

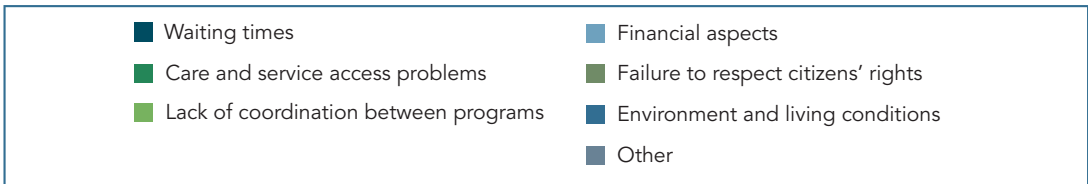
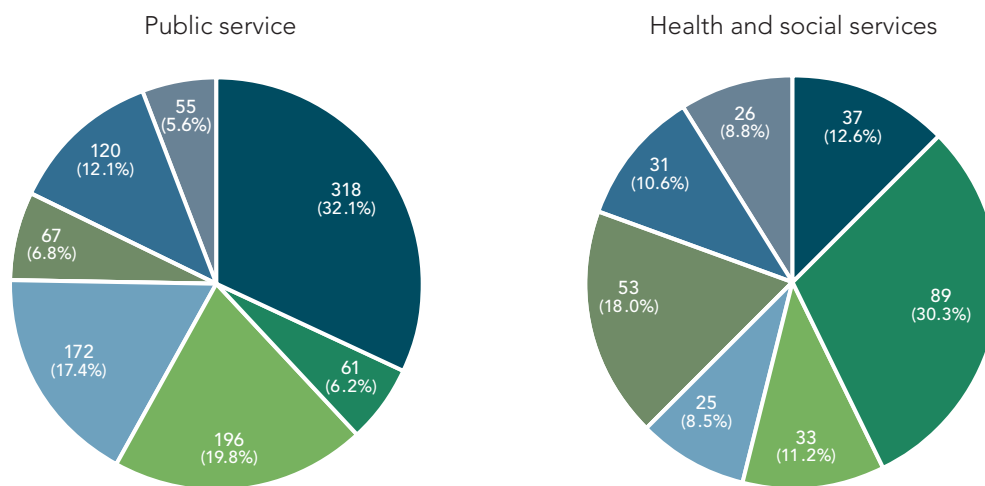


# SUBSTANTIATED COMPLAINTS

## A six-sided profile

Year after year, the Québec Ombudsman notes that virtually all substantiated complaints concerning both the public service and health and social services fall into six principal categories. The following diagrams show how they were divided among these categories last year. Although analysis of these complaints cannot be used as a basis for evaluating government service performance, their recurrence should nevertheless serve as a red flag for all government departments and agencies, as well as for health and social services network agencies and authorities. It is up to them to seek remedies to the situations reported, and at the same time prevent new problems from arising. This responsibility should be fulfilled each time they implement or review a service for the general public, as well as during their everyday activities.

### Nature of prejudices suffered by citizens



## WAITING TIMES

Public service: 32.1%

Health and social services: 12.6%

Waiting times rank first in terms of the number of complaints concerning the public service, and third for complaints concerning the health and social services network. Citizens suffer many different forms of prejudice as a result of waiting times: for example, deprivation of a service, financial loss, impacts on their health, as well as social and family consequences. Although lack of resources is the main reason given for the delays, they are sometimes due to inefficient organizational methods or outdated management information systems.

The Québec Ombudsman also observes a growing phenomenon that it refers to as “displaced waiting”. What does this mean?

In the health and social services sector, the initial service provided in physical rehabilitation is to assess the person’s needs. Administratively, the person is no longer on the waiting list once the assessment has been carried out. However, the waiting period and delays are far from over, since he or she must still wait for weeks and sometimes months before gaining access to the specialized services required to address those needs.

In the public service sector, “displacement” such as this takes different forms. At the Régie du logement, for example, citizens are frequently informed at the initial hearing that their case has been postponed, sometimes for several months. Even so, the Régie still provides statistics based solely on the waiting time between the initial contact and the first hearing.

