

Toronto Community Housing



Q4 2023 Quarterly Report to Ombudsman Toronto: TCHC's Tenant Human Rights Complaints Procedure

Item 7

June 25, 2024

Board of Directors

Report: TCHC:2024-42
To: Board of Directors (the "Board")

From: President & Chief Executive Officer and
General Counsel & Corporate Secretary

Date: June 12, 2024

PURPOSE:

The purpose of this report is to advise tenants on TCHC's progress on the recommendations in the Ombudsman Toronto's June 2023 report, *An Investigation into Toronto Community Housing Corporation's Tenant Human Rights Complaints Process* as of December 31, 2023. TCHC is required to report to the Ombudsman on its progress on a quarterly basis.

RECOMMENDATIONS:

It is recommended that the Board receive this report for information.

Background

At its meeting of October 11-12, 2023, City Council received a report from Ombudsman Toronto regarding its Investigation into Toronto Community Housing Corporation's Tenant Human Rights Complaints Process (the "Ombudsman's Report").

<https://www.toronto.ca/legdocs/mmis/2023/dm/bgrd/backgroundfile-239138.pdf>

The Ombudsman's Report identified fourteen (14) recommended actions to be taken by TCHC to maintain a housing environment where tenants' human rights are respected and protected. TCHC agrees with those recommendations. One of the Ombudsman's recommendations was that

TCHC should provide Ombudsman Toronto with quarterly updates on the status of the implementation of its recommendations. This report outlines the status of TCHC’s implementation of the recommendations to December 31, 2023. On February 21, 2024, a copy of Attachment 1 to this report, outlining the status of TCHC’s implementation of the Ombudsman’s recommendations as of December 31, 2023, was provided to Ombudsman Toronto by TCHC.

TCHC is sharing this progress report with the Board of Directors and tenants as part of the Public Agenda for this meeting. TCHC will continue to work proactively with the Ombudsman to address its recommendations as well as its previous concerns with TCHC’s transfer policies and procedures. The Ombudsman will attend the Board meeting of July 30, 2024 in order to discuss his report.

As of December 2023, TCHC had completed one of the recommendations in the Ombudsman’s Report, being the requirement that it update its website to reflect up to date information about the human rights policies and procedures at TCHC. Work was progressing in relation to the remaining recommendations, as set out in Table 1 below.

Table 1 – Status of Implementation of Ombudsman

Total Number Recommendations	Completed	Outstanding (Identified Implementation Date)				
		Q1 2024	Q2 2024	Q3 2024	Q4 2024	Not Defined
14	1	5	1	2	2	3

TCHC staff are progressing on revisions to our policies and procedures in the context of the broader human rights project, including the internal transfer policy. TCHC will provide a further update to the Board of Directors and Tenants on its progress on the Ombudsman’s recommendations as of Q1 2024 at its next Board of Directors meeting.

SIGNATURES:

"Sean Baird"
Sean Baird
President & CEO

"Darragh Meagher"

Darragh Meagher
General Counsel & Corporate Secretary

STAFF CONTACT:

Katie Douglas, Legal Counsel
647-880-2057

Katie.Douglas@torontohousing.ca

ATTACHMENT

1. Status Update on Implementation of Ombudsman Report
Recommendations as of December 31, 2023

	Recommendation	Status as of December 2023	Notes	Implementation Timeline
1	TCHC should ensure that all information on its website related to its human rights complaints process is up to date and accurate, and that it continues to update its website as this process evolves.	Ongoing	<ul style="list-style-type: none">The current human rights policy and procedure are now up to date on the website.Communications staff have updated the data as the project has progressed and will continue to do so. https://www.torontohousing.ca/contact-us/tenant-complaint-process/improving-tenant-human-rights-processLinks to the interim complaint procedure on the website are ready to go live in late January 2024	Q4 2024
2	TCHC should immediately post online information about the project to update its Human Rights Policy and Human Rights Complaint Procedure. This should include information about the scope of the project, its impact on tenants, and where tenants can find out more information. It should also clearly communicate how tenants can participate in the re-design of the human rights complaints process	Completed	<ul style="list-style-type: none">The project description, scope, goals and impacts on tenants and how tenants could participate in the recent tenant consultations are posted in the news and updates section of the website.Information on how tenants could participate in the recently completed tenant consultations on the project are on the website along with a feedback form	Completed
3	TCHC should establish, and clearly communicate to staff and tenants, interim measures for addressing tenant human rights complaints, while it updates its human rights complaints process.	Ongoing	<ul style="list-style-type: none">TCHC drafted and, on July 13, 2023, shared its Tenant Human Rights Interim Complaint Procedure (“Complaint Procedure”) with the Ombudsman.On September 25, 2023, the Ombudsman confirmed, to TCHC, that he was satisfied with the Interim Tenant Human Rights Complaint Procedure created by TCHC.Staff training has been ongoing since October 2023 and will be completed in December 2023TCHC will communicate the procedure to tenants and begin receiving complaints in January 2024	January 2024

