



ONTARIO SPINAL CORD INJURY  
— SOLUTIONS ALLIANCE —  
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EN LÉSIONS MÉDULLAIRES

**Change and Consequence:**

**Official Response to the  
Commission for the Review of Social Assistance in Ontario's  
Consultation Document, *Approaches for Reform***

**March 16<sup>th</sup> 2012**

## ***Introduction***

The Ontario Spinal Cord Injury (SCI) Solutions Alliance was established in 2007 through the combined efforts of the Ontario Neurotrauma Foundation, the Canadian Paraplegic Association Ontario, and the Rick Hansen Institute. The Alliance is a network of key SCI stakeholders from 70+ organizations including people with SCI, researchers, service providers, physicians, and funders from across Ontario that spans the continuum of care from injury onset through to community reintegration.

On behalf of our Leadership Team, we are pleased to offer this response to the Commission for the Review of Social Assistance in Ontario's February release – *Approaches for Reform*. As an Alliance our interest centres on the ODSP simply because this program is highly relevant to the thousands of Ontarians living with Spinal Cord Injury who rely on it as their primary – if not sole – basis of income security and extended health support. In this document we will focus on priority areas within the ODSP that have the greatest impact on people with SCI: employment, income support, allowable assets, the beneficiary unit, earnings and education.

## ***Overall Assessment***

Our impression of the *Approaches* document is twofold:

- 1) We fully support the work of the Commission to address complex issues and questions, and to put poverty on the political agenda; and
- 2) We believe that the Commission may have been too limited in scope.

With the focus largely on program design, administration and execution, a more comprehensive approach addressing a range of government and non-governmental supports would have been beneficial. A more concrete social determinants of health framework would have enabled a broader range of policy options (for example, how a limited supply of accessible, affordable housing relates to the ability to obtain employment). We applaud the Commission for recognizing the interconnectedness of such factors.

## ***Features of Effective Services and Supports***

With respect to **consistent assessment and case management** (p. 6): We broadly agree with this in principle, but caution that regulations should not be so standardized as to limit the ability of case workers and others to recommend supplementary supports where needed, thereby increasing health outcomes and possibly reducing costs to the system overall.

As for assessment tools, we appreciate their capacity to identify clients that may require tailored supports to meet their specific needs, but warn against a design that may be limiting and exclusionary. Flexibility and discretion are needed to provide consumer-specific, outcomes-based service.

With regards to **integrated pre- and post-employment supports**, (p. 7):

We concur with the suggestion to focus also on pre-employment performance measures and barriers to employment. Post-employment supports are also essential – and for some populations – ongoing. It is important to recognize employment provides economic benefits, and also enables broader community participation.

We are especially pleased with the Commission’s recognition that specific supports related to disabilities is essential to providing **the same level of services** (pp. 8-11) – that they are required to achieve greater equality across the board. We recognize especially the need for more attendant services: Without attendant services it is very difficult for otherwise eligible clients to obtain and keep employment. We wish to stress that while some clients may not be able to work full time even with these supports, others may not be able to work at all. This cohort is deserving of income supports more aligned with the existing cost of living.

We support **stronger connections with and between employers** (pp. 11-12).

The Canadian Paraplegic Association Ontario has been instrumental in helping establish the Job Opportunity Information Network ([www.joininfo.ca](http://www.joininfo.ca)).

**Access to employment services and supports** (pp. 13-17):

This remains a problem for many. The Commission’s recognition of widely varying levels of service across the province for those on ODSP was helpful. We support increased information sharing among service providers with client consent, but we caution against the standardization of all levels of service. While this seems a desirable objective, many disability service agencies serve very specific client populations and as such, are well-equipped to address specific barriers to employment that population may face. In our view, a “one stop shop” does not fully support the nuanced sensitivities with respect to varying kinds and degrees of disability. Nonetheless, we are in support of broader awareness training and supports for all-government sponsored employment initiatives, as they all inevitably serve clients with disabilities at various times.

In terms of collaboration models we are extremely wary of municipalities delivering all employment services for people on ODSP for the reasons outlined above.

### ***Appropriate Benefit Structure***

The Commission rightly notes that establishing an appropriate benefit structure is a complex undertaking. We note that it offers three key objectives: adequacy of benefits, fairness for those working and those on social assistance, and work incentives (p. 18). For persons on ODSP especially, benefits should not have to be set below the rate of low-income persons in the workforce (p. 19). Benefits should be established as to provide for income security – which minimum wage employment most emphatically does not do. We do support the exploration of policy options to provide supplementary income and related supports for those who are in the workforce, but still face challenges paying their bills.

