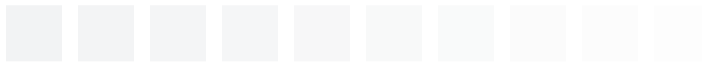




TRANSFORMING SOCIAL ASSISTANCE

OBJECTIVE: Transform social assistance programs to be simpler and eliminate coercive rules and policies. Create an explicit focus on helping people overcome barriers to moving out of poverty and fully participating in society.



Income security reform will not succeed without transformation in Ontario Works and the Ontario Disability Support Program. The overall legislative framework, structure and certain assumptions underpinning these programs are not working effectively with other elements of the income security system. It is time to re-think aspects of these programs so they do a much better job of helping people move out of poverty and participate in society.

LEGISLATIVE FRAMEWORK

Recommendation 7: Fundamentally change the legislative framework for social assistance programs to set the foundation for a culture of trust, collaboration and problem-solving.

Individuals accessing and staff administering Ontario Works and ODSP adhere to a set of rules that are enshrined in legislation, regulation and policy directives (referred to as the legislative framework). This legislative framework sets the tone and expectations for what rules must be followed, and how. In social assistance, the end result is an emphasis on eligibility verification and technical, often inflexible, approaches to people that often put benefits at risk.

The current legislative framework clearly emphasizes the wrong priorities. It enshrines:

- Ontario Works as a “temporary program” that belies the reality that for many individuals it is the primary safety net.

- Employment as the only desirable goal within Ontario Works, failing to recognize the barriers people are facing and the crucial importance of other outcomes related to health, well-being and social inclusion that are necessary to finding success in the job market or being connected in one's community.
- A focus on compliance and verification with a rigorous series of reporting requirements. These requirements are specific, and if not met often result in form letters enforcing real or perceived threats about the imminent cancellation or reduction of assistance. The Ontario Works legislation establishes a program that:
 - Recognizes individual responsibility and promotes self-reliance through employment
 - Provides temporary financial assistance to those most in need while they satisfy obligations to become and stay employed

The financial eligibility rules in both Ontario Works and ODSP need to change. While eligibility rules and administration are necessary, it is critical that the legislative framework establish broader goals and promote a culture of respect, collaboration, support and autonomy, as opposed to one of constant surveillance and threatened sanctions. This requires a completely new framework for Ontario Works early in the implementation of the Roadmap that goes beyond simple amendments, as well as regulation changes under both programs to reduce unnecessary and ineffective rules.

The new legislative framework will also require explicit recognition of the authority of First Nations to determine rules that do not work well in their communities. This will allow for a unified and clear sense of direction, appropriately adjusted for the unique needs of individual First Nations communities, and provide a fresh start for those currently accessing the program and people who need help in the future ([See pages 129-147 for further discussion and recommendations](#)). First Nations communities will have the autonomy and flexibility to opt out of the legislative framework or portions of it, to exercise their self-determination and implement their own model(s) using a humanistic community-based approach.



DETAILED RECOMMENDATIONS

7.1

Develop and introduce new legislation to govern and re-brand the current Ontario Works program. As a starting point for legislative change, draft and publicly consult on a new purpose statement in the first year of reform that explicitly recognizes and supports:

- Individual choice and well-being.
- Diverse needs and a goal of social and economic inclusion for all.

7.2

Identify and amend regulations under both the Ontario Works Act and the Ontario Disability Support Program Act before new Ontario Works legislation is introduced in order to jump-start and reinforce a positive culture of trust, collaboration and problem-solving.

7.3

Provide First Nations with the opportunity to develop and implement their own community-based models of Income Assistance under provincial legislation.



Jump-starting a positive culture of trust, collaboration and problem-solving can happen by amending regulations that create additional barriers and reinforce the negative idea that people needing help must be closely monitored so they do not “take advantage” of programs. Three examples are:

- *The rule that gives front-line workers the authority to count any resources that may become available to a person to reduce or disqualify them from assistance if they are not satisfied the right efforts are being made.*
- *The rule that prevents a single person attending post-secondary school from receiving Ontario Works even if they do not qualify for student assistance.*
- *The rule that says the Director “shall” cancel benefits for non-compliance with a condition of eligibility.*

A CULTURE OF TRUST, COLLABORATION AND PROBLEM-SOLVING

Recommendation 8: Introduce an approach to serving people receiving Ontario Works and ODSP that promotes a culture of trust, collaboration and problem-solving as a priority—one that uses a trauma-informed lens and supports good quality of life outcomes for people in all communities, including Indigenous people.





People need to feel they have personal choice in their lives, that their abilities are respected and put to work. We need to ask people as they enter [the system] what they feel they need to learn in order to be independent, and help [them] with those items⁷⁹.

Services need to be designed to support people to find solutions and recognize the trauma of poverty, the impact of historical harm, the reality of employment instability and the importance of early, active and collaborative support.



“Nobody wants to know you, you can’t go get a job, you can’t get an apartment, you don’t always look as though you’re in the best of health or condition. People in general just don’t want anything to do with you. They can see homelessness on you. They can see broken. That’s all they see, a broken individual.”

