive Ontario Police Services Act, 2019*) has not yet been fully brought into force. However, in October 2020, the government appointed its new Inspector General of policing under this Act, which will directly oversee and monitor policing. The Inspector met with the Ombudsman to discuss this new body and our oversight. In December 2020, the new, standalone *Special Investigations Unit Act* came into force, fulfilling one of our Office's longstanding recommendations.

## Investigations – policing

### Police de-escalation training



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

**Investigation update:** Prompted by the fatal police shooting of 18-year-old Sammy Yatim on a Toronto streetcar in 2013, this investigation explored systemic problems in the way

Ontario police are trained to handle conflict situations. It also reviewed more than 20 years' worth of coroners' inquests into similar incidents and echoed hundreds of recommendations stemming from them.

Key among the Ombudsman's 22 recommendations were the development of a new use-of-force model and a regulation requiring officers to use de-escalation techniques before weapons when appropriate, as well as better de-escalation training for new and existing officers. The Minister at the time accepted all of his recommendations and committed to making the major changes within 12 months.

Five years later, however, the majority of the recommendations have not been implemented. The Ministry of the Solicitor General has opted instead for more study on almost every aspect. The Ombudsman is deeply concerned about this lack of progress, as people in crisis continue to be killed in interactions with police that might have been de-escalated. In an October 2020 media interview, he said many needless deaths and injuries might have been prevented if clear legislation and better training had been put in place.

We continue to engage with the Ministry on this issue, and the Ombudsman is considering whether a follow-up investigation is necessary.

**“I am dissatisfied, and I am not alone. If you persistently fail to respond to calls for reforms that are evolutionary, you eventually get demands for changes that are revolutionary. Unless government drives the change, it will move slowly and be difficult to achieve.”**

– Ombudsman Paul Dubé, as quoted by *Toronto Star*, October 6, 2020:  
“Ontario Ombudsman slams ‘outdated’ training tool that emphasizes weapons over de-escalation, despite repeated calls for change”

## Special Investigations Unit – Director’s reports



### Reports: *Oversight Unseen* (2008) and *Oversight Undermined* (2011)



**Investigation update:** Our Office has conducted two systemic investigations regarding the province’s Special Investigations Unit (SIU), the civilian oversight body that investigates police-involved deaths or incidents of serious bodily harm. These resulted in our reports *Oversight Unseen* (2008) and *Oversight Undermined* (2011), in which the Ombudsman made numerous recommendations to bolster the SIU’s oversight and transparency. One key

recommendation – that there be standalone legislation governing the SIU – was finally met in December 2020 when the new *Special Investigations Unit Act* came into force. Another was that the SIU Director’s reports be made public.

The SIU Director must write a report in any case where the Unit opts not to lay charges after an investigation. Historically, these reports were provided to the Ministry of the Attorney General but never made public. In the wake of Justice Michael Tulloch’s 2017 Independent Police Oversight Review, which echoed our Office’s recommendations, the then-Attorney General committed to releasing all such reports, dating back to the SIU’s inception in 1990. However, the review of each report to remove confidential information slowed the process. Reports from 2005 onward were made public and accessible, but those from 1990-2004 remained sealed.

We received **32** complaints about various issues involving the SIU in 2020-2021. In one case, a journalist complained to us about being unable to access some SIU directors’ reports. When we raised the matter with the Ministry of the Attorney General and the SIU, we discovered some confusion over who was responsible for reviewing and redacting the pre-2005 reports. The Ministry decided that

it fell to the SIU, and after discussions with our Office, the SIU’s Director committed to reviewing requests to release these reports on a case-by-case basis.

## Operational stress injury and suicide affecting Ontario Provincial Police



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

**Investigation update:** We have monitored the issue of OPP deaths by suicide for many years, leading up to this 2012 report and since.

The Ombudsman’s report made 28 recommendations to the OPP to improve psychological supports, education and training, and 6 to what is now the Ministry of the Solicitor General to help address suicides and operational stress injury among police provincially. The Ministry and the OPP continue to work toward the full realization of these recommendations.

In August 2018, in the wake of more member suicides, the OPP announced an internal review of its mental health supports and of officer suicides since 2012. Several government initiatives followed, including additional funding to address mental health challenges.

In March 2020, the OPP Commissioner confirmed that since 2012, 17 OPP officers had died by suicide. The province and the Ontario Provincial Police Association also launched a new government-funded mental health support program.

Our Office has actively followed the OPP’s progress in this area, including reviewing complaints and engaging with stakeholders to assess whether a new investigation is warranted. The Ombudsman has also met multiple times with the OPP Commissioner and senior Ministry officials for updates on their actions. Complaints on this issue have dropped significantly from the 90 we received in 2018-2019 – we received **2** in 2020-2021, and 5 in 2019-2020.

## Trends in cases – correctional services

The fair treatment of people in Ontario correctional facilities, including their health and safety, has always been a priority for our Office. In the early days of the COVID-19 pandemic, when our staff moved to working remotely and we were temporarily unable to receive mail or operate our central complaint intake phone lines, we worked with the Ministry of the Solicitor General to establish new phone lines for inmates to reach us. We continue to meet regularly with senior officials to receive updates on the Ministry's responses to outbreaks of the virus and its health and safety measures to protect inmates and staff.

The volume of complaints we received about correctional facilities in 2020-2021 tended to reflect the progress of the pandemic itself. In early spring 2020, hundreds of low-risk inmates charged with non-violent offences were released, and many serving intermittent (weekend) sentences were permitted to do so in the community, to reduce the risk of spreading the virus. The population in Ontario jails decreased by 34% between February and April 2020.

However, inmate counts began to climb again that summer, as did complaints to our Office. In addition to COVID-19 concerns, we continued to deal with complaints about persistent issues like lockdowns, segregation, health care, and matters affecting inmates' safety and well-being. For example:

- We received more than **100** complaints from inmates at several facilities across the province about bad food, including partially frozen, soggy sandwiches. We spoke directly with staff at these facilities to confirm they were providing replacement meals and addressing any potential health risks. Senior Ministry officials confirmed that they were working with the responsible vendor and staff at the facilities to address the issue.



Thank you for taking the time to look into my case. I very much appreciate it.”

– Complainant

## COVID-19 and inmates' access to communication

Throughout the pandemic, we have heard concerns from inmates' family members, lawyers and other advocates about restrictions that left them unable to communicate for extended periods. When in-person visits were restricted, the Ministry provided inmates with phone accounts that permitted them to call cell phones for the first time. We received many complaints about problems with this system. These issues were often exacerbated during virus outbreaks.

For example:

- An inmate whose mother had died complained that he could not call his family or speak with a lawyer about her estate, because his phone account was not working. After we contacted the facility, he was provided with phone access and a new account number.
- We alerted a facility to the case of an inmate whose phone account number was being used by other inmates, leaving him unable to call his family more than once a month. Senior staff at the facility investigated the matter and issued him a new account number.


## Conditions in Thunder Bay and Kenora jails

In last year's Annual Report, the Ombudsman described the deplorable and unsanitary living conditions he observed at the Kenora and Thunder Bay jails during his visits in 2019. The Ombudsman met with the Solicitor General to discuss how the Ministry is addressing issues with staffing and programming, as well as its long-term plans to address overcrowding.

The Ministry has identified a contractor to expand the Thunder Bay Correctional Centre and Kenora Jail, and is offering incentives to correctional officers who wish to relocate to the region. We were told at least 25 new recruits were hired as a result of these efforts in 2020-2021.

We continue to closely monitor and address complaints from inmates at these facilities, and they are a standing agenda item in our meetings with senior Ministry staff. We heard that the persistent lockdowns were exacerbated by COVID-19, due to outbreaks, quarantine measures and staff shortages. For example:

- A group of inmates raised concerns with us about living conditions in their unit and the death of an inmate by suicide. Some described comments by correctional officers that affected their own mental health. We flagged this to senior correctional staff, who told us internal and police investigations were underway. They also noted that inmates had access to a chaplain, a social worker and a Native Inmate Liaison Officer, who conducted a smudge ceremony with those who wished to participate.

 It's heart-wrenching to see the conditions in which those inmates are living. I was shaken when I left that visit to the Thunder Bay jail."

– Ombudsman Paul Dubé, as quoted by The Canadian Press,  
June 30, 2020

## Medical issues

Year after year, access to health care is the most common complaint we hear from inmates, and the pandemic has only intensified this. Not only were they concerned about contracting COVID-19, their access to medical and mental health care was affected by quarantine, distancing, isolation and testing protocols, as well as lockdowns and staff shortages. Treatments by doctors, dentists, psychiatrists and other specialists were often limited, cancelled or delayed.

Although we refer many cases to facilities' internal complaint mechanisms, we prioritize those where an inmate's health and safety could be seriously at risk. We co-ordinated our inquiries wherever possible, in recognition of the additional pressures that health care staff faced due to the pandemic. We resolved many cases by ensuring inmates received the medical attention they needed.

Some examples:

- An inmate who broke his wrist but received little treatment had his injury x-rayed after we raised his case with health care staff at his facility.
- We raised concerns about an inmate who told us he feared for his mental health when the facility stopped his medications. A mental health nurse checked on him and set up an appointment where he could be referred for psychological help.

- When an inmate complained of being depressed due to lengthy lockdowns, we discovered he had been referred to a psychiatrist but had not been seen by mental health staff for months. As a result of our inquiries, the facility reminded staff to follow up on inmates' mental health referrals.
- An inmate sought our help with significant tooth pain and infection. His prescribed painkillers were not working and dentist visits were restricted due to COVID-19. We confirmed with the facility that he was put on a priority list to see a dentist the following week.

## Assaults and threats of violence

Another matter of safety in correctional facilities that we prioritize involves assaults or other threats of violence against inmates. In cases of serious inmate-on-inmate assault or unreasonable use of force by a correctional officer, we confirm that the required investigations are being done at the local level, and that inmates have timely access to health care.

Some examples of how we helped address threats:

- The wife of an inmate who had been hospitalized due to an attack by other inmates urgently sought our help when he was returned to the same unit as his assailants. We confirmed with the facility that they would address the inmate's safety concerns.
- A transgender inmate complained to us that she had been placed in a protective custody unit for men, where she felt unsafe. She said male inmates were approaching her in the showers and on the range and making harassing comments. We alerted facility staff, who committed to have a social worker speak with her about another placement.

## Cultural and diversity issues

We often help inmates who complain about a lack of access to cultural and spiritual programming and services, including religious diet accommodations and the provision of culturally appropriate hygiene products. These services have been significantly affected throughout the pandemic, but wherever possible we have resolved issues by contacting relevant officials. We also flagged a number of inmate complaints alleging racist conduct by correctional staff; in these cases, we followed up to confirm the allegations were investigated and the results shared with the inmates.

Some examples:

- Indigenous inmates at several facilities complained about being prevented from smudging because COVID-19 protocols restricted visits from Native Inmate Liaison Officers (NILOs), particularly in quarantine or isolation units. We confirmed that smudging stations were available throughout one facility and smudging could be arranged through a unit sergeant. At another facility, we were advised that inmates had no access to smudging during the 14-day isolation period after their arrival, but a NILO was available to them afterward.
- We resolved a number of complaints from inmates about a shortage of kosher meals in 2019 and early 2020. The Ministry told us its supplier initially could not meet the demand, but by May of 2020, it had secured another supplier.
- A group of inmates complained about a correctional officer using a racial slur against an inmate on their range. We confirmed with senior staff at the facility that the matter was investigated, written statements were provided by the inmates, and the outcome was communicated to them.



## Investigations – correctional services

### Tracking of inmates in segregation



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

**Investigation update:** This report revealed major issues with the government's tracking and reporting on prisoners in solitary confinement, known in Ontario as "segregation."

The Ombudsman's investigation was prompted by a steady increase in complaints, as well as the extreme case of Adam Capay, a young Indigenous man who was held in segregation in Thunder Bay Jail for more than four years while awaiting trial for murder.

Key among the Ombudsman's 32 recommendations was that the Ministry of the Solicitor General redefine "segregation" to reflect inmates' actual conditions of confinement, rather than where they are housed, as was the practice. He also recommended the use of technology to better track prisoner movement, and an independent panel to review all segregation placements.

The Ministry accepted all of the Ombudsman's recommendations and has implemented **25** of them to date, including crafting a new definition for segregation, and improved reporting on segregation placements.

Many of the outstanding recommendations are dependent on the status of the *Correctional Services Transformation Act*, which was passed in May 2018, but has still not been proclaimed in force. Among other changes, the Act would set new limits on the use of segregation for inmates and establish an independent panel to review segregation placements on a set schedule.

The Ombudsman continues to engage with the Ministry on these outstanding issues, but it has been unable to say when or whether the new Act will be brought into force.

## Other trends in cases

### Administrative tribunals

We receive hundreds of complaints each year about the province's administrative tribunals – independent, quasi-judicial bodies that make decisions about a wide range of issues, including housing, social benefits and human rights.

Tribunals Ontario, a cluster of 14 tribunals that collectively deal with nearly 100,000 cases each year, was the most complained-about organization in 2020-2021, as it was the previous year – although complaints fell to **935** from 1,051 in 2019-2020. The bulk of these complaints were about delays and other issues involving the Landlord and Tenant Board, which we continue to investigate (see the **Money & Property** chapter of this report).

The complaints we receive about other tribunals also typically relate to long delays, process issues, or disagreement with decisions. The Ombudsman cannot overturn decisions, but we can review whether the decisions and process followed were fair. Due to the COVID-19 pandemic, most tribunals now hold electronic hearings, and we helped resolve some complaints about issues with this new technology. Tribunals Ontario has also kept us up to date on its efforts to address delays and backlogs by hiring more adjudicators.

### Probation and parole

We received several complaints from inmates about late delivery of deferred Ontario Parole Board decisions. Some did not receive their decisions until after their parole eligibility dates had passed; although they were denied parole, the delays caused them considerable anxiety. We discovered that facilities across the province have different practices for the delivery of parole decisions – at some, staff refuse to deliver them, or the responsibility for the delivery is unclear.



We continue to follow up on this issue with the Ministry, which is working on a process that will provide for consistency and accountability in the delivery of these decisions.

## Office of the Chief Coroner – delays and closure of forensic facility

We received **12** complaints in 2020-2021 about the Office of the Chief Coroner, which is responsible for conducting death investigations and inquests. Several people complained about delays or a lack of information about investigation outcomes. Some were family members who were impacted financially because they needed information to settle estate and insurance matters related to a loved one's death. We resolved these cases by connecting people with the right officials or making inquiries with the coroner's office.

We also reviewed several complaints received in 2019 after the Chief Coroner announced plans to close the Hamilton Regional Forensic Pathology Unit and transfer all work done there to the newer Forensic Services and Coroner's Complex in Toronto (the Hamilton facility ultimately closed in March 2020). The decision prompted considerable controversy and speculation about the motives behind it. Complainants told us there was no public consultation, and that the Ministry of the Solicitor General would not respond to their requests for information.

Our review revealed that the decision was made in late 2018 as part of a confidential government-wide fiscal planning process, which made public consultation impossible. Both the Ministry and coroner's office acknowledged the confusion that this caused, and agreed to provide clarification to the complainants about this process. Senior officials also answered questions publicly about the matter before the Legislative Assembly's Standing Committee on Public Accounts in October 2020.

## Case summaries

### Search terms

Several inmates in the same facility complained to us that they were strip searched in a main hallway, in view of security cameras. Ministry policy requires that searches be conducted in an area and a manner that preserves inmates' privacy and dignity. Our inquiries led us to escalate the matter to a regional director with the Ministry, who acknowledged the policy had not been followed in this case. As a result, the facility made procedural changes, including conducting searches out of view of cameras and using privacy screens.

### Report duty

An inmate sought our help after he was involved in an altercation with another inmate and then pepper sprayed and assaulted by correctional officers. He had reported the assault to health care staff, but our review showed that they did not report the incident to superiors as required by Ministry policy. We raised the inmate's concerns with senior Ministry officials, who confirmed that they spoke with the facility's health care staff to remind them of the reporting requirements.

### Under the gun

We received numerous complaints in 2020-2021 about delays in approvals by Ontario's Chief Firearms Officer (CFO) for transfers of restricted firearms. We learned that this backlog was largely due to COVID-19, as the office was struggling with staff shortages and technological limitations related to working from home, while dealing with an increase in applications. Our staff confirmed that the CFO had put out messages to advise the public of possible delays. We also worked with CFO staff, through a spreadsheet system, to ensure that each application related to a complaint we received was processed.



## MUNICIPALITIES

### Overview

The Ombudsman has now had full oversight of Ontario's municipalities for more than five years. This role, in addition to our work as the closed meeting investigator for hundreds of municipalities since 2008, has enabled us to help tens of thousands of Ontarians with their complaints about local issues. We have also helped many of the province's 444 municipalities enhance governance, fairness and transparency, often by sharing best practices based on our expertise in resolving complaints.

From the start of this new mandate on January 1, 2016 to the end of the fiscal year covered by this report (March 31, 2021), we received **14,371** cases about general municipal issues. We have successfully resolved all but a handful of these without need for formal investigation. To date, we have conducted **6** formal investigations related to municipalities. No new investigations were launched in 2020-2021.

General complaints declined overall in 2020-2021 due to the pandemic, but we continued to help thousands of people with local issues and services hard hit by lockdowns and other restrictions. At the same time, we saw a surge in complaints about municipal

**“ I would like to personally thank you for your professionalism and co-operation in working with us.”**

– Complainant

meetings, as councils across the province moved to electronic meetings for the first time. Thanks to our years of experience in this area, we helped many municipalities ensure real transparency and public accessibility in their virtual meetings.

Our normal outreach activities with municipal officials also went virtual in 2020-2021, as in-person gatherings were cancelled and many, like our staff, worked from home. We continued to give presentations on our role and approach to municipal matters, answer inquiries from municipal staff, and share our online resources for municipalities and interested members of the public.

## Trends in cases – general municipal issues

The most common topics of complaints in this area continue to be municipal councils, by-law enforcement, housing and infrastructure. In the spring of 2020, we also received many inquiries from residents seeking information about closures or restrictions on access to public spaces due to COVID-19 – as well as complaints about masking and distancing protocols being too lax or too strict.

Wherever possible, we connected people with local services and officials, directed them to public information, or reached out to municipalities ourselves. For example:

- When a ratepayer complained about his municipality raising property taxes during the pandemic, we pointed out that the council was considering waiving penalties for late payments, and directed him to assistance programs available from the municipality and other levels of government.

We routinely emphasize the importance of resolving local issues at the local level wherever possible. The Ombudsman has always encouraged municipalities to have clear and robust complaints processes available to the public. They should be free of charge, posted publicly with clear contact information, and provide for a response within a specific timeframe.

■ Our online resources about municipal matters include “tip cards” about complaint processes and codes of conduct, our Open Meetings Guide, and our searchable open meeting case digest.

The image displays a collection of resources from the Ombudsman Ontario. In the center, a laptop shows the 'DIGEST - HOME' page of the 'OPEN MEETINGS: CASE DIGEST' website. To the left, several 'tip cards' are fanned out, titled 'Closed meetings: Best practices', 'Closed meetings: Resolutions', and 'Closed meetings: Know the exceptions'. To the right, a book titled 'Open Meetings Guide for Municipalities' is shown, labeled as the 'FOURTH EDITION' and 'INFORMATION AND BEST PRACTICES'. The book cover also mentions 'Independent Impartial Confidential Free' and provides the website 'www.ombudsman.on.ca' and phone number '1-800-263-1830'.

## Good to know

Cases about municipal hydro can be found in the **Energy & Environment** chapter of this report; cases about Ontario Works in the **Social Services** chapter; and cases about municipal marriage licences in the **Certificates & Permits** chapter.

By working with municipalities in this way, we help strengthen local governance and transparency. For example:

- After we discovered that a municipality's process referred complaints to a particular employee, but did not indicate how to contact them, it added the contact information to its website.
- After we inquired on behalf of a man who received no response from the municipality, it revised its system of logging complaints.
- After we asked why a man's complaint was dismissed with minimal explanation, the municipality contacted him to discuss details of its investigation and decision.

## Councils, committees and conduct

Most of the complaints we receive about municipalities relate to councils and committees, including the conduct of elected officials and their decisions. The Ombudsman does not intervene in political decisions at any level, and the conduct of officials usually falls within the purview of the local Integrity Commissioner.

Our role is primarily to review the fairness of the municipality's processes and procedures. When we find that the municipality followed a fair process, we communicate this to the complainant. When we find that the municipality's process could be improved, we often resolve the matter by suggesting best practices to help avert future complaints. For example:

- A woman complained that because of the pandemic, she was only permitted to make a written submission rather than address council directly. After we spoke with municipal staff, they contacted her to explain the new rules for addressing council, and agreed to update related policies and forms on their website.

### *Integrity commissioners*

Since 2018, all municipalities have been required to appoint an integrity commissioner (IC) to investigate complaints of violations of their codes of conduct. We receive many complaints about local ICs, but our role is not to redo their work or act as an appeal court for their decisions. Instead, when we receive a complaint about a municipal IC, we look to see whether a fair process was followed, in accordance with legislation, by-laws, and policies. Where problems are identified, the Ombudsman may share best practices with the IC, or make recommendations to the municipality to improve its processes in future.

In reviewing a range of complaints in 2020-2021, we shared best practices with many municipalities regarding the integrity commissioner process. We are developing new resources for municipalities and the public on this topic, similar to our existing materials on municipal codes of conduct and ICs (available on our website).

Here are some examples of cases we resolved that illustrate the need for these best practices:

**Fees and barriers:** A resident told us his municipality required him to submit an affidavit in order to make a complaint under its code of conduct process. We also heard from a municipality that was considering charging complainants a fee. As a best practice, the Ombudsman urges municipalities not to impose such barriers; instead, they should empower their integrity commissioner to dismiss vexatious or frivolous complaints.

