

# Submission to the Commission for the Review of Social Assistance in Ontario

## Response to Discussion Paper 2: Approaches for Reform

March 16, 2012



March 9, 2012

Frances Lankin and Munir A. Sheikh  
The Commissioners  
Commission for the Review of Social Assistance in Ontario

2 Bloor St. West, 4th Fl., Suite 400  
Toronto, Ontario  
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Dear Commissioners Lankin and Sheikh:

Attached is the third submission to CRSA, by the Enforcement and Renewal Committee (MERC) for the Ministry of Community and Social Services of the Ontario Public Service Employees Union (OPSEU).

Personal contact, integrated-service delivery and accountability are required for human services to be effective. OPSEU strongly objects to any move to download or privatize social-service delivery. A provincially-administered social-services delivery system is the only model that can ensure fair and consistent levels of support across the province.

OPSEU firmly advocates for a client-focused ODSP, delivered by specialized staff, working within the provincial framework of the Ontario Ministry of Community and Social Services (MCSS).

We urge that the Commission's report reflect that MCSS is best positioned to provide integrated and accountable social services to vulnerable Ontarians.

Sincerely,



Warren (Smokey) Thomas  
President, Ontario Public Service Employees Union  
(OPSEU)



Roxanne Barnes  
CERC Chair OPSEU, MERC Chair MCSS,  
OPSEU

# — Preamble —

OPSEU appreciates that the Commission for the Review of Social Assistance (CRSA) is seeking additional insight into how best to address issues related to social assistance reform. After reading the Commission's second discussion paper we are concerned that the Commissioners may not have been provided with an accurate picture of social assistance delivery, particularly in relation to the Ontario Disability Support Program (ODSP). That is why this submission begins with an outline of two recent large-scale initiatives within ODSP that

should be considered by the Commission before it recommends further changes to ODSP.

In this, our third submission to CRSA, we address the six core areas of concern framed by the Commission to inform the scope and content of its final report. We raise issues and make recommendations that we are confident will point to an informed and nuanced approach, ensuring that Ontario can deliver a social assistance framework that balances the needs of all Ontarians.

# — Executive Summary —

It is OPSEU's firm belief that a provincially-administered social-support system is the only design that can ensure that Ontarians from Perth, Sudbury, Toronto and every other community receive fair and consistent levels of social services. We reiterate from early submissions that reforms to social-service delivery models must be governed by the goals of the Poverty Reduction Strategy that created the Commission in the first place.

OPSEU has strong, evidence-based objections to the idea of downloading social service delivery, a direction that would be out of step with every other province and territory across the country. Quite simply, downloading would create:

- Increased overall costs to the taxpayer.
- Reduction in the quality of services, in particular to those with disabilities.
- Less accountability.
- Greater inequality around Ontario.
- Further stigmatization of Ontarians living in poverty and/or with disabilities.
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Based on the evidence:

- OPSEU recommends that no further changes be made to ODSP until the benchmarks and successes of two *major* initiatives—the ODSP Modernization process and the Social Services Solutions Modernization Project—have been properly evaluated.
- OPSEU recommends an integrated employment-services delivery model, with dedicated employment specialists, as the best way to save money, help more individuals and build employment growth and resilience.
- OPSEU recommends that Ontario not institute a separate basic income program because it is inconsistent with the principles of Thriving Communities and it would inadvertently create a relegated sub-class that would be swept out of the framework of a supportive case-management system able to address individual circumstances.
- OPSEU recommends assuring the long-term viability of social services (1) by recognizing the province as the only appropriate agent for the effective delivery of social services and (2) by developing social and economic policies that are rooted in the principles of the Poverty Reduction Strategy and quality-job creation strategies.

- OPSEU recommends making the system easier to understand by simplifying and clarifying legislation; using consistent and plain language for all communication with clients; reducing penalties; and using a hands-on approach to case management.
- OPSEU recommends that retirement-related assets be exempt in all programs because these assets ensure resiliency and adequacy in senior years.
- OPSEU recommends that human services not be subject to downloading and privatization, which are not sustainable models for the income security of Ontarians and which are contrary to the mandate of the provinces.

## Important Background Information about ODSP

**OPSEU recommends that no further changes be made to ODSP until the benchmarks and successes of two *major* initiatives—the ODSP Modernization process and the Social Services Solutions Modernization Project—have been properly evaluated.**

Given that ODSP is mid-stream with two significant initiatives, it would be counter-productive and wasteful to recommend further changes to ODSP service delivery before these initiatives have been properly evaluated.

