

Recommendations 2011

Third Quarter Update



Written notification
Each recommendation is issued in writing against whom a complaint was made as a result of the investigation. The notification is being contained in this report and in the investigation report. It may be pending and provides the individual specific to the individual that

July - September 2011

Overview

At Ombudsman Saskatchewan, we promote and protect fairness in the design and delivery of government services. One of the ways our office does this is by taking complaints from citizens about unfairness in government services.

We assess each complaint we receive to determine whether it is within our jurisdiction and if so, what is the most appropriate method of service: coaching, negotiation, mediation or investigation. For those complaints that require investigation, several outcomes are possible. For example:

- We may determine that the government office was fair and that no further action is needed.
- The government office may discover and voluntarily correct an error.
- We may recommend that the government office make a change or do something differently.

An Ombudsman recommendation is different from a suggestion and is a much more formalized process. Each recommendation is the result of thoughtful research and investigation. It may be specific to the individual that brought the complaint or it may be broader, impacting policy, processes and future interactions for many people.

Although government is not obligated to accept our recommendations, it usually does - and so it should. Recommendations are not made lightly and the applicable government office always has an opportunity to review and comment on a recommendation before it is finalized. This step, which is mandated by The Ombudsman and Children's Advocate Act, is part of a fair process and provides an opportunity for government to state any objections they may have or challenges they may face in implementing the recommendation.

Unless there is some good reason to withdraw or change the recommendation, it remains as it is. It is then up to the ministry or government agency to determine whether it will comply with the recommendation and respond accordingly.

For files that were closed in the third quarter of 2011, Ombudsman Saskatchewan's recommendations statistics are:

Recommendations Made: 3
Accepted: 2
Partially Accepted: 0
Not Accepted: 1

Recommendations

Following is a brief description of the complaints that resulted in recommendations and were closed during the third quarter of 2011. The names of those involved have been changed to protect their privacy.

When Exceptions Make Sense

Ministry of Social Services, Income Assistance and Disability Services

Chloe needed to move to a new apartment. She has disabilities and allergies, which made her search more difficult. After a long search she finally found one that was available, reasonably safe, within her price range and able to accommodate her needs. When it came time to pay the damage deposit, the landlord wanted cash. As a Social Services recipient, the process for Chloe would normally be to ask the Ministry of Social Services to issue a letter of guarantee instead, but she knew the landlord would not accept this and she needed an appropriate place to live. She paid cash.

Chloe then went back to her social worker, explained the situation and asked for reimbursement. Based on policy, the social worker said no. To Chloe, this was a lot of money and going without it would be difficult. Chloe appealed at the regional level, and then to the Saskatchewan Social Services Appeal Board (SSAB). The response did not change, so she contacted our office.

In 2010, we made four recommendations on this file: one to the SSAB and three to the Ministry. The SSAB accepted our recommendation and we reported the results in our annual and quarterly reporting for 2010 (Annual Report 2010, pages 18-19). The Ministry, however, did not accept our recommendations and the Ombudsman used the option available in Section 24 of our legislation to provide a report to the Minister. The Minister accepted two of the three recommendations, as described below.

Recommendations

1. That the Ministry of Social Services pay to Chloe the sum of \$700.00.

Status: Accepted

2. That the Ministry of Social Services await a decision of the Office of Residential Tenancies (ORT) before determining that the security deposit is an overpayment.

Status: Accepted

Because the Ministry agreed that this would not be an overpayment, there was no need to await a decision from the Office of Residential Tenancies.

3. That the Ministry of Social Services, in cases where the security deposit exceeds the basic shelter allowance, pay a security deposit to a maximum equivalent of all sources of Social Services funding for which a recipient is entitled towards shelter costs.

Status: Not Accepted

The Minister was not prepared to accept this recommendation because she saw it as requiring further research and consultation. If that later occurs and the policy changes in accordance with this recommendation, we will change the status to "accepted."