



Ombudsman
Toronto

*Listening.
Investigating.
Improving City Services.*



2016 ANNUAL REPORT

Your Worship Mayor John Tory and Members of Toronto City Council:

I am pleased to submit my 2016 Annual Report to City Council for the period January 1, 2016 to December 31, 2016, pursuant to section 170(2) of the *City of Toronto Act, 2006* and the *Toronto Municipal Code*, Chapter 3, section 3-7.

Yours sincerely,



Susan E. Opler
Ombudsman
Ombudsman Toronto



Message from
the Ombudsman



How We Work



Complaint
Process



Story in
Numbers



Key Trends



Complaints
by Ward



Our Impact



People's Stories



Outreach / Financials



Ombudsman
Toronto Awards



Our Team



What People are Saying

Message from the Ombudsman

It was my great privilege to assume the role of Toronto's Ombudsman on September 19, 2016. I have joined a team of true professionals, passionate about working to enhance public trust in the City of Toronto's administration. I am grateful for the open and generous welcome they have extended to me.

My sincere thanks go to my predecessor Fiona Crean, the City's first Ombudsman. She established the office and built it during some challenging times, assembling a solid and highly effective team and securing the office's reputation for fairness and professionalism. Whatever we accomplish in the years to come will be largely due to the foundation she laid. We were delighted to see her honoured with the 2015 Ontario Lieutenant Governor's Medal of Distinction in Public Administration.

I am also deeply grateful to Kwame Addo. Kwame acted as Interim Ombudsman for almost a year, and led the office strongly and capably during this time. In September, he resumed his key leadership role as Director, Investigations & Conflict Resolution, and is a much appreciated support and highly valued partner to me.

Besides this leadership transition, the office underwent other changes in 2016. We adopted a new name and tag line to better explain our role and focus: *Ombudsman Toronto: Listening. Investigating. Improving City Services*. We freshened up our website (www.ombudsmantoronto.ca) to ensure that we are as accessible as we can be. We also began the process of examining, streamlining and modernizing the way we do our work to ensure that we use our resources as effectively as possible.

Essentially, the role of Ombudsman Toronto is twofold: to help solve a problem when someone believes that they have been unfairly treated by the City (or one of its agencies or corporations that we oversee), and to make thoughtful, practical recommendations that result in systemic improvements to how the City operates. Everything we do must be in support of one of these two goals. While the mandate is clear, there is much scope for creativity in how we fulfill it. We are exploring ways to maximize our impact by working more informally, flexibly and quickly whenever appropriate.

Since assuming my role only a few months ago, I have met with many members of City staff and Council. I have been truly impressed by the level of hard work and dedication to the public interest that I have observed. I am confident that while always guarding our independence and impartiality, the Ombudsman Toronto team can work with the City administration in a collaborative, mutually respectful way to improve City services.

The work of this office provides access to justice for people who believe they have been mistreated by the City. It saves the City money by avoiding complaints and expensive litigation. Most importantly, it helps the public to have confidence in its municipal government.

Over 30 years as a lawyer, I have worked as a litigator, a prosecutor, an adjudicator, a mediator and an educator. It is my hope that all I have learned so far will make me an effective and respected Ombudsman for Toronto, and will help me to earn the confidence that Council has placed in me, on behalf of the public it serves. The opportunity to lead this team in doing this work is one for which I am truly grateful.



Susan E. Opler
Ombudsman
Ombudsman Toronto



Listening

We make sure all voices are heard.

Investigating

We look into problems with City services independently and impartially.

Improving City Services

We help the City serve the public better by taking a constructive approach with City staff and reporting publicly on our work.

Within our Scope

160+
Languages

- BUILDING PERMITS
- BY-LAW ENFORCEMENT
- CITY-OPERATED CHILD CARE
- CITY INSURANCE CLAIMS
- ELECTRICITY
- TREE PROTECTION
- SOCIAL HOUSING
- ANIMAL SERVICES
- CITY-OPERATED LONG-TERM CARE
- PARKING TICKETS
- PARKS & RECREATION
- PUBLIC HEALTH
- SOCIAL SERVICES
- PROPERTY TAX
- PUBLIC TRANSIT
- WATER BILLS
- GARBAGE & RECYCLING
- SHELTERS
- SNOW REMOVAL
- POTHOLES
- PROPERTY STANDARDS

140
Neighbourhoods

170+
City Organizations

2.8
Million People

How We Work

Our work varies in scale and scope – from clarifying processes in individual cases to addressing broad systemic issues. Whatever the scale of the matter, we listen to all complaints and advise on whether and how we can help. We work as informally, practically, flexibly and quickly as possible to understand and resolve problems.

Once we determine that a complaint is within our scope and that reasonable efforts have been made to resolve the problem with the City, we work in two ways: through Enquiries and Investigations.

All of our investigative work begins as an Enquiry. During an Enquiry, we consider the issue, gather information, and mediate between the City and the public to help them find a resolution. An Enquiry may take anywhere from a couple of days to several months to complete, depending on the nature of the issue. Many Enquiries result in recommendations for improvements to City services; these may be recorded in an Enquiry Report.

