

Ontario Works Policy Directives

1.1 Overview of Ontario Works

Legislative Authority

The Ontario Works Act, 1997 ("the Act") and related regulations provide the legislative framework for the provision of employment assistance and financial assistance to help people in temporary financial need.

The Act establishes a program that:

- recognizes individual responsibility and promotes self-reliance through employment;
- provides financial assistance to those most in need while they meet obligations to become and stay employed;
- effectively serves people needing assistance; and
- is accountable to the taxpayers of Ontario.

Program Overview

Intent of Program

The intent of the Ontario Works program is to help people in temporary financial need find sustainable employment and achieve self-reliance through the provision of effective, integrated employment services and financial assistance.

Types of Assistance

All Ontario Works delivery agents must provide employment assistance and basic financial assistance.

Employment Assistance

Employment services play a critical role in helping individuals prepare for, connect with, and remain in the labour market. Ontario Works employment assistance helps people to become and stay employed, and includes employment activities such as:

- job search support services;
- employment information session;
- community participation (i.e. activities that allow people to contribute to the community and improve their employability);
- employment placement and job retention services;

- supports for self-employment development;
- referral to basic education;
- Learning, Earning and Parenting (LEAP) program;
- literacy and job-specific skills training; and
- screening for substance abuse and referral to assessment and treatment if necessary (sites participating in this activity must be approved by the Director of Ontario Works).

The appropriate mix of employment assistance activities depends on the experience, skills, circumstances and needs of individual applicants or participants and the realities of the local labour market. The amount of time a participant needs to engage in activities designed to help him or her increase employability and obtain sustainable employment will vary.

Basic Financial Assistance

Basic financial assistance includes:

- income assistance provided for the purposes of basic needs and shelter;
- benefits as prescribed in the regulations; and
- emergency assistance provided to help with basic needs and shelter on an emergency basis.

Principles of Delivery

The following five principles govern the delivery of Ontario Works, guide Administrators in the planning and delivery of services, and guide workers in the implementation of these services.

Principle 1

Delivery agents provide a range of employment assistance activities with a focus on engaging participants in a collaborative process to identify and take steps that help participants attain sustainable employment. Service planning for the provision of employment assistance supports seamless and accessible service for participants through client-centred pathways to employment and integrated local planning.

Administrators in First Nations and northern communities have the discretion to exercise flexibility when approving employment activities and/or expenses based on cultural and geographic considerations in order to support employment outcomes for clients.

Principle 2

Delivery agents adopt approaches that support system integrity, and ensure decisions and resources are directed to participants based on the Act, regulations and policy directives concerning:

- eligibility for financial assistance; and
- eligibility for employment assistance and participation supports.

Principle 3

Delivery agents evaluate services based on the quality of response and the speed of turnaround time related to:

- eligibility decisions;
- referrals to programs and services;
- acting on changes in participant circumstances; and
- the provision of information regarding available benefits and supports.

Principle 4

Delivery agents base service delivery on a collaborative model that maximizes the use of cost-effective and expert resources within the community to streamline and rationalize services.

Principle 5

Delivery agents review and evaluate service delivery based on outcomes for individuals and the organization, and align outcomes with the overall objectives of Ontario Works.

Roles and Responsibilities

The following are the roles and responsibilities of key organizations and individuals in the delivery of Ontario Works:

MCSS: Social Policy Development Division - Ontario Works Branch

- develop and communicate policy and program design;
- monitor province-wide program delivery and policy and fiscal issues;
- monitor province-wide data collection and reporting by delivery agents; and
- provide tools for disseminating information to Administrators, including orientation to legislative and policy changes that need to be incorporated into locally delivered training.

MCSS: Program Management Division - Social Assistance and Municipal Operations Branch

- support the delivery of service to the Ministry's regional offices, Consolidated Municipal Service Managers, District Social Services Administration Boards and First Nations;
- develop and maintain supports for the Service Delivery Model; and
- manage and monitor business processes and outcomes.

MCSS: Regional Offices

- support delivery agents by communicating ministry expectations about the delivery of Ontario Works, linkages with other related programs such as the Ontario Disability Support Program and Employment Ontario, and supporting integrated service delivery planning at the local level;
- monitor policy and fiscal issues and regional program delivery;
- negotiate service contracts with delivery agents per approved service plans;
- monitor regional data collection and reporting by delivery agents;
- monitor legislative compliance, contract compliance and performance of delivery agents;
- monitor and communicate emerging trends, issues, and outcomes that may inform policy or program design or have provincial implications; and
- manage local issues.

Ontario Works Delivery Agents

- provide employment assistance and financial assistance in accordance with legislative and regulatory authority, policy directives, and business practices;
- ensure all people residing in their geographic area have access to the application process;
- determine and monitor ongoing eligibility for employment assistance and financial assistance in accordance with legislative and regulatory authority, policy directives and business practices;
- provide a broad range of employment assistance activities and participation supports based on individual circumstances and employment needs;
- refer participants to employment assistance activities that reflect their individual skill, experience, circumstances and employment needs, as well as labour market realities;
- ensure participant involvement in a mutually responsive planning process that promotes self-reliance;
- help participants to increase their employability and achieve outcomes such as employment, employment retention, increased earnings and exits to employment through integrated service delivery planning that supports the provision of effective and timely employment services and supports;