**Act within authority:** We reminded an integrity commissioner who failed to follow the municipality's established complaints protocol to remember to act within their legislative and delegated authority.



## Ombudsman's Tips

### INTEGRITY COMMISSIONERS

All municipalities must provide access to an integrity commissioner.

**Municipalities should:**

- Remove or reduce barriers, such as fees for making a complaint, or heavy administrative requirements, such as swearing affidavits.
- Empower the integrity commissioner to dismiss frivolous or vexatious complaints.
- Establish reasonable timelines for integrity commissioner reviews, with the flexibility to extend them if required.

**Integrity commissioners should:**

- Stay within the mandate set out in legislation and the duties assigned by municipalities.
- Ensure their findings are supported by evidence.
- Communicate their decision and reasons to complainants once they have completed a review, or declined to do so.
- Provide thorough reports, setting out the reasons for their findings and any recommendations, their investigative process, the evidence they relied upon and how they weighed it against the relevant ethical rule.
- Abide by the strict timelines in the *Municipal Conflict of Interest Act* for the review of conflict-of-interest complaints.

**Evidence:** We reviewed a number of complaints about integrity commissioners not considering all available evidence or interviewing all potential witnesses. ICs have the discretion to determine the evidence relevant to their investigation, including which witnesses to interview, and to prefer some pieces of evidence over others. As a best practice, they should explain the evidence they rely upon and the reasons for doing so.

**Delays:** We often receive complaints about delays and lack of communication in integrity commissioner investigations. One man told us he heard nothing for eight months after submitting a complaint. As a best practice, we advise municipalities to have clear timelines in their code of conduct complaint protocols, while allowing ICs the discretion to extend them if necessary. In another case, we reminded an IC to be mindful of the strict timelines under the *Municipal Conflict of Interest Act*, after a woman complained that he had exceeded them in her case.

**Decisions:** A woman who felt the integrity commissioner had not addressed all of her complaints told us he never responded to her concerns. Another woman received no further communication from the IC about her matter once she filed suit against her municipality. We spoke with these ICs to stress the importance of communicating the reasons for their decisions to complainants. As a best practice, municipalities' protocols should include communicating with a complainant when an investigation is closed, including because of related litigation.

#### ***Policies on public conduct***

While many residents complain about the conduct of public officials, the conduct of certain members of the public is also a persistent problem for municipal staff. Municipalities can issue trespass notices or bar individuals from municipal property in particularly troublesome cases – as long as the restrictions are justified, minimally impair the person's rights, and are issued through a fair process.

We help resolve these issues for all concerned by sharing best practices. For example, the Ombudsman advises municipalities to have clear policies regarding conduct of members of the public, and trespass notices. (Details can be found in the Ombudsman's reports *Press Pause* and *Counter Encounter*, available on our website.)

In some recent cases:

- We discovered that municipal staff who barred a man from emailing them were not familiar with their own community code of conduct. They rescinded the ban and sent the man a warning letter instead, explaining why his voluminous correspondence was unwelcome.
- We spoke with the mayor and staff at a municipality that barred a resident indefinitely from all municipal property and virtual council meetings. They agreed to adopt a “respectful conduct” policy that includes an appeal mechanism and a process for regular reviews of existing restrictions.

## By-law enforcement

By-law enforcement generates hundreds of complaints each year - **239** in 2020-2021 - from people who think by-laws are being unfairly applied or not strict enough. The Ombudsman identified several best practices for by-law enforcement in his 2018 report *By-law Surprise*,

and we regularly share them with municipalities.

These include having clear complaints processes and appeal mechanisms, and ensuring any fees charged are authorized by by-law.

We resolved many such cases in 2020-2021, often by verifying municipalities' processes or by prompting them to make improvements. For example:

- We received **160** complaints about four municipalities permitting local mosques to broadcast the evening call to prayer during Ramadan in 2020. The municipalities permitted the broadcasts for a few minutes each day, despite local noise by-laws, as they have discretion to do. Our review found that the municipalities weighed the noise issue against the meaningful positive impact for members of the local Muslim community (one even found noise levels during the call to prayer were no higher than passing vehicle traffic). The municipalities also openly communicated with the public about these decisions and received feedback to improve the process for similar decisions in future.
- A municipality issued refunds to a group of residents after we discovered that the fees they were charged for property inspections were not authorized in any by-law, as required by the *Municipal Act*.

Several of the **217** housing-related cases we handled in 2020-2021 involved **vulnerable people** affected by the pandemic.





### By-laws requiring services in French

Municipalities are not subject to the Ombudsman's jurisdiction under the *French Language Services Act*, but some have opted to pass their own by-laws requiring the provision of some services in French. When they then fail to deliver such services, we receive complaints. As with other municipal complaints, we make inquiries as necessary and work to resolve these at the local level. For example:

- A man who spotted an electronic traffic sign near a construction site in English only – contrary to his city's French language services by-law – complained to us after municipal staff told him it was on private property. We confirmed it was on city property, and that staff should have referred the matter to their French language services office. As a result of our inquiries, the sign was replaced with a bilingual one, and staff were reminded about how to refer such complaints internally.

### Housing

Social housing, administered by municipalities and district social services administration boards, is consistently a top topic of complaint. Several of the **217** housing-related cases we handled in 2020-2021 involved vulnerable people affected by the pandemic. For example:

- We helped a woman connect with her local housing provider and support agencies on behalf of her sister, who was at risk of becoming homeless. She said finding help was especially difficult during the pandemic because many government forms could only be accessed online.
- We helped a single mother and her five children, including one with complex special needs, who were living in a motel. She had been told she would not qualify for social housing unless she paid \$3,500 in arrears from 15 years earlier. With our help, she reached a local housing manager who reviewed her situation and committed to finding a home for the family.

## Good to know

See the **Appendix** of this report for more statistics on cases received about municipalities.

## Investigations

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




**Report: *Inside Job*, released November 2019**

**Investigation update:** Launched in August 2018, this investigation revealed that the Chief Administrative Officer (CAO) hired by the Regional Municipality of Niagara in 2016 had

been provided with inside information. It also exposed serious inadequacies in the local ombudsman's review of the matter.

The Ombudsman made 16 recommendations to improve the Region's processes for hiring a new CAO and engaging a local ombudsman. All were accepted, and as of February 2021, **13** had been implemented. One of the most significant outstanding recommendations relates to terms of reference for hiring a municipal ombudsman in future. The Region plans to have this in place later in 2021, and will continue to report back to us on its progress.



## Ombudsman's Tips

### ELECTRONIC MEETINGS

All of the open meeting rules – *Municipal Act* s. 239(1) – apply to virtual meetings and must be followed. In addition, municipalities should:

- Provide clear instructions in the agenda or meeting notice that indicate how the public can access an electronic meeting, such as a link or call-in number.
- Amend their procedure by-laws to provide for electronic meetings.
- If the meeting goes into closed session, make the resolution to do so in open session. When back in open session, report the general nature of what was discussed. Ensure the public has real-time access to both of these steps.
- Consider providing separate meeting invitations or call-in instructions to safeguard the security of closed meetings, or ensure that live broadcasting capabilities can be enabled or disabled as required. Security concerns do not override the open meeting rules.
- Develop procedures to address technological issues – e.g., if the livestream goes down during an open meeting – and make them public.
- Monitor live broadcasts or teleconferences to ensure transmission quality, so the meeting can be stopped if problems arise. Have a backup method of broadcasting in case the first one fails.
- Consider providing telephone conferencing or other alternatives for members of the public who can't watch a livestream.

## Trends in cases – open meetings

All municipal meetings must be open to the public, unless they meet certain narrow exceptions set out in section 239 of the *Municipal Act*. Anyone who thinks a municipal meeting may have violated these open meeting rules can make a complaint.

Since 2008, the Ombudsman has been the investigator for these complaints in all municipalities except those that have appointed their own. This number continues to grow: As of March 31, 2021, the number of municipalities using the Ombudsman as their investigator reached a new high of **256** (up from last year's peak of 236).

Complaints about closed meetings also rose sharply in 2020-2021: Last year's all-time low of **40** cases within the Ombudsman's jurisdiction doubled to **80**. These complaints related to **47** meetings in **41** municipalities (compared to 26 meetings in 24 municipalities in 2019-2020).

Key factors in this increase were COVID-19 and the resulting restrictions on public gatherings, which forced municipalities to conduct their meetings electronically instead of in person. This shift required legislative change at the provincial level and numerous changes to municipal processes and procedures.

We received **94** complaints between April 1, 2020 and March 31, 2021 – **80** of which were about municipalities where the Ombudsman is the investigator. The Ombudsman reported his findings in **26** cases – **15** as formal reports and **11** as letters to the municipalities. Notwithstanding the increase in complaints, only **8** of the 47 meetings we reviewed were illegal (**17%**), down from 19% 2019-2020. The Ombudsman also found **10** procedural violations and made **30** best practice recommendations.

All of these reports and letters can be found on our website and in our searchable **Open Meetings Digest** online.



## Electronic meetings

Prior to the pandemic, fully electronic meetings were not permitted under Ontario law. Any municipal council member who participated in a meeting electronically could not count towards quorum and could not participate in closed meetings.

Amid the March 2020 state of emergency, the province amended the *Municipal Act* and permitted municipalities to amend their procedure by-laws to allow electronic meetings (open and closed). In July, further amendments were made to allow electronic meetings even outside of emergency situations. However, the open meeting rules did not change. This means even electronic meetings must be open to the public, minutes must be recorded, and a resolution must be passed in open session before a meeting can be closed.

In reviewing and investigating complaints about virtual meetings, the Ombudsman sought opportunities to provide best practices and guidance to municipalities grappling with this new reality.

Some examples:

- The **City of Richmond Hill** contravened the Act when it provided notice ahead of an electronic meeting, but failed to provide a livestream or information about how the public could access the meeting.
- The **Board of Management for the Greater Napanee Business Improvement Area (BIA)** went ahead with electronic meetings without first amending its procedure by-law to permit them.
- The **Village of Westport** went ahead with two meetings despite technical problems with its live broadcasting technology, improperly excluding the public. The Ombudsman noted that posting recordings of the meetings after the fact, while a good practice, did not bring the Village into compliance with the open meeting requirements.

We are in the process of developing best practice resources for municipalities to assist them in this area.

## Definition of “meeting”

Along with the move to virtual meetings, pandemic restrictions and stay-at-home orders necessitated more electronic communication between council members – and prompted complaints about possible violations of the open meeting rules.

The rules exist in the interest of transparency – not to discourage socializing amongst members, but to deter councils from conducting business out of public view. Prior to 2018, we investigated several cases where the Ombudsman found that a quorum of council members coming together to conduct business could constitute an illegal “meeting,” even if it was over email or a series of phone calls.

But in 2018, the definition of “meeting” in the *Municipal Act, 2001* was changed to require that a “quorum of members is present,” which does not apply to email or other virtual discussions. In 2020-2021, this proved problematic in a few cases. For example:

- When the Mayor of the **Town of Hawkesbury** met individually, in sequence, with three council members about terminating specific town employees, these discussions did not constitute a “meeting” as defined in the Act, because there was never a quorum of members “present” at once. However, the Ombudsman found that the Mayor had “effectively organized a voting bloc of councillors who strategically agreed ahead of time about how to deal with a specific matter,” away from public view and with no minutes being taken. It would have been more transparent and accountable to introduce the matter at a formal council meeting, he said.

“Given the importance of accountability, transparency, and ensuring that openness requirements are not subverted, the government may wish to clarify whether pre-agreements by a majority of council are contrary to the *Municipal Act’s* open meeting provisions.”

– Ombudsman Paul Dubé, Report on the Town of Hawkesbury’s decision-making process on June 15, 2020, released March 2021

We shared a copy of this report and the Ombudsman's comments with the Minister for Municipal Affairs and Housing. The Ombudsman also wrote to the Minister directly in April 2021, proposing a simple change to the Act to address this issue:

“ [T]he Act's current definition of meeting goes beyond allowing councillors to socialize and share information informally. Rather, the requirement that a quorum be 'present' means that the form of the gathering or exchange can determine whether the open meeting rules apply. Councillors who are seeking to avoid public scrutiny of their exchanges and decision-making can use the limits of the current definition to ensure their conduct remains in the shadows and outside the reach of my Office's investigative mandate. This deprives citizens of 'the right to observe municipal government in process' referred to by the Supreme Court.

“Eliminating the phrase 'is present' from the definition of meeting would resolve this issue and ensure that the open meeting rules apply whenever a quorum of councillors materially advances council business or decision-making. This would allow the definition to focus on the substance of the councillors' exchange, rather than its form.”

– Letter from Ombudsman Dubé to Minister of Municipal Affairs and Housing, April 26, 2021

## Other common open meeting issues

Complaints about municipal meetings tend to stem from confusion about the meaning of the various open meeting exceptions, or common procedural matters like voting and note-taking. On our website, our **Open Meetings Guide** and searchable **Digest** provide detailed information about these issues and numerous examples of the Ombudsman's decisions on them.

### Personal matters

Under s. 239(2)(b) of the *Municipal Act*, meetings can be closed for discussions about “personal matters about an identifiable individual.” This is one of the most cited – and frequently misunderstood – exceptions.

Discussions about a person in their professional capacity do not fit within the exception, so should not be held behind closed doors. For example:

- The **Municipality of Temagami's** discussion about a harassment investigation did not fit because council did not identify the individuals involved or discuss any information about the alleged harassment.
- The **Township of Sables-Spanish Rivers'** discussion of a bidder on a Request for Proposals did fit within the exception because it included personal information about the person's suitability and conduct.

### Minutes and recordings

The *Municipal Act* requires that the proceedings of all meetings be recorded, whether they are open or closed to the public. Minutes that describe the proceedings, including the matters discussed and any decisions made, are essential for transparency and accountability. The Ombudsman also recommends that all municipalities audio or video record meetings, open and closed. These practices not only enhance transparency, they also make investigations more efficient in the case of a complaint.

Some municipalities fell short in this area in 2020-2021 – for example:

- After the **Board of Management for the Greater Napanee Business Improvement Area** lost its only

employee, it stopped circulating minutes, and none could be located during our investigation.

- Participants in closed meetings we investigated in the **Township of Sables-Spanish Rivers** and the **Township of Johnson** had conflicting recollections of what was discussed behind closed doors, and poor minutes made it difficult to determine what took place.
- The **Municipality of West Nipissing** apologized publicly after it inadvertently failed to make audio or video recordings of two meetings when council began holding them via teleconference due to the pandemic.

### Voting

Votes are not allowed during closed meetings, except for procedural matters or to give direction to municipal staff or officers. We investigated several cases of improper votes behind closed doors. For example:

- Council for the **Township of Sables-Spanish Rivers** voted improperly when it decided matters related to staff wages, paying out a claim, and hiring an individual.
- Councils for the **Township of Johnson** and the **Town of Plympton-Wyoming** violated the rules when they voted in closed session on procedures to fill council vacancies.
- When a quorum of council for the **Town of Pelham** decided over email not to accept a donation from a cannabis producer, the Ombudsman found this was wrong and contrary to law, as municipalities are only permitted to make decisions by by-law or resolution.

## Case summaries

### Process undermined

Residents who live close to an open-pit mine contacted us in frustration after complaining to their municipality about noise, dust, and emissions for years. Our review revealed that the municipality had not established a clear complaints procedure or communicated how people should raise

their concerns about the mine. Frontline municipal staff sometimes did not know what to do with these complaints, and at least two different departments responded at various times, leading to confusion. The municipality agreed to clarify its process directly to the residents and on its website. It also committed to training staff so they are able to handle similar complaints in future.

### Information flow

More than **30** people from the same municipality sought our help with concerns about leaking water pipes. They complained that their calls to the municipality were not returned, and it provided no information on its website about what to do when they found a leak, how to have pipes repaired when they crossed onto municipal property, or how to obtain permission to connect new pipes to its infrastructure. After we raised the matter with municipal officials, they agreed to add information to the website, and to provide contact information for staff who could respond to the residents' inquiries.

### Bad signs

A man who received a ticket for stopping in a "no stopping" zone complained that only a "no parking" sign was visible from the spot. When we raised the issue with city officials, they confirmed there was a mix of "no stopping" and "no parking" signs in the area. They decided to refund the man's ticket and fix the signs to prevent future confusion.

### Cleared up

After a woman told us her drinking water was discoloured and she feared it was unsafe to drink, we contacted her municipality and the Ontario Clean Water Agency, which runs its water system. We were told the water was safe, but discoloured because of a new chemical treatment method. The agency said it addressed the matter by changing the chemicals, and worked with the municipality to try a new filtration system while it pursues longer-term improvements. Municipal officials agreed to explain the situation to residents on an upcoming water bill, and the woman told us her water quality had improved.



## Overview

The Ombudsman oversees the province's 72 school boards, 10 school authorities, all publicly funded universities and colleges of applied arts and technology. We also oversee the Ministry of Education and the Ministry of Colleges and Universities - and their programs. In 2020-2021, all of these bodies were greatly affected by the COVID-19 pandemic, as most schools and post-secondary institutions closed their doors and moved to virtual classes for much of the academic year.

In 2020-2021, we received **107** complaints and inquiries about the Ministry of Education and its programs, and **569** about school boards. In the post-secondary sector, we received **399** cases about the Ministry of Colleges and Universities, including **200** about colleges of applied arts and technology. We also received **213** cases about universities.

Our staff handled a wide range of complaints from parents, students and educators about the effects of the pandemic on education and public sector officials' response to it. Some decisions - such as when and whether to close schools and the public health guidelines for doing so - fell outside of the Ombudsman's jurisdiction, but we helped people access information and complaint processes wherever possible. We also raised complaint trends with

officials and gathered information about how such decisions were carried out - and suggested best practices for improving public communication where warranted.

## Themes in cases – early years through Grade 12

### In-person and virtual school

Schools across Ontario were closed due to the pandemic state of emergency in the spring of 2020, leaving millions of Ontarians to cope with the multiple challenges of virtual learning - often while working from home themselves. Students also saw their extra-curricular activities and graduations cancelled. In the fall, schools reopened with guidelines for mask-wearing and social distancing, although some families opted to continue virtual learning. But by spring 2021, in-person classes were again cancelled due to the third wave of COVID-19, and March break was moved to April.

Throughout these changes, our staff reviewed the Ministry of Education's policies and expectations for both in-person and virtual school, as well as the policies developed by individual school boards.

**“ Thank you so much for following up with this... We all appreciate the steps your office took and the level of professionalism throughout the process.”**

– Email from group of parents regarding a school board case

This allowed us to make appropriate referrals and facilitate communication between families and school boards. We provided information to parents who expressed concerns about the effects of the pandemic on their children, such as the consequences of closing – or reopening – schools, or the adequacy of masking and distancing. We resolved these cases by researching the available information and referring people to local school and public health officials.

We also helped parents and boards sort out issues over cancelled events, and spoke with the Ministry of Education about its plans to address a shortage of French immersion teachers in boards that had moved to virtual school.

Here are some other examples of how we helped:

- We made inquiries with a school board after a group of parents complained that all students were being moved to a hybrid learning model (combining in-person and online students). The board acknowledged that the change was made without consultation, and its trustees voted to maintain the existing virtual learning model until June 2021.
- In the fall of 2020, a mother was told her children were not registered for virtual school as she requested, and they would have to attend in person while the board worked through a large waiting list for virtual classes. We followed up with the school board and confirmed the students were registered for online classes by October.
- A mother who had just moved to a new city sought our help in registering her daughter, who has special needs, in virtual school. She then complained that the school board had not sent her a tablet for the girl to

access online materials. We connected her with board officials, and she obtained the tablet.

- We helped a mother, who has cancer, switch her child's school registration from in-person to online, due to her doctor's concerns about COVID-19 transmission risk. The board had a long waiting list but prioritized health considerations.

## Pandemic support benefits

Over the course of the pandemic, the government has created several financial benefits programs to help support students and parents, such as Support for Families, Support for Learners and the COVID-19 Child Benefit. We heard from many Ontarians seeking information about these programs or the status of their benefits. For example:

- When a woman complained to us about delays in receiving her Support for Families payment, we put her in touch with a ServiceOntario manager, who confirmed the date when her payment would arrive.
- A woman complained that she never received the one-time Support for Families benefit, and when she inquired about it, she was told her application had been deleted because the program was now closed. Our staff spoke to senior officials who resolved the issue and processed her payment.
- After her computer automatically added an old email address to her Support for Learners application, a mother of two students had trouble correcting the error with the Ministry of Education. We confirmed with the director of the program that the benefit would be sent to her.

## Special education and accommodations

Notwithstanding the pandemic, schools are still required to have Identification, Placement and Review Committees (IPRCs) to determine appropriate supports or placements for students with special needs, at the request of parents

or principals. Boards also must develop Individual Education Plans (IEPs) for such students. We routinely help families with issues related to special education supports, and this was especially important to those dealing with COVID-19 changes. For example:

- We helped confirm that a family was permitted to have a support person participate in their child's IPRC meeting, in accordance with the law.
- We made inquiries on behalf of a student with special needs to determine how he would be accommodated in a virtual classroom. The boy's mother had requested that he be exempt from screen time but had received no information from the board about how his IEP would work. The board approved the request and assigned a teacher to the student.
- Guardians of a child with special needs sought our help after the child's education was significantly interrupted by the pandemic and their request to have them repeat Grade 2 was denied. Board officials reversed their decision after we contacted them about the case.

## Trustee conduct and integrity commissioners

We frequently receive complaints about the conduct of school board trustees. The Ombudsman has always encouraged boards to have a clear complaint process for such cases, and to appoint their own integrity commissioners – as is now mandatory for municipalities. This is a best practice that ensures an independent and impartial mechanism for complaints at the local level.