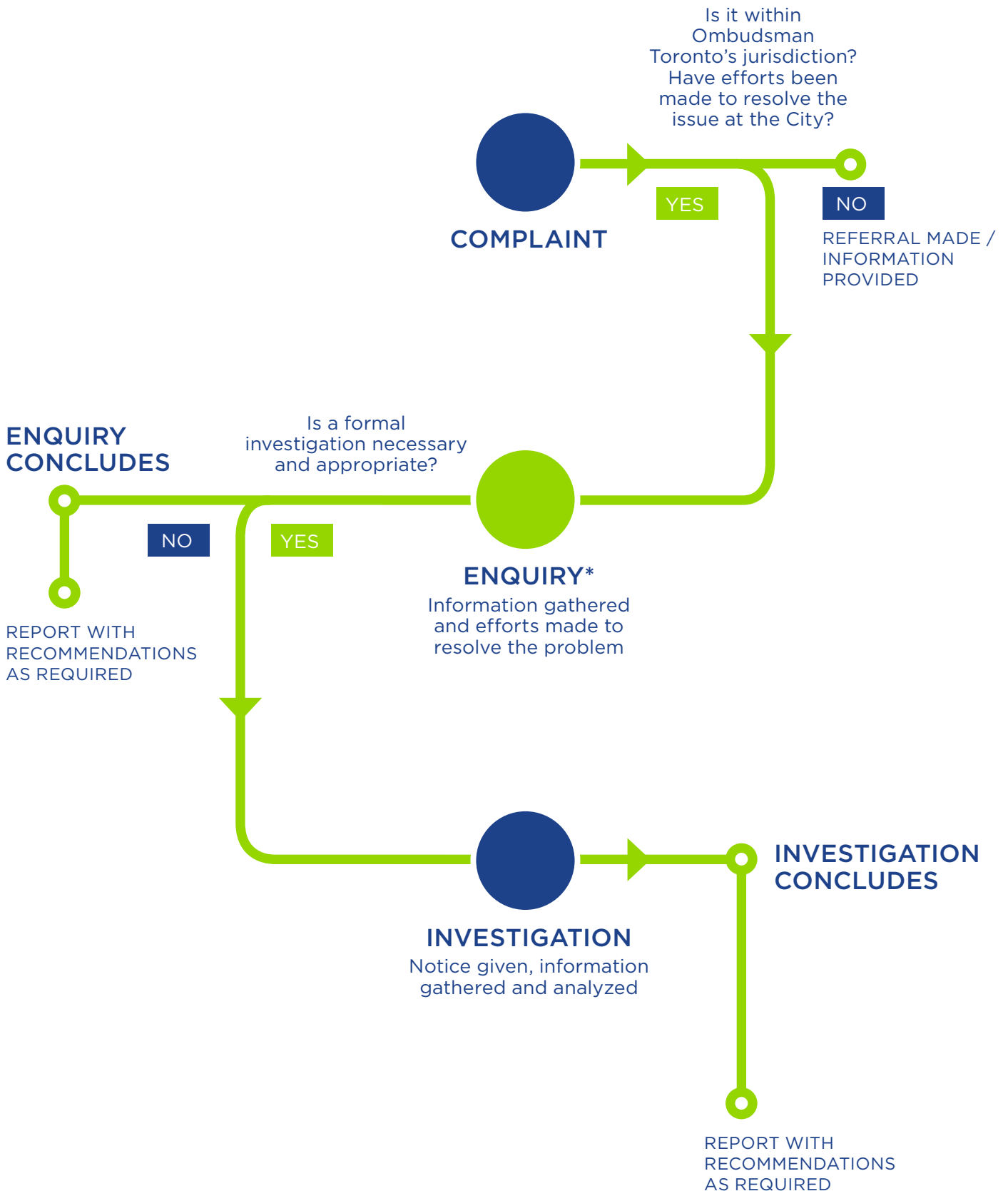
Ombudsman Toronto may also look into an issue when we have not received a complaint from a member of the public. This is called an “own motion Enquiry”.

When necessary, we launch an Investigation. Investigations are more robust in practice and involve a close look into the issue with formal recommendations for improvements. Many Investigations conclude with a publicly released report.

Our work holds the City accountable to the people it serves. Our impact and influence come from our ability to look closely at how City processes work, and then to make practical recommendations to improve them.



Complaint Process



* Ombudsman Toronto may also conduct an Enquiry without a complaint.

The Story in Numbers 2016



Percentage of complaints within our scope closed within 30 days



64 Stakeholder Outreach Sessions



Investigations in progress



Enquiries completed:
395



6,002 visits to our website



Complaints handled:
1,540



12 staff positions



Percentage of complaints within our scope that concerned the 10 divisions, agencies and corporations most often complained about



Percentage of complaints within our scope closed within 7 days

Key Trends

Top Fairness Issues We Heard About

(in order of frequency)

1. Communication Failures
2. Inadequate Service
3. Unfair Enforcement
4. Unreasonable Delay
5. Unfair Decisions

City Divisions, Agencies and Corporations Most Often Complained About

(in alphabetical order)

- Municipal Licensing & Standards
- Parks, Forestry & Recreation
- Revenue Services
- Toronto Building
- Toronto Community Housing
- Toronto Employment & Social Services
- Toronto Hydro
- Toronto Transit Commission
- Toronto Water
- Transportation Services

Complaint Issues in the Three Divisions, Agencies and Corporations Most Often Complained About (in alphabetical order)

The key complaint issues in the top three have remained relatively constant in the last five years.