- make determinations pertaining to the refusal, reduction or cancellation of assistance;
- provide a formal notice and review process for participants to address issues related to their eligibility;
- work with communities and organizations in the public, non-profit, and private sectors to be participating organizations;
- directly deliver and/or tender delivery of specific employment assistance activities, e.g. employment placement;
- administer funding in support of participation in Ontario Works;
- develop strategies for service provision and program management based on caseload demographics and the local labour market, as well as broader community human service plans;
- monitor contract compliance of participating organizations;
- manage front-line delivery issues;
- orient and train staff in the delivery of employment and financial assistance to ensure staff are able to implement services in a manner consistent with the intent of the program and the principles of delivery;
- fulfill data collection, reporting and audit requirements including accurate, comprehensive documentation to support eligibility decisions;
- make decisions regarding appropriate staffing configurations for the delivery of Ontario Works such that effective service goals and participant outcomes can be achieved;
- maintain supporting technology;
- seek the Director's approval where required, e.g. appointment of an Administrator (requests for approval should be addressed to the Director, Ontario Works and forwarded through the Ministry regional offices); and
- deliver services and achieve outcomes in accordance with: policy directives, an approved service plan, and service contracts with the Ministry.

Participating Organizations

- develop and administer employment placements;
- develop and administer proposals for financial or in-kind support for placements; and
- supervise participants in placements and report participants' attendance and performance to the delivery agent.

Participants

- provide information to verify initial and ongoing eligibility for financial assistance;
- participate in approved employment assistance activities;
- make reasonable efforts to pursue other financial resources; and
- seek and obtain sustainable employment.

Approaches to Ensuring Program Integrity

Audit Requirements

Delivery agents are responsible for fulfilling the audit requirements established by the Ministry in accordance with the Act and regulations, and set out in the policy directives. The audit requirements help to ensure accountability, fairness and consistency in the delivery of Ontario Works.

Monitoring Eligibility

Delivery agents are solely responsible for monitoring ongoing eligibility and making determinations about the refusal, reduction, or cancellation of assistance where a member of a benefit unit fails to comply with the conditions of eligibility or a benefit unit's circumstances have changed. Delivery agents need to set out clear expectations for participants regarding participation, reporting requirements and other matters that may affect ongoing eligibility.

Program Verification Standards

Delivery agents are responsible for adhering to the program verification standards identified in the policies. These standards set out the documentation that is acceptable for verifying the personal and financial circumstances of applicants and participants. Delivery agents are responsible for confirming visual verification in the relevant technology and/or placing a copy of the documentation on file as required. The program verification standards help to maintain program integrity by guiding workers in the consistent application of legislation and policy to support fair and accurate decisions.

Agreements to Reimburse and Assignments

Under the Act, an Administrator may require a member of the benefit unit, or a person authorized to act on behalf of that member, to agree in writing to reimburse all or part of the financial assistance they receive. An agreement may include an agreement to reimburse once the money is received, an authorization and direction to a third party responsible for paying the money, and an assignment to the delivery agent of the right to be paid the money.

Recovery of Overpayments

An overpayment is established when a person receives financial assistance for which they are not eligible. Overpayments may be caused by delays in reporting changes in circumstances, non-disclosure of information, misrepresentation of facts, or administrative error.

To support accountability for public funds and avoid their misuse, the Act provides authority for the Administrator to recover overpayments. The Administrator also has the authority to reduce the amount of financial assistance payable in order to recover an overpayment.

Dealing with Fraud

In all cases where it is suspected that an individual is receiving assistance that they are not entitled to, a referral to an Eligibility Review Officer (ERO) is made. If an eligibility investigation confirms that a recipient has received financial assistance that he or she was not entitled to, financial assistance is reduced or cancelled as appropriate, and an overpayment established. Where sufficient evidence exists to suspect intent to commit fraud, the case must be referred to the police for possible criminal prosecution.

Information Use and Sharing

The Act allows for the Ministry and delivery agents to enter into agreements to share and compare information for the purposes of enforcement, program administration and research.

In order to protect individual privacy, the sharing and use of personal information is done within the safeguards and limits set out in the Act. Individual names are not disclosed unless required, and then only under specific terms and conditions designed to ensure that privacy is protected. When sharing files with third parties, delivery agents must ensure that only the relevant personal information is shared.

Family Support Function

The Act and regulations enable delivery agents to implement the Family Support function.

Family Support Workers help applicants, recipients and their dependents pursue financial support from persons who have a legal obligation to provide it. The powers of Family Support Workers include the authority to collect and disclose personal information necessary for assisting in legal proceedings for support and in the enforcement of agreements, orders and judgments relating to support.

Staff Training

Delivery agents are responsible for training staff in the delivery of employment and financial assistance to ensure their ability to implement services in a manner consistent with the intent of the program and the principles of delivery. Training should include a focus on:

- knowledge and understanding of the Act, regulations and policy directives to support timely and accurate decisions regarding eligibility and non-compliance, and the identification of high risk cases for follow up;
- knowledge of the local community including available resources and the current labour market to support the development of realistic employment plans and successful referrals for participants;
- advanced case management skills including communication, motivation, and negotiation skills to support accurate employability assessments and a collaborative planning process that actively engages participants, and recognizes individual skill, experience, and circumstances;
- community development and marketing skills to support the development of effective relationships with public, non-profit and private partners that maximize the opportunities available to participants; and
- the use of technology to support accurate data recording and reporting.