ODSP has recently restructured its service-delivery model, a process called ODSP Modernization, with the aim of correcting many of the inadequacies identified by submitters to the Commission. Each client now has a single worker as an individual support and long delays have been replaced by a 24-hour turn-around requirement. Most importantly, the client pathway, a recipient-driven goal-setting structure, has enabled a long-term, full-service approach.

These initiatives have already been paying dividends in terms of client satisfaction, as evidenced by the high quantity of positive customer service feedback forms. Any evaluation should consider that the ODSP

Modernization process is not yet complete and that staff positions are not up to full complement.

In addition the Social Services Solutions Modernization Project (SSSMP) is set to deliver a case management software suite in April of 2013. The two-year development phase, which includes multiple stakeholder consultations, shows the complexity and robustness of the tools required to support social assistance delivery. The impressive scope of this management software will enable ODSP staff to manage recipient files more effectively, and concentrate on clients as people.

OPSEU is asking the Commission to remember two important things:

1. The ODSP Modernization required a great deal of pressure from the bargaining agent to initiate. *Days of Action* in the workplace, health and safety grievances and public pressure were required to

highlight the severity of issues facing staff and clients of the program. OPSEU and the Ontario Government worked collaboratively to develop a customer-service model that focuses on clients as *individuals* and improves the quantity and quality of tools available to workers supporting clients.

2. The development and implementation of the Service Delivery Model Technology (SDMT) in 2001 left ODSP staff with less time for clients, while struggling to navigate an awkward and cumbersome software

tool. The Ministry learned from the mistakes of the SDMT project, leading them to use the broad consultative approach to develop SSSMP.

Just as this current software development project is taking the time to create a better core product, so too are we asking that proper time be taken to evaluate recent transformations. ODSP service delivery should not be subject to knee-jerk reactions by politicians.

## Chapter 1: Reasonable Expectations and Necessary Supports to Employment

**OPSEU recommends an integrated employment-services delivery model, with dedicated employment specialists, as the best way to save money, help more individuals and build employment growth and resilience.**

Realizing a vision of an inclusive and sustainable Ontario requires integrated, knowledge-based employment services. It is our view that effective employment services require specialized knowledge and skills to understand the complexities of labour market trends and realities. The delivery of employment-related outcomes is labour intensive. Employment specialists have unique knowledge to assist clients achieve an array of potential employment goals, including paid employment, entrepreneurship, volunteerism, apprenticeships and workforce preparation. Employment services need to focus on individual circumstances and thus should be supported by dedicated positions with employment as the deliverable within the social assistance framework.

It is our view that an employment services model based on the principles of vocational rehabilitation

will deliver greater successes for Ontarians with disabilities. Employment specialists would ideally have the capacity to establish, maintain and grow relationships with clients, service providers, case workers and employers and be a conduit of connectivity to other levels of supports. A team approach allows social-service professionals to focus on addressing supports and barriers to participation, while employment professionals can turn employment goals into deliverable outcomes. Dedicated full-time staff with a mandate to serve a wider range of employment outcomes will save money, help more people and encourage a long-term approach that builds a resilient program for Ontarians.

Bringing all employment services together can help reduce the stigma associated with social services and reduce social barriers to participation. At the

moment, programs with only a narrow range of fundable outcomes encourage private and non-profit partners to “game” the system by helping only those who most easily fit a funding model. Currently, the funding structure supports service providers for only one type of deliverable: paid employment that is maintained for at least 33 months. This has left those clients who may benefit from other opportunities such as volunteerism, skills upgrading, self-employment and job readiness training out of options and without service. This model also means that some service providers take on only the most job-ready clients and then pressure them to take inappropriate, low-skill jobs.

Assessment tools to support employment through

capacity determination should be made broader to support a wider range of community inclusion and individual goals of clients. This would better align with the principles of Thriving Communities by, for example, recognizing the value of volunteer work.

To improve employer engagement in hiring social assistance recipients, we believe that incentives should be aligned with provincial level tax credits. For Ontarians with disabilities, access to a capital fund to offset costs associated with assistive technologies and supports would reduce barriers to being hired. While active promotion to employers is important, we need to be careful to ensure that vulnerable Ontarians are not exploited by employers.

## Chapter 2: Appropriate Benefit Structure

### Social assistance shouldn't compel destitution and loss of dignity

**OPSEU recommends that Ontario not institute a separate basic income program because it is inconsistent with the principles of Thriving Communities and it would inadvertently create a relegated sub-class that would be swept out of the framework of a supportive case-management system able to address individual circumstances.**

We feel that a separate basic income program would be inconsistent with the five principles of Thriving Communities, which are: Champion Community Inclusion; Build Individual Resilience and Opportunity; Collaborate with Partners for Social Change; Safeguard Vulnerable Ontarians; and Model Excellence in Public Service. These represent core values in Ontario and must remain the test by which we evaluate options for benefit structures.