Municipal, Licensing & Standards

- Notices of violation issued by Municipal Standards Officers
- Inconsistent bylaw enforcement
- Fines and fees

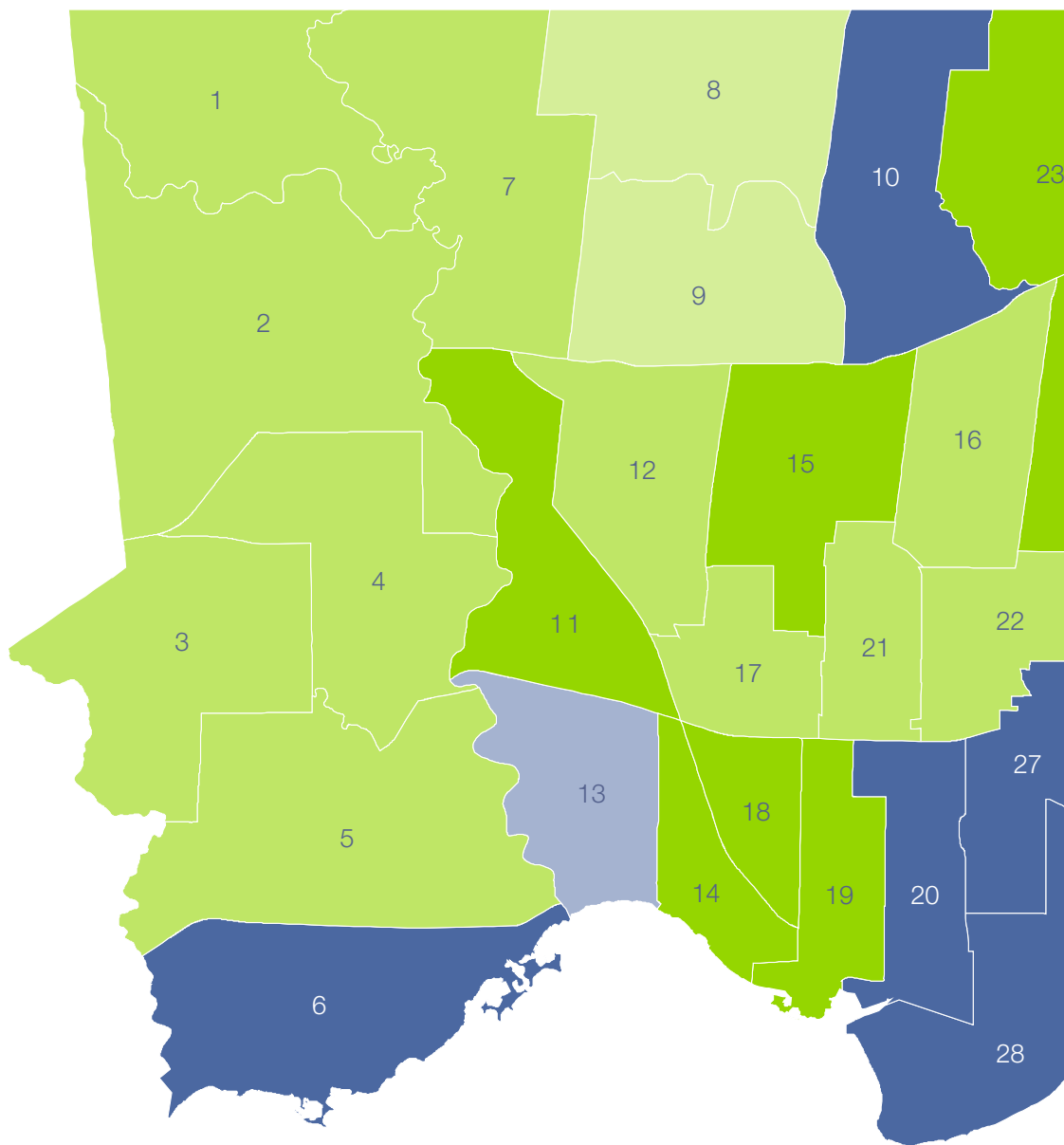
Toronto Community Housing

- Maintenance and delays in repairs
- Staff conduct
- Rent issues
- Living conditions

Revenue Services

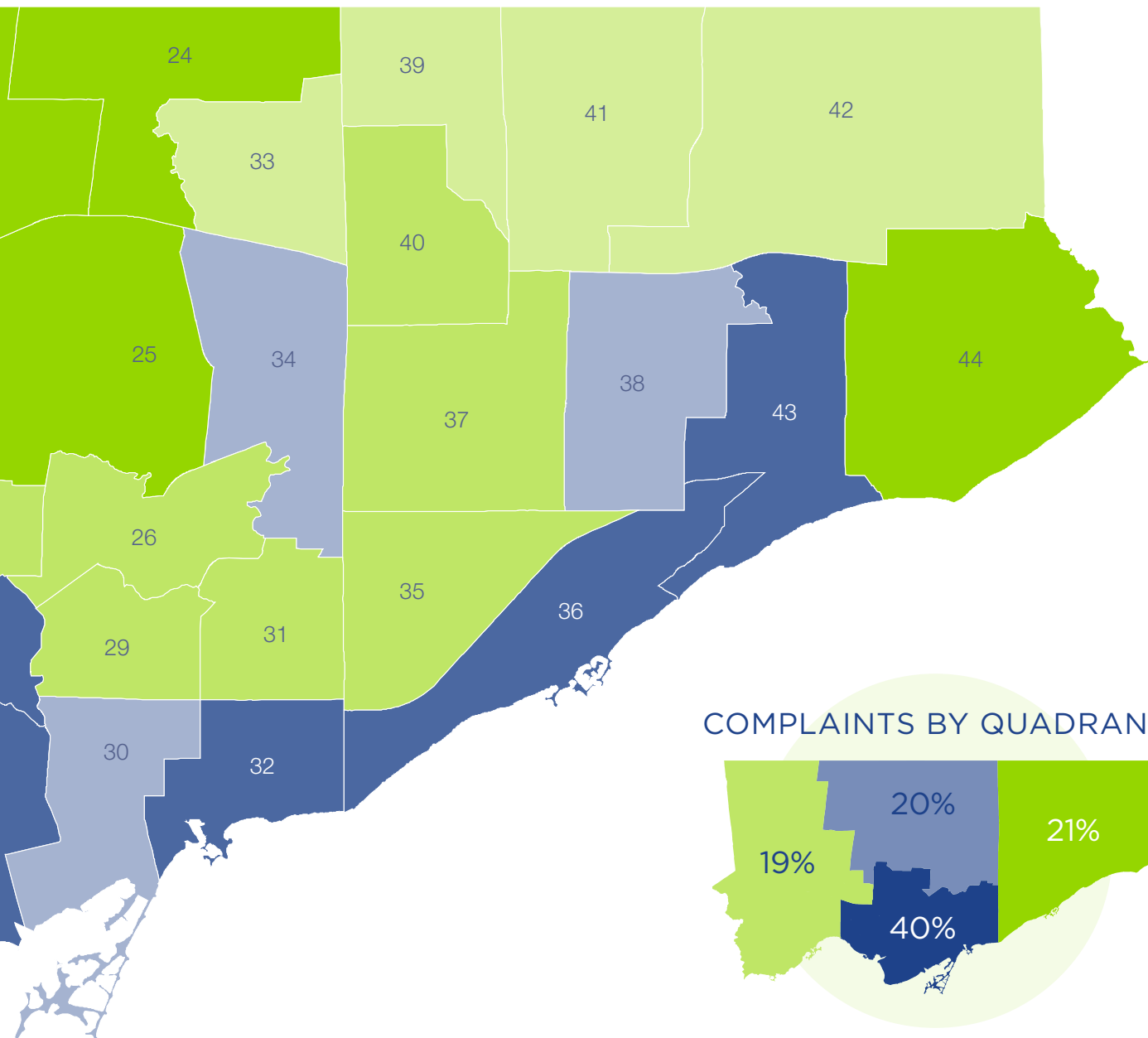
- Disputes over water and property tax bills as well as parking tickets
- Unclear resolution processes
- Customer service