We are aware of 5 boards that engage the services of an integrity commissioner: The English public boards in York, Peel, Durham and Toronto – and, new this year, the Toronto Catholic District School Board (TCDSB). Prior to the appointment of the TCDSB integrity commissioner, our Office suggested to the board that it clarify its process for complaints about trustee conduct. It now has this information on its website.

In a case involving another board, a man complained to us after he received no response to his concerns about a decision to sanction a trustee. After we inquired with board officials, they acknowledged that they had not answered the man's emails, and committed to do so.

## Property tax designations of support for French-language school boards

In response to concerns from Ontario's French Catholic school trustees' association, their boards, and individual Francophone property owners, our Office prompted the Municipal Property Assessment Corporation (MPAC) to review how it processes school support applications. The property owners complained after they discovered the school support designations on their properties had defaulted to English public school boards, instead of their choice of the local French-language board. The French Catholic boards raised concerns about the accuracy of MPAC's information.

Under the *Assessment Act*, MPAC is responsible for collecting information about school board supporters across the province. This responsibility dates back to a time when school board funding was based on property taxes: By default, property owners are listed as supporting their local English public board, unless they fill out an application to support the local English Catholic, French public or French Catholic board instead. Although this no longer determines school funding (which is now based on the Ministry of Education's per-pupil funding formula), it does determine how many trustees a school board has, and who can run and vote in trustee elections.

We heard from several Francophones whose support had defaulted to English boards, even though they submitted the required documentation to change it:

- A French Catholic school supporter told us he had to make multiple attempts to ensure his application was processed and his support recorded.

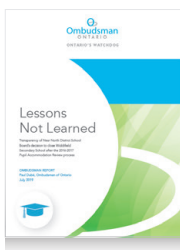


- A French public school supporter checked MPAC's **voterlookup.ca** website and discovered that her support had defaulted to English public. She complained that she and her Anglophone husband had to sign school support documentation, even though their child had attended a French public school.
- After a French public school supporter moved to a new property within the same school board area, his school support designation did not follow him. Our inquiries revealed that a database MPAC had established in 2012 to track school support when someone moves had not been updated for many years. MPAC corrected the error and updated the database. Its Quality Services Commissioner also did an internal review and recommended that MPAC engage with school boards about ways to improve and simplify the school support designation process.

We continue to monitor the implementation of these changes by MPAC in the run-up to the 2022 school board elections. We have also informed the relevant ministries about these issues.

## Investigations

### Transparency of a school closure decision in North Bay



#### Report: *Lessons Not Learned*, released July 2019

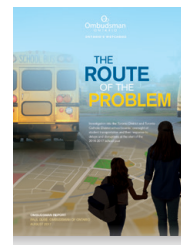
**Investigation update:** The Ombudsman found that the Near North District School Board failed to follow a rigorous and transparent process when it decided to close a secondary

school in North Bay in 2017, despite the lessons it could have applied from a similar controversy in 2013. All of his recommendations were accepted by the board, including that it hold a new vote on closing the school.

As of December 2020, **12** of the Ombudsman's 14 recommendations were fully implemented. The board adopted a new governance manual that addressed recommendations made by the Ombudsman, the 2013 review and by Ministry of Education advisors in February 2020.

The two outstanding recommendations relate to updating the board's accommodation review policy and will be implemented once the Ministry of Education updates its Pupil Accommodation Review Guideline. There has been a moratorium on school closings since June 2017, so the board has not had to engage its accommodation review policy. The school at the centre of this case finally closed in June 2020.

### School busing issues in Toronto



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

**Investigation update:** The Ombudsman launched this systemic investigation after more than 1,000 students at the Toronto District School Board and the Toronto Catholic District School Board

were affected by severe school bus delays, last-minute route changes and a bus driver shortage at the start of the 2016-2017 school year.

All 42 of his recommendations were accepted. These included developing a school bus transportation complaint procedure, a communication protocol to ensure parents, boards and other stakeholders are notified of service disruptions, and contingency staffing plans.

We received no complaints about school bus delays or driver shortages in fiscal 2020-2021. The school boards and their shared transportation consortium continue to update us on their implementation of the Ombudsman's recommendations. As of March 2021, **11** recommendations remain outstanding and in progress. The most significant of these are expected to be addressed when transportation contracts are renewed in 2022.

## Trends in cases – post-secondary

Over the past five years, the most common complaints relating to universities and colleges have been about admissions, academic appeals, financing and student services. In 2020-2021, most post-secondary education in the province was moved online due to COVID-19, and our staff helped hundreds of people navigate the impacts of this change.

In addition to resolving individual cases, we often suggest best practices to post-secondary institutions to improve their processes and avert future complaints – such as having a clear procedure for grade appeals and giving plenty of notice for appeal hearings.

As well, as of 2019, all Ontario colleges and universities are required to have policies to protect free speech on campus, and any unresolved complaints may be referred to the Ombudsman. We received few new complaints this year, but continued to follow up with one university on previous cases related to security fees: The university committed to posting clear information on its website about its process for assessing security fees for events that are expected to spark controversy and protests.

Since February 2021, our Office has closely monitored the impact of Laurentian University's efforts to avoid bankruptcy, and its decision in April to cut numerous programs, including several designated under the *French Language Services Act*. In June, the French Language Services Commissioner launched an investigation regarding the cuts to French-language programs. We continue to review other complaints from affected individuals.

### Ontario Student Assistance Program (OSAP)

We routinely help students with issues related to OSAP loans and grants, and in 2020-2021, the pandemic complicated matters for many. Among those we helped:

- After becoming a permanent resident of Canada and receiving a new Social Insurance Number (SIN), a

### Good to know

See the **Appendix** of this report for more statistics on cases received about school boards, universities and colleges of applied arts and technology.

student's OSAP applications were repeatedly rejected because they did not match the former temporary SIN on his file. Our staff raised the case with OSAP and the student ultimately received **\$11,600** in funding.

- A mother who urgently needed OSAP to support her family while she pursued her studies feared OSAP would reject her because she did not have a birth certificate for one of her children. We spoke with OSAP officials, who advised that she could apply and access funding, then update her application once she obtained the missing birth certificate.
- Two years after transferring programs, a student was told he was no longer eligible for OSAP funding due to the length of time he had been in school. He complained to us that he would not have enrolled in a three-year program if he had known his funding would not cover the full period. After we inquired about the case, OSAP audited his file and found he was eligible for an additional **\$5,000**, enough to cover his third year.

### Fees

Many of the students we helped with fee issues in 2020-2021 were dealing with matters related to program changes and cancellations due to the pandemic. For example:

- A would-be student in a college English program was required to take an English proficiency test administered by an external agency. She paid \$40 for the test and a \$500 deposit to reserve a spot in the program. She never received her test result and thus could not enrol in the program – but the college would not refund her deposit. After we raised the case with college officials, they sent her a cheque for **\$500**.



- Students in a college animation program were told they would have to buy desktop computers because the school's computer labs would be inaccessible due to COVID-19. After we spoke to the college about one student's complaint about this extra cost, arrangements were made for students to access a computer lab, and additional bursaries were set aside to help students purchase computers.

## University/college ombudsman

Our Office encourages universities and colleges to have their own ombudsman to resolve issues at the local level. We often help students connect with their ombudsman, and have suggested best practices to several university and college ombudsman offices. For example:

- We checked with a university ombudsman after a student complained that he had failed to follow up on his case – it turned out that the ombudsman's email response to the student was still in his "draft" folder.
- We suggested several best practices to a college ombudsman regarding a student with learning disabilities and mental health challenges who requested certain accommodations. The case raised issues of confidentiality. We reviewed the college's code of ethics for the ombudsman and suggested best practices to ensure complainants' information is not disclosed without their consent.

## Case summaries

### Opportunity granted

A former master's student who began to work in her field just before she completed her degree complained to us that the Ontario Student Assistance Program (OSAP) had deemed her ineligible for an Ontario Student Opportunities Grant, due to unreported income. She noted the decision seemed to be based on income she earned after graduation. We spoke with OSAP officials, who conducted an additional assessment and determined that the woman was indeed eligible for a grant of **\$7,880**.

### Process upgrade

A university student who had completed two years of courses applied for late withdrawal because of a previously undiagnosed mental illness. She sought our help after the university's academic appeals committee denied her request and she was given a failing grade. Our review of the committee's decision identified issues with its processes and the handling of the student's complaint. As a result, the student's "F" grade was replaced with "withdrawn," and the university began addressing the problems we identified with its appeals process.

### Slow off the marks

A college graduate seeking to pursue studies at a university sought our help when he was unable to provide official transcripts from the college, whose offices were closed in spring 2020 due to COVID-19. He complained that the college did not respond to his inquiries until June, and did not provide his unofficial transcript until October, which was too late for the university's fall semester. College officials acknowledged that changes to its processes due to the pandemic had resulted in issues that they had since addressed. They offered to apologize to the graduate and explain the situation to his new university, where he successfully enrolled for the next semester.

### Trucker stop

A would-be commercial truck driver complained to us after the private career college where he took his Mandatory Entry Level Training course was suspended by the Ministry of Colleges and Universities. He had passed the training and road test, but was told he was no longer eligible to receive his commercial truck licence because of the college's status. He attempted to raise the issue with the Ministry of Transportation, but had no response for months. We confirmed with the Ministry that it would not require affected students to re-take the course – however, it did not notify them of this. In light of our inquiries, the Ministry told us it will consider improving the program and including a provision to inform students if a similar situation arises.



## CHILDREN & YOUTH

### Overview

Under Ontario's *Child, Youth and Family Services Act, 2017*, children and youth in care – young people living in foster homes, group homes, treatment placements and youth justice facilities – have a legislated right to contact the Ombudsman.

This means they must be told about who we are, and how to reach us – in language they can understand. Those providing them with services must not only inform them about us, but allow them to communicate with us privately and without unreasonable delay.

These special safeguards echo Article 20 of the *United Nations Convention on the Rights of the Child*, which places an obligation on governments to provide “special protection and assistance” to young people who live in state care. We reflect this notion in the way we handle complaints from children and youth in the province’s child welfare and youth justice systems.

Our Children and Youth Unit resolves and investigates complaints regarding young people in care, conducts outreach to promote and protect young people’s rights, and provides advice and recommendations to government. We also have dedicated staff who handle cases related to youth justice centres.

### Trends in cases

Between April 1, 2020 and March 31, 2021, we received **959** complaints and inquiries about children’s aid societies, **173** about youth justice centres, and **124** about residential licensees (group homes and foster homes). Although we have always had oversight of youth justice centres, this is our first full fiscal year of oversight of the other bodies, which became part of the Ombudsman’s jurisdiction on May 1, 2019.

We received **938** cases from adults (service providers, family members, police, etc.), and **291** from children and youth.

Among the most common issues raised with us by young people were concerns about their placements, issues related to their culture or identity, being physically restrained or assaulted (by staff or peers), and wanting to have more or less access to their parents.

The most common issues raised by parents included access to their children and concerns about unfair treatment by children’s aid societies (CASs). Common complaints from other adults included COVID-19 restrictions, a shortage of placements, human trafficking, the safety of placements and the response by CASs to safety concerns.


Children and youth in care were particularly affected by the pandemic, as lockdowns reduced or eliminated many aspects of their care, including visits by family, social workers and inspectors. As well, safeguards such as criminal record checks on caregivers faced delays.

Throughout this time, the Director of the Children and Youth Unit and staff have participated in weekly meetings with the Ministry of Children, Community and Social Services and stakeholders in the child welfare sector to discuss these and other issues. These included a moratorium on youth “aging out” of care (so that those turning 18 would not have to leave care during the pandemic).

## Complaints about children’s aid societies and residential licensees

As the organizations directly responsible for most children in care in Ontario, children’s aid societies (CASs) account for most of our complaints in this area. These range from communication issues – a lack of information provided to children or families, or delayed responses – to concerns about the adequacy of care or staff conduct. We resolved these by facilitating contact with CASs, making inquiries, and following up with complainants. For example:

- We prompted a CAS to inform a mother and her two foster children about the outcome of its investigation into their allegation of abuse by a former foster parent.
- A woman who had waited four months for court documents verifying custody of her niece received them within four days after we contacted the CAS.
- A whistleblower contacted us with allegations of physical abuse and failure to provide some basic medical services at a group home for medically fragile youth. After we connected him with the relevant CAS, it completed an investigation and recommended several improvements to the home’s staff.

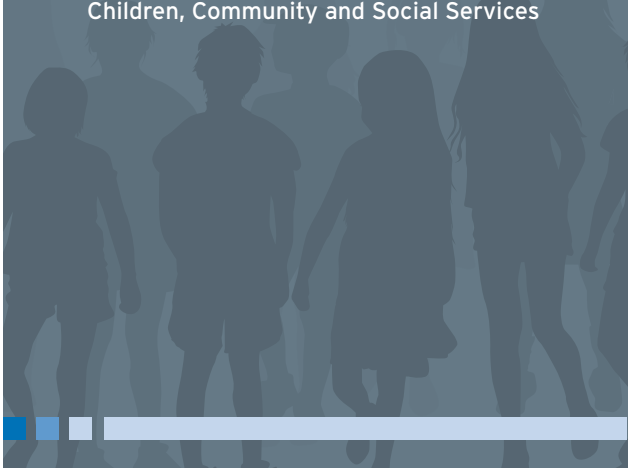



## How we Work

### OUR ROLE WITH CHILDREN AND YOUTH

To help children and youth in care, we:

- Receive and review complaints about any matter concerning a young person receiving residential care services or in a youth justice facility
- Conduct investigations
- Review, analyze and follow up on Death and Serious Bodily Harm reports
- Promote and protect young people’s rights
- Meet with children and youth in care, as well as service providers and youth justice facility staff, to inform them about how we can help
- Conduct outreach with community groups and professionals who help young people
- Liaise with and provide advice to Ministry of Children, Community and Social Services





## How we Work

### WHEN A YOUNG PERSON CALLS

When a child or youth contacts our Office, we:

- Ask them to explain the problem, and whether they've already spoken to someone about it.
- Contact their service provider, with the youth's consent, to find someone who can help resolve their complaint.
- Stay involved by following up and monitoring the outcome.

If the issue isn't resolved, we can review it further by making inquiries and obtaining documents. We consider whether the decisions, processes and treatment of the young person were fair.

We resolve almost all cases without formal investigation, but can also investigate further if needed.

We also track complaint trends and raise them proactively in our regular meetings with officials at the Ministry of Children, Community and Social Services, as well as with local children's aid societies and youth justice centres, and other stakeholders.

The *Child, Youth and Family Services Act, 2017*, establishes several mechanisms where adults can complain prior to contacting our Office. When adults complain to us, we first refer them to these mechanisms, but advise them that they can return to us if the matter is not resolved.

Our focus is to resolve issues as quickly as possible, and to improve the services provided to young people and families by Ontario's child welfare system through our oversight.

## CAS-initiated calls to police

We raised concerns with the Ministry and the Ontario Association of Children's Aid Societies about a number of cases across the province in which CASs called in police to deal with young people in their care. This practice is disturbing, as Section 28.1 of the *Youth Criminal Justice Act* makes it clear that the criminal justice system should not be used as a substitute for child protection, mental health or other social measures. In several cases, our intervention prompted the CASs to review their processes.

Some examples:

- When a 13-year-old racialized girl refused to go to her new group home because it was far from her home community, the CAS called police - who handcuffed her and placed her in the back of a police vehicle. We spoke with the CAS, which had no formal policy on when to involve police. It now requires staff to obtain the service director's approval before contacting them, and is working on a formal policy. We also confirmed the girl was moved to a foster home in the area she originally requested.
- After a youth left her foster home without permission and returned to her family home, the CAS called police, who ultimately handcuffed and removed her. As a result of our inquiries about the incident, the CAS spoke with its staff about how issues could be proactively identified and noted in a youth's file, so they can be resolved without involving police.
- A youth who has a developmental disability and behavioural issues had his arm broken while being restrained by staff at his group home. We reviewed the investigation of the incident by the CAS and police, and discovered that one of the resulting recommendations was for the group home to ask the police to caution the youth about his recurring problematic behaviour. We inquired with the CAS and group home and confirmed that they did not - and would not - ask police to do this. The home has since brought in a new supervisor who has emphasized de-escalation and reviewed the use of restraints, resulting in them being used less often on this youth.

## Death and serious bodily harm reports

Children's aid societies and licensed residential service providers are legally required to inform our Office when they become aware of an incident of death or serious bodily harm involving a child who has sought or received services from a children's aid society within the past 12 months.

CASs and residential service providers are expected to notify us within 48 hours of the incident, which is often before any of the required child protection, police or coroner's investigations are complete. The involved young person or their parent(s) must also be notified about our Office and how to contact us in such situations. Serious bodily harm includes physical, sexual and/or psychological harm, and must be reported whenever a young person requires treatment beyond basic first aid. These reports are submitted via a secure portal on our website.

We review them weekly to identify any cases that require follow-up, and conduct a monthly analysis of the data to identify patterns and potential systemic issues. We flag any issues of concern in the death reports to the Office of the Chief Coroner of Ontario - who also receives them, by law. Although we cannot investigate child deaths, we can review the services provided to the young person once the Coroner's investigation is complete.

We received 1,299 reports on 1,050 incidents in 2020-2021. There were 105 reports of deaths, and 975 reports of serious harm. We followed up with **41** cases. For example, we follow up on all reports that indicate a child was injured as a result of physical restraint:

- A youth in a group home who was injured when she was physically restrained for self-harming behaviour told us she had had "a really hard day," and staff were trying to assist her. She confirmed she now felt fine, and was supported by staff in the home.
- A youth we contacted about being injured revealed to us that her CAS worker had refused to meet with her about previous incidents where she had been

## Good to know

See the **Appendix** of this report for more statistics on cases received about child protection services.

restrained and unable to breathe. We helped her file a complaint with the CAS, and a new worker was assigned to her.

## Youth justice centres

Ontario's youth justice system includes secure custody and open custody facilities for youths between the ages of 12 and 17 who come in conflict of the law. Youth custody/detention facilities are operated directly by the Ministry of Children, Community and Social Services, which also funds open and secure custody youth centres operated by third parties.

On March 1, 2021, the Ministry closed 26 of these centres, including 21 open custody centres and five secure facilities; 10 of the 26 were located in Northern Ontario. In a statement, it noted that the closures addressed under-utilization of these facilities, where admission rates had declined 80% in recent years due to programs emphasizing alternatives to custody. The Ombudsman launched an investigation into the Ministry's planning and implementation of the closures of two centres in Kenora and Thunder Bay (see update under **Investigations**). Five custody/detention facilities and 22 open and secure custody centres remain.

We meet regularly with senior officials in the Ministry's Youth Justice Division to discuss COVID-19 protocols and other safety measures at youth justice facilities, as well as individual cases. Among the issues we raised were restrictions on in-person visits, which continued in some regions even when lockdowns were lifted. We worked with officials to have many visits approved on a case-by-case basis. These included several young people who had not seen family members for five months or more and were experiencing mental health issues.

Other common topics of complaint were the use of restraints and pepper spray, staff conduct, youth at risk of suicide, unfair loss of privileges, and forms of isolation such as restricted contact with other youth and limited school attendance or participation in programs.

Another significant concern we raised with the Ministry in 2020-2021 was inconsistency in policies and procedures within and across facilities. The Ministry agreed to address the gaps we identified and to re-examine existing practices.

Some examples:

- We made inquiries about a youth who had been assessed as being at risk of suicide, who complained of having to wait for a psychologist's assessment. He said this prolonged the restrictions he faced while on "suicide watch." Ministry policies require youth at risk of suicide to be assessed daily by a "designated professional" such as a psychologist wherever possible, but the facility told us a psychologist visited just once a week and daily assessments were done by a nurse. The Ministry agreed to review its policies in light of the concerns we raised.
- Our review of an incident where pepper spray was used on a youth determined that the Ministry's policy for pepper spray use was not followed. Further to our inquiries, the Ministry referred the matter for investigation and committed to providing our Office with an update.
- We noted a lack of uniformity across youth centres in their use of disciplinary consequences, in our review of a complaint from a 16-year-old who was confined to his room for an extended period. Staff at the detention centre received a memo after we alerted management to their failure to complete the required paperwork. The Ministry agreed to our recommendation to develop a framework for youth centres to follow when assigning consequences.

As noted in last year's Annual Report, we have suggested that the Ministry implement a general oversight procedure that identifies when local investigations of serious incidents are required. In 2020-2021, we identified several cases where such guidance would have been helpful. For example:

- A facility's investigation of a youth's allegation that he was assaulted by staff did not include interviewing the youth, witnesses or any staff. We raised the case with the Ministry, which committed to develop a guidance document for local investigations.
- After a youth told us she was physically restrained and "slammed" to the ground by youth centre staff, we reviewed the investigation reports and available video of three such incidents. We advised the Ministry that several policies were not followed and the reports of the incidents were vague. In continuing to follow up on the case, we learned the Ministry was conducting an operational review of the centre that included some of the issues we raised.

## Investigations

### Closures of youth justice centres in Kenora and Thunder Bay

**Launched: March 2021**

**Investigation update:** The Ombudsman launched this investigation in light of complaints about the abrupt closures of Creighton Youth Centre in Kenora and J.J. Kelso Youth Centre in Thunder Bay, and concerns about their impact on vulnerable youth. The investigation is focused on how the closures were carried out by the Ministry, including its planning, consultation, communications and youth transfer process. At the time of writing this report, investigators were in the midst of conducting interviews and reviewing relevant documents.



“Concerns have been raised about a lack of notice and consideration for the vulnerabilities of the young people who were moved out of these centres – for example, whether their rights were respected and what planning was done for transitioning them to new facilities. As always, if we find that the planning was adequate and the actions appropriate, we will say so. If not, we will make recommendations for improvement.”

