

Part 2 of the Audit of Emergency Shelters Lessons Learned from Hotel Operations - Update and Legal Advice - Supplementary Report

Date: June 14, 2022

To: City Council

From: City Solicitor and Acting General Manager, Shelter, Support, and Housing Administration

Wards: All

REASON FOR CONFIDENTIAL INFORMATION

This report is about litigation or potential litigation that affects the City of Toronto.

The attachment to this report contains advice or communications that are subject to litigation and solicitor-client privilege.

SUMMARY

This report is in response to a direction from the Audit Committee to the General Manager, Shelter, Support and Housing Administration and the City Solicitor to report to the June 15 and 16, 2022 meeting of City Council to provide an interim update on progress of recovery of all charges that are not in accordance with the terms of the contract.

Shelter, Support and Housing Administration (SSHA) appreciates and welcomes the findings of the Auditor General (AG) in both the Case Management and Hotel Operations audits. The City of Toronto implemented the most comprehensive response to the COVID-19 pandemic for people experiencing homelessness in Canada. SSHA moved quickly in 2020 to open 48 new temporary shelter sites to provide additional space for physical distancing, avert potential outbreaks in shelters, save lives and minimize the spread of COVID-19 in shelters and the community. SSHA is deeply proud of our frontline staff and community partners for their ongoing efforts to protect people experiencing homelessness in Toronto.

This unprecedented and significant expansion of the emergency shelter system required new approaches and rapid responses to emerging and urgent issues as they arose to ensure critical frontline operations were maintained. Learning from those experiences will continue to inform SSHA's approach to ongoing continuous improvement in service delivery and oversight. SSHA supports the recommendations from the AG and sees this review as an opportunity for ongoing continuous service improvement, as well as an opportunity to review and strengthen processes.

A further report will be provided by the General Manager, Shelter, Support and Housing Administration and the City Solicitor to the July 11, 2022 meeting of the Audit Committee on further progress of recovery of all charges that are not in accordance with the terms of the contract. This report will also include information on the terms and conditions of the contracts and how they work.

RECOMMENDATIONS

The City Solicitor and the Acting General Manager, Shelter, Support, and Housing Administration recommends that:

1. City Council adopt the confidential instructions to staff in Confidential Attachment 1.
2. City Council direct that the confidential information contained in Confidential Attachment 1 remain confidential in its entirety, as it contains advice which is subject to litigation and solicitor-client privilege.

FINANCIAL IMPACT

The financial impact of adopting this report is included in the Confidential Attachment.

DECISION HISTORY

On June 6, 2022 the Audit Committee considered item AU12.2 "Part 2 of the Audit of Emergency Shelters: Lessons Learned from Hotel Operations" dated May 20, 2022. The Audit Committee directed the General Manager, Shelter, Support and Housing Administration and the City Solicitor to report to the June 15 and 16, 2022 meeting of City Council to provide an interim update on progress of recovery of all charges that are not in accordance with the terms of the contract. The following is a link to that decision:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.AU12.2>

COMMENTS

Shelter, Support, and Housing Administration (SSHA) Division has reviewed the charges which the Auditor General noted were outside the terms of the contracts referenced in the May 20, 2022 report from the Auditor General entitled "Part 2 of the Audit of Emergency Shelters: Lessons Learned from Hotel Operations" and consulted with Legal Services.

Confidential Attachment 1 provides further detail respecting the results of SSHA's review and related legal advice. It is necessary to maintain confidentiality to protect the City's legal interests. The information contained in Confidential Attachment 1 is subject to both litigation and solicitor-client privilege.

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SIGNATURE

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ATTACHMENTS

Confidential Attachment 1 - Confidential Information