While improvements can be made to reduce the administrative burdens and rule-based nature of the social assistance framework, this must not leave vulnerable Ontarians unsupported or relegated by a dispassionate government unwilling to fulfil the obligations expected of them.

There is significant risk that a separate basic income program would inadvertently create a relegated

sub-class in Ontario that would be swept out of the framework of a supportive case management system able to address individual circumstances. This is contrary to the aims of the Poverty Reduction Strategy.

There is no substitute for a nuanced and responsible program that treats clients as individuals. Blanket approaches may look good on one balance sheet, but costs will simply be added to others. A proactive program that aids Ontarians to meet their goals and allows them to live with dignity has been a priority for those working in ODSP and we seek to continue to be part of the solution.

We recommend that the Market Based Measure be used to develop the benefit structure because this tool is the most accurate at estimating the true costs of living. Further, we recommend that regional measures be incorporated to reflect the cost differences across the province. For example, transportation costs in the North and rural areas are higher, while rental costs in urban centres are generally higher.

When addressing supports such as health benefits,

if they were generally available to low-income Ontarians, it could offset the sense of imbalance while allowing a rate structure for social assistance that can ensure that those who rely on financial support are not relegated to inadequate income to meet basic needs. Often the upfront costs of coverage with the Trillium Drug Program can be prohibitive to those with low incomes. Expanding access to the Extended Health Benefit to include the working poor would reduce overall health care costs because people would then be able to access medical treatment through prescriptions instead of relying on more expensive acute and emergency care in hospitals.

There can be substantial savings in health-care costs when nutritional needs are met. For this reason, we recommend that medically required diets continue to be supported through the Special Diet Allowance. To address the challenges of maintaining overall health and adequacy, the basic benefit of (\$100) would ideally be folded into the basic needs structure. However, it is critical that this benefit be exempted as an income source for social housing calculations, so the benefit can be used for nutrition as intended.

## Chapter 3: Making the System Easier to Understand

Clear rules and communication go a long way

**OPSEU recommends making the system easier to understand by simplifying and clarifying legislation; using consistent and plain language for all communication with clients; reducing penalties; and using a hands-on approach to case management.**

**OPSEU recommends that retirement-related assets be exempt in all programs because these assets ensure resiliency and adequacy in senior years.**

There does not seem to be an intuitive connection between the risk modelling and audit approaches in Chapter 3, and the need to increase the ease of understanding for the client.

At the moment, the social assistance programs utilize multiple methodologies to assess monitoring. Recently the ODSP has shifted to an Integrated Social Assistance Monitoring Framework. This framework is based on risk-modelling factors, allowing for issues to be more quickly identified. This, in conjunction with a more active and frequent case-management approach, can help balance the needs of a transparent eligibility verification process.

By reducing penalties and using a hands-on approach to case management, there will be a greater investment in establishing a client pathway in which recipients have a stake. This increased sense of responsiveness and monitoring will allow the recipients to have greater opportunity to understand eligibility components and case worker's decisions.

Along with reduced penalties and hands-on case management, we recommend making the system easier to understand by simplifying legislation and communication to clients. The system needs to use a communication model that details the circumstances of decisions, using clear language. As demonstrated by the sample "suspend letter" in the Appendix, a client is told in absolute terms that income support has been halted. In reality this usually means that the required earnings information was submitted late and/or entered into the system prior to a cut-off date. These types of letters are delivered to clients — often

without awareness of the case worker — when time-line triggers are hit in the system.

In the above example, even though there was no actual interruption in benefits, clients experience additional anxiety and the office likely experiences a flood of duplicate submissions as clients rush to avoid what they believe would be a disruption. This also leads to a flood of inbound telephone calls that delay the processing of work, ironically slowing down the input of the earnings information for clients. This is an example of where intent and delivery are not reconciled. Case workers need greater control over messaging to the client to prevent anxiety and provide updates based on the actual status of the file.

Having retirement assets should not preclude access to Ontario Works, where currently recipients must divest themselves of these assets prior to eligibility. RRSPs, RSPs and pension savings should be exempt in all programs because these assets ensure resiliency and adequacy, preventing the need for financial supports in senior years. Unless these assets are exempt, it merely shifts when a client may need financial assistance and does not help individuals remain self-reliant. To access the exemption the retirement savings would need to be locked in. To ensure fairness there could be a reasonable top-end exemption limit of retirement savings to prevent those with significant means from relying on income support. Our recommendation for the treatment of assets would be a baseline limit of \$12,500, consistent across both programs.