~ Jason, a single man who found himself (with his cat Garfield) homeless after moving back home to Ontario when his job prospects did not work out (in western Canada)⁸⁰.

For this to happen, Ontario needs to have an income security system that puts people first—a system where services are purposefully designed to support easy access to financial help, as well as knowledgeable and well trained staff. It must be a system that does not include rules premised on ill-conceived or outdated notions about the motivations of those who have lost their jobs, are facing crises, or who have a long-term and profound experience of poverty, discrimination and stigma. Both the people who access services and those who work with them each and every day must be supported through positive and practical approaches to program design and delivery. The end result must be a culture of trust, collaboration and problem-solving.

79 Capponi, P. A Different Kind of Revolving Door. This piece is excerpted here: <https://hopeisinfectious.blog/2017/04/>

80 Miller, Tim. The Price of Poverty. The Intelligencer. May 31 2017

For urban Indigenous communities, achieving a culture of trust, collaboration and problem-solving means building meaningful relationships that respect Indigenous experiences and ways of being. This is at the heart of inclusion—an important foundation on which stronger steps towards reconciliation can be taken. Inclusion towards reconciliation must also recognize the unique history and cultures of Indigenous peoples and the diversity across communities. Inclusion requires government to develop policies and programs that are responsive to the priorities of urban Indigenous communities, ensuring the voices of these communities are heard and reflected in the system. This understanding of inclusion is crucial to building respectful, meaningful relationships with Indigenous peoples. In this way, urban Indigenous communities, government and service providers can engage in more collaborative relationships that work towards achieving an improved quality of life for community members through reconciliation.

For First Nations communities, the need to implement new models based on culture and self-identification will restore a sense of pride and self-acceptance, allowing First Nations people to feel proud about being who they are again by targeting stigmas and removing discriminatory public policies.

Accessing social assistance should not be seen as a personal failure. It should not be frustrating or stigmatizing or so difficult that just getting help becomes a full-time job on its own.



Front-line workers are the first to say that their time and energy are guided by the punitive rules that they are expected to enforce. Shifting the current emphasis will focus their efforts on the resolution of barriers to social and economic inclusion and building the relationship of trust necessary to support better results for people.

The reality is that people accessing both Ontario Works and ODSP present with significant and multiple barriers to social and economic inclusion, such as addictions, violence, mental health, or challenges faced by young adults transitioning from programs aimed at children and youth.

Recent experience in private-sector disability claims shows that an engaged, problem-solving approach that takes a broader lens is more beneficial than



focussing primarily on eligibility for claim-related benefits. This approach has two key features. The first is timely intervention to quickly reinforce the person's self-perception as an independent individual with workforce attachment. The second is to engage the individual in planning and active problem-solving for every issue that may present a barrier to work. The intent is to build the person's confidence by making progress towards practical goals. This approach relies upon ongoing contact between the employer and the employee, a practice strongly recommended by the Institute for Work and Health, among others⁸¹. This approach has resulted in disability absence that is 15% to 40% shorter than approaches where the intervention is introduced late, is less collaborative, and is narrowly focussed on medical and functional issues alone. While the private-sector experience is with people who have been recently employed, it can be instructive in helping people to remain confident and engaged in meeting their goals as part of a transformed social assistance culture.

The principles underlying such an approach can inform how services should be focussed within Ontario Works and ODSP. The end result should be a common, positive and supportive experience regardless of which door a person enters first—in other words, the end result will be a single view of “case management” across the two programs.

An important part of moving forward with this approach is allowing for a degree of flexibility so that individuals can pursue innovative or entrepreneurial goals in their plan. Case collaborators should be able to support groups of individuals who make an informed choice to collectively establish a new business or other venture as part of their life and employment objectives, something that is not easily accommodated now. Regulation and directive changes are needed to clearly support these choices.

Supportive tools, resources and professional development should be co-designed with experts, including people with lived experience, to ensure they are as inclusive and meaningful as possible to those with a diverse set of experiences. This includes working with Indigenous partners to reflect and include the unique experiences of Indigenous peoples, as well as experts in legal advocacy, domestic violence and abuse, and mental health and addictions.

81 Please see: https://www.iwh.on.ca/system/files/documents/working_together_2008.pdf; http://www.rtwknowledge.org/article_print.php?article_id=65

Supporting people to achieve better outcomes means embedding a new individualized approach in the system that is built on three pillars of high-impact interaction: trust, holistic needs assessment and shared responsibility.

The reality is that when people first touch programs like social assistance they have likely experienced trauma of some nature. Any touch that is not positive is harmful. In addition, the more time that passes without active support, the more damage that is caused.



Fundamentally changing the current culture is critical to the overall transformation of social assistance and how it works to actually help people. The starting point must be a comprehensive upfront assessment, using a trauma-informed lens and complemented if necessary by information from health professionals that will help identify strengths, needs and barriers as early as possible. Such an assessment is integral to the development of a support plan that is clear, realistic and based on the person's most immediate needs, such as finding housing, escaping an unsafe environment or getting critical mental health or addiction treatment. It can also put people on the most appropriate pathway as soon as possible, including consistent and effective help in applying to the disability support program.

