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OMBUDSMAN RECOMMENDS IMPROVEMENTS TO INCOME ASSISTANCE

VICTORIA – Today Ombudsman Kim Carter released her report, *Last Resort: Improving Fairness and Accountability in British Columbia's Income Assistance Program*. All but one of the report's 28 recommendations has been accepted by the Ministry of Housing and Social Development.

“Given the current economic situation, more British Columbians may be forced to rely on income assistance programs. This highlights the importance of ensuring that these programs are run in a fair, accessible, transparent and accountable way,” Ms. Carter said.

As a result of the Ombudsman's investigation, the ministry agreed to make several practical improvements to income assistance programs that will benefit individuals. Key among these are:

- The ministry will provide all applicants with a clear written explanation of the steps involved in the income assistance application process.
- People who have already looked for work for at least three weeks directly prior to applying for income assistance will not be required to conduct a further three-week work search before their eligibility is assessed. The ministry has already made the necessary regulatory amendment to effect this change.
- Some people whose medical conditions present barriers to their employment will be able to apply for status as Persons with Persistent Multiple Barriers to Employment (PPMB) at the same time that they apply for income assistance, instead of being made to wait a further 12 months to be assessed for these additional benefits.
- The ministry will offer to provide clients with written reasons for all reviewable decisions.
- The ministry will develop new policies and arrangements designed to reduce the distances that people have to travel in order to sign documents in person. This will assist British Columbians living in rural and remote areas.

The ministry also agreed to make several changes that will enhance the overall transparency and accountability of income assistance programs. Key among these are:

- The ministry will track how many applications it receives, approves and denies.
- The ministry will track what happens to people who discontinue income assistance applications to see whether they have moved on to employment or educational programs.
- The ministry will review the PPMB program to determine why the number of PPMB clients has decreased since 2003/04 and report the results publicly.
- The ministry will adopt the use of file reviews or audits as its preferred methods for evaluating its compliance with legislation and ministry policies.

The government did not accept the Ombudsman's Recommendation 23, which called for compensation for people who were adversely affected by the delayed enactment of a regulatory amendment. The need for such an amendment was identified by the Ombudsman's office and

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acknowledged by the ministry in November 2005. The amendment affects the dates on which appealed decisions are implemented and was finally enacted in December 2008. As a result of this delay, ministry figures show that at least 400 people were deprived of additional benefits that they would have been entitled to, had the amendment been in place.

“I am disappointed that the government did not choose to compensate British Columbians who were adversely affected by this delay in making changes to the *Employment and Assistance Regulation*,” Ms. Carter said.

Along with the specific changes the ministry will be making, or has already made, Ms. Carter noted that her systemic investigation also underlined the importance of some basic principles of fair administration.

“In order to be fair, government programs must be accessible to those they are designed to serve. Policies that are unfair or unreasonable must be changed. It is also necessary for the government to ensure it is complying with its own policies and standards, and to use objective and reliable methods to measure its own performance,” Ms. Carter said.

The report follows a lengthy systemic investigation that was initially prompted by complaints about income assistance that the British Columbia Public Interest Advocacy Centre (BC PIAC) brought to the attention of the Ombudsman’s office in 2005. The Ombudsman’s office issued its first report on this investigation in March 2006, and has now concluded the systemic investigation.

“This report and the recommendations that will be implemented are an example of the results that can be achieved when advocacy groups, the Ombudsman’s office and the government work toward positive change. I appreciate BC PIAC’s dedication to fairness and the cooperation of many staff in the Ministry of Housing and Social Development throughout this investigation.”

The report is available at www.ombudsman.bc.ca.

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To arrange an interview with the Ombudsman, please contact:

Karen Sawatzky
(250) 356-7740 (direct) or 1-800-567-3247 (toll-free)

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LAST RESORT — BACKGROUNDER

The Ombudsman's investigation of income assistance focused on four areas: the application process, the Persons with Persistent Multiple Barriers to Employment program, documentation requirements, and the ministry's implementation of commitments made in response to the Ombudsman's March 2006 report.

Other Findings and Recommendations

Applying for Income Assistance

- The ministry's application process is unduly complex.
- The ministry is not consistently providing eligibility interviews to applicants with immediate needs within one business day.
- The ministry does not track what happens to people who discontinue income assistance applications.
- Single parents of children under the age of three should be exempted from the requirement to conduct a three-week work search. The ministry has already made the necessary regulatory amendment to effect this change.

Persons with Persistent Multiple Barriers to Employment

- The ministry failed to ensure that the PPMB program was reviewed in a timely manner after acknowledging that it could not explain the reduction in its caseload.
- The ministry should create a form that clients can use to apply for PPMB status themselves, instead of having to wait for ministry staff to initiate the process.

Medical and Other Documentation Requirements

- It is unreasonable and unfair to require ministry clients to reconfirm ongoing medical needs in order to continue receiving health-related supplements.

Implementation of Previous Commitments

- In three situations we reviewed, the ministry did not use reliable and rigorous methods to assess its own compliance with legislation, regulation and policy.

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