

Ombudsman Toronto Report: An Investigation into the City's Decision to Stop Allowing Refugee Claimants into Base Shelter System Beds

Date: December 10, 2024
To: City Council
From: Kwame Addo, Ombudsman

SUMMARY

On September 19, 2023, I provided notice to the City Manager of my intention to investigate the City's decision to stop allowing refugee claimants to access spaces in City shelters that were not specifically designated for them.

This marks the first investigation undertaken by Ombudsman Toronto's Housing Unit. This report makes 14 recommendations which are set out below. I am submitting my report, dated December 10, 2024, to City Council for consideration at its December 17, 2024 meeting.

RECOMMENDATIONS

The Ombudsman recommends:

City Council adopt the investigation report and direct the City to implement the report's recommendations.

1. That the City follow the Toronto Shelter Standards' interim amendment process by using a Directive when making such amendments.
2. That the City ensure all future changes to refugee claimant shelter eligibility adhere to the Ontario Human Rights Code, the City's Human Rights and Anti-Harassment/Discrimination Policy, Access T.O., and the Toronto Shelter Standards by having these proposed changes reviewed by the City's Human Rights Office, the Confronting Anti-Black Racism Unit, the Toronto Newcomer Office, and other relevant internal experts before implementing them.

3. That compliance with these policies be documented through a formal procedure with sign off by the General Manager of TSSS.
4. That the formal procedure above be shared with the Ombudsman by March 31, 2025, prior to implementation.
5. That all TSSS staff involved in shelter policy development as well as senior TSSS leadership (the General Manager and Directors) be trained in the Anti-Black Racism Analysis Tool by June 1, 2025, and that all new shelter policy staff, as part of their onboarding, be trained in this tool.
6. That the City develop a framework to analyze any new shelter eligibility changes for alignment with the Toronto Housing Charter before these new changes are implemented.
7. That this framework be finalized by March 31, 2025, and shared with the Ombudsman prior to implementation.
8. That senior executives at the City, including the City Manager, Deputy City Manager (Community & Social Services), and the General Manager of Toronto Shelter & Support Services, invite the Chair of the Housing Rights Advisory Committee and the Executive Director of the Housing Secretariat to a meeting to discuss the City's obligations flowing from its commitment to progressively realize housing as a human right by March 31, 2025.
9. That the City hold a dedicated training session for the directors of TSSS delivered by the Executive Director of the Housing Secretariat (or their designate) on the City's obligations flowing from its commitment to progressively realize housing as a human right by March 31, 2025. The Executive Director of the Housing Secretariat may wish to consider inviting the Chair of the Housing Rights Advisory Committee and others (as needed) to help facilitate this session.
10. That senior executives at the City, including the City Manager, the Deputy City Manager, and the General Manager of Toronto Shelter & Support Services, offer to hold a round-table session with key refugee-claimant-serving organizations and housing rights advocates to learn from these organizations, with the goal of informing future City decisions related to emergency housing for refugee claimants. If accepted by these organizations, this session should be held by June 1, 2025.
11. That the City develop a comprehensive strategy for meaningfully engaging with refugee claimants and refugee-claimant-serving organizations to help plan and deliver shelter services impacting refugee claimants. This strategy should include clear definitions of "meaningful engagement" and set out how the City will incorporate the feedback it receives.
12. That the City complete its engagement strategy and share it with the Ombudsman no later than June 1, 2025.

13. That the City update Ombudsman Toronto on TSSS's approach to data collection and explain how data will be used to track progress toward achieving the progressive realization of the right to adequate housing for all shelter users and those trying to access shelter, including refugee claimants. This may be done in consultation with the Data for Equity Unit (People & Equity) or any other related internal or external experts.
14. That the City provide a status update on the implementation of all these recommendations by June 1, 2025, and quarterly thereafter.

FINANCIAL IMPACT

This report has no financial impact.

DECISION HISTORY

This report has not been previously considered by City Council.

COMMENTS

This investigation was conducted under section 171(1) of COTA, which empowers the Ombudsman to independently and impartially investigate any decision, recommendation, act or omission in the course of the administration of the City or many of its agencies, corporations or adjudicative bodies. This function is conferred and exercised independently of Toronto City Council and of the City administration.

CONTACT

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SIGNATURE



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ATTACHMENTS