Creating the environment where front-line workers support individuals in creating a tangible plan that reflects personal goals and promotes autonomy has many benefits. It results in more productive use of staff time, improved job satisfaction and better outcomes for individuals and families. A key to this positive environment is a robust and timely process of referrals, so that individuals can access the supports they need to achieve their plan.

This fundamental cultural shift can only be successful if:

- The legislative framework is amended to endorse, support and require the change, including a clear role in helping people achieve broader social inclusion goals.



- People are able to access services and supports in a place where they feel safe and comfortable, as well as heard and understood by staff sensitive to people's diverse backgrounds and experiences. For Indigenous peoples this must mean the ability to access supports in the location of their choice, whether within their First Nations community, a local Indigenous Friendship Centre or other Indigenous agency where there is a range of connected and culturally relevant services and supports.
- Financial penalties that have been shown to be ineffective and counter-productive are eliminated and policies that create barriers to safety and well-being are changed.



Currently, there are a number of financial penalties that can be applied against an individual. Today, a condition of eligibility for Ontario Works and for non-disabled individuals receiving ODSP is that they develop a “participation agreement” that outlines activities they will undertake to get employment-ready or find a job. Not signing a participation agreement, or not upholding the commitments contained within it, can result in assistance being suspended, reduced or cancelled. Similar penalties can occur when a person does not provide a specific piece of information within a certain number of days regardless of whether the information is truly critical. While front-line workers often stop these automated penalties or take steps to reach out to people to probe what is happening, a stronger and more consistent service expectation needs to be put in place, one that reflects current best practices in the duty to accommodate. Penalties rely on negative reinforcement that is shown to be ineffective and counter-productive, commonly leading to stress and anxiety, and creating a real risk of pushing individuals further into poverty.



Currently, there are rules within Ontario Works and ODSP that undermine the safety, independence and well-being of individuals, opening them up to vulnerability and control. This may include parents who are trying to have their children returned by a Children's Aid Society or a woman who is trying to escape domestic violence who receives social assistance as a joint payment with her partner. In the same way, a person receiving ODSP who requires a trustee may be at a greater risk of abuse (financial, physical, emotional, etc.), if there are not appropriate checks and balances to assess the suitability of the trustee.

Analysis of policies needs to occur to ensure that they do not increase vulnerability or compromise the safety of women fleeing violence, children, people with disabilities, Indigenous people and all others who access the system for support.

- Holistic assessments are carried out, resulting in plans that reflect achievable goals identified by individuals, working collaboratively with their worker.
- There are clear performance expectations for front-line workers, and a transparent process for individuals to raise concerns.
- Investments are made in more front-line workers and they are provided with regular and ongoing professional development to do their job. This includes having the right knowledge, skills, tools and resources to complete meaningful assessments, collaboratively develop individualized support plans and exercise good discretionary judgment.
- Concrete action is taken to reduce the administrative burden on both front-line workers and people getting help so more time can be spent on building and fostering a positive and collaborative relationship. Creating this time requires:



- A simpler social assistance structure that greatly reduces reporting requirements, meaning there are fewer rules that staff must learn, apply and monitor and that individuals and families must worry about and respond to
 - A collaborative approach that does not rely on financial penalties to enforce behaviour and undermine the ability of front-line workers to develop an individualized plan
 - Modernized delivery and more online, easy-to-use services, while recognizing that technology solutions must be directly aligned to the new paradigm and that such solutions will not work for everyone
 - A different approach to program integrity and accountability that focusses on system-level risks rather than individual “policing”
-
- The new approach is based on clear and reasonable accountability, understanding that individuals drive their own plans with assistance and support from their workers. In concert with the other changes needed to shift the culture, workers will follow through on the new approach to planning and assessment and make connections to the needed resources. In collaboration with their workers, individuals will identify elements of their plan and steps to achieve them.

DETAILED RECOMMENDATIONS

8.1

Position front-line workers as case collaborators whose primary role is to act as supportive problem-solvers and human services system navigators in a way that allows people to share information without fear of reprisals. This includes working with individuals in both individual and group settings.

8.2

Introduce a comprehensive assessment tool to identify needs for, and barriers to, social and economic inclusion that uses an equity and trauma-informed approach to connect people to appropriate supports.

8.3

Use pilots to test the comprehensive assessment tool and the case collaborator role with an initial focus on people seeking to access ODSP through Ontario Works, long-term social assistance recipients, youth and persons with disabilities.

8.4

Eliminate financial and eligibility penalties related to employment efforts and rigid reporting requirements to support a new person-centred approach, promote trust and respect between front-line workers and people accessing help, and place a firm emphasis on problem-solving and addressing urgent needs first (e.g., risk of homelessness). This includes revising policies that create barriers to safety and well-being (e.g., fleeing an unsafe home).

8.5

Ensure front-line workers have the necessary skills and knowledge to act as case collaborators through:

- Mandatory professional development and learning, including skills in social work (i.e., anti-racism, contemporary professional development and anti-oppressive practice), and Indigenous cultural safety training and awareness.
- Provincially set and governed quality standards and controls tied to staff performance plans.