– Ombudsman Paul Dubé, news release announcing youth justice centre investigation, March 16, 2021

## Services provided to missing youth

### Launched: November 2020

**Investigation update:** The Ombudsman launched this investigation after we became aware of a case of a 13-year-old girl at risk of human trafficking, who went missing from her group home for a significant period of time. The investigation is examining the services provided by a number of agencies to this highly vulnerable youth. At the time of writing this report, this investigation was in progress.

## Investigations initiated by former Child Advocate

### Launched: Prior to May 2019

**Investigation updates:** The Ombudsman committed to completing the investigations that were in progress when our Office assumed the investigative function of the former Provincial Advocate for Children and Youth in May 2019. We have raised issues that we identified in two of these cases with the Ministry. These involve

the entitlement of both parents to information about child protection investigations regarding their child, and anonymous reports of child protection concerns.

The Ministry has committed to address these issues as part of its ongoing efforts to review and modernize the child welfare system, and to report back to the Ombudsman when its review is completed.

## Communications and outreach

To help ensure that children and youth in care are aware that they can contact the Ombudsman, our staff conducted numerous virtual presentations throughout 2020-2021 – to young people, management and staff at CASs and residential licensees, community agencies, and post-secondary students training to work in the children's services sector.

We follow up individually with children and youth by phone after our presentations to ask if they have any questions about our Office or anything they would like to talk to us about.

We continue to bolster our online resources for children and adults. Among our latest communications products are:

- Short, accessible, child- and youth-friendly videos about how we can help (we encourage CASs and residential licensees to embed these on their websites and use them to explain our role to children and families);
- Contact cards that can be distributed by police officers and community agencies who come into contact with young people who are having problems at home or with residential placements; and
- “Know Your Rights” brochures and posters, detailing six key areas of rights assured under Ontario law.



■ Our online resources about children and youth in care include our new “Know your rights” poster, brochures in English, French and some Indigenous languages, and videos targeted to young people and service providers.



In fiscal 2021-2022, we have begun to prioritize our outreach activities to include agencies providing services to Indigenous children and families, and agencies providing services to Black children and families, in recognition that both groups are over-represented in Ontario's systems of care. Within our Children and Youth Unit, an Indigenous Circle composed of Indigenous staff, along with managers, leads our outreach to Indigenous family agencies and young people. The circle also provides consultative advice on complaints and reports of death and serious bodily harm incidents involving Indigenous youth. We have also established a Black Children, Youth and Families Roundtable along similar lines.

Our Office is an active member of the Canadian Council of Child and Youth Advocates and the Children and Family Chapter of the United States Ombudsman Association. We work with these organizations to promote the rights of youth in care and share information about common issues affecting them across North America and elsewhere.

## Case summaries

### Culture change

A Black 16-year-old complained that her CAS worker was dismissive of her requests for hair and skin products that met her cultural needs, making her feel like she was being treated differently because of her race. After we spoke to a manager at the youth's CAS, they agreed to make appropriate hair and skin products available, and offered to facilitate a meeting with the youth to discuss her concerns. They committed to including a Black staff person in all meetings with her, to help ensure her cultural needs are being met.\* The youth told us she was satisfied with the outcome of the first meeting.

*\*Under the Child, Youth and Family Services Act, 2017, a service provider is required to take identity characteristics such as race, ancestry, colour and ethnic origin into account when providing services.*

**“ I would like to say thank you for so being caring and concerned about this matter. Everything is sorted out and all is well.”**

– Complainant

### Talk or else

A 13-year-old in a group home complained that staff were forcing him to talk to them and share his feelings, rather than respecting his privacy. He said they threatened to remove privileges, like making calls to his parents or using an iPad, if he didn't comply.\* We raised the issue with the home's supervisor, who agreed that staff should not threaten him when he does not feel like talking.

*\*Rights cannot be taken away as a form of punishment. Under the Child, Youth and Family Services Act, 2017, a young person in care has a right to speak in private with, visit and receive visits from members of their family or extended family regularly.*

### Dogged determination

After a youth living in a treatment home complained that his request for a service dog was refused,\* we followed up with his CAS worker. She raised the issue with the home, which agreed to develop a new policy regarding service dogs, which they provided to us. She also arranged for a puppy to be trained as a service dog for the youth.

*\*Services provided under the Child, Youth and Family Services Act, 2017, should, among other identity characteristics, take a young person's disability into account.*



## SOCIAL SERVICES

### Overview

Social services and benefits are provided to Ontarians primarily through programs within the Ministry of Children, Community and Social Services, along with a network of agencies and government-funded service providers. Municipalities and social services boards also administer social assistance through Ontario Works.

Every year, we help hundreds of people resolve issues with these organizations, particularly those who receive benefits through the Ontario Disability Support Program (ODSP) and/or Ontario Works (OW), or who pay or receive family support via the Family Responsibility Office (FRO). In 2020-2021, the COVID-19 pandemic left many of them struggling to reach caseworkers or searching for information about available benefits.

### Trends in cases

Throughout the pandemic, our staff have taken an active role in helping those in need access crucial social services and information. We have also worked closely with provincial and municipal officials to flag issues with communication and service delivery, which were the most common complaint trends we encountered.

### Family Responsibility Office

The FRO is the provincial government organization that is responsible for enforcing court-ordered child and spousal support payments. Given the large number of families in Ontario affected by divorce, the FRO has traditionally been one of the top sources of complaints to our Office. Many are from parents who did not receive their support payments and criticized FRO's lack of enforcement action; many others are from parents who met their support obligations but felt they faced unfair enforcement action.

We work closely with FRO officials to resolve cases and flag trends. Although the pressures of the pandemic posed new challenges for them and their clients, we received significantly fewer FRO cases in 2020-2021 - **381**, compared to 832 the previous year.

We helped several people sort out issues with FRO related to their COVID-19 circumstances, for example:

- A man who lost his business due to the pandemic told FRO he could no longer meet his support obligations, and was initially told he would have to go to court to make his case. Instead, we connected him with FRO officials who worked with him on a payment plan he could afford.

**“ I would like to thank you very much for helping me through this difficult time. You were absolutely very helpful and very understanding and patient.”**

– Complainant

- A man who had been out of work and unable to make support payments for several months due to COVID-19 shutdowns had his unemployment benefits and wages garnished for unpaid support. After our staff spoke to FRO officials, he was refunded **\$700** and the deductions from his wages were suspended for a month.

We also resolved many complaints about the FRO's enforcement activity, largely by reviewing key facts of cases with FRO staff or connecting clients with them, highlighting the provisions in court orders or referencing policies. For example:

- A single mother who was owed child support complained to us that the FRO was taking too long to process her paperwork, while her ex-partner had just received a \$30,000 severance payment from his employer. After we raised the case with FRO officials, they arranged a bank garnishment against the man in an attempt to capture the funds owed to the mother.
- A man complained that his wages were being garnished in excess of what was stated in his court order. FRO officials initially told us their enforcement was appropriate, but our review of the file indicated the man had overpaid more than \$2,000. The FRO lifted its enforcement actions against him and did not require him to pay support for five months.
- A woman complained that the FRO was garnishing her wages to pay support for three children, when two of them actually lived with her. She had applied to have this changed, but received no response. Over several months, we raised the case with FRO officials, who ultimately terminated her support obligations for the two children and lifted several enforcement actions against her.

Our Office also has a direct line to FRO's Issues Resolution Unit, which is connected to the Assistant Deputy Minister's office, and we frequently resolve cases through both. For example:

- A man sought our help after a lengthy dispute with FRO officials over having to pay what he felt was an excessive amount of support. FRO staff had offered multiple explanations about what he owed, but he remained dissatisfied. We escalated the matter to senior FRO officials, whose review of the case found several errors. They met with him to discuss his concerns and possible resolutions, and provided him with an apology.

## Ontario Disability Support Program and emergency benefits

Ontarians receiving disability support were especially vulnerable to the effects of COVID-19 shutdowns, and many sought our help to resolve issues with missing payments, unreachable caseworkers and general confusion over their entitlements. We received **553** complaints about ODSP in 2020-2021. In many cases, people were frustrated with the rollout of emergency benefit programs - both federal and provincial - and public communications about how these programs affected ODSP support.

Our staff were able to help by contacting ODSP officials directly to connect them to clients, clarifying the rules for emergency benefits, and flagging issues with delayed or missing payments. We discovered that a new email system, as well as reduced staff and reduced hours due to COVID-19, contributed to ODSP's communication issues in the early days of the pandemic.

Some case examples:

- We contacted ODSP staff after a man sought our help with his shelter allowance. They determined he was not entitled to more shelter benefits, but noticed he had not received the province's Emergency Benefit. They transferred it to him immediately and ensured he received it for three more months.

## Good to know

Cases about children's aid societies and other matters relating to children and youth in care can be found in the **Children & Youth** chapter of this report.

- A woman who relies on ODSP to pay for her leukemia medication complained to us that she was suddenly cut off from her support and could not reach her caseworker. We discovered this was due to ODSP operating with reduced staff, who immediately restored the woman's funding after we reached them.

Many support recipients complained to us that they did not learn about the province's Emergency Benefit - which was available to ODSP and Ontario Works recipients from April through July of 2020 - until after it ended. We raised this lack of communication with senior ODSP officials and the Deputy Minister, who acknowledged that greater measures could have been taken to ensure those in need were aware of the benefit, such as including information about it in monthly ODSP and Ontario Works statements. The Deputy Minister committed to reviewing the Ministry's process to address similar concerns in future.

## Ontario Works

Municipal service managers and District Social Services Administration Boards administer the Ontario Works (OW) social benefits program. We received **143** complaints related to municipal social assistance programs in 2020-2021. We helped many people who weren't able to access their benefits, often due to a breakdown in communication with local officials. Among those we helped:

- A single father with two young children told us Ontario Works had denied his request for emergency housing benefits and the family was close to becoming homeless. We discovered that OW needed more information from him before they could approve the benefit - which they did as soon as he connected with them. He told our staff our intervention was "life changing."
- A man whose Ontario Works cheque had gone missing was told a replacement cheque would not be issued unless he picked it up in person - which he could not do because he was in jail. We learned that the Ministry had no policy for such situations, but it worked with OW staff to ensure a replacement cheque was issued.
- A woman who suffered an injury that left her unable to work complained to us that her Ontario Works benefits did not cover her monthly expenses. We shared her concerns with OW staff, who agreed to adjust her monthly payments and help her apply for further benefits through the Ontario Disability Support Program.

## Services for adults with developmental disabilities

Among the Ontarians most reliant on social services are those with developmental disabilities and the family members who care for them. In normal times, they can find it difficult and complicated to access services; this past year, they faced the additional impact of COVID-19 restrictions. Among other things, in-person programming was often not available, and beds in residential facilities were more limited to allow for social distancing between residents.

We helped to clarify funding processes for several families and ensured that officials making decisions took relevant information into account. For example:

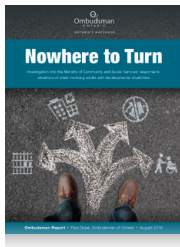
- A mother whose son with developmental disabilities was turning 19 sought our help in obtaining funding to allow him to stay with his residential provider as an adult. Through numerous inquiries, we learned that the Ministry and other community partners were working on a budget for services for him, and he was able to stay in his residence while his transition to adult services was approved.
- We helped a mother who could no longer cope with her 22-year-old daughter's worsening behaviours. When our staff spoke with Ministry officials, they confirmed the case had been referred for urgent response, but the situation was more severe than they realized, and they reassessed her daughter's needs.



We also assisted several families in desperate need of placements for loved ones – situations similar to those outlined in the Ombudsman's 2016 report, *Nowhere to Turn* (see update under **Investigations**).

## Investigations

### Services for adults with developmental disabilities in crisis



#### Report: *Nowhere to Turn*, released August 2016

**Investigation update:** Our investigation, launched in 2012, reviewed more than 1,400 complaints from families in crisis situations – where adults with developmental

disabilities were placed in hospitals, long-term care homes, homeless shelters and even jail because no appropriate care or placements could be found for them. When the Ombudsman's report was released in 2016, the Ministry accepted all 60 of his recommendations to address systemic problems with services and supports.

We continue to meet regularly with the Deputy Minister and senior Ministry officials on their progress in implementing them; to date, **48** recommendations have been implemented.

Still, we regularly receive new complaints from families in similar situations – more than 600 since the completion of the Ombudsman's report, and more than **40** in 2020-2021. We bring these cases to the Ministry's attention and discuss potential solutions. This past year, we raised concerns about long delays in transitioning people into appropriate placements, which were often exacerbated by COVID-19.

We are closely monitoring several cases where progress has been delayed by the pandemic. Ministry officials provide us with regular updates on these cases. They include:

- A 31-year-old woman and a 23-year-old man, both with autism and challenging behaviours, who have been in hospital for more than two years, mostly confined to their rooms and in restraints. The Ministry recently confirmed to us that both would be moving to residential placements.
- A 50-year-old man with developmental disabilities and mental health conditions who is living with his brother and elderly mother despite behaviours that have resulted in multiple calls to police and hospital stays.
- A 26-year-old man with a developmental disability, epilepsy, and mental health diagnoses who has been in hospital for more than a year.
- A 23-year old man with a developmental disability, chronic health conditions and violent behaviours who remains in hospital because of several factors, including that the pandemic delayed the community placement that had been arranged for him. He continues to have personal support workers funded by the Ministry.

### Care and custody of children with complex special needs



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

**Investigation update:** It has been more than 15 years since our Office's investigation revealed a systemic issue facing parents of children with complex special needs: In order to obtain

appropriate residential care for the children, parents were forced to relinquish their custody to children's aid societies. The government at that time committed to ensuring this would no longer happen.

Still, we continue to see echoes of this problem today: Parents who cannot cope with their children's needs at home approach their local children's aid society (CAS) for help, and even though there are no child protection concerns, the CAS provides interim assistance because it has access to immediate funding and supports.

There appears to be no process for families to access services in urgent situations, particularly where the child needs to be placed outside the home. The Ministry has an “early alert” process to flag situations where a family requires urgent supports, but we have found that it is not always used, and in practice it does not provide an urgent response for families in crisis. We have also seen cases where families were not connected with funding sources for which they might have been eligible.

Our staff discussed these trends and individual cases with senior Ministry officials, who committed to reviewing their processes to clarify inconsistencies and identify possible improvements. In 2020, the Ministry issued a memo to agencies, clarifying eligibility for complex special needs funding and the roles and responsibilities of CASs, developmental services and mental health agencies. It also stressed that CASs should refer families in need of services to appropriate providers.

We worked directly with Ministry officials to assist individual families as well. For example:

- The parents of a 15-year-old with multiple mental health conditions and a developmental disability sought our help after he injured them and a sibling several times and was admitted to hospital. They did not feel safe bringing him back into their home, but feared they would have to surrender custody to the local CAS so it could find him a residential placement. After we spoke with senior Ministry officials, they reviewed the case and the family received funding for the teen’s placement.
- The mother of a 14-year-old with significant mental health challenges and a developmental disability had placed the youth temporarily in CAS custody because they were not safe at home. She complained to us that no other solutions were available for her child’s residential care, and that the CAS would soon be legally required to apply for permanent custody. After we raised the matter with Ministry officials, a placement order was found for the teen in a mental health treatment centre, and custody was returned to the mother.

## Case summaries

### After-life support

An unemployed woman who had been paying child support to her children’s father complained to us that the Family Responsibility Office was still intercepting 50% of her unemployment benefits, even though the man had died and the children were now in her care. Our staff flagged the case as urgent to FRO officials, who immediately lifted the garnishment of her benefits and returned **\$1,100** to the woman.

### Failed to send

An Ontario Disability Support Program (ODSP) recipient complained to us that her benefits had been cut off twice without warning. We made inquiries with ODSP officials, who determined that the woman should have received written notice that they were withholding benefits because they needed information about her living arrangements. But the woman’s caseworker, a new employee, had electronically generated letters of notice to her without sending them. They also noted that ODSP was operating with reduced staff due to the pandemic, and workers were dealing with unusually high caseloads.

### Letter imperfect

The mother of a 21-year-old woman with developmental disabilities complained to us that she had not been reimbursed by the province’s Passport program for support services that she purchased for her daughter. She was told that she had run out of funding, even though she thought she still had money to spend. She was initially approved for \$5,000 for her daughter’s needs for 2019-2020, but in late 2019 received a letter by email, stating that she was approved for \$17,000. She believed this meant she had an additional \$17,000 to spend, although she did not spend the entire amount. After we asked Passport to review the case, they discovered that their letter – based on a Ministry template – failed to provide a breakdown of the available funding or explain that it was prorated over six months. Their staff had also not contacted the woman to discuss it, as required by policy. We raised the case with Ministry officials, who provided the woman with a one-time payment to cover the expenses, and committed to review their template letter.





## TRANSPORTATION

### Overview

Cases in this chapter relate to programs and agencies within the Ministry of Transportation, including those that deal with driving, vehicles and highways, and public transit (Metrolinx and GO Transit). The most frequent topics of complaint involve driver licensing, medical review of licences, suspensions and fines. A common thread in many of these is communication, and we have frequently worked with the Ministry to encourage improvement, whether in the information it shares with individual drivers or the way it communicates broad public policy changes. This was all the more important during the pandemic.

### Trends in cases

#### Services during the pandemic

Public services across the transportation sector were affected by COVID-19. Expiry dates for renewals and medical reviews of driver's licences and vehicle registrations were extended. Driving tests were cancelled during periods of lockdown, resulting

in long waiting lists and backlogs. Public transit continued to operate, but with greatly reduced ridership and increased sanitation protocols. All of these changes prompted many Ontarians to turn to us for help.

We assisted many drivers who were concerned about missing deadlines to take tests or complete other requirements due to COVID-related shutdowns. For example:

- A senior who had been in a collision was required to take tests to maintain her driver's licence, but she was unable to schedule them because of the pandemic. Due to our inquiries, the Ministry confirmed it would allow her an extension.
- A woman in a rural area needed to take an eye test to renew her driver's licence, but DriveTest was closed. We contacted the Ministry and confirmed it had waived the vision test requirement to help people in such situations.
- A woman received a letter saying her temporary driver's licence was going to expire. We verified with the Ministry that the letter was sent in error and it had extended the validity of licences.

### DriveTest backlog

In the first wave of the pandemic, DriveTest centres cancelled all passenger road tests, from March to August 2020, resulting in a massive backlog when locations began reopening in late summer. By December 2020, the backlog of people waiting for tests exceeded 400,000, and it continued to grow in areas where lockdowns were in force (including in April 2021, when a new provincewide stay-at-home order was issued). Complaints about DriveTest increased sharply in 2020-2021 – to **283**, more than quadruple the previous year's total of 65.

Our Office continues to have regular discussions with Ministry officials to discuss the status of the DriveTest backlog and their strategies to reduce it.

### Public communications

We brought several complaints to the Ministry's attention regarding its communications with the public, and it agreed to a number of improvements. For example:

- A participant in the Ministry's pilot program for permits to use the High Occupancy Toll lanes on the QEW highway complained to us that she could not get a refund for her permit, despite the pandemic stay-at-home order. We learned that the Ministry gave refunds or extensions to permit holders if they asked for them, but it did not communicate this possibility to permit holders generally. Although it was too late to do so for this permit period, the Ministry committed to proactively communicate this type of information in future.
- We received several complaints from people who failed driving tests but were not given a full explanation or their scoresheet by their examiner. They were not aware that they could request this information from their DriveTest centre. When we raised this with the Ministry, we learned that some DriveTest examiners had experienced abuse from candidates who failed tests, including some who removed their face masks, contrary to COVID-19

safety protocols. As a result of our discussions with the Ministry, examiners now let candidates know before their test that they can get their results from the centre. The Ministry is also exploring other options that may make it even easier for drivers to obtain their scoresheets.

- A man complained that the Ministry's handbook for commercial drivers does not warn candidates that they will automatically fail the driving test if they take more than 10 minutes to back up a truck. The Ministry agreed to update its handbook and amended the online version immediately.
- We raised a complaint with Metrolinx management about noise from a train layover (where trains are stored overnight). Area residents had been told 10 years earlier that the layover would be temporary. More recently, the entrance to the layover was moved closer to residential homes, increasing noise in the neighbourhood when trains begin moving in and out before 5 a.m. The Ombudsman met with Metrolinx and encouraged its leadership to be more proactive in communicating to members of the public about changes that may affect them, and to have a framework to ensure this happens.

## Investigations

### Driver's licence suspensions and reinstatements



**Report: *Suspended State*, released September 2018**

**Investigation update:** This investigation focused on the Ministry of Transportation's processes for notifying and communicating with drivers about licence suspensions and

reinstatements due to unpaid fines. It was prompted by numerous complaints from people who had continued

to drive – in some cases for years – with no idea that their licences had been suspended, only to discover that they owed large fines and had to undergo a lengthy reinstatement process. The Ombudsman's report revealed systemic problems with the Ministry's communications, record-keeping and customer service, and made 42 recommendations to address them.

The Ministry reports to us regularly on its progress in implementing these recommendations. It now informs drivers of suspensions for defaulted fines when they renew their vehicle registrations, and fines can be paid online or at any ServiceOntario location. The number of licence suspensions has substantially decreased, and so have complaints to our Office on this issue: We received **5** in 2020-2021, compared to 76 in 2019-2020.