Complaints by Ward



WARD LISTING

- | | | |
|------------------------|------------------------|---------------------|
| 1. Etobicoke North | 9. York Centre | 17. Davenport |
| 2. Etobicoke North | 10. York Centre | 18. Davenport |
| 3. Etobicoke Centre | 11. York South-Weston | 19. Trinity-Spadina |
| 4. Etobicoke Centre | 12. York South-Weston | 20. Trinity-Spadina |
| 5. Etobicoke-Lakeshore | 13. Parkdale-High Park | 21. St. Paul's |
| 6. Etobicoke-Lakeshore | 14. Parkdale-High Park | 22. St. Paul's |
| 7. York West | 15. Eglinton-Lawrence | 23. Willowdale |
| 8. York West | 16. Eglinton-Lawrence | 24. Willowdale |



- 25. Don Valley West
- 26. Don Valley West
- 27. Toronto Centre-Rosedale
- 28. Toronto Centre-Rosedale
- 29. Toronto-Danforth
- 30. Toronto-Danforth
- 31. Beaches-East York
- 32. Beaches-East York

- 33. Don Valley East
- 34. Don Valley East
- 35. Scarborough Southwest
- 36. Scarborough Southwest
- 37. Scarborough Centre
- 38. Scarborough Centre
- 39. Scarborough-Agincourt
- 40. Scarborough-Agincourt

- 41. Scarborough-Rouge River
- 42. Scarborough-Rouge River
- 43. Scarborough East
- 44. Scarborough East

Our Impact: Improving City Services

Ombudsman Toronto's Enquiries and Investigations help make the City work better.

Since 2009, we have recommended over 340 improvements to City services.

Here are some of the direct impacts of our work over the years:



Toronto Public Service By-law setting out the roles and responsibilities of public servants



Policy to better serve people with diminished capacity



New option to dispute parking tickets online



Better psychological support for paramedics



Consistent process for dealing with tree bylaw infractions



Enforcing responsible dog ownership



Training for TCH staff in working with vulnerable seniors



Better information about city insurance claims



Water bill anomalies explained



Enhanced TTC construction consultations



Consistent and transparent process for banning someone from a City building or park



Kosher meal options at City long-term care homes



Fairer application of Wheel-Trans eligibility rules



Stronger Human Rights policy for TCH tenants



Earlier hearings before the Licensing Tribunal



Increased landlord accountability to ensure safe and healthy homes



Better training for City staff on conducting workplace investigations



Clarified process to appeal child care subsidy denial



Bylaw clearly sets out who pays for garbage bins



Improved TCH hiring policies

Our Impact: Changes at Toronto Paramedic Services



The Investigation:

In 2015, Ombudsman Toronto investigated Toronto Paramedic Services' handling of member Operational Stress Injuries, which include anxiety, depression, alcohol and drug dependency and post-traumatic stress disorder.

We looked at how this challenging and important issue has been addressed by Toronto Paramedic Services. While some helpful measures were in place, we found that they could be improved to enhance support of injured employees and to combat stigma.

The Result:

In response to Ombudsman Toronto's 26 recommendations, Toronto Paramedic Services designed a Psychological Health and Wellness Plan. That plan:

- Outlines the division's approach to safeguard employee wellness and strengthen resilience
- Identifies and consolidates resources available to employees
- Describes programs and resources available to all staff to help increase awareness and understanding of psychological stressors and the importance of eliminating the stigma of mental health issues

Additional changes Toronto Paramedic Services has made in response to our Investigation:

- A Peer Resource Team, overseen by a Commander, is now part of its Special Operations Unit.
- It has formalized a partnership agreement with the City of Toronto Employee Assistance Program for support, training, education and guidance.
- All staff received Psychological First Aid training in 2016, with plans to ensure new staff receive the same training.
- An anonymous online mental health care program (FeelingBetterNow®) is now in place, to help staff identify emotional and mental health issues as early as possible. This program is available anywhere, at any time, to all staff, retired staff and eligible family members.