8.6

Regularly situate Ontario Works and ODSP case collaborators in Indigenous service delivery offices to improve cultural awareness and understanding and support better inter-agency relationships.

8.7

Clearly recognize Indigenous peoples' right to choose service in their preferred location.

8.8

Ensure staffing at all levels reflects the diversity of Ontario, and model truly inclusive offices that are welcoming spaces and reflect the multitude of cultures and communities served across the province, including the diversity within and across Indigenous communities.

8.9

Continuously review and adjust the service approach, professional development and tools and resources based on feedback from partners and people accessing programs.

8.10

Establish a First Nations–developed and implemented program based on self-identification, self-worth and true reconciliation leading to life stabilization.

8.11

Conduct analyses on current and proposed policies and services to ensure they do not increase vulnerability or undermine safety of those receiving support. This should include a culture- and gender-based analysis to ensure safety of Indigenous women.

SUPPORTING PEOPLE WITH DISABILITIES

Recommendation 9: Maintain and strengthen ODSP as a distinct program for people with disabilities. Ensure that both ODSP and Ontario Works are well equipped to support people with disabilities with meeting individual goals for social and economic inclusion.

As concepts about disability change, the challenge is to evolve income support programs for people with disabilities in Ontario, including within First Nations communities, to align with the United Nations Convention on the Rights of Persons with Disabilities: promoting an adequate standard of living and full social and economic inclusion, while recognizing continuing attitudinal and environmental barriers to participation as equal members of society.

“States Parties recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and shall take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability.”

~ Article 28, Convention on the Rights of Persons with Disabilities⁸²

The majority of households with people receiving social assistance include one or more people living with disabilities. By definition, everyone on ODSP has a substantial physical or mental impairment. Many Ontario Works recipients also have disabilities. In fact, most people on ODSP entered through Ontario Works. The shift to a culture of trust, collaboration and problem-solving, as envisioned in the previous two sections of the Roadmap, will help to identify disability issues at an early stage and provide responsive support, no matter which door people use to enter social assistance.

⁸² United Nations Human Rights, Office of the High Commissioner, Committee on the Rights of Persons with Disabilities



We note that ODSP has many positive features, including its definition of disability. There are challenges, however, in gaining access to the program, the level and type of ongoing case support, and the financial eligibility needs-testing and rules.

A DISTINCT PROGRAM FOR PEOPLE WITH DISABILITIES

People with disabilities often face lifelong barriers. Depending on the nature of their disability, they may move in and out of the labour market at different points, or may be unable to work at all. As long as income supports for people with disabilities are not fully met by federal programs, private plans or employer-funded workplace injury plans, Ontario needs a distinct income support program. For many people, especially those who are born with disabilities or acquire them early in life, it is their “first resort” for income support.

To remove the barrier of jurisdiction and to ensure that First Nations individuals in receipt of ODSP do not have delays in their reporting and payment schedules, allowing First Nations to administer and deliver ODSP on their own lands should finally be considered. First Nations people are significantly under-represented in ODSP, because the program is difficult to access and not available through local staff. Local administration and delivery are crucial to overcoming these barriers.

DEFINITION OF DISABILITY

The definition of disability contained in the ODSP legislation works well. The definition considers disability in the context of the whole person. It recognizes that people with disabilities want to and may be able to work, with support, and that the ability to work is not necessarily tied to the apparent severity of the disability. The definition also has the advantage of being well understood with the benefit of 20 years of experience and case law interpreting it.

PERSON WITH A DISABILITY

- 4 (1)** A person is a person with a disability for the purposes of this Part if,
- (a)** the person has a substantial physical or mental impairment that is continuous or recurrent and expected to last one year or more;
 - (b)** the direct and cumulative effect of the impairment on the person's ability to attend to his or her personal care, function in the community and function in a workplace, results in a substantial restriction in one or more of these activities of daily living; and
 - (c)** the impairment and its likely duration and the restriction in the person's activities of daily living have been verified by a person with the prescribed qualifications. 1997, c. 25, Sched. B, s. 4 (1).

~ Ontario Disability Support Program Act, 1997

ODSP APPLICATION PROCESS

Many vulnerable persons find the ODSP application process to be a barrier to access. There is a need to simplify the process and provide support to people in navigating it.

We believe that government must be responsible for ensuring that applicants receive the support and accommodation they may need to navigate the ODSP application process. We acknowledge that many community groups have stepped in to provide this service. While these efforts are commended and have a place in the community fabric, a local approach alone may mean that individuals in some areas of the province may not have the same level of access.

We encourage the ministry to continue working with stakeholders (including those with lived experience of disability and the ODSP program, health professionals and advocates) to ensure the disability support application and adjudication process is



as simple and streamlined as possible, and that individuals are accommodated in the process. The Disability Adjudication Working Group⁸³ is well placed to consider identified areas for improving ODSP adjudication, and we suggest that Ontario Works and ODSP caseworkers also be involved. Priority areas include:

- Making the adjudication process more transparent.
- Improving the quality of decision-making through improved hiring and training and better internal processes.
- Ensuring equitable access for Indigenous peoples.
- Reviewing administrative and legal processes.