## Case summaries

### Kept in suspense

A driver whose licence was suspended as a result of a criminal charge successfully appealed the charge and had it removed from his record. He was told by ServiceOntario staff that the licence would be reinstated within 2-3 days. He complained to us when, several weeks later, he was charged with driving with a suspended licence and his car was impounded. Our inquiries with the Ministry revealed that the timeframe for processing licence reinstatements in these situations is actually 15 business days. However, this timeframe was not communicated to the public or even ServiceOntario and court staff who deal with public inquiries. After we raised this with the Ministry, it added information about the processing timeframe to its website and advised ServiceOntario and court staff. We also suggested that the Ministry's notices to drivers include information about its free online service for checking the status of their licence. The Ministry agreed to reimburse the man for half of the costs he incurred when his car was impounded.

### Experience counts

A man who had driving experience in India and in British Columbia sought our help after he tried to obtain an equivalent Ontario driver's licence. His experience should have qualified him immediately for a G2 licence (the second of three steps in Ontario's graduated licence program) and allowed him to take the final road test. Instead, DriveTest staff told him he would have to start at the most basic level. After we made inquiries with Ministry officials, they ensured the man's driving experience was taken into account and he was given his G2 licence and final road test. They also sent him a letter of apology and clarified the procedure for such cases with DriveTest staff.

### No surrender

A driver complained to us after he was told the Ministry had no record of the licence he had surrendered to them 30 days earlier. Drivers whose licences are suspended because of demerit points are required to surrender them in person at ServiceOntario centres or mail them to the Ministry. However, in this case, the man did so at a DriveTest centre, and it was not until he went to ServiceOntario a month later to reinstate his licence that he learned there was a problem. We made inquiries with Ministry officials, who confirmed that DriveTest staff should not have taken the man's licence. They ensured he could reinstate his licence without delay, and asked DriveTest to instruct staff on the relevant policy for such situations.

**“ Thank you very much for all you have done. I have learned many lessons in this entire process.”**

– Complainant



## HEALTH

### Overview and trends in cases

Health and long-term care continued to be a dominant concern of Ontarians in 2020-2021, as every aspect of the health care system was affected by the pandemic in some way, and this was reflected in the complaints we received in this area. Ontarians sought our help in accessing information about everything from COVID-19 protocols and testing to how and when they could obtain vaccines. The pandemic also had an impact on surgeries, drug benefits and more.

We helped connect many people with the health information and services they needed. We also made progress on our two health-care-related systemic investigations: Our ongoing probe of the province's oversight of long-term care, and our completed investigation into the Ministry of Health's oversight of ambulance services (more detail under **Investigations**).

“ I can't say enough... other than thank you! You've made a world of difference.”

– Complainant

One complaint trend highlighted a serious gap in oversight: We received complaints about local public health units, but they are outside of the Ombudsman's jurisdiction, as well as that of the Ministry of Health's Patient Ombudsman. They are also not subject to the *French Language Services Act*, although our Office and the Chief Medical Officer of Health have encouraged them to provide health information in French wherever possible.

### Public health units

Throughout the pandemic, directives issued by local public health units across the province have significantly affected Ontarians' daily lives. We received **87** complaints and inquiries about public health units in 2020-2021, covering a wide range of issues relating to COVID-19 testing, contact tracing, mask and social distancing guidelines, various orders to close down local amenities, and access to vaccines. Since public health units are outside of our jurisdiction, we referred many people back to them, but our staff provided information and other avenues of complaint wherever possible.

## Vaccine rollout

As several COVID-19 vaccines began to become available in late 2020 and early 2021, many people contacted our Office in search of information about them - or to complain about aspects of the government's plans to administer them. We received **93** cases related to COVID-19 vaccines in fiscal 2020-2021, including complaints about the speed and order of the vaccine rollout to different age groups and high-risk populations, the processes to register for vaccination, the conditions at vaccine clinics, and general vaccine availability. Our staff shared vaccine information with people as it became available, and pointed them to resources where they could escalate their concerns, such as to their local public health unit or their MPP.

## Communication issues during the pandemic

We helped many Ontarians resolve communication issues related to their health care and medication, often by contacting the relevant officials for clarification. Some examples:

- We confirmed that a man who was having trouble changing the name on his health card could still see a specialist and maintain his health care coverage.

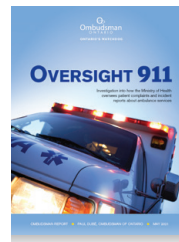


We received **93** cases related to COVID-19 vaccines in fiscal 2020-2021.

- We helped a cancer patient who was temporarily living in B.C. during the pandemic apply to have her Ontario health care coverage extended so she could continue to consult with her Ontario oncologist.
- We helped a man get information about the status of his rescheduled elective surgery.
- We alerted the Ministry of Health to a problem with letters sent to Northern Health Travel Grant applicants through its automated system. When applicants were denied travel grants but approved for accommodation allowances, they did not receive an explanation about why they did not receive the travel grant. The Ministry adjusted its process as a result.

## Investigations

### Oversight of complaints about ambulance services



**Report: Oversight 911, released May 2021**

**Investigation update:** The Ombudsman launched this investigation in May 2018, after we received complaints about the Ministry of Health's oversight of

investigations conducted by land and air ambulance service providers. The investigation focused on how the Ministry reviews and investigates patient complaints and incident reports about emergency health services.

We received 72 complaints from patients, their families and a number of emergency health service stakeholders after the investigation was announced. We conducted 60 interviews with complainants, stakeholders and Ministry officials, as well as whistleblowers from across the system.

The investigation identified serious issues with the Ministry's oversight and investigation framework. For instance, many complaints about ambulance services were not investigated, because the Ministry viewed its role as limited – and even when it did investigate, it lacked a clear process to do so.

We also identified problems with the Ministry's investigations, its follow-up on recommendations, and its review of the approximately 250,000 incident reports submitted each year. And we found many obstacles that prevent the public from complaining about ambulance services.

The Ombudsman made **53** recommendations aimed at correcting these deficiencies. He initially provided his findings and recommendations to the Ministry in July 2020, but due to the Ministry's central role in responding to the pandemic, its response was delayed until the end of March 2021. All of the Ombudsman's recommendations were accepted.

The Ministry has already acted on several of these – for instance, it has drafted new investigation and training-related policies and protocols and added resources to its investigations team. It will continue to update our Office on the implementation of other improvements.

## Oversight of long-term care homes during COVID-19

**Launched: June 2020**

**Investigation update:** The Ombudsman launched this investigation at the height of the pandemic's first wave, in the wake of a report by Canadian Armed Forces personnel who had been called in to assist with the crisis, which detailed shocking conditions in five long-term care homes.

The Ombudsman invoked his authority to investigate on his own initiative, without receiving complaints. We have since received more than **200** complaints and submissions related to the investigation, from long-term

**“With so many people being transported by ambulance due to the pandemic, the changes we are recommending are timely and valuable. Ontarians deserve better oversight of ambulance services, and I am pleased that the Ministry has recognized this.”**

– Ombudsman Paul Dubé, news release on *Oversight 911*, May 20, 2021

care residents, concerned family members, advocacy groups and whistleblowers. The investigation is focused on whether the oversight of long-term care homes by the Ministry of Health and the Ministry of Long-Term Care during the COVID-19 pandemic has been adequate to ensure the safety of residents and staff.

To date, we have conducted scores of interviews with complainants, stakeholders, long-term care staff and officials from both ministries, mostly via videoconference. We have also received hundreds of thousands of documents, including more than 500,000 emails, from the ministries and are in the process of reviewing these as our investigation continues.

## Case summaries

### Healthy extension

A woman who had lived in Canada for 76 years sought our help when she attempted to renew her health card and discovered she did not have Canadian citizenship. She feared this would affect her health coverage, as she was told she would have to apply for a passport in her birth country and then apply for permanent resident status in Canada before she could renew her health card. We spoke to Ontario Health Insurance Plan officials, who confirmed her health coverage would be extended for a year in order to complete the requisite applications.

## Information, please

A woman who has several health issues and relies on Ontario Disability Support Program benefits complained to us that her request for coverage of her medications had been denied by the Ontario Drug Benefit program. She relied on food banks to eat so that she could purchase her medications as prescribed. Our inquiries with the Ministry of Health revealed that her doctor had not submitted sufficient information for the program to consider her application. We explained this to her and referred her back to her physician to provide the missing information to the Ministry.

## Checked and re-chequed

A woman contacted us after she missed several cheques from the province's Assistive Devices Program (ADP), which she required to cover the cost of ostomy supplies. She explained that she had changed addresses several times. Our staff contacted ADP officials, who determined that two of the woman's cheques had been returned as undeliverable. They reissued **\$694** in payments to her.

**“** You've been more helpful in five minutes than [public sector officials] have been in two years.”

– Complainant

## Long-term loan

A man with ALS complained that when he moved into a long-term care home in 2017 due to his deteriorating condition, he became ineligible for the ventilator that he had been provided through the province's Ventilator Equipment Pool program. Our staff confirmed with Ministry of Health and program officials that they would not remove the ventilator until the man was ready to return it. The man told us this gave him “great comfort.”

We have received hundreds of thousands of documents, including more than **500,000** emails, from the ministries and are in the process of reviewing these as our investigation into long-term care oversight continues.







## CERTIFICATES & PERMITS

### Overview

Ontarians frequently come to us when they encounter problems in obtaining official documents, from birth certificates to death certificates. The frontline agency responsible for these and other services is ServiceOntario, which has an internal complaints process to which we make many referrals. We also deal directly with the Registrar General to address process issues related to identity certificates and similar documents. We received **305** complaints and inquiries about ServiceOntario, and **35** regarding the Registrar General in 2020-2021.

Due to COVID-19, many of the requirements for renewing expired permits, licences and identification were waived, as expiry dates were extended until further notice. Cases generally declined in this area compared to previous years, but our staff dealt with many complaints and inquiries from Ontarians seeking clarification of these changes or help with delays.

In several cases, our intervention and inquiries resolved individual service difficulties and led to improved processes.

“ I would like to express my sincere gratitude to you for the assistance and taking the time in order to resolve the issue. I would not have received the card without your help.”

– Complainant

### Trends in cases

#### Services during the pandemic

Many of the complaints we resolved about ServiceOntario operations early in the pandemic were about the closures of some ServiceOntario locations – which left many people wondering where to go – and sanitation precautions at those that were open. For example:

- A man called us in frustration when he was unable to register a used vehicle due to the closure of his nearest ServiceOntario. Our staff researched open locations and found one that was 14 kilometres away.
- A physician complained that ServiceOntario wrongly refused to serve him because he had just returned from Nova Scotia, even though he was exempt from isolation requirements. After we raised the case with ServiceOntario, it committed to clarifying guidelines with its staff about interprovincial travel and isolation requirements for essential workers.

#### Multiple first names on identification and health cards

While expiry dates for driver's licences, identification and health cards were extended during the pandemic, our Office continued

## Good to know

Cases related to driver's licences, DriveTest and vehicle registration can be found in the **Transportation** chapter of this report.

to work with several ministries on an issue with these cards that affects Ontarians who have multiple first names. In one case we reviewed, a man seeking to renew his health card ran into problems because it showed a different first name than the one on his other identification. We discovered that the health card only displayed the first of multiple names that appeared on his birth certificate, and it deleted the name that he actually used. This was due to a requirement that health card names match birth certificate names, which did not allow flexibility for people who have multiple names.

An MPP also raised this issue with us, saying that it particularly affected Franco-Ontarians in her community, who were commonly given additional first names at birth as a cultural-religious practice, but did not use them in their daily lives. We have made inquiries with the Ministry of Government and Consumer Services, the Ministry of Health, and the Ministry of Transportation about their policies on this, and are researching other provinces' approaches.

In the meantime, we were able to resolve the man's health card issue through our inquiries with the OHIP Eligibility Committee. His card was changed to include his usual first name.

## Marriage licence extensions

Under the *Marriage Act*, marriage licences issued by municipalities are valid for only three months. When COVID-19 restrictions on gatherings forced many people to delay or cancel weddings, we received a flurry of complaints from people who had purchased soon-to-be-expired marriage licences. Some were frustrated because their municipalities would not issue refunds.

Our staff helped connect these people with the most up-to-date information and contacts for relevant municipal and provincial officials. The Ministry of Government and Consumer Services has since extended the expiry date for most marriage licences.

## Case summaries

### Proven parenthood

A father whose wife died in childbirth sought our help in obtaining a birth certificate and Social Insurance Number for the new baby, which he needed in order to claim survivor benefits. Registrar General officials told him one of the forms he had filled out was invalid, and he would have to provide an affidavit from his deceased wife's parents to confirm he was the child's father. Our staff spoke to a manager at the Registrar General's office, who reviewed the file. The manager discovered that correction fluid had been used on one of the man's forms, making it unacceptable - however, she determined that additional proof of fatherhood was not required. She confirmed the case would be expedited so the widower could apply for benefits.

### Double time

A man complained to us about long delays in getting ServiceOntario and the Registrar General to correct a name error on his mother's death certificate. Our inquiries revealed that the Registrar General routinely processed a person's Statement of Death form separately from their Medical Certificate of Death, and this contributed to delays in amending both forms. Because of our inquiries, the man not only received the corrected death certificate, but ServiceOntario and the Registrar General changed the process so both forms will be corrected at the same time in future.

### Bad form

A father whose child was born through a surrogate mother complained to us after the Registrar General asked him to resubmit the paperwork for registering the birth, and include an additional form swearing that his statements were true. He complained that this additional requirement was discriminatory towards him. Our staff determined that in fact, the form was sent to him in error and was unrelated to the surrogacy, and a Registrar General manager confirmed that this was clarified with the responsible staff.



## MONEY & PROPERTY

### Overview

This category of cases relates to provincial ministries, agencies and corporations that deal with financial and property matters, from the Ministry of Finance to the Municipal Property Assessment Corporation (MPAC) to the Liquor Control Board of Ontario (LCBO), the Ontario Lottery and Gaming Corporation, and the Ontario Cannabis Store. It also includes bodies that fall under the Ministry of the Attorney General, such as the Landlord and Tenant Board (LTB) and the Office of the Public Guardian and Trustee, which handles money and property matters for people who are unable to do so themselves.

The operations of many of these bodies were dramatically affected by the COVID-19 pandemic, and the volume of complaints we received reflected this:

- MPAC's provincewide property assessment, originally scheduled for 2020, was postponed indefinitely; we received relatively few complaints about MPAC (**30**, compared to 49 in 2019-2020).
- The LCBO's outlets remained open, but we heard many concerns from Ontarians about its safety protocols - for example, its practice of asking people to remove face masks to confirm their identification (in accordance with public health guidelines).

- The LTB was, for the second consecutive year, the source of a high volume of complaints, as our systemic investigation into delays and other issues continued (see more under **Investigations**).

We resolved many complaints in this category by helping people connect with these agencies or sharing information with them about COVID-19 protocols.

### Trends in cases

#### Office of the Public Guardian and Trustee

We often receive complaints from clients of the Office of the Public Guardian and Trustee (OPGT) who have difficulty communicating with their caseworkers - and the pandemic increased these difficulties for many. Our staff were able to help clients escalate their concerns within the OPGT, and make direct inquiries about their cases. We received **116** cases about the OPGT in 2020-2021.

Among those we helped in 2020-2021 were:

- A woman living at a mental health treatment centre who needed funding for university continuing education courses and could not reach her caseworker. We connected her with OPGT staff and they confirmed that her course costs would be reimbursed.

**“ It was a pleasure to meet you on the call and discuss my concerns... I came away from that call feeling you truly want to help and be part of the solution.”**

– Complainant

- A resource co-ordinator at a community agency who complained to us on behalf of a man who is unable to speak or write. She needed to get the man's consent for the OPGT to provide the agency with information about the man's finances. Our staff obtained the man's consent via videoconference and then facilitated a virtual meeting between him, the agency and OPGT.
- A woman who urgently needed her OPGT caseworker's help to move out of a shelter and into subsidized housing. We were able to contact the caseworker and the woman's move went ahead.

## Investigations

### Landlord and Tenant Board delays

**Launched: January 2020**

**Investigation update:** The Ombudsman launched this investigation prior to the pandemic, in the wake of a surge of complaints about severe delays at the Landlord and Tenant Board (LTB), the administrative tribunal that resolves residential tenancy disputes. The investigation is focused on whether Tribunals Ontario and the Ministry of the Attorney General are taking adequate steps to address the delays and backlogged cases. We have received some **1,200** complaints related to this investigation.

The government and the LTB have since implemented many changes due to COVID-19, including replacing in-person hearings with virtual ones. This prompted an influx of new complaints to our Office from people frustrated with the virtual hearing process, access issues and delays.

The Ombudsman met with the leadership of Tribunals Ontario, the Ministry of the Attorney General and the LTB in October 2020 to ensure they continued to engage with us on these issues. Tribunals Ontario is also implementing a new digital case management system, which is expected to be in use at the LTB by the end of summer 2021.

Limitations on residential evictions during lockdowns over the past year have also affected LTB proceedings, resulting in more complaints and delays. Between March and July 2020, the LTB introduced a process to allow some urgent eviction cases to proceed, but our review found that this was not clearly communicated to the public. We raised these issues with the LTB, which responded by publishing more information about this process on its website.

The LTB has also made changes to address delays and backlogs since the start of our investigation. It has hired several new adjudicators, including some who can conduct hearings in French as well as English, an issue raised by our French Language Services Unit.

The Ombudsman has been encouraged by the government's willingness to engage with our Office and address issues proactively as they arise, while our investigation continues.



**The LTB has made changes to address delays and backlogs since the start of our investigation.**

## Case summaries

### Find us online

Several people who work as title searchers complained to us about the province's decision to end in-person services at all 54 of its Land Registry Offices in October 2020. Our staff made inquiries with senior officials at the Ministry of Government and Consumer Services to learn more about the potential impact of this change. We confirmed that the offices would continue to be staffed and directly reachable by email and by telephone, and we let the complainants know how they could continue to access documents and escalate their concerns if necessary.

### Family connection

A woman contacted us in frustration over delays and a lack of communication from the Office of the Public Guardian and Trustee (OPGT) regarding her brother, who was an OPGT client. Her application to assume guardianship and control of her brother's finances from the OPGT was taking too long, and she was unable to get a response to her questions about her brother's payments on a house he co-owned with their mother. We brought the case to the attention of OPGT officials, who acknowledged that staffing issues due to the pandemic had contributed to their delayed response. They confirmed that they had not paid the brother's share of the mortgage, but took steps to address this and to process the sister's application for guardianship.

The Ombudsman has been encouraged by the government's willingness to engage with our Office and **address issues proactively as they arise**, while our Landlord and Tenant Board investigation continues.





## EMPLOYMENT

### Overview and trends in cases

Employment across Ontario continued to be dramatically affected by the pandemic throughout 2020-2021, as employers grappled with varying levels of restrictions on their operations, and employees faced layoffs, reduced hours and/or the challenges of working from home.

The Ombudsman oversees the Ministry of Labour, Training and Skills Development and its programs, agencies and tribunals, including the Employment Practices Branch, the Workplace Safety and Insurance Board (WSIB) and its internal ombudsman, the Fair Practices Commissioner. We received **293** complaints about the Ministry and its programs in 2020-2021.

Cases related to these programs dropped in the past year, but we heard concerns from many Ontarians about the effects of the government's response to the pandemic on their employment.

### Impact of shutdowns

As the province imposed different degrees of lockdown in response to the pandemic, the complaints we received spanned the spectrum - from those who felt restrictions were not tough enough, to those who felt they were too harmful to the economy. We also heard concerns about employers not following public health guidelines or not being clear enough about what constituted "essential" work.

Although our Office cannot intervene in public policy decisions made by elected officials, our staff helped hundreds of people find information about these policies and programs and assisted them in raising their complaints to the appropriate officials. We helped others resolve their issues wherever possible.

## Concerns about pandemic pay

Concerns and confusion over the different types of support provided to workers and employers by the federal and provincial governments prompted numerous complaints and inquiries to our Office. Our staff researched new programs and policies and provided people with the appropriate referrals. One common concern we heard from numerous workers in the health care field was the eligibility rules for so-called “pandemic pay.” We made inquiries about the program rules with the Ontario Treasury Board and Ministry of Health and referred these people to available mechanisms for requesting pandemic pay.

## Case summaries

### Open and shut case

A woman who was waiting for the Fair Practices Commissioner (FPC – the WSIB’s internal ombudsman) to assist her with a loss-of-earnings assessment and prescription cost refund sought our help early in the pandemic. The FPC’s office was shut down and she was unable to reach them. We contacted staff at the WSIB, who confirmed that they were processing the prescription costs but there had been a delay because the initial information the woman had submitted was incomplete. Our staff confirmed that the FPC had reopened, and the woman was able to pursue her concerns.

### Exclusion explanation

A personal support worker contacted us in frustration when he and his colleagues were denied “pandemic pay,” despite being in close contact with patients. We provided him with information about the criteria for this pay program, including that it only pertained to employers who received direct funding from the provincial government. This appeared to exclude his company, but we referred him to an online platform where he could request a rule change and make further inquiries.

## Home safe

A group home worker raised health and safety concerns with us after he and a few colleagues contracted COVID-19. He believed they were exposed to a resident who tested positive, and said they had not been provided with personal protective equipment (PPE). We made inquiries with Ministry of Children, Community and Social Services officials, who told us service providers were expected to comply with all safety measures and reporting requirements and that the group home was frequently in contact with public health authorities to ensure it was following recommendations. The Ministry also noted that agencies were required to report PPE shortages. We confirmed that the Ministry provided PPE to the group home, and also referred the worker to Ministry of Labour resources for their workplace safety concerns.

“This is wonderful news, thank you so much for your help with this! Times are tough right now, and this will help SO much.”

– Complainant





## FRENCH LANGUAGE SERVICES

### Overview

This is our first full fiscal year of reporting in this area, as the Ombudsman's oversight of the application of the *French Language Services Act* took effect on May 1, 2019. In 2019-2020, we established our dedicated French Language Services Unit to handle complaints, and the Ombudsman appointed Kelly Burke as French Language Service Commissioner on January 13, 2020, after a nationwide search.