We support the parameters for balancing the objectives outlined, namely: an adequacy measure, a reference wage, and a benefit withdrawal rate (p. 20).

We caution against the stipulation of the minimum wage as a “political construct” (p. 24), in terms of considering a reference wage. While technically true, the minimum wage is one of the few mechanisms to ensure a minimum floor of compensation. The minimum wage is not sufficient shelter and food security recommend against benefit structures that do not at least provide for the minimum wage.

The economic situation of the Government notwithstanding, benefit rates for those on ODSP and social assistance do need to be raised. The Commission is rightly concerned with providing an incentive to work (p. 25); however stringent benefit rates do not in and of themselves achieve this objective. Rather, client-specific approaches, at the discretion of case managers, social and health support staff and other interested parties is recommended to help develop client-specific goals to ensure better outcomes and success.

In terms of addressing tradeoffs (p. 25-28), we believe the following:

#### **Extended health benefits for all low-income Ontarians:**

We very much support the provision of such a benefit. Further, additional benefits (such as medical supplies) should also be provided for those low income individuals with complex health conditions. Those persons who have disabilities and work low-to-moderate employment who must contend with high costs of such supports need some assistance. We believe attendant services may be viewed as a health benefit for those that require it.

#### **Vary the rate structure over time:**

**In principle** we support a varying of the rate structure over time. The current systems of 50% reductions for earned income is in itself an incentive to work. Regarding the concern of a varying rate structure being a disincentive to leaving the program overall, we refer to our comments above. We encourage the Commission to explore existing models and their effects on client and system outcomes (intended or otherwise).

**Earned income supplement** – We support such a benefit and agree that the Working Income Tax Benefit, while valuable, has not had its intended policy outcome. For ODSP, a phased reduction of earned income from existing benefits may serve this outcome (as opposed to the punitive 50% reduction across the board). Similarly, for those enrolled in the Registered Disability Savings Plan, we propose that at least a portion of the reduction in benefits due to employment be invested in the Plan, thereby enabling them to take full advantage of the greater income security it provides. While extended medical supports are provided for those clients that leave ODSP, regulations around having to exhaust existing income sources before accessing these supports may serve as a disincentive for those that would otherwise like leave the Program for work.

**Housing Benefit** – While we support the introduction of a housing benefit, a major challenge with respect to housing security is the lack of affordable, accessible housing. This need is not met by the private housing market and this is an opportunity for the government to make such needed investments that a housing benefit may not provide for those with mobility and related challenges. Also, a cross-Ministry approach is recommended, as there are those individuals who are being consigned to Long Term Care settings when they would do much better in supportive housing and community-based settings at significantly lower cost to the system.

### ***Designing Benefits for People with Disabilities***

Programs that supplement costs –, in whole or in part – related to disability, such as the Assistive Devices Program (p. 30); are essential to the quality of life for Ontarians with disabilities.

We support supplementary income supports (p. 31), but the possibility of providing such a supplement outside of social assistance, unless the “combined amount” is sufficient frightens us. For those on Ontario Works (or otherwise unable to work and without other income supports such as third party insurance), an external supplement can result in a reduced benefit. This is not a desired outcome. The Commission seeks to address this problem by creating a program to those with “severe disabilities” (p. 31). In our view, this is problematic, as noted by the Commission throughout, it is challenging to demarcate what constitutes “severe”. We think, consistent with the Commission, that rationales for requiring social assistance vary, and such a demarcation may likely result in some clients in need being excluded from existing benefits, with no comparable supports that they may need, available to them.

### ***Dealing with the Complexity of Benefits***

We fully agree with the Commission that “[The] current structure is inconsistently applied, at the administrator’s discretion, and is not always transparent to clients” (p. 32). There needs to be open advisory forums and mechanisms for clients to suggest program design and administration regulations. At present, clients may seek internal reviews if there are specific challenges, or appeal to the Social Benefits Tribunal if this result is not satisfactory. A mechanism for “manager-client” access is needed to determine if challenges could be resolved informally and “face to face”.