Improving the quality of disability adjudication will have the added benefit of reducing the number of unnecessary appeals.

Medical review is currently a mechanism in place to determine whether those who received ODSP for a condition that is likely to improve within a specified time frame have in fact improved or whether they continue to be eligible. The ministry, in partnership with the Disability Adjudication Working Group, recently simplified the medical review process by introducing a new form, which will be easier for ODSP recipients and health care professionals to complete. This is a positive step in improving the medical review process.

CASEWORKER SUPPORT

Ontario Works includes many people with disabilities, including some who will, and others who will not, make the transition to ODSP. It is essential for both ODSP and Ontario Works to be well equipped to support and accommodate

83 The purpose of the Disability Adjudication Working Group is to provide advice and recommendations to help the Ministry of Community and Social Services to renew ODSP disability adjudication. Members include health care professionals, legal providers and advocacy/support agencies

people with disabilities. The proposed legislative framework and rebranding of Ontario Works will reflect the view that anyone who comes in the door—whether for short-term assistance or for help on the way to receiving longer-term support under ODSP—must have access to the holistic wraparound services they need.

The person-centred and supportive case management approach, which forms part of the proposed culture shift, is critically important for both programs. In ODSP, for example, many people currently have limited contact with their caseworkers unless they initiate it. This is largely due to the high volume of files assigned to each caseworker.

People with disabilities have ambitions and aspirations. Caseworkers should provide supports to people to help realize those aspirations. Those supports might include assistance in accessing post-secondary education, employment supports, or support to engage in volunteer opportunities that connect people with their communities, whether or not those activities lead to employment.



DETAILED RECOMMENDATIONS

9.1

Recognize the continued need for a distinct income support program for people with disabilities.

9.2

Retain the current ODSP definition of disability.

9.3

Continue work with the Disability Adjudication Working Group to streamline and improve the ODSP application and adjudication process.



9.4

Provide provincial-level assistance and accommodation for people who need help with the ODSP application process, building on lessons learned from community groups.

9.5

Include specific review with First Nations and urban Indigenous service delivery partners to ensure that the assistance and accommodation reflect the unique experience of Indigenous people.

9.6

Ensure that both ODSP and Ontario Works accommodate the needs of persons with disabilities as part of the person-centred, collaborative approach to support individual goals and aspirations.

ASSURED INCOME APPROACH FOR PERSONS WITH DISABILITIES

Recommendation 10: Use an inclusive process to design an “assured income” approach for people with disabilities.

ODSP provides long-term financial support as many recipients, due to the nature of their disabilities, often face lifelong barriers to working. However, the approach to financial eligibility rules for people on ODSP is as restrictive and punitive as it is for Ontario Works. Non-compliance with the complex web of eligibility rules frequently puts monthly benefits at risk even where it is clear the person remains eligible.



A report on the “welfareization” of disability in Ontario identified “severe restrictions on the level of assets that recipients may obtain and keep, strict rules that vary benefits based on cohabitation and sharing of accommodation, a cap on the level of gifts that a recipient may receive, and a deduction of most other income sources from benefits at a 100% claw back rate...Each of these rules reinforces systemic stigmatization of recipients by disallowing recipients to improve their situations in ways that most Canadians would take for granted (e.g., saving money, moving in with someone else to reduce expenses, or obtaining help from a family member)”⁸⁴.

Rather than having the same financial needs-testing model for both programs, ODSP recipients need an “assured income” model that is less restrictive, more transparent, and makes it safe to go in and out of the workforce without fear of delayed income reconciliation or loss of disability designation.

An assured income program for persons with disabilities would better reflect the needs of individuals, many of whom have lifelong barriers to social inclusion and employment.

Stable income alone is not sufficient to support people’s full social and economic inclusion. Even with an assured income approach, it will be essential for recipients to continue to have ongoing access to an ODSP case collaborator and an individualized support plan to help connect them to other services they may need. Even after income adequacy is reached, there will be individuals who have extraordinarily high costs, which means extra financial help must remain available for needs such as medical travel. This would include supports now available through Mandatory Special Necessities (medical travel, surgical and incontinence supplies) as well as supports developed to promote people’s personal and career goals.

84 By John Stapleton for the Metcalf Foundation, The “Welfareization” of Disability: What are the factors causing this trend?, December 2013, <http://metcalffoundation.com/wp-content/uploads/2013/12/Welfareization-of-Disability-Incomes-in-Ontario.pdf> [accessed July 7, 2017]



Because moving to an assured income model will be a major change in the way financial support is delivered, it must be co-designed with people across a broad range of disabilities (e.g., mobility, chronic pain, mental health, developmental, chronic and episodic). This is an important practice that is rooted in the disability rights movement call for “nothing about us without us”. Experienced advocates and caseworkers should also be part of the co-designed process.

