



## STAFF REPORT ACTION REQUIRED

### French Language Services and Translation of By-laws

<b>Date:</b>	March 9, 2007
<b>To:</b>	Executive Committee
<b>From:</b>	Shirley Hoy, City Manager
<b>Wards:</b>	Citywide
<b>Reference Number:</b>	

#### **SUMMARY**

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This report provides information on the range of French Language services provided by the City of Toronto, including translation, interpretation and access to services in French. Information on the availability of funding for translation services from the *Association française des municipalités de l'Ontario*/Association of French Municipalities of Ontario (AFMO) and Canadian Heritage is also provided.

The City of Toronto has mechanisms and procedures to provide French Language translation and interpretation. This service will be enhanced when the 311 service is introduced. To date, all requests have been accommodated using existing mechanisms.

City of Toronto by-laws have not been translated. Resources are available through the *Association française des municipalités de l'Ontario*/ Association of French Municipalities of Ontario (AFMO) to translate City by-laws. These services are provided without cost to municipalities.

#### **RECOMMENDATIONS**

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**The City Manager recommends that:**

1. the City of Toronto translate selected by-laws through the services provided by the *Association française des municipalités de l'Ontario* /Association of French Municipalities of Ontario (AFMO);
2. the City Manager, in consultation with the City Clerk and the City Solicitor, establish a priority system for translating City by-laws, and that the City's French

Committee/*Comité français de la ville de Toronto* (CFVT) be asked to provide input; and

3. The City Manager develop and implement a communications strategy, including exploring the posting of translated materials on the City's website, to inform members of Toronto's Francophone community about the City's French language services.

### **Financial Impact**

There are no financial implications arising from the recommendations in this report.

### **Equity Impact Statement**

The provision of information in French provides access to services by Francophones who do not have a working knowledge of English.

### **DECISION HISTORY**

In September, 2006, City Council approved a notice of motion requesting the City Manager to report to the Executive Committee on the opportunities for the creation of a French-Language Services body within the City including the provision of translation of City by-laws and documents.

### **ISSUE BACKGROUND**

The background information included in the notice of motion requesting this report noted that the Constitution of Canada provides that English and French are the official languages of Canada. Council was also advised that funding to assist in setting up French-Language services may be available from provincial and federal governments to provide these services. The motion also noted that the City of Toronto is a member of the *Association française des municipalités de l'Ontario* (AFMO)/Association of French Municipalities of Ontario (AFMO).

### **COMMENTS**

#### **Demographics**

Census data for 2001 show that approximately 35,000 residents of the City of Toronto and 58,000 residents of the Toronto CMA are Francophones i.e. people whose first language learned at home is French. Census data for the City of Toronto indicate that 5,000 individuals, a portion of the Francophone population, indicate that French is the language spoken at home. In addition, when asked about their knowledge of the two official languages of Canada, 2,700 reported that they knew only French.

Approximately 5,000 students are enrolled in Toronto's major French schools operating in the public and separate school systems. In addition just over 1,000 students attend the privately run Toronto French School. French immersion enrolment in Toronto schools is estimated to be 17,000.

## **Current policies**

The Canadian Constitution Act (1982) states that "English and French are the official languages of Canada and have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and government of Canada". This legislation requires that bilingual English and French services be provided by all federal departments and agencies.

The Ontario Government recognises French as an official language in the courts and in education. The French-Language Services Act of 1989 guarantees the use of French in institutions of the legislature and the Government of Ontario. Section (5) (1) states that "a person has the right in accordance with this Act to communicate in French with, and to receive available services in French from, any head or central office of a government agency or institution of the Legislature, and has the same right in respect of any other office of such agency or institution that is located in or serves an area designated in the Schedule".

Provincial policy also provides for locations to be "designated areas" when Francophones make up 10% of the local population or are in excess of 5,000 in urban areas. Under this policy, the City of Toronto is a "designated area" for the provision of provincial services.

The French Language Services Act further stipulates that when a program or service of provincial jurisdiction is transferred to a municipality, within the framework of local services alignment, an agreement will ensure that the provision of services in French is maintained at the same level.

Under the legislation, a municipality has the option of becoming a "designated area" for the provision of municipal services in French. Section 14 (1) and (2) of the Act "may pass a by-law providing that the administration of the municipality shall be conducted in both English and French and that all or specified municipal services to the public shall be made available in both languages".

## **Current City of Toronto French language service delivery**

The City of Toronto recognises that French is an official language in Canada and has responded to this through specific policies and mechanisms, as well as in its international initiatives. Interpretation and translation services are available to serve the City's Francophone population. The City has also established a French Committee to provide a vehicle for engagement with Toronto's Francophone community.

With respect to translation, a formal policy has been in effect since 2002, and requires that French translation of documents (in full or in summary form) be provided whenever public information materials are translated into another language. The policy does not apply to the purchase of advertising.

Service levels vary across different Divisions and ABCs, and are based on divisional evaluations of effectiveness of services reaching their target audiences and budget availability. Divisions have designated staff to act as contacts with the City's Multilingual Services Unit (MSU) for the provision of French language services. Approximately 200 French language translation requests for print materials have been filled by the City's MSU.