	Recommendation	Status as of December 2023	Notes	Implementation Timeline
4	TCHC should assess what resources it needs to ensure that it completes, as a priority, the project to update its Human Rights Policy and Human Rights Complaint Procedure. TCHC should establish milestones and timelines to ensure that the update is completed without delay.	Ongoing	<ul style="list-style-type: none">TCHC has established a project charter that was approved by the executive leadership team in October 2022 and amended to broaden the project scope and extend certain timelines on August 22, 2023TCHC will consider any budgetary resources it needs to complete the project and/or implement project objectives in the 2024 budget process.	Q1 2024
5	TCHC should clearly define and communicate how individuals can make human rights complaints, including relevant contact information. TCHC should ensure that tenants are given correct information about its internal escalation process, as well as outside agencies and resources that they may wish to consult, including the Human Rights Tribunal of Ontario, the Human Rights Legal Support Centre, and community legal clinics.	Ongoing	<ul style="list-style-type: none">The Interim Complaint Procedure and its supporting documents contain the information about how and to whom tenants can make a complaint, responsible and the required information on how tenants can access external supports for human rights issues.	January 2024
6	TCHC should ensure there are opportunities for tenants to request reconsideration or appeal of TCHC decisions about their human rights complaints.	Ongoing	<ul style="list-style-type: none">The Interim Complaint Procedure contains a reconsideration mechanism.	January 2024
7	TCHC should develop a clear and detailed process for staff to document and respond to human rights complaints, including internal resources that will help staff navigate this process. It must ensure that its process dedicates and identifies qualified staff with subject-matter expertise.	Ongoing	<ul style="list-style-type: none">The Interim Complaint Procedure contains a framework for staff to document and respond to human rights complaints as well as access to increased subject matter expertise in legal services and the Centre for the Advancement of the Interests of Black People when faced with a human rights complaint.Once TCHC has completed its review of all its human rights policies and procedures and budgeted for any new staffing and supports, it will implement further supports so that staff can proactively respond to human rights issues including access to SMEs, info guides and staff training.	January 2024

	Recommendation	Status as of December 2023	Notes	Implementation Timeline
8	TCHC should hold informed and meaningful consultations to receive feedback from tenants, staff, outside experts, and people who interact with TCHC to help establish a fair, trustworthy, accessible and effective process for handling human rights complaints.	Ongoing	<ul style="list-style-type: none">• TCHC conducted several consultations on its broader human rights project, including its complaints procedure, specifically:<ul style="list-style-type: none">○ Two staff consultations in May, 2023○ Three in-person tenant consultations in June, 2023○ A virtual tenant consultation in August, 2023○ with tenant legal service providers and advocacy bodies in July, 2023○ with its R-PATH accessibility committee in August, 2023○ with Housing Stability Services on August 25, 2023• TCHC will conduct further consultations with these groups as well as its Tenant Advisory Committee in February and March 2024	<ul style="list-style-type: none">• First round consultations was completed Q3 2023• Second round anticipated Q2 2024
9	TCHC should develop a plan for delivering mandatory human rights training, including training on its updated/revised human rights policy and complaint process. This should be completed on a priority basis. The goal of this training must be for TCHC staff to have the tools and expertise to identify and resolve human rights complaints.	Ongoing	<ul style="list-style-type: none">• TCHC began staff training on the interim complaints procedure in October 2023 to be completed in December 2023.• TCHC is conducting an internal staff communications campaign about the Interim Complaint Procedure and new staff responsibilities in December 2023• TCHC will conduct broader staff training once it has completed its review of all its human rights policies and procedures.	Q4 2024
10	TCHC should periodically examine its training plan to make sure it is up to date with human rights developments.	Not yet started	<ul style="list-style-type: none">• To be completed as part of TCHC’s review of all its human rights policies and procedures	Ongoing
11	As part of its human rights complaint process update, TCHC should ensure it has an effective and consistent system for documenting and tracking human rights complaints. This should include an annual summary of complaint types, geographic areas, number and ground of Tribunal applications, and complaint trends.	Not yet started	<ul style="list-style-type: none">• To be completed as part of TCHC’s review of all its human rights policies and procedures	Q3 2024
12	TCHC should report annually to the public on human rights complaint data and trends.	Not yet started	<ul style="list-style-type: none">• TCHC will determine a reporting structure and method to share the results of its tracking of human rights complaints as part of its review of all its human rights policies and procedures	Ongoing

	Recommendation	Status as of December 2023	Notes	Implementation Timeline
13	As part of is human rights complaint process update, TCHC should establish key performance indicators that staff can be measured against to ensure tenant human rights complaints are addressed fairly and effectively.	Not yet started	<ul style="list-style-type: none">To be completed as part of TCHC’s review of all its human rights policies and procedures	Q3 2024
14	TCHC should provide Ombudsman Toronto with an update on the status of the implementation of these recommendations by September 2023, and quarterly thereafter.	Ongoing	<ul style="list-style-type: none">TCHC will continue to provide the Ombudsman’s office with quarterly updates on its implementation of these recommendations.	December 2023 and ongoing