



OMBUDSMAN INVESTIGATION REPORT

A Duty to Care: An Investigation into Municipal Licensing and Standards' Treatment of a Resident with Dementia

Date:	November 30, 2010
To:	City Council
From:	Ombudsman
Wards:	All
Reference Number:	

SUMMARY

In accordance with section 170 (2) of the *City of Toronto Act 2006* (COTA), I am writing to inform you that the attached report represents a concluded investigation into a complaint about the Municipal Licensing and Standards division's enforcement practices and actions concerning a resident with dementia.

RECOMMENDATIONS

The Ombudsman recommends that:

City Council receive for information only, the Investigation Report titled, "A Duty to Care: An Investigation into Municipal Licensing and Standards' Treatment of a Resident with Dementia."

Financial Impact

This report has no financial impact.

DECISION HISTORY

This investigation was conducted pursuant to section 171 (1) of COTA which provides the power to the Ombudsman to investigate any decision, recommendation, act or omission in the course of the administration of the City. This function is conferred and exercised independently of Toronto City Council. Under this power, I may make findings and recommendations as I deem necessary to address any problems, which I may then report to Council.

In light of the resident's vulnerability, I investigated this matter on my own initiative, which is provided for by section 3-33C of the Toronto Municipal Code Chapter 3, Accountability Officers.

COMMENTS

I have supported this complaint and find that the lack of Municipal Licensing and Standards' policies and procedures for residents with dementia to be improperly discriminatory; and the actions and omissions of the Division to be unreasonable, unjust, a mistake of law and a mistake of fact.

My report makes 17 recommendations to the City Manager. The first 13 are aimed at systemic fixes, designed to put in place the necessary policies and processes to address the needs of residents with dementia and to prevent situations such as this from occurring in the future. The remaining four recommendations are specific to the resident. The City Manager did not dispute my findings, accepted my recommendations and acknowledged that I had identified "a number of issues that require our immediate attention to address a range of systemic issues."

CONTACT

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SIGNATURE

Fiona Crean, Ombudsman

ATTACHMENTS

"A Duty to Care: An Investigation into Municipal Licensing and Standards' Treatment of a Resident with Dementia."