Since then, Commissioner Burke and her team have resolved hundreds of complaints, engaged directly with complainants and stakeholders in the Franco-Ontarian community, and proactively raised issues involving French language rights with senior government officials, deputy ministers and ministers.

Franco-Ontarians should know that from the start of this important new mandate, our entire organization has made a concerted effort to position the Ombudsman's Office as an effective promoter and protector of French language service rights. Directors and managers from all of our teams, as well as legal counsel, have worked

diligently to find the ideal Commissioner, recruit staff for our French Language Services Unit, co-ordinate training, research legal issues and provide opinions, develop a new case management system and provide technical support, build communications capacity and strategy, and much more.

In addition to publishing a separate Annual Report, detailing cases received by the French Language Services Unit, the Commissioner engaged with the Franco-Ontarian community throughout 2020-2021 by participating (virtually) in numerous outreach activities, and with colleagues across Canada and around the world who promote language rights and Francophone issues. Ms. Burke represents our Office as a member of the International Association of Language Commissioners and the Association des Ombudsmans et Médiateurs de la Francophonie (the international francophone ombudsman association).



**The situation is resolved... Thank you for all your help."**

– Complainant)

As a Deputy Ombudsman and member of our senior executive team, the Commissioner helps ensure a “Francophone lens” is brought to all areas of our work. This includes our ongoing investigations into delays at the Landlord and Tenant Board and the government’s oversight of long-term care during the pandemic.

More information - including short videos explaining the work of the French Language Services Unit and a printable brochure - can be found on our website.

## Annual Report of the French Language Services Commissioner, 2019-2020



The *French Language Services Act* requires our Office to publish a report and recommendations by the Commissioner for improving the provision of French language services. To emphasize the importance of this work, we decided to publish the Commissioner’s report and recommendations as a standalone publication, separate from the Ombudsman’s Annual Report.

**Problems accessing services in French? Contact us. We can help.**  
[www.ombudsman.on.ca](http://www.ombudsman.on.ca) • 1-866-246-5262 • [sf-fls@ombudsman.on.ca](mailto:sf-fls@ombudsman.on.ca)

**What we do:**

- Protect French language rights in Ontario
- Oversee the application of the *French Language Services Act*
- Resolve and investigate complaints about public services in French
- Proactively flag issues to public officials to improve the offer of services in French
- Make recommendations and monitor progress made by public bodies
- As part of the Ombudsman’s Office, ensure its oversight of provincial and broader public sector bodies includes a “Francophone lens”
- Engage with Ontario Francophones and Francophiles in celebrating our Francophonie

Tracking complaints about French language services provided by certain hospitals, long-term care homes and other designated bodies specified under the *French Language Services Act*.

**Why file a complaint with us?**

- When we resolve complaints, we help improve French language services for all
- We can point you in the right direction if the matter is not in our jurisdiction
- Our services are confidential and convenient: Call, email or use our online form

**COMMON TYPES OF COMPLAINTS**

Category	Percentage
In-person services	35%
Online services	25%
Social media	15%
Written communications	10%
Signage	5%
Telephone services	5%
Other	5%

The Ombudsman is an impartial officer of the Legislature who takes complaints about municipalities, school boards, colleges and universities, and children and youth in care.

**Independent Impartial Confidential Free**

**La Minute de la Commissaire**

0:02 / 1:51

■ Our online resources about French language services include our new poster, and the Commissioner’s series of short question-and-answer videos.

## Good to know

We publish a separate *Annual Report of the French Language Services Commissioner*, which includes detailed case breakdowns and the Commissioner's recommendations to government to improve services in French. Watch for the next one in late 2021.

Commissioner Burke's first Annual Report, published in December 2020, covered cases received by the French Language Services Unit from the start of our Office's jurisdiction in this area (May 1, 2019) to September 30, 2020. She made eight recommendations, urging the government to improve planning for the provision of services in French across all ministries. Her main recommendations call for each ministry to produce a plan, and for the Minister of Francophone Affairs to report annually on the implementation of these plans, starting in the spring of 2022.

The Commissioner's next report will provide an update on the government's progress in implementing these recommendations.

“The majority of the complaints we dealt with could have been resolved if adequate planning for the provision of French language services had been done. The pandemic has exacerbated these issues and has highlighted the need for the government to assess how planning for the provision of French language services is being carried out.”

– French Language Services Commissioner Kelly Burke, news release on her 2019-2020 Annual Report, December 10, 2020

## Trends in cases, 2020-2021

Between April 1, 2020 and March 31, 2021, our French Language Services Unit received **267** cases. The top topic of complaint continued to be government communications. As the Commissioner and the Ombudsman have repeatedly pointed out, it is all the more important during a pandemic that the government's urgent communications be available in English and French simultaneously.

The Commissioner has raised this matter proactively with deputy ministers, ministers and the Premier, who have all committed to making this information available in both languages. We have also resolved cases quickly by bringing them to the attention of relevant officials.

Still, with new developments in the pandemic, communications in French have sometimes been overlooked. For example, several government announcements regarding new shutdowns and emergency measures in December 2020 and January 2021 were not made available in French. We continue to proactively engage with senior government officials on this issue.

We also continue to monitor the administration of Regulation 398/93 under the *French Language Services Act* (Designation of Public Service Agencies) and the schedule to the Act that sets out designated areas. Both contain outdated information, such as government agency names, services offered, and geographical information, that may affect the ability of Franco-Ontarians to identify and access French language services.

In June 2021, the Commissioner launched an investigation into Laurentian University's decision to cut several French-language programs as part of its financial restructuring. We received more than 60 complaints about these cuts by the university, which is a partially designated agency under the *French Language Services Act*.

## Case summaries

### Email fail

After twice requesting information from the Ministry of Health in French and receiving answers in English only, a Francophone journalist complained to our Office. He noted that the email signatures of the government employees he contacted were also in English only. We discovered that all media requests to the Ministry were going to the same email address and an acknowledgment of receipt was generated in English when no bilingual staff were available to respond in French. After our intervention, the Ministry's communications team implemented several corrective measures, including translating acknowledgments of receipt and other standard messages, ensuring email signatures are bilingual, and creating a specific inbox for requests from French-language media.

“Thanks for all your help, it's much appreciated.”

– Complainant

### Improved form

A Francophone member of the board of directors of a small housing co-op in northern Ontario alerted us to a form on the website of the Condominium Authority of Ontario (CAO). The form, which all condominium boards are required to submit each spring, was only available in English, due to recurring technical issues. Although the CAO is not within our jurisdiction, we raised the matter with officials at the Ministry of Government and Consumer Services, who in turn contacted the CAO. The man confirmed to us that a French-speaking employee at the CAO called him and helped him complete the form, which was also made available online in French.

### Landing test

A woman returning from an overseas trip complained to us that she was not served in French during the COVID-19 test she was required to undergo at Toronto Pearson airport. We discovered that the test was administered by a third party as part of a pilot-screening project set up by the Ministry of Health and managed by Ontario Health. After we made inquiries, Ontario Health committed to ensure its future agreements with third parties include provisions for services in French.



## ENERGY & ENVIRONMENT

### Overview

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, rural affairs, and the environment. This year, this included many inquiries from people seeking information about the province's emergency relief rate for hydro and its effect on local bills. (Our Office does not have jurisdiction over Hydro One, which has its own internal ombudsman, but we do oversee municipal hydro.)

In 2020-2021, as in previous years, we heard concerns about the province's actions - or lack thereof - to address excessive noise or other impacts from industry, or contaminants to air and water. We also received complaints about a lack of communication or consultation about projects within the purview of the Ministry of the Environment, Conservation and Parks and the Ministry of Natural Resources and Forestry. Our staff resolve such cases by reviewing the application of relevant policies and procedures by the ministries and facilitating communication between them and complainants.

### Trends in cases

#### Municipal hydro

As part of our jurisdiction over municipalities, the Ombudsman oversees municipally-controlled corporations, which include those that provide electricity locally. We received **84** complaints about municipal hydro companies in 2020-2021. We resolved many of these by helping people get needed information. For example:

- We helped a woman find the necessary forms to close a hydro account from her former residence, for which she continued to be billed after she moved.
- After a man complained that a hydro pole near his property was unsafe, we prompted the hydro company to share the results of its investigation of the matter with him, and explain how the pole met safety requirements.
- The owner of an essential business complained to us that she was notified, purportedly by the local hydro company, that her hydro would be cut off in 30 minutes unless she transferred a large sum of money to cover an unpaid bill - which she did. She suspected that this was a scam, and we pointed out that the

company's website warned customers to be on the alert for such fraudulent notices during the pandemic. We provided her with information on how to report the scam to the company and the police, and about consumer protection resources available through the Ontario Energy Board.

## Lack of communication, consultation or clarity

We helped several people obtain information or clarification from both of the ministries responsible for environmental and natural resources issues, regarding projects or processes that affected them. Where warranted, we escalated their concerns to senior officials, or encouraged the ministries to improve their communication with stakeholders. For example:

- A man sought our help after four years of raising concerns with the Ministry of the Environment, Conservation and Parks (MECP) about excessive noise and vibration from a nearby factory. After we made inquiries, the Ministry contacted him to explain the steps it had taken to address the noise levels, which it had found in violation of provincial standards. The man was pleased to learn that his concerns had been heard and the Ministry was investigating further.



We received **84** complaints about municipal hydro companies in 2020-2021.



Thank you so much for helping move this process along! I appreciate it very much!!”

– Complainant

- After a farmer complained to us that his fields were being flooded by storm water runoff from a nearby residential subdivision, we helped him find out how to lodge a complaint and follow up with the MECP directly. Ministry officials advised us that monitoring of the storm water works was required for two years, and that a complaint procedure was available to affected residents.
- After we contacted officials at the Ministry of Natural Resources and Forestry, they offered to do a site visit to address a woman's concerns about the construction of a trail that she felt had been permitted without adequate public consultation. They also sent her copies of their assessments and reports.

## Discontinuation of environmental assessment of dam

Two Indigenous groups, along with individuals engaged in native fish management and rehabilitation, complained to us after the Ministry of Environment, Conservation and Parks unexpectedly discontinued a class Environmental Assessment (EA) related to a local dam. The groups argued that the dam is a barrier to fish accessing local spawning grounds, and have advocated for years to have it removed. They said the Ministry had decided to repair the dam, but had not been in touch with them about the EA process for more than three years. As well, they said that when the EA was discontinued, stakeholders, including Indigenous groups, were unable to comment or request an individual environmental assessment, as provided for under the *Environmental Assessment Act* and Ministry protocol.



Our Office made inquiries with Ministry officials, who agreed to provide affected stakeholders with a written explanation for the decision, along with reports from consultants they had considered. Their letter acknowledged delays in the process and in communication. The Ministry also held virtual meetings with affected groups. We continue to follow up with the Ministry on the management of native fish populations in the area of the dam, as well as its EA processes.

### **Electric and Hydrogen Vehicle Incentive Program**

We continued to follow up with the Ministry of Transportation in 2020-2021 on issues arising from the government's cancellation of this environmental incentive program in 2018. As noted in our past two Annual Reports, our review of numerous complaints found that the Ministry had not clearly communicated the eligibility criteria for winding down the program, disappointing many people who had purchased electric vehicles with the belief that they would qualify for incentives of \$5,000-\$14,000.

The Ombudsman made suggestions to the Ministry to improve communication and transparency in any such programs in future. The Deputy Minister responded in writing, acknowledging that the Ministry "should proactively communicate any future program changes to all program participants via website updates and ensure key program changes are captured accurately and in advance of the effective date of those changes."

“Success! All taken care of. 😊  
Thanks for your assistance.”

– Complainant

## **Case summaries**

### **Upstream battle**

A homeowner complained to us about a pipe outlet on his property that was leaking foul-smelling fluid. His municipality referred him to the Ministry of Transportation, which denied responsibility. Our inquiries determined that it was a matter for the Ministry of the Environment, Conservation and Parks. We learned it had conducted an investigation, traced the sewage spill to a commercial plaza upstream, and instructed the business to resolve the issue. The homeowner told us that although the sewage had stopped, storm water was still flowing from the pipe. After we followed up with both ministries and the municipality, the Ministry of Transportation had the storm drain filled with cement. The homeowner confirmed that this resolved the issue.

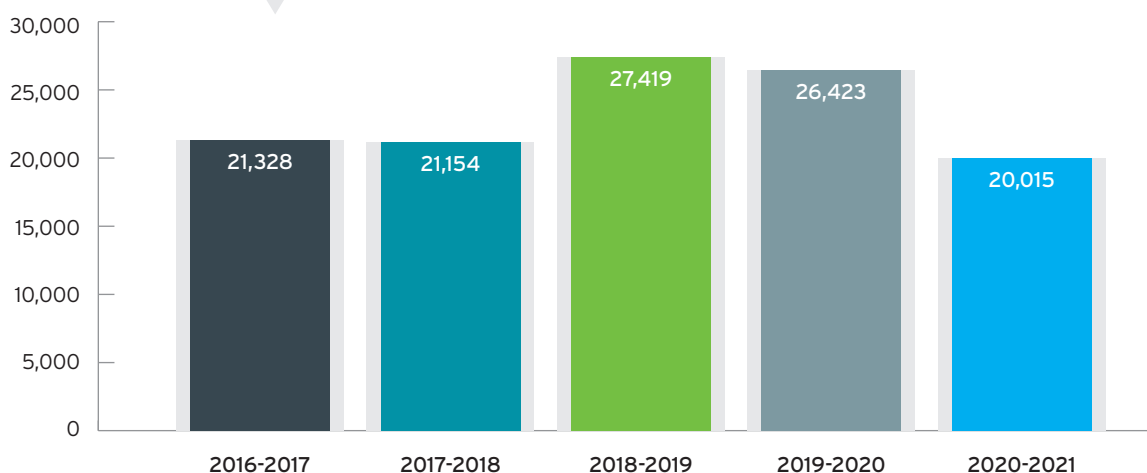
### **Un-fur treatment**

A First Nations trapper sought our help in obtaining a refund from the Ministry of Natural Resources and Forestry for licences to sell furs commercially, and a mandatory humane trapping course. He had learned that the course was available through his First Nation at a greatly reduced cost, and complained that the Ministry should have informed him of this when he was applying for the licences. He noted that the information provided to Indigenous trappers was unclear. He had escalated his concerns within the Ministry, but was dissatisfied with its initial response and lack of follow-up. After our Office made inquiries, the Ministry reimbursed the man **\$317** for the licences and course. Ministry staff also told us they would ensure trappers are provided with relevant information about course providers, including resources available specifically for First Nations trappers.

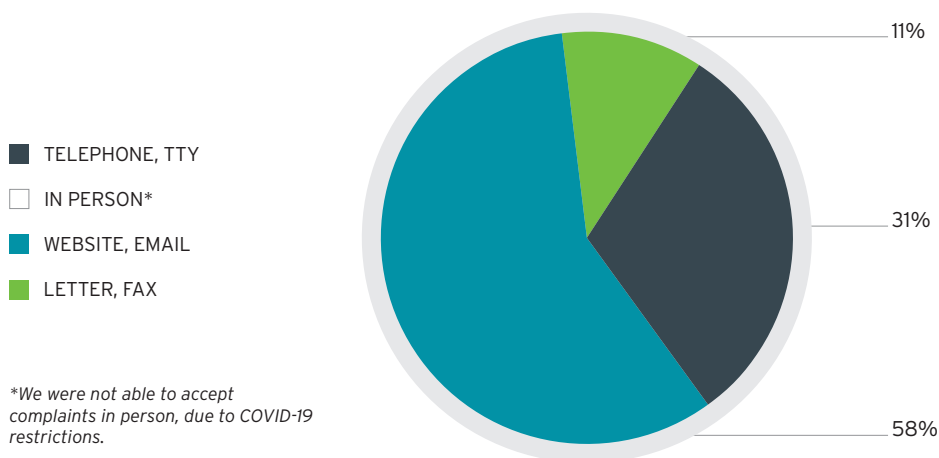


# Appendix – Case Statistics

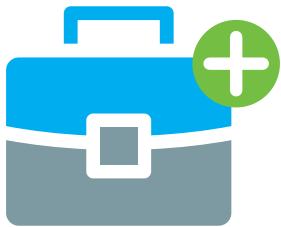
## TOTAL CASES RECEIVED, FISCAL YEARS 2016-2017 – 2020-2021



## HOW CASES WERE RECEIVED, 2020-2021



## DISPOSITION OF CASES, 2020-2021



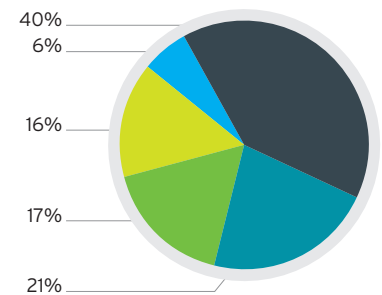
20,015

Cases received in  
fiscal 2020-2021295 consultations  
or questions587 information  
submissions

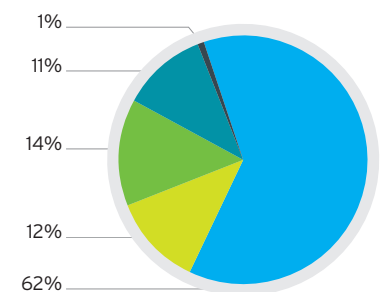
## CASES CLOSED - 2020-2021

13,165  
caseswithin the  
Ombudsman's authority

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

5,984  
casesoutside the  
Ombudsman's authority

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



## % OF CASES CLOSED IN A WEEK / 2 WEEKS



34%

Closed in 1 week



50%

Closed in 2 weeks

\*E.g., complaints about officials and bodies outside the Ombudsman's jurisdiction

\*\*E.g., complaints about hospitals, long-term care homes, public health units, municipal police

## CASES BY PROVINCIAL RIDING, 2020-2021\*

AJAX	53
ALGOMA-MANITOULIN	103
AURORA-OAK RIDGES-RICHMOND HILL	55
BARRIE-INNISFIL	93
BARRIE-SPRINGWATER-ORO-MEDONTE	90
BAY OF QUINTE	95
BEACHES-EAST YORK	99
BRAMPTON CENTRE	40
BRAMPTON EAST	56
BRAMPTON NORTH	38
BRAMPTON SOUTH	90
BRAMPTON WEST	62
BRANTFORD-BRANT	89
BRUCE-GREY-OWEN SOUND	78
BURLINGTON	54
CAMBRIDGE	74
CARLETON	42
CHATHAM-KENT-LEAMINGTON	64
DAVENPORT	47
DON VALLEY EAST	42
DON VALLEY NORTH	37
DON VALLEY WEST	77
DUFFERIN-CALEDON	70
DURHAM	94
EGLINTON-LAWRENCE	64
ELGIN-MIDDLESEX-LONDON	76
ESSEX	78
ETOBICOKE CENTRE	48
ETOBICOKE NORTH	50
ETOBICOKE-LAKESHORE	131
FLAMBOROUGH-GLANBROOK	62
GLENGARRY-PRESCOTT-RUSSELL	119
GUELPH	80
HALDIMAND-NORFOLK	90
HALIBURTON-KAWARTHA LAKES-BROCK	99
HAMILTON CENTRE	137
HAMILTON EAST-STONEY CREEK	77
HAMILTON MOUNTAIN	52
HAMILTON WEST-ANCASTER-DUNDAS	65
HASTINGS-LENNOX AND ADDINGTON	92
HUMBER RIVER-BLACK CREEK	53
HURON-BRUCE	62
KANATA-CARLETON	42
KENORA-RAINY RIVER	56
KIIWETINOONG	8
KINGSTON AND THE ISLANDS	83
KING-VAUGHAN	58
KITCHENER CENTRE	55
KITCHENER SOUTH-HESPELER	43
KITCHENER-CONESTOGA	43
LAMBTON-KENT-MIDDLESEX	80
LANARK-FRONTENAC-KINGSTON	125
LEEDS-GRENVILLE-THOUSAND ISLANDS AND RIDEAU LAKES	82
LONDON NORTH CENTRE	107
LONDON WEST	59
LONDON-FANSHAW	81
MARKHAM-STOUFFVILLE	63
MARKHAM-THORNHILL	32
MARKHAM-UNIONVILLE	32
MILTON	68
MISSISSAUGA CENTRE	67
MISSISSAUGA EAST-COOKSVILLE	53

MISSISSAUGA-ERIN MILLS	64
MISSISSAUGA-LAKESHORE	72
MISSISSAUGA-MALTON	63
MISSISSAUGA-STREETSVILLE	56
MUSHKEGOWUK-JAMES BAY	25
NEPEAN	49
NEWMARKET-AURORA	59
NIAGARA CENTRE	121
NIAGARA FALLS	130
NIAGARA WEST	55
NICKEL BELT	63
NIPISSING	93
NORTHUMBERLAND-PETERBOROUGH SOUTH	79
OAKVILLE	61
OAKVILLE NORTH-BURLINGTON	59
ORLÉANS	87
OSHAWA	114
OTTAWA CENTRE	101
OTTAWA SOUTH	54
OTTAWA WEST-NEPEAN	67
OTTAWA-VANIER	107
OXFORD	73
PARKDALE-HIGH PARK	75
PARRY SOUND-MUSKOKA	89
PERTH-WELLINGTON	52
PETERBOROUGH-KAWARTHA	106
PICKERING-UXBRIDGE	71
RENFREW-NIPISSING-PEMBROKE	92
RICHMOND HILL	55
SARNIA-LAMBTON	60
SAULT STE. MARIE	102
SCARBOROUGH CENTRE	66
SCARBOROUGH NORTH	26
SCARBOROUGH SOUTHWEST	87
SCARBOROUGH-AGINCOURT	25
SCARBOROUGH-GUILDWOOD	61
SCARBOROUGH-ROUGE PARK	59
SIMCOE NORTH	113
SIMCOE-GREY	122
SPADINA-FORT YORK	96
ST. CATHARINES	97
STORMONT-DUNDAS-SOUTH GLENGARRY	70
SUDBURY	119
THORNHILL	53
THUNDER BAY-ATIKOKAN	114
THUNDER BAY-SUPERIOR NORTH	98
TIMISKAMING-COCHRANE	100
TIMMINS	26
TORONTO CENTRE	116
TORONTO-DANFORTH	83
TORONTO-ST. PAUL'S	80
UNIVERSITY-ROSEDALE	75
VAUGHAN-WOODBRIDGE	42
WATERLOO	58
WELLINGTON-HALTON HILLS	55
WHITBY	62
WILLOWDALE	51
WINDSOR WEST	124
WINDSOR-TECUMSEH	66
YORK CENTRE	37
YORK SOUTH-WESTON	57
YORK-SIMCOE	77