## CARE AND SERVICE ACCESS PROBLEMS

Public service: 6.2%

Health and social services: 30.3%

Care and service access problems are the most common ground for complaints throughout the health and social services sector, from emergency room to rehabilitation, including all forms of specialized services. Not only do citizens complain of problems in obtaining the services they require as a result of their condition, but in many cases they also criticize the quality of the care and services received.

## LACK OF COORDINATION BETWEEN PROGRAMS

Public service: 19.8%

Health and social services: 11.2%

The system can become a nightmare for citizens who have problems that need to be addressed simultaneously by two or more government departments, agencies or health and social services authorities. This was certainly the case for one citizen who applied to the Régie des rentes du Québec and discovered that it had linked his disability to a car accident, whereas the Société d’assurance automobile du Québec did not. This had a direct effect on the benefits he was able to obtain.

In the health and social services sector, it was difficult for a person who needed both physiotherapy and speech therapy services at the same time to obtain any form of integration, and he was ultimately unable to benefit from the multidisciplinary approach needed for a full recovery. In another case, a regional health and social services centre referred a user to a specialist centre for a delicate operation, but the staff forgot to provide for the user’s return to the region, and the specialist centre sent the user home after the operation without notifying the referring health and social services centre.

Another example of lack of coordination can be found in the services available to children with pervasive developmental disorders. When these children start school, the program offered by the health and social services network automatically terminates, and the network does not always oversee the transition to the school community. Conversely, schools do not automatically seek information on the services previously given to the children, based on their needs.

## FINANCIAL ASPECTS

**Public service: 17.4%**

**Health and social services: 8.5%**

There are many situations in which government services fail to consider the interests of citizens when allocating or reimbursing amounts of money. While it goes without saying that people are responsible for obtaining information on their rights, especially with regard to financial issues, the public services must nevertheless apply laws and standards in a way that is both rigorous and fair. They are also responsible for making sure the general public is properly informed, particularly on financial issues, although this is not always encouraged by government departments and agencies, even though their duty in this respect is clearly defined in the Act respecting administrative justice.

The Commission de la santé et de la sécurité du travail had no hesitation in recovering prescribed debts. The Commission administrative des régimes de retraite et d'assurances also recovered amounts previously paid to pension recipients as a result of its own calculation errors – errors that citizens in good faith had no means of detecting. In addition, some organizations were forced to wait several months before receiving their Québec Sales Tax reimbursements because of inaccurate information on a Revenu Québec form. And a hospital failed to inform a patient that her private room was medically required, and she was therefore not required to pay the related fees. Instead, it invoiced her for the amount in question.

## FAILURE TO RESPECT CITIZENS' RIGHTS

**Public service: 6.8%**

**Health and social services: 18.0%**

In the public service, it is extremely worrying to note that in some situations, government departments and agencies do not respect citizens' rights, contravening rules of law and even, in certain cases, their own standards and policies. An example of this would be the case of a person who contacted the offices of the Ministère de la Famille et des Aînés (MFA). She was unable to file her complaint because, as it was explained to her, she should first have complained to her early childhood centre. In fact, this is completely contrary to the MFA's own policy.

The problem of failure to respect citizens' rights is even more prevalent in the health and social services sector, and especially in mental health. The legislative provisions concerning preventive, provisional and institutional custody are often ignored by social workers. In one case, a person was not informed that she had been placed in custody, the reasons for the custody were not explained in her file, and the notes were incomplete. In addition, the time allowed for maintaining a person in protective custody had been exceeded; the law stipulates that court authorization is required for periods of custody in excess of 72 hours.

## ENVIRONMENT AND LIVING CONDITIONS

Public service: 12.1%

Health and social services: 10.6%

Environmental quality and living conditions are a recurrent problem.

The Québec Ombudsman is also the correctional services ombudsman, and makes regular visits to detention facilities. In one particular case, some significant problems of cleanliness were observed.

In the health and social services sector, the schedules and activities in seniors' residencies and intermediate facilities are sometimes designed to suit the employees' work organization, rather than the residents' needs. For example, the Québec Ombudsman intervened in a facility where the staff woke residents at 5:30 a.m., dealt quickly with the morning routine and then sent them off to breakfast and back to their rooms. The facility was understaffed, and the morning rush had been introduced to fit in with the attendants' schedules and the need for them to complete a series of tasks in record time.