“Toronto Paramedic Services has benefited from the guidance and insight of the Ombudsman’s Office which has demonstrated a clear desire to listen and learn about our work, and to advocate for the wellbeing of both our staff and the patients that we serve.”

– Senior Executive, Toronto Paramedic Services

Our Impact: Toronto Public Service By-law

In 2014, City Council unanimously adopted the *Toronto Public Service By-law* (“TPS By-law”) to advance transparency, integrity and accountability in the Toronto public service.

December 31, 2016, marked one full year since the TPS By-law took effect.

Toronto is the first and only municipality in Canada to have a public service bylaw.

This represents a significant win for the City, the public service profession and the public.

Did You Know?

The seed for the TPS By-law was planted in the Ombudsman’s 2011 Annual Report, which recommended public service legislation for Toronto.

What is the TPS By-law?

The TPS By-law houses the essential provisions of the City’s ethical framework for public servants in one place. It deals with conflicts of interest, political activity, wrongdoing and reprisal protection.

The TPS By-law also created Ethics Executives, whose role is to support staff on ethical matters and to promote the ethical workplace as a steadfast priority.

Who does the TPS By-law apply to?

The TPS By-law applies to all City employees, and to those at City agencies such as community centres, arenas, TTC, Toronto Zoo, Toronto Parking Authority and more.

Training on the TPS By-law is now mandatory.

What does the TPS By-law mean for the people of Toronto?

The Toronto public service is responsible for the social and economic well-being of the city as a whole. The TPS By-law emphasizes the importance of public servants being impartial, politically neutral, ethical and professional.

Learn more at the City’s TPS By-law website: www.toronto.ca/tpsbylaw



People's Stories

We listen to all members of the public who bring a complaint to Ombudsman Toronto. Our team conducts its work in an independent, impartial, fair and transparent way to determine if and how we can help. Whatever the scale of the issue and form of our investigative work, we ensure that our findings are accurate and our recommendations workable. Our vision is a Toronto with fair, clearly communicated, respectful, accessible, effective, consistent and timely City services.

Creative Approaches: Solving an Acorn-Sized Problem

Mr. Q lives right next to a park where an oak tree overhangs his house. For years, acorns have been falling onto his home and cars. He filed a claim against the City for dents to his car and the City paid. A manager in the Corporate Finance division suggested Mr. Q ask for an exemption to park on the street during acorn season (no overnight parking is allowed on this street).

Mr. Q spoke with staff at Transportation Services who said he would have to pay a fee for the exemption. Mr. Q did not think this was fair, as the only reason he wanted to park on the street was to avoid the acorns. He went to his Councillor, who tried to resolve the issue. The Councillor then suggested he contact Ombudsman Toronto.

We called a manager in Transportation Services Right-of-Way Management. She told us that Urban Forestry had pruned the tree and also suggested that Mr. Q should seek an exemption from Parking Enforcement. We helped Mr. Q with this process. Mr. Q was then granted a three-month parking permit for overnight parking to coincide with acorn season.

Confirming Fairness: Agency Board Member Compensation

Ms. D is a board member of a City agency. She was elected to a second term in the middle of the calendar year. The agency told her she was nearing the limit in compensation a board member could receive annually. She thought that the time should start when she began her new term, and that it was unfair to give her less because she had served a previous term. Ms. D raised the matter with the agency, and then with the City Manager's office. Then she approached Ombudsman Toronto.

We reviewed the policies on board member remuneration and the letters Ms. D received from the agency and the City Manager. Both had responded to her complaint, and had explained that the calculation is based on a January-to-December fiscal cycle and that neither the agency nor the City had authority to vary the rate. We told Ms. D that our Enquiry found the City had followed the policy and had responded to her complaints promptly and clearly. We also reiterated the City's recommendation to consider asking the agency to raise the matter with City Council if she believed the policy should be changed.

Effective Resolution, Proactive Solution: Clarifying Ontario Works Eligibility

Ms. N receives financial help from Ontario Works, which Toronto Employment & Social Services (TESS) administers. Ms. N's caseworker wanted her to pursue legal custody of her children in an effort to help keep her Ontario Works benefits. Ms. N had a delicate, but friendly, informal arrangement with the father and was worried that pursuing legal custody would disrupt it. TESS then cut off the benefits, in part because of her failure to pursue custody. Ms. N got her Ontario Works benefits reinstated with the help of a lawyer. Ms. N then received a retroactive payment of federal and provincial child tax benefits. TESS called this income, and suspended her Ontario Works benefits once again.

By now, Ms. N had called Ombudsman Toronto. She maintained that TESS had no authority to compel her to pursue custody. She also thought TESS should not have considered the retroactive child tax payment to be income. Ms. N appealed to the Social Benefits Tribunal, but the City agreed to pay her back before it went to hearing.

Although Ms. N's issues were resolved, we recognized the broader implications for other recipients—particularly for women facing the risk of domestic violence who are concerned that pursuing legal custody could lead to a risk to their safety or their children's. We launched a systemic Enquiry stemming from Ms. N's complaint. This involved conducting extensive research and discussions with TESS staff on how service and communication could be improved.

TESS agreed with our recommendations that staff needed to be better informed about eligibility for Ontario Works, including the fact that pursuing custody is not a condition for eligibility. TESS also agreed they should not tell recipients they are ineligible after they receive retroactive federal or provincial child tax benefits.

