

Building a Full Life Including a Home of One’s Own in Community through Direct Funding

A discussion paper to explore funding and policy changes for direct funding provided under the *Services to Promote the Social Inclusion of Persons with Developmental Disabilities Act (2008)* that would help people to live a full life in community including support to live in a home of one’s own

Contents

Starting with a commitment to social inclusion.....	2
The status of direct funding in Ontario	4
Policy considerations – ensuring true transformation	4
i) Clarifying the current policy regarding direct funding for supported living	5
ii) Vacancy management and transferability of funding.....	7
iii) Funding levels (funding availability)	8
iv) Transparency of funding allocations	9
v) Avoiding unintended consequences	10
vi) Individualized planning and supports	12
vii) Supports for individuals and families to undertake direct funding	13
viii) Ensuring people live in safe and healthy environments	14
ix) Cash flow	14
x) Funding adjustments	15
xi) Equity - wages for support workers	15
xii) Appeals	16
xiii) Passport categories	16
xiv) Accountability	16
Conclusion	17

Since the introduction of Special Services at Home in 1982, the effectiveness of direct funding¹ as a mechanism for providing access to disability supports and services has been demonstrated time and again. At present, 41,000 families and individuals access direct funding for a range of services including respite, community participation supports, support in the home, etc. For many, however, the current policy and funding framework for direct funding is not adequate to support the full range of support needed for living a full life in community including living in a home of one's own. This paper will explore the current policy and funding structures of direct funding in Ontario and recommend changes that would help expand the capacity of the mechanism to more fully support people to live in a home in community, build a full, rich, life through strong relationships with friends and family and enjoy all that community has to offer.

For many people the current policy and funding framework for individualized/direct funding is not adequate to support the full range of support needed for living a full life in community including living in a home of one's own

This paper has been developed by Community Living Ontario to promote discussion on these particular issues. This is not intended to be our final word on this subject. We invite any who wish to do so to share with us their thoughts. In particular, we hope to hear from people who use direct funding (or would like to receive direct funding) to support their life in community. Through discussion we hope to grow our understanding of this important issue and help ensure that the policy and funding framework that exists for direct funding in Ontario continues to evolve in a manner that best supports those who need it. We have provided contact information at the end of this paper for any who wish to share their comments.

Starting with a commitment to social inclusion²

In 2008, Ontario introduced new legislation titled *Services and Supports to Promote the Social Inclusion of Persons with Disabilities Act (Social Inclusion Act)*. Two primary funding approaches are outlined in the Act: funding to service agencies and direct funding to people with disabilities or their families.

The mechanism for funding service agencies under the Act was built on the existing framework of transfer of payment that had been used effectively to fund services for the past several decades. The direct funding mechanism was a new legislative instrument, but was consistent with policy

¹ Community Living Ontario has long advocated for the availability of individualized funding. Individualized Funding in the view of Community Living Ontario is a method of delivering services by providing funds directly to individuals or their families, so that they can purchase individualized services that support their own vision of how they want to live and how they want to participate in their community. The Ministry of Community and Social Services differentiates between individualized funding and direct funding. What the Ministry's describes as direct funding most closely approximates the form of funding we have been referring to when we have called for individualize funding, we have therefor adopted the term direct funding in this paper to align with MCSS terminology.

² A socially inclusive society is defined as one where all people feel valued, their differences are respected, and their needs are met so they can live in dignity. Social exclusion is the process of being shut out from the social, economic, political and cultural systems which contribute to the integration of a person into the community (Cappo 2002). Social inclusion is about enabling people to fully participate in society.

that had successfully provided funding directly to people and families such as Special Services at Home (SSAH) which was established in 1982.

Ontario families have the interest and the capacity to consider individualized/direct funding for a greater range and level of support needed to build a full life in community including funding for supported living options

In the story of the growth and development of the developmental service system in Ontario the success of direct funding programs such as SSAH and Passport is noteworthy. Tens of thousands of families and people who have an intellectual disability throughout Ontario have consistently shown an ability to successfully manage, implement, account for and plan for the effective use of their approved funding. In combination with supportive

tools such as good personal planning and responsive family support models the effectiveness, efficiency and desire for individualized funding has been even greater. There is no doubt that Ontario families have the interest and the capacity to consider direct funding for a greater range and level of support that could now include supported living options such as a home of one's own. The preceding 30 years of direct funding has expanded our understanding of what it takes to make this mechanism an integral part of the process to enhance people's quality of life, independence and social inclusion.

The key goals of the Ministry of Community and Social Services (MCSS) direct funding Passport program are consistent with Community Living Ontario's goal of social inclusion. The goals of Passport are to:

The key goals of the Ministry of Community and Social Services direct funding program, Passport, are consistent with Community Living Ontario's goal of social inclusion

- Foster independence by building on individuals' abilities and developing community participation, social and daily living skills.
- Increase opportunities for participation in the community with supports that respect personal choices and decision-making, and help people achieve their goals.
- Promote social inclusion and broaden social relationships through the use of community resources and services available to everyone in the community.
- Help young people make the transition from school to life as an adult in the community.
- Support families and caregivers of an adult with a developmental disability so they can continue in their supportive role.