# Chapter 4: Viable Over the Long Term

Good workers on the inside, good jobs on the outside

**OPSEU recommends assuring the long-term viability of social services (1) by recognizing the province as the only appropriate agent for the effective delivery of social services and (2) by developing social and economic policies that are rooted in the principles of the Poverty Reduction Strategy and quality-job creation strategies.**

OPSEU is particularly concerned that downloading social services is being contemplated. All other provincial and territorial governments in Canada recognize that they are the most appropriate agent for the delivery of social services; it would be unwise for the Province of Ontario to look at this issue differently than the rest of Canada. It is particularly striking that even the Province of Saskatchewan, which had a wide mandate to reform its social assistance framework, created a program that aims to be like the current Ontario model. This points to the value and superiority of provincially delivered, two-stream programs.

It is our firm belief that a provincially administered social support system is the only design that can ensure fairness to guarantee that Ontarians from Perth, Sudbury, Toronto and every other community can count on the same level of service and support. The provincial government is the body with the proper capacity to serve Ontarians with integrated, high-quality services.

Historically, the failure of municipalities to deliver consistent and fair services precipitated the creation of District Social Assistance Administration Boards (DSAAB). Since their creation the level of service

and support has continued to vary widely from municipality to municipality. Recent cuts to have eliminated the monitoring-officer positions that maintained program compliance and accountability. These cuts make us question whether the Government truly supports program integrity and would be capable of maintaining integrity and enforcement of a program that is in the hands of municipalities.

People with disabilities in Ontario have been well served by dedicated provincial staff for approximately eight decades. Parallel models to ODSP, such as General Welfare Assistance (GWA) and Family Benefit Allowance (FBA), have served Ontario fairly well over the years. We believe that a successful long-term strategy must preserve these capabilities and capitalize on the existing expertise of provincial employees.

In the current framework, ODSP staff have received specialized training (e.g., Access, Awareness and Accountability) to make them more sensitive to the needs and situations of people with disabilities. An intensive training program labelled PACE provided comprehensive training modules for ODSP staff. The training components increased the capacity of staff

in the areas of disability awareness, diversity, mental health, physical disabilities, abused women; suicide, death and dying; and team work, collaborative problem solving and interest-based problem solving. In addition, staff members have highly developed skills in communication and listening.

These years of experience and quality training have positioned and conditioned ODSP workers to meet the needs of Ontarians with disabilities with a humanized, effective service.

External conditions have a significant impact on the long-term viability of social assistance. The framework for social assistance cannot be evaluated in a vacuum; external realities in the labour market, tax fairness and access to family physicians will do more to improve the position of Ontarians in the long term. The Government may be better served by shifting focus towards the creation of good-quality jobs that allow Ontarians to maintain an adequate standard of living. To truly support Ontarians in moving from social assistance to employment, there needs to be a “good jobs” strategy in place.

Our recommendations for supporting the long-term viability of social assistance, barring the maintenance of a two-stream system, are a single provincial-delivery framework with linkages to supporting and parallel services that are accessible to recipients of social assistance. We view the direct delivery and accountability through the Province to be the most consistent with the *Constitution Act* and with the aims of the Poverty Reduction Strategy that initiated the Commission’s mandate. The provincial framework ensures a fair and individually responsive delivery of the programs under a consistent model.

The increased costs associated with downloading and privatizing services have proven to be a drain on

public funds without significant benefit to Ontarians. Ontario paid huge sums of money for the inquiry into the Walkerton tragedy, after the privatization of water inspection services directly contributed to seven deaths and hundreds of now-chronic illnesses. The publicity from Ehealth and ORNGE alone have lessened the public trust and revealed that loose accountability frameworks are not sufficient. Since the Province will ultimately end up having to upload services from municipalities, we find it counter intuitive that the Province would consider shifting delivery that will have cost overruns and no direct accountability to the taxpayers of Ontario.

Provincial employees are already governed by a significant amount of controls to ensure accountability, quality and compliance. While downloading may shift dollars away from labour and administration costs, the overall cost of delivery will be much higher in terms of real dollars, not to mention the fall-out from inconsistently delivered programs.

The downloading of social assistance will effectively ghettoize areas of Ontario as municipalities each take their own approach to delivery, staff training, and quality assurance. There is a significant risk of social harm, because Ontarians will be shuffled from community to community as less progressive councils avoid fulfilling the mandate of social assistance. This will concentrate social assistance delivery in larger municipalities or allow ward-based politics to prevent community inclusion. An Ontarian should not have to be displaced from their community to access supportive services.