TESS wrote to Ms. N apologizing for its errors, sent an explanatory memo to all staff, agreed to a 2017 review, and committed to proactively addressing any similar cases through a database examination. We continue to work with TESS and to monitor this matter.



PEOPLE'S STORIES

“Thank you very much for your efforts on our behalf! I have no doubt that your presence and actions on our behalf had a very energizing effect.”

– Complainant

Equitable Service: City Complies with Kosher Food Order

Provincial law says that long-term care homes must provide kosher food for residents who want it. After receiving a complaint from an organization that certifies food as kosher in Canada, Ombudsman Toronto began an Enquiry. Two of the homes run by the City's Long-Term Care Homes division were not providing kosher food to residents.

We contacted the Province to clarify the division's obligation to provide requested kosher meals. We then met with the division and told them their practice of simply separating meat from dairy did not meet kosher requirements. Halal requirements were also discussed. The Province then initiated a meeting with the City to discuss the City's obligations. The City agreed to contract a third party to provide kosher meals at no extra cost to residents.

We are still working with the division to make sure prospective residents know kosher food is available.

Improving Communication: Revising a Form to Make it Clear

Mr. F owns and rents out a house in Toronto. He was enrolled in the City's pre-authorized utility bill payment program, in which the utility bills for the rental property are paid automatically. His tenant then reimbursed him for the amount of each bill.

Mr. F was leaving the country for some time and wanted his tenant to receive a copy of the bills, so that she would know how much to pay him. He filled out the form to have the bills mailed to his tenant rather than to his own mailing address. Unfortunately, Mr. F did not realize that appointing a designate would result in ending the pre-authorized payment. The bills did not get paid. Since Mr. F had not left an alternative address, he also did not receive notices that the bills were overdue. Arrears for several months, as well as interest, were added to the tax bill for the property.

Mr. F found this out when he returned to Toronto. He went to Revenue Services hoping to have the amount of interest reduced. Not satisfied with their response, he called Ombudsman Toronto.

We spoke to Revenue Services. They said the purpose of appointing a designate is to make that person the owner's agent for payment and access to the property. We noted that the form does not explicitly say the designate is the owner's agent for making payments. It does say the owner is solely responsible for payment. It does not say that any existing pre-authorized payment plan is ended.

After a detailed review, our Enquiry determined that Revenue Services had not made any errors in this situation, and ultimately Mr. F did pay the arrears.

We recommended to Revenue Services that they revise the form to clarify the impact of appointing a designate, which they did. They also updated the information on their website. As the director of Revenue Services said, “The big lesson here for us is that if we can be clearer, then let's be clearer.”





Listening

“It is vitally important that we have a good working relationship with the Ombudsman’s office, based on open communications, transparency and a shared understanding of our respective roles within the City. This week’s visit from the Ombudsman is one more way we are strengthening working relationships to ensure we provide fair processes, outcomes and treatment to the tenants we serve.”

– Senior Executive,
Toronto Community Housing

Identifying an Error: Helping a Former TCH Resident Buy a Home

Ms. A used to live in Toronto Community Housing (TCH). When she moved out, she gave TCH the required 60 days’ notice. Later when Ms. A wanted to buy a house, her request for a mortgage was denied because her credit bureau report indicated she owed TCH two months’ rent. She called TCH who agreed to review her file. They said they would reduce the amount she owed. Unsatisfied, Ms. A maintained that she had given the proper notice and did not owe any money. She then called Ombudsman Toronto.

We launched an Enquiry and contacted TCH who agreed to review the case again. TCH acknowledged there had been an error and removed all charges. TCH and Ombudsman Toronto then collaboratively worked to resolve Ms. A’s standing at the credit bureau. After much back-and-forth among all involved parties, the credit report was appropriately cleared. Ms. A later called us to report that her mortgage was approved.

Levelling the Playing Field: Looking Into Park User Fees

Mr. G belongs to a lawn bowling club that operates out of a local park. In 2012, the City created a flat annual licensing fee for all lawn bowling clubs. The fee for 2015 was \$3,230, a substantial increase from past years.

Mr. G’s club has only 30 members and does not enjoy the same quality of facilities as some other clubs in different parks. His club has been pushing the Parks, Forestry & Recreation division (PF&R) to recommend a new pricing model to City Council, one that would take into account factors like the quality and number of bowling greens. *(cont’d)*

Investigating



Not getting a satisfactory response, Mr. G wrote to Ombudsman Toronto. He said the flat fee was too high for his club and threatened their ability to continue.

We asked PF&R staff to respond to Mr. G's concerns. They did write to Mr. G, offering some financial relief to help his club obtain a permit for 2016 (\$1,000 for their 2015 fee and \$1,000 again for their 2016 fee). Staff said they would review other options for relief or fee structures that might be available.

Mr. G's club was able to operate in 2016. However, they did not receive anything in writing from PF&R about the next steps for the fee structure review.

We contacted PF&R again. They told us they are proposing a review for all their user fees. This review will include opportunities for public input. We asked them to write to Mr. G's club to explain this. PF&R agreed.

Helpful Referrals: Sending a Complaint to the Right Places

Ms. R uses a motorized scooter, which she received through social benefits provided by the Province. It had broken down and the company was slow about repairing it. Ms. R was having trouble getting around the city without it.

Ms. R came to Ombudsman Toronto for help. Although we do not have jurisdiction over her complaint, we referred her to ARCH Disability Law Centre and Ombudsman Ontario for help and information.

Ms. R thanked us for listening to her concerns and for helping direct her complaint to the right places.