Many disability advocates have recommended that the benefit unit for disability income supports should be individualized, and not include spousal income to determine eligibility. But for some families that may prove to be a risk. The co-design process should examine the impact to persons with disabilities of changing the benefit unit from family to individual.

Unknown variables that may affect the new model include costing, successful implementation of other Roadmap elements, and whether the federal government will respond to calls from disability communities to implement a national disability income support program.

While the specifics of the new assured income mechanism for financial support will depend on the co-design process, we have identified desirable features in the recommendations below.

DETAILED RECOMMENDATIONS

10.1

Co-design an “assured income” mechanism for delivering financial support to people who meet the ODSP definition of disability. Consultation with First Nations people is essential.

10.2

Include the following features in the assured income mechanism:

- Income-tested only (i.e., no asset test).
- Stacking of income benefits to reach adequacy.

- Tax-based definition of income (i.e., does not include financial help (gifts) from family or friends).
- Continued responsibility of the provincial government to determine disability, with the right of appeal to the Ontario Social Benefits Tribunal.
- Flexibility to adjust to in-year income changes.
- Safe to move into employment and back to the program.

10.3

Provide an initial Assured Income benefit at least as high as the ODSP Standard Flat Rate at the time of transition. Provide continued increases until the Minimum Income Standard is achieved in combination with other income security components ([see Setting a Goal for Income Adequacy, page 69](#)).

10.4

Ensure that people receiving the Assured Income have full access to ODSP caseworker services and support.

10.5

Provide First Nations with the ability to administer and deliver ODSP in their own communities in the same manner as Ontario Works.



A TRANSFORMED SOCIAL ASSISTANCE STRUCTURE

RATE STRUCTURE

Recommendation 11: Transform the social assistance rate structure so that all adults have access to a consistent level of support regardless of living situation (i.e., rental, ownership, board and lodge, no fixed address, rent-geared-to-income housing, government-funded facility).

The current structure of social assistance income support and benefits contributes to complexity, the culture of intrusiveness and “policing”, and the burden shouldered by people seeking help. It does not reflect how people budget in their everyday lives and assumes people living in poverty should not have choice and dignity. The structure makes it hard for people to know what supports are available and onerous for front-line workers to deliver the programs effectively.

Social assistance rates vary based on where you live, with whom you live and what your shelter costs are. This means individuals have to provide continuous proof of their actual shelter costs and living arrangements. They have to disclose if they are living with roommates or alone, if someone prepares their food for them, and if they are in social housing. If they live with someone who is unrelated, a common situation in today’s high-cost housing market, they have to demonstrate how much rent they contribute and, after three months, they may be considered spouses based on an intrusive test.



Today's social assistance programs deem people to be in a spousal relationship after just three months based on intrusive questions about their personal and financial relationship. Not only does this seem out of sync with the cost-sharing that often happens among roommates, it creates unfair barriers for low-income people entering intimate relationships because of a risk that they will become ineligible for assistance and potentially entirely reliant on the other individual. This is a particular inequity for people with disabilities as it may be restrict them from exercising their own personal independence.

If you have no housing costs because you are homeless or are temporarily living with friends or family, you get no support for shelter costs, making it enormously difficult to secure housing at all. If you are an adult who chooses to live with your parents, you go through a confusing test of "independence" that undermines personal preferences about family unity and assumes there are other housing choices in the community, a significant problem in First Nations and rural or remote communities.

Simplifying the rate structure in Ontario Works and ODSP will have multiple transformative benefits:

- It will improve equity and income adequacy for some of the most vulnerable people such as those with no fixed address.
- It will free up front-line staff time so they can focus on building positive relationships with individuals to help them solve problems and connect to the supports they need.
- It will reduce the intrusive and complex nature of the current rules that require people, for example, to prove how much rent they pay each month.



This flat-rate structure would apply to all adults, with a higher standard flat rate for people with disabilities, including but not limited to those who rent in the private market, live in social housing or a boarding arrangement, own their own home or have no fixed address.

Adults without disabilities living with their parents who are receiving social assistance will now be able to qualify in their own right without having to prove financial independence after the age of 24, while those ages 18 to 24 will receive a dependent rate that recognizes family-based economies of scale for youth residing at home.

Couples who are considered spouses will receive 1.5 times the relevant standard flat rate. Couples will be considered spouses when they have lived together for at least three years (to align with the Family Law Act) unless they are married or self-declare themselves to be spouses. This is a more realistic timeframe for determining a spousal relationship, resource-sharing and support obligations than the current three months. Until spousal status is confirmed, two persons residing in the same residence would be treated as two singles.

Moving to a flat-rate structure means eliminating the rent scales currently used for those receiving social assistance and living in rent-geared-to-income (RGI) housing. Individuals living in RGI housing will receive the Standard Flat Rate or Standard Couple Flat Rate. Social assistance recipients living in RGI housing will pay 30% of their income, including social assistance income, towards their rent to align rental payment with non-social assistance tenants.