It is our recommendation that the Temporary Care Allowance (TCA) and Assistance for Children with Severe Disabilities (ACSD) could be moved to better align those programs with other children’s services

but with the mechanism to flag ACSD children six months before they turn 18 in order to guarantee that the transition between programs is as close to seamless as possible. The surplussing of Special Agreement Officers currently supporting the TCA

and ACSD has resulted in some caseloads of more than 2,000 families; to maintain viability the transition would require appropriate staffing levels be restored.

## Chapter 5: An Integrated Ontario Position on Income Security

### Ontario needs leadership not privatization and waiting lists

OPSEU recommends that human services not be subject to downloading and privatization, which are not a sustainable model for the income security of Ontarians and are contrary to the mandate of the provinces.

The continued trend to download and privatize services results in an overall increase in costs to Ontarians from tax dollars and user fees. This is not a sustainable model for the income security of Ontarians and is contrary to the mandate of the Provinces.

There have been problematic examples of public services being offloaded to communities without a capacity determination, resulting in service-level shortfalls, non-arrival of promised resources and confusion around accountability. Two recent examples include the transition in developmental services and the loss of counsellors in the hospitals.

Communities and the Province must work in tandem to make significant improvements in communication. Downloading will not create linkages by magic. Only a responsive team-based approach that taps into capacities at all levels of government and the non-profit sector will truly serve Ontarians. The Province holds the mandate for human services so it should

take the lead in establishing these channels.

The increased presence of Ontarians with mental health issues in the jails points to a significant deficit of community resources and capacity. In addition, the criminalization of mental illness increases barriers to supportive employment for recipients.

There are also gaps among those who need services now but may not have in the past. For example, many parents who have maintained their adult children with severe and developmental disabilities in the home are looking for other options now that they are seniors. Long waiting lists for group-home spaces add extreme stress for parents as they wonder how their adult children will be served after the parents die. A significant investment in supportive housing is required.

These examples lead us to conclude that an integrated delivery system must be available at the provincial level. The shift to a municipally delivered framework will lead to worsening inequity, increase actual costs and reduce the quality of services that the existing model incorporates. Direct accountability is essential to provide for the most effective and human-centred services.

# Chapter 6: First Nations and Social Assistance

Our position is that the First Nations themselves are most able to determine the design of social assistance delivery, within an autonomous framework

that reflects the unique historical, legal and cultural context of First Nations.

## In Conclusion

We hope that the Commission will take to task the real scope of issues related to social assistance. We continue to encourage bold recommendations that are evidence-based even when they may fly in the face of political rhetoric and convenience. It is our view that a provincial framework is the most effective and responsible model. Our objection to downloading is based on reality, and we reiterate the need for solutions to be governed by the goals of the Poverty Reduction Strategy, which created the Commission in the first place.

We thank the Commission for the opportunity to express our thoughts and recommendations. We look forward to seeing the final report and hope that it will contain the same rational, humanized approach to quality public services that Ontarians deserve and have come to expect.

# Appendix

I am writing to you about your income support from the Ontario Disability Support program (ODSP).

We have put your ODSP file on hold as of November 1, 2011. Please read this letter carefully to find out:

- why we put your ODSP file on hold
- what you can do next.

You will not receive ODSP income support and other benefits while your ODSP file is on hold.

## WHY YOUR ODSP FILE IS ON HOLD

We did not receive your Employment/Training Income Report and pay stubs. This is the form you use to tell us about earnings from a job or training program. We need this information to make sure that:

- you can still qualify for ODSP, and
- you receive the correct amount of income support.

## WHAT YOU NEED TO DO

Please send us your Employment/Training Income Report and pay stubs right away.

## IF YOU DO NOT AGREE WITH OUR DECISION

If you do not agree with our decision to suspend your income support, you can ask us to review it. This is called an internal review.

You must ask for an internal review in writing by December 21, 2011. If you miss this deadline but you still want to ask for an internal review, you should write to explain why you were late.

If we do not change our decision after the internal review, you can appeal to the Social Benefits Tribunal.

You can find out more about internal reviews and appeals on the back of this letter.

## IF YOU HAVE QUESTIONS OR NEED MORE INFORMATION

If you have questions about this decision, please call your local ODSP office at the phone number at the top of this letter. You can find more information about ODSP on the ministry's website at [www.ontario.ca/mcss](http://www.ontario.ca/mcss).

Sincerely,