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

## TOP 10 PROVINCIAL GOVERNMENT ORGANIZATIONS AND PROGRAMS BY CASE VOLUME, 2020-2021\*

		NUMBER OF CASES
1	TRIBUNALS ONTARIO	935
2	ONTARIO DISABILITY SUPPORT PROGRAM	553
3	FAMILY RESPONSIBILITY OFFICE	381
4	SERVICEONTARIO	305
5	DRIVETEST	283
6	COLLEGES OF APPLIED ARTS AND TECHNOLOGY	200
7	ONTARIO STUDENT ASSISTANCE PROGRAM	181
8	YOUTH JUSTICE CENTRES	173
9	WORKPLACE SAFETY AND INSURANCE BOARD	162
10	DRIVER LICENSING	134

\*Excluding correctional facilities

## TOP 10 CORRECTIONAL FACILITIES BY CASE VOLUME, 2020-2021

		NUMBER OF CASES
1	CENTRAL EAST CORRECTIONAL CENTRE	546
2	CENTRAL NORTH CORRECTIONAL CENTRE	435
3	MAPLEHURST CORRECTIONAL COMPLEX	350
4	TORONTO SOUTH DETENTION CENTRE	306
5	NIAGARA DETENTION CENTRE	278
6	VANIER CENTRE FOR WOMEN	239
7	OTTAWA-CARLETON DETENTION CENTRE	210
8	HAMILTON-WENTWORTH DETENTION CENTRE	169
9	SOUTH WEST DETENTION CENTRE	156
10	TORONTO EAST DETENTION CENTRE	156

## TOTAL CASES RECEIVED ABOUT PROVINCIAL GOVERNMENT MINISTRIES AND SELECTED PROGRAMS,\* 2020-2021

<b>MINISTRY OF AGRICULTURE, FOOD AND RURAL AFFAIRS</b>		<b>8</b>
<b>MINISTRY OF THE ATTORNEY GENERAL</b>		<b>1,329</b>
ALCOHOL AND GAMING COMMISSION OF ONTARIO	26	
CHILDREN'S LAWYER	16	
COURT ADMINISTRATION	42	
LEGAL AID CLINIC	10	
LEGAL AID ONTARIO	66	
OFFICE OF THE PUBLIC GUARDIAN AND TRUSTEE	116	
SPECIAL INVESTIGATIONS UNIT	32	
TRIBUNALS ONTARIO	935	
<b>MINISTRY OF CHILDREN, COMMUNITY AND SOCIAL SERVICES</b>		<b>1,305</b>
DEVELOPMENTAL SERVICES PROGRAMS	44	
FAMILY RESPONSIBILITY OFFICE	381	
MINISTRY FUNDED SERVICE PROVIDER - CHILDREN AND YOUTH	16	
MINISTRY FUNDED SERVICE PROVIDER - COMMUNITY AND SOCIAL SERVICES	66	
ONTARIO DISABILITY SUPPORT PROGRAM	553	
SPECIAL NEEDS PROGRAMS - CHILDREN	22	
YOUTH JUSTICE CENTRES - DIRECT OPERATED	112	
YOUTH JUSTICE CENTRES - MINISTRY FUNDED	61	
<b>MINISTRY OF COLLEGES AND UNIVERSITIES</b>		<b>399</b>
COLLEGES OF APPLIED ARTS AND TECHNOLOGY	200	
ONTARIO STUDENT ASSISTANCE PROGRAM	181	
<b>MINISTRY OF ECONOMIC DEVELOPMENT, JOB CREATION AND TRADE</b>		<b>16</b>
<b>MINISTRY OF EDUCATION</b>		<b>107</b>
<b>MINISTRY OF ENERGY, NORTHERN DEVELOPMENT AND MINES</b>		<b>33</b>
ONTARIO ENERGY BOARD	11	
<b>MINISTRY OF THE ENVIRONMENT, CONSERVATION AND PARKS</b>		<b>53</b>
ONTARIO PARKS	20	
<b>MINISTRY OF FINANCE</b>		<b>205</b>
FINANCIAL SERVICES REGULATORY AUTHORITY	20	
LIQUOR CONTROL BOARD OF ONTARIO	26	
MUNICIPAL PROPERTY ASSESSMENT CORPORATION	30	
ONTARIO CANNABIS STORE	20	
ONTARIO LOTTERY AND GAMING	77	
<b>MINISTRY OF FRANCOPHONE AFFAIRS</b>		<b>2</b>
<b>MINISTRY OF GOVERNMENT AND CONSUMER SERVICES</b>		<b>381</b>
REGISTRAR GENERAL	35	
SERVICEONTARIO	305	

\*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 ABOUT PROVINCIAL GOVERNMENT MINISTRIES AND SELECTED PROGRAMS, 2020-2021

<b>MINISTRY OF HEALTH</b>		<b>367</b>
ASSISTIVE DEVICES / HOME OXYGEN PROGRAMS	19	
HEALTH PROFESSIONS APPEAL AND REVIEW BOARD	29	
HEALTH QUALITY ONTARIO	13	
LOCAL HEALTH INTEGRATION NETWORKS	65	
MINISTRY FUNDED SERVICE PROVIDER	36	
ONTARIO HEALTH INSURANCE PLAN - OHIP	53	
ONTARIO PUBLIC DRUG PROGRAMS	31	
<b>MINISTRY OF HERITAGE, SPORT, TOURISM AND CULTURE INDUSTRIES</b>		<b>11</b>
<b>MINISTRY OF INDIGENOUS AFFAIRS</b>		<b>3</b>
<b>MINISTRY OF INFRASTRUCTURE</b>		<b>1</b>
<b>MINISTRY OF LABOUR, TRAINING AND SKILLS DEVELOPMENT</b>		<b>293</b>
EMPLOYMENT PRACTICES BRANCH	12	
OCCUPATIONAL HEALTH AND SAFETY BRANCH	14	
ONTARIO LABOUR RELATIONS BOARD	19	
SECOND CAREER	10	
WORKPLACE SAFETY AND INSURANCE BOARD	162	
WORKPLACE SAFETY AND INSURANCE APPEALS TRIBUNAL	29	
<b>MINISTRY OF LONG-TERM CARE</b>		<b>91</b>
PERFORMANCE IMPROVEMENT AND COMPLIANCE BRANCH	23	
<b>MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING</b>		<b>41</b>
MINISTER'S ZONING ORDER (MZO)	10	
<b>MINISTRY OF NATURAL RESOURCES AND FORESTRY</b>		<b>27</b>
<b>MINISTRY FOR SENIORS AND ACCESSIBILITY</b>		<b>2</b>
<b>MINISTRY OF THE SOLICITOR GENERAL</b>		<b>3,966</b>
CORRECTIONAL FACILITIES	3,691	
OFFICE OF THE CHIEF CORONER	12	
ONTARIO PROVINCIAL POLICE	98	
OPP-CHIEF FIREARMS OFFICER	116	
PROBATION AND PAROLE	20	
<b>MINISTRY OF TRANSPORTATION</b>		<b>606</b>
DRIVER LICENSING	134	
METROLINX / GO TRANSIT	35	
DRIVETEST	283	
TRANSPORTATION - MEDICAL REVIEW	67	
VEHICLE LICENSING	14	
<b>TREASURY BOARD SECRETARIAT</b>		<b>7</b>

## CASES RECEIVED ABOUT MUNICIPALITIES, 2020-2021 ■ TOTAL: 2,281

ADDINGTON HIGHLANDS, TOWNSHIP OF	3
ADJALA-TOSORONTIO, TOWNSHIP OF	6
AJAX, TOWN OF	5
ALFRED AND PLANTAGENET, TOWNSHIP OF	5
ALGONQUIN HIGHLANDS, TOWNSHIP OF	1
ALNWICK/HALDIMAND, TOWNSHIP OF	1
AMARANTH, TOWNSHIP OF	2
AMHERSTBURG, TOWN OF	5
ARNPRIOR, TOWN OF	10
ARRAN-ELDERSLIE, MUNICIPALITY OF	1
AURORA, TOWN OF	7
BANCROFT, TOWN OF	1
BARRIE, CITY OF	13
BAYHAM, MUNICIPALITY OF	5
BECKWITH, TOWNSHIP OF	1
BELLEVILLE, CITY OF	13
BILLINGS, TOWNSHIP OF	2
BLACK RIVER-MATHESON, TOWNSHIP OF	1
BLANDFORD-BLENHEIM, TOWNSHIP OF	1
BLIND RIVER, TOWN OF	2
BLUEWATER, MUNICIPALITY OF	1
BONFIELD, TOWNSHIP OF	4
BONNECHERE VALLEY, TOWNSHIP OF	1
BRACEBRIDGE, TOWN OF	1
BRADFORD WEST GWILLIMBURY, TOWN OF	2
BRAMPTON, CITY OF	42
BRANT, COUNTY OF	5
BRANTFORD, CITY OF	12
BRIGHTON, MUNICIPALITY OF	4
BROCK, TOWNSHIP OF	3
BROCKTON, MUNICIPALITY OF	2
BROCKVILLE, CITY OF	1
BROOKE-ALVINSTON, MUNICIPALITY OF	1
BRUCE MINES, TOWN OF	2
BRUCE, COUNTY OF	3
BRUDENELL, LYNDONCH AND RAGLAN, TOWNSHIP OF	4
BURLINGTON, CITY OF	2
CALEDON, TOWN OF	5
CALLANDER, MUNICIPALITY OF	4
CAMBRIDGE, CITY OF	6
CARLETON PLACE, TOWN OF	1
CARLING, TOWNSHIP OF	2
CARLOW/MAYO, TOWNSHIP OF	1
CASSELMAN, MUNICIPALITY OF	1
CAVAN MONAGHAN, TOWNSHIP OF	7

CENTRAL ELGIN, MUNICIPALITY OF	7
CENTRAL FRONTENAC, TOWNSHIP OF	2
CENTRAL HURON, MUNICIPALITY OF	2
CENTRAL MANITOULIN, MUNICIPALITY OF	3
CENTRE HASTINGS, MUNICIPALITY OF	1
CENTRE WELLINGTON, TOWNSHIP OF	3
CHAMPLAIN, TOWNSHIP OF	4
CHATHAM-KENT, MUNICIPALITY OF	10
CHATSWORTH, TOWNSHIP OF	2
CLARENCE-ROCKLAND, CITY OF	6
CLARINGTON, MUNICIPALITY OF	9
CLEARVIEW, TOWNSHIP OF	4
COBOURG, TOWN OF	2
COCHRANE, TOWN OF	8
COLLINGWOOD, TOWN OF	1
CONMEE, TOWNSHIP OF	2
CORNWALL, CITY OF	5
CRAMAHE, TOWNSHIP OF	3
DEEP RIVER, TOWN OF	1
DESERONTO, TOWN OF	2
DRUMMOND/NORTH ELMSLEY, TOWNSHIP OF	1
DRYDEN, CITY OF	2
DUBREUILVILLE, TOWNSHIP OF	1
DUFFERIN, COUNTY OF	2
DURHAM, REGIONAL MUNICIPALITY OF	25
DYSART ET AL, MUNICIPALITY OF	2
EAST FERRIS, MUNICIPALITY OF	3
EAST GARAFRAXA, TOWNSHIP OF	1
EAST GWILLIMBURY, TOWN OF	1
EAST HAWKESBURY, TOWNSHIP OF	1
EDWARDSBURGH/CARDINAL, TOWNSHIP OF	1
ELIZABETHTOWN-KITLEY, TOWNSHIP OF	2
ELLIOT LAKE, CITY OF	2
EMO, TOWNSHIP OF	5
ENNISKILLEN, TOWNSHIP OF	1
ERIN, TOWN OF	7
ESPANOLA, TOWN OF	3
ESSA, TOWNSHIP OF	3
ESSEX, TOWN OF	2
FARADAY, TOWNSHIP OF	1
FORT ERIE, TOWN OF	9
FORT FRANCES, TOWN OF	3
FRONT OF YONGE, TOWNSHIP OF	2
FRONTENAC ISLANDS, TOWNSHIP OF	3
GANANOQUE, TOWN OF	4

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



## CASES RECEIVED ABOUT MUNICIPALITIES, 2020-2021

GEORGIAN BAY, TOWNSHIP OF	3
GEORGIAN BLUFFS, TOWNSHIP OF	2
GEORGINA, TOWN OF	4
GRAND VALLEY, TOWN OF	2
GRAVENHURST, TOWN OF	1
GREATER NAPANEE, TOWN OF	1
GREATER SUDBURY, CITY OF	43
GREENSTONE, MUNICIPALITY OF	4
GREY, COUNTY OF	3
GRIMSBY, TOWN OF	10
GUELPH, CITY OF	7
HALDIMAND COUNTY	4
HALIBURTON, COUNTY OF	1
HALTON HILLS, TOWN OF	3
HALTON, REGIONAL MUNICIPALITY OF	3
HAMILTON, CITY OF	63
HAMILTON, TOWNSHIP OF	4
HASTINGS HIGHLANDS, MUNICIPALITY OF	5
HASTINGS, COUNTY OF	3
HAWKESBURY, TOWN OF	3
HIGHLANDS EAST, MUNICIPALITY OF	4
HORTON, TOWNSHIP OF	2
HUNTSVILLE, TOWN OF	1
HURON EAST, MUNICIPALITY OF	1
HURON, COUNTY OF	1
IGNACE, TOWNSHIP OF	6
INGERSOLL, TOWN OF	3
INNISFIL, TOWN OF	10
IROQUOIS FALLS, TOWN OF	12
JOHNSON, TOWNSHIP OF	3
JOLY, TOWNSHIP OF	1
KAPUSKASING, TOWN OF	1
KAWARTHA LAKES, CITY OF	14
KEARNEY, TOWN OF	2
KENORA, CITY OF	5
KILLALOE, HAGARTY AND RICHARDS, TOWNSHIP OF	1
KINCARDINE, MUNICIPALITY OF	4
KING, TOWNSHIP OF	19
KINGSTON, CITY OF	15
KINGSVILLE, TOWN OF	5
KIRKLAND LAKE, TOWN OF	3
KITCHENER, CITY OF	8
LAIRD, TOWNSHIP OF	1
LAKE OF BAYS, TOWNSHIP OF	3
LAKESHORE, TOWN OF	16

LAMBTON SHORES, MUNICIPALITY OF	7
LAMBTON, COUNTY OF	2
LANARK HIGHLANDS, TOWNSHIP OF	12
LANARK, COUNTY OF	3
LARDER LAKE, TOWNSHIP OF	2
LAURENTIAN HILLS, TOWN OF	2
LEAMINGTON, MUNICIPALITY OF	5
LEEDS AND GRENVILLE, UNITED COUNTIES OF	5
LEEDS AND THE THOUSAND ISLANDS, TOWNSHIP OF	1
LENNOX & ADDINGTON, COUNTY OF	2
LINCOLN, TOWN OF	2
LONDON, CITY OF	44
LOYALIST TOWNSHIP	2
LUCAN BIDDULPH, TOWNSHIP OF	2
MADAWASKA VALLEY, TOWNSHIP OF	1
MAGNETAWAN, MUNICIPALITY OF	2
MALAHIDE, TOWNSHIP OF	2
MANITOUWADGE, TOWNSHIP OF	1
MAPLETON, TOWNSHIP OF	1
MARATHON, TOWN OF	1
MARKHAM, CITY OF	7
MARKSTAY-WARREN, MUNICIPALITY OF	2
MARMORA AND LAKE, MUNICIPALITY OF	1
MCDougall, MUNICIPALITY OF	4
MCGARRY, TOWNSHIP OF	3
MCKELLAR, TOWNSHIP OF	2
MCMURRICH/MONTEITH, TOWNSHIP OF	1
MCNAB/BRAESIDE, TOWNSHIP OF	2
MEAFORD, MUNICIPALITY OF	1
MELANCTHON, TOWNSHIP OF	3
MERRICKVILLE-WOLFORD, VILLAGE OF	3
MIDDLESEX CENTRE, MUNICIPALITY OF	5
MIDLAND, TOWN OF	2
MILTON, TOWN OF	25
MINDEN HILLS, TOWNSHIP OF	4
MINTO, TOWN OF	4
MISSISSAUGA, CITY OF	170
MISSISSIPPI MILLS, MUNICIPALITY OF	5
MONO, TOWN OF	2
MOONBEAM, TOWNSHIP OF	1
MORRIS-TURNBERRY, MUNICIPALITY OF	1
MULMUR, TOWNSHIP OF	1
MUSKOKA LAKES, TOWNSHIP OF	1
MUSKOKA, DISTRICT MUNICIPALITY OF	2
NEW TECUMSETH, TOWN OF	4

## CASES RECEIVED ABOUT MUNICIPALITIES, 2020-2021

NEWBURY, VILLAGE OF	1
NEWMARKET, TOWN OF	4
NIAGARA FALLS, CITY OF	22
NIAGARA-ON-THE-LAKE, TOWN OF	12
NIAGARA, REGIONAL MUNICIPALITY OF	25
NIPIGON, TOWNSHIP OF	3
NIPISSING, TOWNSHIP OF	1
NORFOLK COUNTY	27
NORTH BAY, CITY OF	6
NORTH DUNDAS, TOWNSHIP OF	2
NORTH GLENGARRY, TOWNSHIP OF	3
NORTH GRENVILLE, MUNICIPALITY OF	1
NORTH HURON, TOWNSHIP OF	1
NORTH MIDDLESEX, MUNICIPALITY OF	1
NORTH STORMONT, TOWNSHIP OF	2
NORTHEASTERN MANITOULIN AND THE ISLANDS, TOWN OF	1
NORTHERN BRUCE PENINSULA, MUNICIPALITY OF	6
NORTHUMBERLAND, COUNTY OF	5
OAKVILLE, TOWN OF	20
OLIVER PAIPOONGE, MUNICIPALITY OF	1
ORANGEVILLE, TOWN OF	1
ORILLIA, CITY OF	3
ORO-MEDONTE, TOWNSHIP OF	7
OSHAWA, CITY OF	14
OTTAWA, CITY OF	93
OWEN SOUND, CITY OF	2
OXFORD, COUNTY OF	7
PAPINEAU-CAMERON, TOWNSHIP OF	1
PARRY SOUND, TOWN OF	1
PEEL, REGIONAL MUNICIPALITY OF	46
PELHAM, TOWN OF	6
PENETANGUISHENE, TOWN OF	2
PERTH, TOWN OF	1
PETERBOROUGH, CITY OF	11
PETROLIA, TOWN OF	1
PICKERING, CITY OF	9
PLUMMER ADDITIONAL, TOWNSHIP OF	2
PORT COLBORNE, CITY OF	4
PORT HOPE, MUNICIPALITY OF	1
PRESCOTT AND RUSSELL, UNITED COUNTIES OF	8
PRESCOTT, TOWN OF	2
PRINCE EDWARD, COUNTY OF	4
QUINTE WEST, CITY OF	9
RAMARA, TOWNSHIP OF	3
RED LAKE, MUNICIPALITY OF	2
RED ROCK, TOWNSHIP OF	5

RENFREW, COUNTY OF	3
RENFREW, TOWN OF	1
RICHMOND HILL, CITY OF	10
RUSSELL, TOWNSHIP OF	7
RYERSON, TOWNSHIP OF	1
SABLES-SPANISH RIVERS, TOWNSHIP OF	4
SARNIA, CITY OF	5
SAUGEEN SHORES, TOWN OF	7
SAULT STE. MARIE, CITY OF	10
SEGUIN, TOWNSHIP OF	3
SELWYN, TOWNSHIP OF	2
SEVERN, TOWNSHIP OF	3
SHELBURNE, TOWN OF	1
SHUNIAH, MUNICIPALITY OF	6
SIMCOE, COUNTY OF	21
SIOUX LOOKOUT, MUNICIPALITY OF	1
SMITHS FALLS, TOWN OF	2
SOUTH BRUCE PENINSULA, TOWN OF	8
SOUTH BRUCE, MUNICIPALITY OF	6
SOUTH FRONTENAC, TOWNSHIP OF	3
SOUTH GLENGARRY, TOWNSHIP OF	3
SOUTH HURON, MUNICIPALITY OF	1
SOUTH RIVER, VILLAGE OF	2
SOUTH STORMONT, TOWNSHIP OF	3
SOUTHWEST MIDDLESEX, MUNICIPALITY OF	3
SOUTHWOLD, TOWNSHIP OF	2
SPRINGWATER, TOWNSHIP OF	2
ST. CATHARINES, CITY OF	23
ST. CLAIR, TOWNSHIP OF	4
ST. JOSEPH, TOWNSHIP OF	1
ST. THOMAS, CITY OF	7
ST.-CHARLES, MUNICIPALITY OF	1
STIRLING-RAWDON, TOWNSHIP OF	6
STONE MILLS, TOWNSHIP OF	4
STORMONT, DUNDAS & GLENGARRY, UNITED COUNTIES OF	1
STRATFORD, CITY OF	9
STRATHROY-CARADOC, MUNICIPALITY OF	1
TAY VALLEY TOWNSHIP	3
TAY, TOWNSHIP OF	5
TECUMSEH, TOWN OF	2
TEMAGAMI, MUNICIPALITY OF	1
TEMISKAMING SHORES, CITY OF	2
THAMES CENTRE, MUNICIPALITY OF	1
THE ARCHIPELAGO, TOWNSHIP OF	1
THE BLUE MOUNTAINS, TOWN OF	1
THE NATION MUNICIPALITY	4