Interpretation services are available through Access Toronto, the City's public information service. Francophone residents and members of the public can receive information in French over the telephone and through the designated French-Language Access Toronto line. If someone is not available to answer the phone, a message is provided in French to advise that their call would be returned. French is the only language for which a specific telephone line has been established. All inquiries requiring translation in any language can be reached through the Language Line Services provided by calling Access Toronto. In the future, the 311 project will centralise public inquiries to the City including the provision of French-Language service information.

The City's French Committee/*Comité français de la ville de Toronto* (CFVT) was established in 1981. Its mandate was reaffirmed by City Council in March 1999 to promote the development and identity of Toronto's Francophone Community; promote Francophone interests at Municipal Council; encourage Francophone participation on different municipal committees; work to increase the number and quality of French-language services offered by the City; facilitate the links between City Council and Community Councils and Francophone taxpayers; and be fully integrated into the consultative and decision-making structure of the City.

With respect to the provision of provincial services which were transferred to the municipality, such as the administration of the Provincial Offences Act, bilingual services are provided. Court administrative services in French are available at the 137 Edward Street location and procedural services in French are available upon request. In addition to court services, Toronto Public Health has established designated French-Language positions. Currently there are two permanent bilingual Public Health Nurses, and one permanent and two temporary bilingual Family Home Visitors in the Healthy Families unit. In addition, there is one permanent Public Health Nurse for Francophone schools.

Examples of municipal services which are provided in French include: Social Services which operates a French Language telephone line for intake purposes and follow up interview with an interpreter; Legal Services has bilingual prosecutors; Homes for the Aged sets aside beds at one of its homes where all services are provided in French; Revenue Services has bilingual staff to respond to counter inquiries; Children's Services

website includes a map where French Language children's programs are available; fee subsidies are provided at 10 French language day care centres.

With respect to emergency services, Fire Services, Emergency Services and Toronto Police Service use the Language Line over the phone interpretation for 911 calls. Toronto Police Service has a French Community Liaison Officer on Staff as well as a French Community Consultative Committee. Toronto Transit Commission also uses the Language Line in addition to providing general information in French (option 7 and option 2 of the voice tree).

In 2002, the Toronto Public Library completed a comprehensive French Language Services and Collection Plan. There are over 65 French Language collections within the system which has a circulating stock of 121,255 items including adult, children's and AV materials.

Consultation with members of the City's French Committee/*Comité français de la ville de Toronto* (CFVT) has revealed that many Francophone residents are not aware that French language services are available. Committee members have indicated to staff that this is particularly true of the newer Francophone residents in the City, especially those immigrating from African countries and new Francophone residents in search of social services. Members of the Committee have advised that implementation has not been consistent regarding the City's policy with respect to providing translation in French when any document is translated.

## **Resources for translation and provision of French-Language services**

At the federal level, Canadian Heritage administers a grant program on Intergovernmental Cooperation on Minority Language Services. These grants are intended to assist in the delivery of provincial, territorial and municipal services in the language of the official-language minority community, as well as the necessary infrastructure to provide these services.

Municipalities cannot apply directly to Canadian Heritage, but they may create partnerships with a provincial ministry, who could apply on their behalf for special project funding. This funding stream is provided for a maximum of two years, and while it can be used to set-up a French-Language Service body, funding is not available to maintain services on an on-going basis. Projects funded under this program must fall under five strategic objectives: The Success of Students, Ontarians in Good Health, Prosperity for All, The Dynamic Communities, and A Vigorous Democracy.

In 2002 the City of Ottawa, with its status as the Nation's Capital, received \$2.5 Million over five years from Canadian Heritage to facilitate the transition to bilingual services. Funding was provided for translation of municipal policies and by-laws, staff language training and delivery of a program encouraging businesses to post signs and provide services in both official languages.

With respect to the availability of resources to provide translation of City By-laws and documents, Ontario municipalities can receive assistance from the *Association française des municipalités de l'Ontario* (AFMO). By-laws can be translated upon request and no limit has been placed on the number of by-laws submitted for translation. However there is a limited number of translators available through the AFMO. This service can be used by the City of Toronto to translate its by-laws. On an annual basis, Toronto City Council approves over 1,000 by-laws, many of which are transaction based. Further analysis is required to determine the priority for translating by-laws, with preference given to by-laws which address policy, such as the Municipal Code. In addition, a procedure for posting updates would be needed.

## **Conclusion**

The City of Toronto has mechanisms and procedures to provide French Language translation and interpretation. This service will be enhanced when the 311 service is introduced. To date, all requests have been accommodated using existing mechanisms. However, a communications strategy is needed to ensure that Francophone residents are aware of these services. In addition, staff will explore how to post translated materials on the City's website.

Resources are available through the *Association française des municipalités de l'Ontario*/ Association of French Municipalities of Ontario (AFMO) to translate City by-laws. A system is needed to identify which by-laws should be translated to increase civic engagement and access to services by Francophone residents.

## **CONTACTS**

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## **SIGNATURE**

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Shirley Hoy, City Manager