For some individuals, particularly those in board and lodge or without a fixed address, a shift to a flat rate will mean an immediate and significant increase in their monthly income. For example, using 2017 social assistance rates, an individual in board and lodge would go from receiving a maximum of \$594 per month from social assistance to \$721. An individual without a fixed address would go from \$337 to \$721. This is a critical shift and, along with the simplicity that comes from transforming the rate structure, is one of the reasons this change must be urgently implemented. However, it is also important that this increase in income come with an active offer of support to connect people to housing, financial empowerment programming, personal budgeting supports, counselling and other services and supports they may need to gain the greatest benefit from this transformative change. For example, programs like the Financial Empowerment and Problem-Solving program provide financial education, advocacy and services like tax filing and budgeting to low-income people in their communities, while some municipalities equip social housing workers to educate individuals in the rights and responsibilities of being a tenant.



DETAILED RECOMMENDATIONS

11.1

Transform the social assistance rate structure so that:

- Single adults receive a Standard Flat Rate that does not distinguish between basic needs and shelter.
- Couples receive a Standard Couple Flat Rate equal to 1.5 of the Standard Flat Rate.
- In recognition of the additional cost of living with a disability, single adults with a disability receive a higher Standard Flat Rate – Disability and couples receive a Standard Couple Rate – Disability of 1.5 the Standard Flat Rate – Disability. Adult children aged 18–24 (without a disability) who live with their parent(s) on social assistance receive a Dependent Rate (75% of the Standard Flat Rate for the first dependent and 35% for each additional dependent). Non-disabled adult children over age 24 who live with their parent(s) receive the full Standard Flat Rate. People with disabilities will continue to qualify in their own right for ODSP at the age of 18.

11.2

Align the definition of spouse under social assistance with the Family Law Act (i.e., deemed a spouse after three years).

11.3

In moving to a Standard Flat Rate structure, eliminate the rent scales currently used for those receiving social assistance. Require municipal housing services managers to invest the increased revenues resulting from the elimination of rent-gear-to-income rent scales (due to the transformed rate structure) into local housing and homelessness priorities.

SUPPORTING EMPLOYMENT GOALS

Recommendation 12: Improve social assistance rules and redesign benefits to make it easier for people to pursue their employment goals and realize the benefits of working.

Shifting the culture of social assistance to one that promotes a culture of trust, collaboration and problem-solving, and transforming the rate structure to free up time for front-line workers to act as case collaborators and human services navigators, including with groups of individuals, is critical to supporting better quality of life outcomes.

Personalized support and a seamless system of employment and training services are keys to helping individuals identify their goals and build on their strengths and assets to achieve them. There is already work underway to better integrate employment and training services and improve the way programs work with other systems, such as education, so that individuals, including people with disabilities, can advance their employability and be successful in the job market.

For example, Employment Ontario is working to transform its employment and training services. Actions underway include a new approach to Local Employment Planning Councils, establishing the Ontario Centre for Workforce Innovation, and redesigning skills training programs to better match skills gaps and mismatches. At the local level, projects such as the Metrolinx Eglinton Crosstown have made a point of identifying community benefits to support employment, including local employment targets. There have also been steps made through workforce development initiatives to build a more inclusive workforce. For example, Access Talent, the recently released employment strategy for persons with disabilities, includes measures aimed at increasing employment opportunities for people with disabilities and connecting businesses to new talent⁸⁵.

85 For more information please see: <https://www.ontario.ca/page/access-talent-ontarios-employment-strategy-people-disabilities?ga=2.52132143.749918405.1499867994-566627687.1499867994>



First Nations Delivery Agents of Ontario Works have been seeking designation to deliver and administer Employment Ontario employment services programming, which will assist their community members in becoming more employable and succeed in gaining and maintaining employment.

Overall, this Roadmap does not seek to duplicate the employment and training services transformation work; rather it recognizes that a transformed social assistance can play a more effective part in helping people towards employment as one positive outcome.

By being connected earlier to the supports they need to stabilize their lives—whether that is finding a safe place to live or seeking mental health or addiction counselling—individuals will be better placed to think about their employment aspirations and take steps to realize their goals. Removing counter-productive and punitive rules that cause stress, and allowing people to gain a foothold in the workforce, will also better position individuals to realize benefits of working that go beyond the financial rewards and include better health and well-being, improved confidence and self-esteem and a sense of community connectedness. There are two other ways that social assistance can do a better job in helping people to pursue their employment goals:

- Currently, people receiving social assistance have to navigate between numerous employment-related benefits, each with its own distinct rules even though the benefits seem to serve the same purpose—that is extra support to achieve one’s employment goals. Redesigning these benefits would make it simpler to get extra financial help to pursue work or training opportunities.
- Earning exemptions are not applied under Ontario Works until an individual has been in receipt of assistance for three consecutive months. This means that any earned income in the first three months is deducted dollar for dollar from the person’s monthly payments. This policy may provide a disincentive for a person to pursue employment in the first three months of assistance, which may make it more difficult for them to regain stability and confidence. Shortening this waiting period from three months to one month would allow a person to begin their journey towards employment and self-sufficiency sooner and lead to better personal outcomes.

