

THE 2012-2013 ANNUAL REPORT OF THE QUÉBEC OMBUDSMAN **Highlights regarding departments and public agencies**

Québec City, September 25, 2013 – The 2012-2013 annual report of the Québec Ombudsman presents its findings and recommendations with respect to 11 departments and public agencies, as well as the Ministère de la Santé et des Services sociaux and its network, and Services correctionnels. The number of complaints concerning the public service (excluding the Ministère de la Santé et des Services sociaux and its network) is stable compared to the previous year. However, the number of substantiated complaints has risen by 16.5%. Wait times are the primary cause of substantiated complaints, followed by a lack of coordination between programs.

Agence du revenu du Québec (Revenu Québec)

In its annual report, the Québec Ombudsman tells of situations where Revenu Québec has shown administrative rigidity and a lack of flexibility by upholding unreasonable decisions, despite having been apprised of new and conclusive facts. The other main causes of complaint were delays in processing files and some unsatisfactory work practices. (Pages 28 to 32)

Commission administrative des régimes de retraite et d'assurances (CARRA)

In its last two annual reports, the Québec Ombudsman reported major difficulties CARRA was having processing requests within reasonable time frames. The situation was resolved where pension estimate applications and applications to buy back years of service were concerned. Still, the Québec Ombudsman asks CARRA to continue its efforts to bring down its processing wait times for retirement pensions definitively. These long wait times can have considerable financial consequences for some recipients. (Pages 33 to 35)

Commission de la santé et de la sécurité du travail (CSST)

Substantiated complaints show that the CSST imposed on citizens requirements not provided for in the Act respecting industrial accidents and occupational diseases or in the regulations. So for medication expenses, physiotherapy and plantar orthoses, it made reimbursements that were less than provided in the Act and the regulations. Furthermore, nearly half the Québec Ombudsman's interventions with the CSST related to long wait times and delays. (Pages 36 to 38)

Curateur public

The Curateur imposed a condition (to have a minimum of \$20,000 in cash assets) that made it difficult for some vulnerable people to contribute to the registered disability savings plan. Following the Québec Ombudsman's intervention, the Curateur public agreed to lower the requirement for cash assets so that more represented people can contribute to the plan and thus enjoy its financial benefits. As of October 31, 2012, 183 people have benefited from the intervention of the Québec Ombudsman. (Pages 38 and 39)

Ministère de l'Éducation, du Loisir et du Sport

Since it is responsible for ensuring the Education Act and its regulations are respected, the Ministère de l'Éducation, du Loisir et du Sport should take the necessary measures to respect students' and their parents' rights. In light of the complaints it received this year, the Québec Ombudsman believes the Department should do more in this regard. For example, large disparities between one school board and another, in fees and requirements imposed on students taking a summer course or retaking a ministerial examination, show that the Department should monitor the criteria more closely. The Department welcomed the Québec Ombudsman's recommendations in this regard. (Pages 39 to 43)

Ministère de l'Emploi et de la Solidarité sociale

The Québec Ombudsman is satisfied with some amendments to the Individual and Family Assistance Regulation. These concern the increase in the rates for special benefits for handicapped recipients who need special medical accessories, and the deadline extension for applications for the special benefit for funeral costs. Still, it is the opinion of the Québec Ombudsman that the Department interprets the Individual and Family Assistance Regulation too restrictively with regard to an inheritance received by instalments. The Department actually considers it to be taxable income, thus reducing social solidarity benefits. So people with severely limited capacities for employment are penalized against the will of their testator, whose intention was to protect them because they are vulnerable. (Pages 43 to 47)

Ministère de la Famille

In its call for proposals to create 15,000 new reduced contribution daycare spaces, the Ministère de la Famille took into consideration several of the Québec Ombudsman's recommendations on publishing clear and precise rules, and making public any information on follow-up of selected projects. However, the Québec Ombudsman regrets that the Department's call for proposals excluded non-subsidized private daycares when it did not have the results of an impact study on the subject. It also finds that in this call for proposals, new applicants, who have never been inspected by the Department, are favoured over existing daycares. (Pages 48 to 51)

Ministère de l'Immigration et des Communautés culturelles

The Québec Ombudsman questioned a practice concerning fee payment provided for in the Regulation respecting immigration consultants. This practice stipulates that a person whose recognition or renewal application as immigration consultant is refused must pay fees of \$1,044, as those do who have been recognized and entered in the Registre for two years. The Québec Ombudsman asked the Ministère to review the practice. (Pages 51 to 54)

Ministère de la Justice

Complaints the Québec Ombudsman dealt with reveal errors committed by courthouse registries, which have had serious consequences for citizens. For example, a citizen was detained unlawfully because a court registry omitted to pass on to another registry information about a sentence. In another case, a registry did not copy to a legal document an important condition imposed on a citizen on probation (prohibited from being within 500 metres of the residence of his ex-spouse). This omission could have had very serious consequences. (Pages 54 to 56)

Régie des rentes du Québec

Complaints the Québec Ombudsman received in 2012-2013 revealed certain problems in the way the Régie manages the child assistance program. For example, there are long processing wait times when a parent notifies the Régie of an increase in his portion of custody time. For the parent whose custody time has increased, this means a delay in obtaining the assistance prescribed by law. The Québec Ombudsman also observed that different agents used different methods to calculate custody time, giving different results, which is unjust. (Pages 57 to 59)

Société de l'assurance automobile du Québec (SAAQ)

This year, the Québec Ombudsman intervened to have the SAAQ inform its clientele more fully, especially regarding two cases: eligibility for disabled parking permits, and the consequences of failing the theory exam following revocation of their licence because of demerit points. (Pages 61, 62)

The Québec Ombudsman's annual report is posted on its website at www.protecteurducitoyen.qc.ca/en/annualreport.

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