The Commission suggests combining the Basic Needs Supplement and the shelter allowance into a “standard rate for all adults” (p. 33). Given that, as the Commission notes throughout, clients are individuals, such standardization may not work. Especially with respect to housing, the Regional variations in prices have a significant impact on the amount of remaining funds left from the Supplement after rent is paid. We do appreciate that clients would have significantly less intrusion and monitoring which contributes to feelings of “criminalization” many clients report. This is a balance the Commission needs to further address. Could it be possible to have receipts and documents verified once a year, thereby removing the monthly reporting requirement (as currently exists in some form for those on ODSP who are self-employed)?

With respect to the **Special Diet Allowance** (p. 33):

and the policy changes that arguably resulted in a more strict criteria for eligibility: The high number of applicants in recent years is likely correlated to the inadequacy of benefits as presented. While the Commission argues that the Allowance may not be aligned with the broader health policy frameworks for addressing the medical needs of all low-income Ontarians, our Alliance notes that this does not exclude the Province developing a more comprehensive strategy in this regard. While it is suggested that this be transferred to the Ministry of Health and Long Term Care, it nonetheless remains that low-income Ontarians with disabilities – and particularly those on ODSP – face unique and significant challenges in obtaining nutritious foods that markedly improve their health outcomes. Transferring the Allowance to another Ministry may simply create more continuum navigation challenges for the clients and those that assist them.

Regarding **Compliance and Risk Management**:

We fully appreciate and support the view that the system must be accountable to taxpayers (p. 36). While it is noted that the current penalty structure for non-compliance (not reporting assets, for example) is difficult to assess in relation to outcomes, The system makes “accidental non-compliance” enormously stressful for clients. Submitting receipts a few days late may result in processing systems terminating benefits for the whole month to follow, resulting in significant human resources to address the problem. Greater flexibility and an appreciation of context and circumstance – would undoubtedly result in a better outcome, as noted above. An audit approach would be more beneficial, as the Commission notes (p. 37). Nonetheless,

Clients should be advised of their rights in plain language and provided with access to legal counsel during the audit phase, to ensure that the client's rights and responsibilities are clearly understood.

How to determine the appropriate penalty for intentional non-compliance and possibly fraud? We submit that this is a question for the Commission to investigate further, and to present options to the public, in particular consumers, for them to evaluate accordingly.

### ***Treatment of Assets***

We agree with the Commission that the rationale for setting specific asset levels for those on Ontario Works and ODSP remain unclear (p. 39). Clients should be able to have funds well above the threshold within their RRSPs, a principle the government recognizes in not counting the Registered Disability Savings Program as an asset with respect to the threshold. We also support the exploration of policy options to increase savings among those with limited incomes (p. 40), although not many clients may be in a financial position to save over the short or long term. Permitting savings is admirable – but does not remove the need for enhanced, direct income support.

### ***Viable Over the Long Term***

We have commented on integration of programs (p. 43) above, and some potential challenges in this respect. If the municipalities are granted more of a role in delivering the “human resources component of social assistance” comparable, related resources should be provided.

### ***An Integrated Position on Ontario Income Security***

We concur with the Commission that the interaction of ODSP with other income support programs such as EI and CPP-Disability is less than optimal (p 48). Not only are there challenges in terms of benefit amounts when clients transition between programs, but seniors with disabilities in particular face unique challenges when they leave ODSP. We strongly believe that a joint federal-provincial framework is needed to ensure that medical supports and supplies offered under ODSP are not reduced or removed when the client transfers to CPP-Disability. Another option is to have the province provide these resources.

We are pleased with the Commission's recognition of the challenge faced by those persons on ODSP who are working and live in Rent-Geared to Income (RGI) housing,

insofar as the 50 percent earnings exemption is not accounted for. We support changes that better reflect this reality and promote equity.

### ***First Nations and Social Assistance***

A new relationship between First Nations and provincial and federal governments is needed (p. 52). Regarding joint federal/provincial funding navigating multiple levels of jurisdiction is challenging for many clients. With respect to benefit rates, we agree with the assessment of higher costs for not only food (p. 55), but also medical supplies in many areas. We also offer that an administrative review of policies through a cultural lens, particularly if the Program is not administered by First Nations directly, is needed to ensure that objectives are met.

### ***Conclusion***

We appreciate the complexity of the task that the Commission faced in evaluating and proposing possible solutions to address challenges with respect to the design, administration and implementation of Ontario's social assistance system, and we appreciate the Government of Ontario putting resources of this review. To ask, "How can we do better?" is an important under-taking, as is consistently engaging with affected communities throughout. To this end, we look forward to consulting with the Commission on building a sustainable, effective, and client-focused system.

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