DETAILED RECOMMENDATIONS

12.1 Redesign, using a co-design process, existing employment-related benefits (except the ODSP Work-Related Benefit) into one benefit with consideration given to whether the new benefit should be mandatory or discretionary, the level of prescription in the activities the benefit can support, and the level of support that is provided to meet a broad range of needs; and test the new benefit before province-wide roll out).

12.2 Reduce the wait period for exempting employment earnings to one month (from three months) in Ontario Works.

12.3 Designate First Nations Ontario Works delivery agents to deliver and administer the Employment Ontario employment assistance program. This will better assist their community members in becoming employable through the array of programming and benefits that are not available to them for a variety of reasons. These may include, but are not limited to, vast distances from municipalities or urban centres where Employment Ontario programs are placed, lack of services focussed on developing employability skills available through the Ontario Works program, and the recent removal of assisting programs (e.g., First Nations Job Fund).

12.4 Support case collaboration in both individual and group settings.



INCOME AND ASSETS

Recommendation 13: Modernize income and asset rules so people can maximize the income sources available to them and save for the future.

A number of factors currently contribute to eligibility for social assistance, including the level and type of income, the amount and type of assets, and the amount of time you live with someone who might be considered a “spouse”.

Being able to maximize and benefit from the full range of income available is an important step in reaching adequacy—we have heard for too long from people living in poverty who receive income from one source, only to have it “clawed back” from another source, leaving them no further ahead. For example, while employment earnings are partially exempt, Employment Insurance and Canada Pension Plan - Disability payments reduce social assistance income dollar for dollar.

Equally detrimental are asset policy rules that make someone spend down almost all of their savings—even if intended for retirement—before they can qualify for support. Having resilience and independence and a cushion to fall back on goes a long way to reducing stress and promoting stability.

In the 2017 Budget, the province made positive changes to the asset policy that took effect in September 2017:

In Ontario Works, asset limits increased:

- From \$2,500 to \$10,000 for single individuals.
- From \$5,000 to \$15,000 for couples.

In ODSP, asset limits increased:

- From \$5,000 to \$40,000 for single individuals.
- From \$7,500 to \$50,000 for couples.

However, there is more that can be done—in particular to support and promote effective long-term investment vehicles. As programs evolve, the approach to savings and assets will need to be reconsidered.

DETAILED RECOMMENDATIONS

13.1 Exempt as assets funds held in Tax-Free Savings Accounts and all forms of Registered Retirement Savings Plans so people do not have to deplete resources meant for their senior years.

13.2 Initially exempt 25% of Canada Pension Plan - Disability, Employment Insurance and Workplace Safety and Insurance Board payments from social assistance (i.e., social assistance would be reduced by 75 cents for every dollar of income from these sources rather than dollar for dollar).

13.3 Increase the income exemption for Canada Pension Plan - Disability, Employment Insurance and Workplace Safety and Insurance Board to the same level as the existing earnings exemption by 2022–23.

ALLOWANCES AND BENEFITS

Recommendation 14: Ensure ongoing access to targeted allowances and benefits until such a time as adequacy is achieved. Determine which extraordinary costs remain beyond the means of individuals even when adequacy is achieved and maintain those benefits.

The inadequacy of social assistance rates, compounded by income rules that don't support the “stacking” of income from multiple sources described above, means that people can find it very difficult to find the extra income to support



additional costs they may have—whether it’s the cost of a medically necessary diet, regular trips to an out-of-town specialist or traditional healer, or the additional cost of living in remote regions of the province where necessities like food, electricity and building materials are exponentially more than elsewhere in the province. Over time this has resulted in the creation of additional benefits to support unique costs.

Achieving adequacy in the broad income security system may not reduce the role that current targeted benefits play. Indeed certain benefits are crucial and need to be maintained either permanently or until such time as greater adequacy is achieved. As progress towards adequacy is made and people’s outcomes are better understood through a made-in-Ontario Market Basket Measure, these supports can be reviewed based on a concrete assessment of ongoing need. This review must be undertaken with experts, including health care professionals and people with lived experience.

For example, there may be adjustments to the kinds of conditions considered under the Special Diet Allowance, both in terms of adding some conditions to the program and/or removing others. Medical transportation is also subject to the availability of various modes of transportation within communities, so consideration will need to be given to whether that variance can be better reflected in the program. These intricacies are why a broad range of perspectives is needed in considering special-purpose allowances and benefits.

DETAILED RECOMMENDATIONS

14.1

Retain the following special-purpose allowances/benefits and review as progress towards adequacy is made and people’s outcomes are better understood:

- Special Diet Allowance
- Mandatory Special Necessities/Medical Transportation

- Pregnancy and Breast-Feeding Nutritional Allowance
- ODSP Work-Related Benefit

14.2

Revise medical transportation rules to include and support improved access to traditional healers.

14.3

Review and introduce expanded eligibility criteria for the Remote Communities Allowance to better address the needs of northern and remote communities.

14.4

Redesign Ontario Works discretionary benefits as other recommendations are implemented (e.g., making core health benefits and help with funeral and burial costs mandatory) and consider making them available to the broader low-income population.

