

Annual Report 2013-2014 – Facts and Highlights

Total complaints and inquiries received: 26,999 – highest ever; up 37% from 2012-2013

Top 5 most complained about organizations (excluding jails) – page 84:

1. Hydro One (6,961 complaints); 2. Family Responsibility Office (1,157); 3. Ontario Disability Support Program (621); 4. Workplace Safety and Insurance Board (522); 5. Developmental service programs (501)

MUSH sector complaints (p. 47): 3,400 (up 33% from last year's record of 2,541)

- Municipalities (excluding 158 complaints about closed meetings): 1,595
- Universities: 41
- School Boards: 147
- Hospitals and long-term care homes: 471 (hospitals); 72(long-term care)
- Children's aid societies: 536 (4,086 total since 2005)
- Police: 538

The Ombudsman compiles and shares a weekly compilation of news stories about the MUSH sector to foster discussion about oversight: <http://ombudsman.pressly.com/weekly-dose-of-mush>

Key themes, complaint trends and significant cases

Historic progress – bill to open MUSH sector to scrutiny: (p. 11 and 48): Bill 179, the *Public Sector and MPP Accountability and Transparency Act*, introduced in March, proposed extending the Ombudsman's jurisdiction for the first time – to municipalities, universities and school boards – while creating a separate Patient Ombudsman to oversee hospitals and long-term care homes, and giving the Provincial Advocate for Children and Youth oversight of children's aid societies. The bill died in May but is expected to be reintroduced.

Unfinished business (p. 10): Several other bills derailed by the June 12 election would have addressed Ombudsman recommendations, including replacing the Public Works Protection Act, improving monitoring of drivers with certain medical conditions, and regulation of the non-emergency medical transfer industry.

Payment “assignments” – Family Responsibility Office (FRO) and Ontario Disability Support Program (ODSP) (p. 7 and 22): A communication breakdown between these two agencies deprived hundreds of families of hundreds of thousands of dollars in support payments. The Ombudsman is monitoring the Ministry of Community and Social Services' response to the problem – so far it has reimbursed the families some \$845,000.

Review of “ghost” licences (p. 27): The Ministry of Transportation continues to review its database of duplicate driver’s licence records, which the Ombudsman termed “ghost licences” in 2012. It has found more than 13,866 duplicate licence records, 1,039 of which were flagged for suspension, and 138 of which were considered “high-risk” (suspended for criminal offences). The Ombudsman is still concerned about an outstanding issue with duplicate licences in the system that cannot be detected because of small variations in names or addresses.

Systemic investigations and updates:

- *Billing and customer service at Hydro One* (Ministry of Energy - investigation announced February 2014), **p. 29**: Hydro One has implemented short-term measures to alleviate problems, including working through thousands of complaints brought via our office.
- *De-escalation direction to police* (Ministry of Community Safety and Correctional Services – investigation announced August 2013), **p. 32**: Investigators have conducted more than 50 interviews and observed de-escalation training sessions at several police services. The Ombudsman also appointed two veteran former police chiefs as special advisors.
- *Unlicensed daycares* (Ministry of Education – investigation announced July 2013), **p. 34**: The Ombudsman expects to release a report on this case later this summer.
- *Adults with developmental disabilities in crisis* (Ministry of Community and Social Services – investigation launched in November 2012) **p. 34**: More than 1,100 complaints have been received, investigators have reviewed tens of thousands of pages of documentation and interviewed more than 220 people, and the Ombudsman has begun the process of drafting his report, which he hopes to release in late 2014.
- *Better Safe Than Sorry* (Ministry of Transportation – report released April 2014) **p. 37**: The Ministry accepted all of the Ombudsman’s recommendations to improve monitoring of drivers with uncontrolled hypoglycemia.
- *The Code* (Ministry of Community Safety and Correctional Services – report released June 2013) **p. 39**: The Ministry has addressed 34 of the Ombudsman’s 45 recommendations, including a new code of conduct for correctional staff and penalties for the “code of silence.”
- *In the Line of Duty* (Ontario Provincial Police and Ministry of Community Safety and Correctional Services – report released October 2012) **p. 40**: The OPP has established educational programs about operational stress injuries and hired full-time staff to provide support for officers, while the Ministry is developing a provincewide survey to assess how many officers in local police services are dealing with operational stress injuries.
- *Oversight Unseen* and *Oversight Undermined* (Ministry of the Attorney General and the Special Investigations Unit – reports issued in September 2008 and December 2011) **p. 42**: The Ombudsman continues to call for stronger legislation to support the SIU in its mandate to investigate police involved in cases of serious injury or death. A Supreme Court of Canada decision in December 2013 echoed the Ombudsman’s 2011 recommendation that lawyers should not vet police notes before submitting them to the SIU.

- *Monitoring of long-term care homes* (Ministry of Health and Long-Term Care – investigation concluded December 2010) **p. 45**: The Ministry hired 88 new inspectors as part of promised reforms; the Ombudsman continues to monitor the new inspection regime.

Successes achieved by Ombudsman staff (see Case Summaries, pages 62-77):

- Discovered an error with a Legal Aid Ontario account that would have forced a woman to pay \$5,900 in unnecessary legal fees (p. 62).
- Helped a mother who was owed more than \$24,000 in child support begin collecting payments from her former spouse, who had moved to the U.S. and had never been registered there by the Family Responsibility Office (p. 64).
- Recovered more than \$14,000 for the mother of a 15-year-old boy with developmental disabilities that the Family Responsibility Office had collected since 2010 (p. 64).
- Obtained \$1,686 from the Ontario Disability Support Program for the family of a 24-year-old man with cerebral palsy to repair the outdoor mechanical porch lift on their home (p. 65).
- Prompted an investigation into serious mistreatment of an inmate with a broken leg who was carried roughly down stairs by several correctional officers (p. 67).
- Convinced the Ministry of Community Safety and Correctional Services to re-evaluate how sick inmates are treated after a woman dying of stomach cancer was shuttled between hospital and a jail with inadequate healthcare services (p. 67).
- Recovered a wrongful payment of \$8,390 that had been automatically removed from a woman's bank account by Hydro One as a "catch-up" bill (p. 69).
- Obtained a credit of \$3,500 for a man who was charged more than \$12,000 by Hydro One for his home, which had been classified as a seasonal property (p. 70).
- Helped a man receive Ontario Health Insurance Plan coverage for more than \$100,000 in medical bills after ServiceOntario refused to accept his birth certificate, which showed he was born at a Canadian Armed Forces base in Germany (p. 72).
- Persuaded the Ministry of Health and Long-Term Care to re-evaluate funding for medication for a 14-year-old with juvenile arthritis, saving the family \$20,000 per year (p. 73).