Flexible Approach: Resolving Billing Dispute

Ms. B receives benefits from the Ontario Disability Support Program (ODSP). In the summer months, she used an air conditioner which resulted in higher hydro bills. Unable to pay the increased amount, Ms. B was in arrears of \$700.

When Ms. B approached Toronto Hydro to set up a payment plan, she was told that she would have to pay \$200 to \$300 per month, in addition to her regular monthly payments. She explained that she could not afford to make those payments, but was told her services would be disconnected.

Ms. B contacted Ombudsman Toronto. We contacted Toronto Hydro, who agreed to further review the case. Toronto Hydro advised us that a billing specialist had contacted collections to stop the disconnection and assist in setting up workable monthly payments. Further, Toronto Hydro helped Ms. B apply for the Ontario Electricity Support Program (OESP), the Low-Income Energy Assistance Program (LEAP) and the Emergency Energy Fund (EEF).

Addressing Permit Delay: Dream Home Building Gets Underway

Mr. C bought some land and was planning his dream family home. He applied for the building permit, which was supposed to take ten days to process. After ten days, Toronto Building staff told him they had not been able to look at his application as their workload was just too heavy. The permit kept being delayed, which caused Mr. C emotional and financial stress.

Mr. C came to Ombudsman Toronto. We worked with a director at Toronto Building and Mr. C to help get the permit back on track and moving forward.

A few days later, Mr. C received the permit to start building.

Responding to Needs: Tenant Safety Gets Priority

Ms. E lives in Toronto Community Housing (TCH). She was witness to a violent crime outside her residence and applied for a priority transfer. Fearing for her safety, she abandoned her unit and ended up living in a shelter with her child.

TCH denied her application for priority transfer to a different unit. In the meantime, her unit was broken into and a weapon left in her child's drawer. She contacted TCH to find out why she was denied. She told them about the break-in and finding the weapon. TCH told her if she provided more information, she would likely be approved.

Ms. E worked hard to gather supporting documents, only to be denied again. She contacted Ombudsman Toronto.

Our Enquiry found the reasons TCH gave in the denial letter were not in keeping with their policy. We contacted TCH. They reviewed and overturned the decision.

Ensuring Transparency: Accessible Information for Better Service

Mr. S's dog was ordered to wear a muzzle in public places. A dog owner can appeal a muzzle order for 30 days, but after that the muzzle order cannot be changed. When Mr. S looked for information online about the Caution and Muzzle Tribunal, he found none. Mr. S complained to Ombudsman Toronto.

The law says information about the Tribunal's rules must be made available to the public. Our Enquiry confirmed the Tribunal's information was not available online.

We told Animal Services they were not complying with legal requirements. Three weeks later they let us know the information had been added to the City's website.

“You have been fantastic and an amazing resource with the City of Toronto.”

- Complainant

Problem Solving



PEOPLE'S STORIES

Consistent Service: Standardizing the RFP Process

Mr. M owns a company that operates concession stands. In 2012, he responded to a Request for Proposal (RFP) issued by the City's Purchasing and Materials Management Division (PMMD). The City was looking for a company to run concession stands at City stadiums, arenas and parks. PMMD then issued a number of *addenda* to the RFP to inform bidders of changes to the original proposal.

Mr. M did not receive an email about the final *addendum*. He said that his proposal was then disqualified because of this. He also complained that the City had cancelled the entire process because of its own mistakes and then awarded the contracts to one company.

Mr. M wrote to Ombudsman Toronto. We found that PMMD had correctly told Mr. M that the RFP was cancelled to allow time to develop a process to solicit interest from community groups, at the direction of City Council.

Staff told us they post RFP *addenda* to their website. Vendors who have the RFP receive an automatic email when a new *addendum* is posted. However, due to a technical error, the email for this particular one did not go out. It was clear in the original RFP that vendors are responsible for checking the website.

Although PMMD treated Mr. M fairly, our Enquiry revealed concerns about the quality of their written record. Their policy says staff must determine if the *addendum* addresses any material change and then check each proposal to confirm it deals with the change. If the proposal does not, staff are expected to send a letter to the vendor to say that the proposal is rejected. We asked PMMD to standardize and improve the written record and to include the reasons for a proposal rejection in this letter. PMMD agreed.



"I just want you to know how much I appreciate [Ombudsman Toronto]'s efforts, and the professionalism and responsiveness of your office."

- Complainant



“...the process of handling public complaints helped put the work that we do in a city-wide perspective. I think the work that we both do complements one another and that can only help the people that we serve.”

- City of Toronto staff

Clarifying Bylaws: Updating Garbage Bin Information

Mr. P is president of his condo complex of stacked townhouses. The condo had three extra-large garbage bins and five recycling bins, but needed more. The City offered to sell him extra bins. Mr. P thought the City had no authority to charge for these bins. The bylaw did not explicitly say condo residents must pay for bins.

He complained to Solid Waste Management Services. They told him only single-family residential customers receive bins without paying. All other customer categories must pay for the bins in addition to the collection fee. For single-family residential homes, the cost is factored into the annual fee.

Mr. P contacted Ombudsman Toronto. We talked with staff at Solid Waste Management. They agreed that the waste bylaw did not provide specific authority to charge residential customers like Mr. P for bins. They also pointed out the bylaw did not explicitly require the City to provide the bin for free. The bylaw was silent either way. They agreed to ask City Council to amend the fee bylaw to list a rate for bin costs for types of residential customers, and the waste collection bylaw to state that the City can charge these customers for their bins. The bylaws, forms and public information sources have all been updated.

And, as a one-time exception, the City gave Mr. P's condo one garbage bin and two recycling bins at no charge.