## CASES RECEIVED ABOUT MUNICIPALITIES, 2020-2021

THE NORTH SHORE, TOWNSHIP OF	5
THOROLD, CITY OF	14
THUNDER BAY, CITY OF	44
TILLSONBURG, TOWN OF	2
TIMMINS, CITY OF	1
TINY, TOWNSHIP OF	5
TORONTO, CITY OF	254
TRENT HILLS, MUNICIPALITY OF	4
TUDOR & CASHEL, TOWNSHIP OF	15
TWEED, MUNICIPALITY OF	3
UXBRIDGE, TOWNSHIP OF	3
VAUGHAN, CITY OF	12
WAINFLEET, TOWNSHIP OF	1
WARWICK, TOWNSHIP OF	1
WASAGA BEACH, TOWN OF	11
WATERLOO, CITY OF	2
WATERLOO, REGIONAL MUNICIPALITY OF	14
WAWA, MUNICIPALITY OF	1
WELLAND, CITY OF	27
WELLESLEY, TOWNSHIP OF	1
WELLINGTON NORTH, TOWNSHIP OF	1
WELLINGTON, COUNTY OF	5
WEST ELGIN, MUNICIPALITY OF	1
WEST GREY, MUNICIPALITY OF	5
WEST LINCOLN, TOWNSHIP OF	2
WEST NIPISSING, MUNICIPALITY OF	10
WEST PERTH, MUNICIPALITY OF	1
WESTPORT, VILLAGE OF	5
WHITBY, TOWN OF	8
WHITCHURCH-STOUFFVILLE, TOWN OF	11
WHITESTONE, MUNICIPALITY OF	4
WILMOT, TOWNSHIP OF	3
WINDSOR, CITY OF	31
WOLLASTON, TOWNSHIP OF	1
WOODSTOCK, CITY OF	3
YORK, REGIONAL MUNICIPALITY OF	18
CASES WHERE NO MUNICIPALITY WAS SPECIFIED	34

<b>SHARED CORPORATIONS</b>	
ALECTRA	23
AUSABLE BAYFIELD CONSERVATION AUTHORITY	4
CATARAQUI REGION CONSERVATION AUTHORITY	1
CENTRAL LAKE ONTARIO CONSERVATION AUTHORITY	3
CONSERVATION HALTON	2
ELEXICON ENERGY	5
ENERGY + INC.	1
ENTEGRUS POWERLINES	3
ESSEX POWER CORPORATION	1
HAMILTON CONSERVATION AUTHORITY	4
KITCHENER-WILMOT HYDRO INC.	3
LAKE SIMCOE REGION CONSERVATION AUTHORITY	1
LAKELAND POWER DISTRIBUTION LTD.	2
LOWER THAMES VALLEY CONSERVATION AUTHORITY	1
LOWER TRENT CONSERVATION	1
MISSISSIPPI VALLEY CONSERVATION	1
NEWMARKET-TAY POWER DISTRIBUTION LTD.	1
NIAGARA PENINSULA CONSERVATION AUTHORITY	2
OTTAWA RIVER POWER CORPORATION	1
RIDEAU VALLEY CONSERVATION AUTHORITY	1
SOUTH NATION CONSERVATION	1
TORONTO AND REGION CONSERVATION AUTHORITY	6
UPPER THAMES RIVER CONSERVATION AUTHORITY	1
<b>SHARED LOCAL BOARDS</b>	
ALGOMA DISTRICT SERVICES ADMINISTRATION BOARD	1
DISTRICT OF COCHRANE SOCIAL SERVICES ADMINISTRATION BOARD	5
DISTRICT OF PARRY SOUND SOCIAL SERVICES ADMINISTRATION BOARD	3
DISTRICT OF SAULT STE. MARIE SOCIAL SERVICES ADMINISTRATION BOARD	5
KENORA DISTRICT SERVICES BOARD	3
MANITOULIN-SUDBURY DISTRICT SERVICES BOARD	3
THUNDER BAY SOCIAL SERVICES ADMINISTRATION BOARD	9
CASES WHERE NO SHARED LOCAL BOARD WAS SPECIFIED	3

## CASES RECEIVED ABOUT CLOSED MUNICIPAL MEETINGS, 2020-2021

CASES ABOUT MUNICIPALITIES WHERE OMBUDSMAN IS THE INVESTIGATOR	80*
CASES ABOUT MUNICIPALITIES WHERE ANOTHER INVESTIGATOR HAS BEEN APPOINTED	14**

SUMMARY OF COMPLETED INVESTIGATIONS				
MUNICIPALITY	MEETINGS & GATHERINGS REVIEWED	ILLEGAL MEETINGS	PROCEDURAL VIOLATIONS FOUND	BEST PRACTICES SUGGESTED
CALLANDER, MUNICIPALITY OF	2	0	0	0
EMO, TOWNSHIP OF	1	0	1	0
GREATER NAPANEE BIA	2	0	0	3
HAMILTON, CITY OF	1	0	0	1
HAWKESBURY, TOWN OF	1	0	0	1
JOHNSON, TOWNSHIP OF	1	0	1	3
LANARK HIGHLANDS, TOWNSHIP OF	1	0	0	1
LOYALIST TOWNSHIP	1	0	1	0
NIAGARA FALLS, CITY OF	1	0	1	1
NORFOLK, COUNTY OF	1	0	0	1
NORTHERN BRUCE PENINSULA, MUNICIPALITY OF	1	0	0	0
PELHAM, TOWN OF	1	0	1	1
PICKERING, CITY OF	1	0	0	1
PLYMPTON-WYOMING, TOWN OF	1	1	1	1
RICHMOND HILL, CITY OF	5	3	0	2
RUSSELL, TOWNSHIP OF	2	0	0	1
SABLES-SPANISH RIVERS, TOWNSHIP OF	1	1	0	4
SAUGEEN SHORES, TOWN OF	4	0	0	0
SAULT STE. MARIE, CITY OF	1	0	0	1
SOUTHGATE, TOWNSHIP OF	1	0	1	2
STONE MILLS, TOWNSHIP OF	5	0	0	0
TEMAGAMI, MUNICIPALITY OF	7	1	3	3
THE NORTH SHORE, TOWNSHIP OF	1	0	0	2
WEST NIPISSING, MUNICIPALITY OF	2	0	0	0
WESTPORT, VILLAGE OF	2	2	0	1

\*Not all cases result in investigations; multiple cases may relate to the same meeting.

\*\*These cases were referred accordingly.

## CASES RECEIVED ABOUT SCHOOL BOARDS, 2020-2021 ■ TOTAL: 569

ENGLISH PUBLIC SCHOOL BOARDS	
ALGOMA DISTRICT SCHOOL BOARD	3
AVON MAITLAND DISTRICT SCHOOL BOARD	1
BLUEWATER DISTRICT SCHOOL BOARD	1
DISTRICT SCHOOL BOARD OF NIAGARA	10
DISTRICT SCHOOL BOARD ONTARIO NORTH EAST	1
DURHAM DISTRICT SCHOOL BOARD	12
GRAND ERIE DISTRICT SCHOOL BOARD	3
GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD	7
HALTON DISTRICT SCHOOL BOARD	10
HAMILTON-WENTWORTH DISTRICT SCHOOL BOARD	19
HASTINGS & PRINCE EDWARD DISTRICT SCHOOL BOARD	4
KAWARTHA PINE RIDGE DISTRICT SCHOOL BOARD	11
KEEWATIN-PATRICIA DISTRICT SCHOOL BOARD	1
LAKEHEAD DISTRICT SCHOOL BOARD	5
LAMBTON KENT DISTRICT SCHOOL BOARD	5
LIMESTONE DISTRICT SCHOOL BOARD	2
NEAR NORTH DISTRICT SCHOOL BOARD	1
OTTAWA-CARLETON DISTRICT SCHOOL BOARD	44
PEEL DISTRICT SCHOOL BOARD	21
RAINBOW DISTRICT SCHOOL BOARD	5
RAINY RIVER DISTRICT SCHOOL BOARD	2
SIMCOE COUNTY DISTRICT SCHOOL BOARD	7
THAMES VALLEY DISTRICT SCHOOL BOARD	17
TORONTO DISTRICT SCHOOL BOARD	101
TRILLIUM LAKELANDS DISTRICT SCHOOL BOARD	5
UPPER CANADA DISTRICT SCHOOL BOARD	10
UPPER GRAND DISTRICT SCHOOL BOARD	6
WATERLOO REGION DISTRICT SCHOOL BOARD	7
YORK REGION DISTRICT SCHOOL BOARD	11
ENGLISH CATHOLIC SCHOOL BOARDS	
ALGONQUIN AND LAKESHORE CATHOLIC DISTRICT SCHOOL BOARD	3
BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD	2
BRUCE-GREY CATHOLIC DISTRICT SCHOOL BOARD	1
CATHOLIC DISTRICT SCHOOL BOARD OF EASTERN ONTARIO	2
DUFFERIN-PEEL CATHOLIC DISTRICT SCHOOL BOARD	14
DURHAM CATHOLIC DISTRICT SCHOOL BOARD	5

HALTON CATHOLIC DISTRICT SCHOOL BOARD	8
HAMILTON-WENTWORTH CATHOLIC DISTRICT SCHOOL BOARD	2
HURON-PERTH CATHOLIC DISTRICT SCHOOL BOARD	3
HURON-SUPERIOR CATHOLIC DISTRICT SCHOOL BOARD	2
KENORA CATHOLIC DISTRICT SCHOOL BOARD	1
LONDON DISTRICT CATHOLIC SCHOOL BOARD	1
NIAGARA CATHOLIC DISTRICT SCHOOL BOARD	3
NIPISSING-PARRY SOUND CATHOLIC DISTRICT SCHOOL BOARD	1
NORTHEASTERN CATHOLIC DISTRICT SCHOOL BOARD	1
OTTAWA CATHOLIC SCHOOL BOARD	13
PETERBOROUGH VICTORIA NORTHUMBERLAND AND CLARINGTON CATHOLIC DISTRICT SCHOOL BOARD	6
SIMCOE MUSKOKA CATHOLIC DISTRICT SCHOOL BOARD	53
THUNDER BAY CATHOLIC DISTRICT SCHOOL BOARD	2
TORONTO CATHOLIC DISTRICT SCHOOL BOARD	28
WATERLOO CATHOLIC DISTRICT SCHOOL BOARD	5
WELLINGTON CATHOLIC DISTRICT SCHOOL BOARD	1
WINDSOR-ESSEX CATHOLIC DISTRICT SCHOOL BOARD	5
YORK CATHOLIC DISTRICT SCHOOL BOARD	9
FRENCH CATHOLIC SCHOOL BOARDS	
CONSEIL DES ÉCOLES CATHOLIQUES DU CENTRE-EST	9
CONSEIL SCOLAIRE CATHOLIQUE DE DISTRICT DES GRANDES RIVIÈRES	2
CONSEIL SCOLAIRE CATHOLIQUE FRANCO-NORD	3
CONSEIL SCOLAIRE CATHOLIQUE MONAVENIR	6
CONSEIL SCOLAIRE CATHOLIQUE PROVIDENCE	4
FRENCH PUBLIC SCHOOL BOARDS	
CONSEIL DES ÉCOLES PUBLIQUES DE L'EST DE L'ONTARIO	10
CONSEIL SCOLAIRE VIAMONDE	5
SCHOOL AUTHORITIES	
JAMES BAY LOWLANDS SECONDARY SCHOOL BOARD	1
MOOSE FACTORY ISLAND DISTRICT SCHOOL AREA BOARD	1
MOOSONEE DISTRICT SCHOOL AREA BOARD	1
PROTESTANT SEPARATE SCHOOL BOARD OF THE TOWN OF PENETANGUISHENE	1
CASES WHERE NO SCHOOL BOARD WAS SPECIFIED	
	23

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

## CASES RECEIVED ABOUT UNIVERSITIES AND COLLEGES OF APPLIED ARTS AND TECHNOLOGY, 2020-2021

### CASES RECEIVED ABOUT UNIVERSITIES, 2020-2021 ■ TOTAL: 213

ALGOMA UNIVERSITY	3
BROCK UNIVERSITY	9
CARLETON UNIVERSITY	7
LAKEHEAD UNIVERSITY	4
LAURENTIAN UNIVERSITY	12
MCMASTER UNIVERSITY	14
NIPISSING UNIVERSITY	3
OCAD UNIVERSITY	3
ONTARIO TECH UNIVERSITY	7
QUEEN'S UNIVERSITY	7
RYERSON UNIVERSITY	20

TRENT UNIVERSITY	7
UNIVERSITY OF GUELPH	6
UNIVERSITY OF OTTAWA	18
UNIVERSITY OF TORONTO	20
UNIVERSITY OF WATERLOO	10
UNIVERSITY OF WINDSOR	9
WESTERN UNIVERSITY	7
WILFRID LAURIER UNIVERSITY	10
YORK UNIVERSITY	30
CASES WHERE NO UNIVERSITY WAS SPECIFIED	7

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

### CASES RECEIVED ABOUT COLLEGES OF APPLIED ARTS AND TECHNOLOGY, 2020-2021 ■ TOTAL: 200

ALGONQUIN COLLEGE	14
CAMBRIAN COLLEGE	5
CANADORE COLLEGE	6
CENTENNIAL COLLEGE	19
COLLÈGE BORÉAL	5
COLLÈGE LA CITÉ	7
CONESTOGA COLLEGE	17
DURHAM COLLEGE	7
FANSHAW COLLEGE	14
FLEMING COLLEGE (SIR SANDFORD FLEMING COLLEGE)	8
GEORGE BROWN COLLEGE	11
GEORGIAN COLLEGE	4

HUMBER COLLEGE	23
LAMBTON COLLEGE	5
LOYALIST COLLEGE	4
MOHAWK COLLEGE	9
NIAGARA COLLEGE CANADA	4
NORTHERN COLLEGE	3
SAULT COLLEGE	4
SENECA COLLEGE	18
SHERIDAN COLLEGE	4
ST. CLAIR COLLEGE	3
ST. LAWRENCE COLLEGE	4
CASES WHERE NO COLLEGE WAS SPECIFIED	2

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

## CASES RECEIVED ABOUT CHILDREN & YOUTH, 2020-2021

959

CHILDREN'S AID SOCIETIES

173

YOUTH JUSTICE CENTRES

124

RESIDENTIAL LICENCEES

### MOST COMMON CONCERNS RAISED ABOUT CASs AND RESIDENTIAL LICENCEES

BY CHILDREN AND YOUTH	BY PARENTS	BY EXTENDED FAMILY MEMBERS	BY PROFESSIONALS, WHISTLEBLOWERS, OTHER ADULTS
UNHAPPY WITH PLACEMENT	ACCESS VISITS WITH CHILDREN	CAS NOT TAKING CHILD PROTECTION CONCERNS SERIOUSLY	CHILD UNSAFE IN PLACEMENT
USE OF PHYSICAL RESTRAINTS/ ALLEGATIONS OF ASSAULT	TREATMENT, CONDUCT OR LACK OF RESPONSE BY CAS	ACCESS VISIT WITH CHILDREN	CAS NOT TAKING CHILD PROTECTION CONCERNS SERIOUSLY
SECURITY OF POSSESSIONS	CAS NOT TAKING CHILD PROTECTION CONCERNS SERIOUSLY	SHORTAGE OF PLACEMENTS	SHORTAGE OF PLACEMENTS
ACCESS VISITS WITH PARENTS	ISSUES WITH CAS INVESTIGATIONS	COVID-19 SAFETY ISSUES	HUMAN TRAFFICKING
CULTURE/IDENTITY ISSUES	BARRIERS TO MAKING COMPLAINT TO CAS		COVID-19 SAFETY ISSUES

### MOST COMMON CONCERNS RAISED ABOUT YOUTH JUSTICE CENTRES

MINISTRY-OPERATED CENTRES	MINISTRY-FUNDED CENTRES
TRANSFERS	TRANSFERS
STAFF CONDUCT	STAFF CONDUCT
TELEPHONE ACCESS	CONSEQUENCES (DISCIPLINE)
CONSEQUENCES (DISCIPLINE)	VISITORS
HEALTH	ACCESS TO PROGRAMS AND EDUCATION
SAFETY AND SECURITY	TELEPHONE ACCESS



## CASES RECEIVED ABOUT CHILDREN'S AID SOCIETIES, 2020-2021 ■ TOTAL: 959

ALGOMA, CHILDREN'S AID SOCIETY OF	27
ANISHINAABE ABINOOJII FAMILY SERVICES	7
BRANT FAMILY AND CHILDREN'S SERVICES	25
BRUCE GREY CHILD AND FAMILY SERVICES	22
CHATHAM-KENT CHILDREN'S SERVICES	10
DILICO ANISHINABEK FAMILY CARE	31
DNAAGDAWENMAG BINNOOJIIYAG CHILD & FAMILY SERVICES	14
DUFFERIN CHILD AND FAMILY SERVICES	5
DURHAM CHILDREN'S AID SOCIETY	27
FRONTENAC, LENNOX AND ADDINGTON, FAMILY AND CHILDREN'S SERVICES OF	20
GUELPH AND WELLINGTON COUNTY, FAMILY AND CHILDREN'S SERVICES OF	15
HALDIMAND AND NORFOLK, THE CHILDREN'S AID SOCIETY OF	12
HALTON CHILDREN'S AID SOCIETY	11
HAMILTON, CATHOLIC CHILDREN'S AID SOCIETY OF	24
HAMILTON, CHILDREN'S AID SOCIETY OF	35
HIGHLAND SHORES CHILDREN'S AID	23
HURON-PERTH CHILDREN'S AID SOCIETY	14
JEWISH FAMILY AND CHILD SERVICE	7
KAWARTHA-HALIBURTON CHILDREN'S AID SOCIETY	13
KENORA-RAINY RIVER DISTRICTS CHILD AND FAMILY SERVICES	9
KINA GBEZHGOMI CHILD & FAMILY SERVICES	3
KUNUWANIMANO CHILD & FAMILY SERVICES	1
LANARK, LEEDS AND GRENVILLE, FAMILY AND CHILDREN'S SERVICES OF	15
LONDON AND MIDDLESEX, CHILDREN'S AID SOCIETY OF	14
NIAGARA, FAMILY AND CHILDREN'S SERVICES	36
NIIJAANSINAANIK CHILD AND FAMILY SERVICES	1

NIPISSING AND PARRY SOUND, CHILDREN'S AID SOCIETY OF THE DISTRICT OF	11
NOGDWINDAMIN FAMILY AND COMMUNITY SERVICES	7
NORTH EASTERN ONTARIO FAMILY AND CHILDREN'S SERVICES	11
OGWADENI:DEO	4
OTTAWA, THE CHILDREN'S AID SOCIETY OF	38
OXFORD COUNTY, CHILDREN'S AID SOCIETY OF	10
PAYUKOTAYNO JAMES AND HUDSON BAY FAMILY SERVICES	1
PEEL CHILDREN'S AID SOCIETY	30
RENFREW COUNTY, FAMILY AND CHILDREN'S SERVICES OF	11
SARNIA-LAMBTON CHILDREN'S AID SOCIETY	14
SIMCOE MUSKOKA FAMILY CONNEXIONS	42
ST. THOMAS AND ELGIN COUNTY, FAMILY AND CHILDREN'S SERVICES OF	10
STORMONT, DUNDAS AND GLENGARRY, THE CHILDREN'S AID SOCIETY OF THE UNITED COUNTIES OF	13
SUDBURY AND MANITOULIN, THE CHILDREN'S AID SOCIETY OF THE DISTRICTS OF	23
THUNDER BAY, THE CHILDREN'S AID SOCIETY OF THE DISTRICT OF	12
TIKINAGAN CHILD AND FAMILY SERVICES	6
TORONTO, CATHOLIC CHILDREN'S AID SOCIETY OF	13
TORONTO, CHILDREN'S AID SOCIETY OF	41
TORONTO, NATIVE CHILD AND FAMILY SERVICES OF	5
VALORIS FOR CHILDREN AND ADULTS OF PRESCOTT-RUSSELL	8
WATERLOO REGION, FAMILY AND CHILDREN'S SERVICES OF THE	26
WEECHI-IT-TE-WIN FAMILY SERVICES	8
WINDSOR-ESSEX CHILDREN'S AID SOCIETY	23
YORK REGION CHILDREN'S AID SOCIETY	35
CASES WHERE NO CAS WAS SPECIFIED	136

Note: Children's aid societies that were not the subject of any cases are not listed.

## FINANCIAL SUMMARY, 2020-2021

Our Office's budget for the fiscal year 2020-2021 was **\$30.46 million**. Actual expenditures, (unaudited) were **\$23.08 million**. All unspent funds were returned to the Ministry of Finance.

	(IN \$ THOUSANDS)
<b>OPERATING EXPENSES</b>	
SALARIES & WAGES	12,473
EMPLOYEE BENEFITS	3,150
COMMUNICATION & TRANSPORTATION	223
SERVICES	4,255
SUPPLIES & EQUIPMENT	2,979
<b>TOTAL ANNUAL OPERATING EXPENSES</b>	<b>23,080</b>






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