Outreach



Councillor Chin Lee and Kwame Addo, Director, Investigations & Conflict Resolution at Environment Day in Scarborough



Ombudsman Susan Opler and her fellow City of Toronto Accountability Officers: Beverly Romeo-Beehler, Auditor General; Cristina De Caprio, Lobbyist Registrar; and Valerie Jepson, Integrity Commissioner

Education. Consultation. Collaboration.

Ombudsman Toronto is committed to a culture of community building. 2016 proved to be another busy year of informing, engaging and building relationships with the City and the people it serves.

We offered a variety of education sessions across Toronto's diverse neighbourhoods. We participated in public events from seniors' forums to community initiatives and events at educational institutions. In mid-October, the Ombudsman Toronto team also welcomed the addition of an Access & Education Assistant, whose role is to promote and facilitate outreach throughout Toronto and with the City administration.

In 2016, we refreshed our website and updated our online presence to help ensure that the public knows about and can access our services.

We value professional development and partnerships. In 2016, we met with several organizational and legislative accountability officers, from across Canada and beyond, to discuss best practices and good governance.

Ombudsman Toronto also delivered ten presentations to City divisions, agencies and corporations about our role and services.

Between September 19, when she assumed her new role, and the end of the year, the Ombudsman met with 51 senior staff and 13 Councillors. These meetings continue in 2017.

For the fourth year running, the Director, Investigations & Conflict Resolution (Interim Ombudsman from November 2015 to September 2016) was a faculty member of the Osgoode Hall/Forum of Canadian Ombudsman *Essentials for Ombuds Certificate* program.

We practice proactive ombudsmanship. Our formal introduction of consultation services in late 2016 solidified our commitment to working with City staff to improve service to the public. Within a short time, we advised several City divisions on a range of issues, from strategies for dealing with difficult complainants to appropriate courses of action in complex cases. Consultations are available to all City divisions, agencies and corporations within our jurisdiction.

Financials

2016 Budget

Ombudsman Toronto's budget allocation approved by City Council was \$1.834 million for the operating year ending December 31, 2016.

2015 External Audit

Robert Gore & Associates, an external audit firm, performed a successful compliance audit for the fiscal year ending December 31, 2015, a full copy of which is available at www.ombudsmantoronto.ca.

Ombudsman Toronto Awards



The Ombudsman Toronto Awards are presented annually to public servants or teams who are exceptionally responsive in resolving complaints from members of the public to Ombudsman Toronto. They also recognize City initiatives that advance good public administration by improving systems, resulting in better service and governance.

The 2016 recipients of the Ombudsman Toronto Awards were:

- Toronto Employment & Social Services' Appeal Review Unit
- Ted Van Vliet, Manager, Toronto Sign Unit, Toronto Building
- Natalie Brown, Business Planner, Strategic Relations Unit, Toronto Community Housing

The following graciously served on the 2016 Ombudsman Toronto Awards jury:

- Sabina Ali, Chair, Thorncliffe Park Women's Committee
- Rahul Bhardwaj, President & CEO, Institute of Corporate Directors
- Angela Coke, Deputy Minister, Ontario Ministry of Government and Consumer Services
- Dr. Sheldon Levy, Deputy Minister, Ontario Ministry of Advanced Education and Skills Development
- Dr. Catherine Zahn, President & CEO, Centre for Addiction and Mental Health

We salute the award winners and thank the jury members. All have helped Ombudsman Toronto advance the goal of improving City services in the public interest.

Our Team in 2016



SUSAN E. OPLER
Ombudsman

KWAME ADDO
Director, Investigations
& Conflict Resolution



ALEXANDRA DIGIOSEFFO
Access & Education Assistant

LAUREN HOLLYWOOD
Administrative Assistant

APRIL LIM
Research & Policy Consultant



ADAM ORFANAKOS
Ombudsman Investigator

REEMA PATEL
Ombudsman Investigator



KATE ZAVITZ
Ombudsman Investigator

LUKE BROWN
Ombudsman Investigator

MEREDITH GAYDA
Ombudsman Investigator



JACKIE CORREIA
Ombudsman Representative

ZALINA DEODAT
Ombudsman Representative

What People are Saying

“I truly believe [the issue] would not have been resolved so favourably and so quickly without your intervention. Needless to say, I was very impressed with your handling of the matter which was quick, thorough and efficient. Above all, your willingness to listen and help was particularly appreciated.”

- Complainant

“[Ombudsman Toronto]’s focus on ensuring that [their] office and our divisions have a close collaborative working relationship in order to prevent issues from reaching the complaint stage was very well received.

We are very impressed by [the Ombudsman’s] extensive experience previous to this position in the legal and mediation fields. We expect that because of this background, she will be able to immediately operationalize her vision with concrete actions that will lead to much more effective services for the residents of the City of Toronto. We very much look forward to working closely with the Ombudsman and her office in the future.”

- Senior Executive, City of Toronto

“[Ombudsman Toronto] gave me back faith that someone cares, and something can be done.”

- Complainant

“My division deals with the Ombudsman’s office on a frequent basis. In all cases, I have found them to be fair, open and transparent. They have played a significant role in helping to resolve some very challenging issues. It is an important function within the City, and I am glad that they take the time to consider all perspectives, including those of staff.”

- Senior Executive, City of Toronto

“[Your staff] is responsive, professional, cordial and genuinely cares about the citizens who contact [Ombudsman Toronto] for help.”


- Complainant

Ombudsman Toronto
listens to and investigates
people's complaints
about the City. We are
independent and impartial.
Our services are free.

Contact

www.ombudsmantoronto.ca

Ombudsman Toronto
375 University Ave, Suite 203, Toronto, ON
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