There has been no research done to determine if the transformation of developmental services over the past 11 years, including the introduction of the Social Inclusion Act, has resulted in a higher degree of social inclusion. Observations suggest that we have seen a great deal of change in the regulation and operation of services, but have yet to see a significant improvement in social inclusion. We hope that such change will come with time and that this paper will help facilitate change consistent with our shared values and principles. Our aim is to ensure that individually tailored supports and services lead to a greater degree of authentic participation, belonging, valued social roles and relationships in typical community life in ordinary ways (i.e. *true transformation*.)

The status of direct funding in Ontario

The passage of the Social Inclusion Act in 2008 formally established direct funding within legislation for the first time. Expansion of the funding mechanism has been slow since that time. In part this has been due to the severe financial constraint on government funding beginning in 2008. In 2014, the government announced a significant new investment in funding for services which included the two direct funding programs SSAH and Passport. According to MCSS information, the 2014/15 waitlist for SSAH was eliminated through the new funding and the current and anticipated three year waitlist for Passport was cut in half.

As of March 2015, there were 19,000 individuals accessing Passport funding and 22,000 individuals accessing SSAH. By 2017/18 the number of people accessing Passport funding is expected to increase to 25,000 individuals with access to SSAH remaining at 22,000. According to the Ministry, overall funding for the Passport program will be \$255 million and for SSAH \$55 million once the current new funding cycle is completed in 2017/18³. Overall spending in developmental services by that point will be about \$2 billion which means that the \$310 million of direct funding (SSAH and Passport) will represent about 15.5% of the funding pot. The vast majority of money will continue to be allocated to supports and services delivered through transfer payments to agencies.

15.5% of the Developmental Services funding flows to direct funding

Policy considerations – ensuring true transformation

The following policy considerations are suggested to improve the effectiveness of this funding mechanism. Our aim is to describe a policy and funding framework that will result in the positive evolution and growth of direct funding in Ontario. In particular, the proposed refinements of current policy are intended to pave the way for an opening up of the direct funding model so that families and individuals can use it to access the range of supports needed to live a full life in the community, including access to adequate support to live in one's own home.

To this end, one of the critical policy clarifications that must be drawn is the difference between housing (the bricks and mortar buildings in which people live) and the support that people might need as a result of a disability to live in those buildings. Many of the residential options currently available through MCSS funding combine housing and support. There are many negative implications to this approach and few, if any, benefits. Combining housing and support leaves all of the costs within the MCSS funding envelope. Further, the combination significantly reduces the flexibility a person has to plan his or her housing needs. A person may not be able to make changes with respect to the place they live without impacting the support they receive. Or, conversely, the person may not be able to make changes to the support they receive because it is tied to the building they live in.

³ Participation and funding figures provided by the MCSS Community Developmental Services Division, November 16, 2015

If housing were separated from support, the limited resources available to MCSS could be used far more effectively by focusing on the support people need. While government intervention in housing policy and funding will continue to be needed to ensure an adequate supply of affordable, accessible and appropriate housing, the burden for these costs does not need to sit with MCSS; additionally, other non-government rental and purchase mechanisms could be brought to bear more effectively if housing was separated from support.

i) Clarifying the current policy regarding direct funding for supported living

There is a common understanding that direct funding provided through the Passport program is intended for a particular range of disability needs but not for the full range of supports a person might need within his or her home. Many understand the program to be primarily for the purchasing of supports to participate in day activities, respite and a limited range of daily living supports. This is a point that is often reinforced by Ministry staff at the Regional level.

Our reading of the current policy is that there are no such restrictions on what funding can be used for and, in fact, most, if not all of the daily living supports a person may need to live in their home, alone or with another person, could be funded through Passport.

Under current policy most, if not all of the daily living supports a person may need to live in their home, alone or with another person, could be funded through Passport

Passport funding can be used for “activities of daily living” which the legislation defines as:

services and supports to assist a person with a developmental disability with personal hygiene, dressing, grooming, meal preparation, administration of medication, and includes training related to money management, banking, using public transportation and other life skills and such other services and supports as may be prescribed⁴

This is a broad definition and does not appear to exclude any of the critical supports that a person might need for supported living in their home, particularly given the final phrase (underlined).

Passport Guidelines published in 2014 identify the kinds of things that Passport funding cannot pay for with respect to living in one’s home such as rent, clothing, telephone, household items and home repairs. The exclusions do not include anything that would be considered a disability support. Such items are considered daily living expenses and are intended to be paid for through other personal income and assets including ODSP income supports.

⁴ Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008, S.O. 2008, c. 14 – Part I, 4(2) Services and Supports Definition

When the new legislation was introduced, the Ministry did clarify that Passport funding could not be used for “residential services”. This statement has contributed to the confusion regarding the applicability of Passport funding to supports in one’s home. This clarification was intended to make clear that certain residential programs prescribed in the Act such as group homes would remain under a regulatory framework and would continue to be funded through transfer of payments directly to the agencies providing these supports. This was a necessary provision, which Community Living Ontario supported and would ensure that there was clear accountability for adherence to the regulatory requirements established for these programs. Community Living Ontario would not support extending the use of Passport funding to these programs as to do so would be to contradict the aim of using such funds for individualized supports for which they are intended.

Community Living Ontario would not support extending the use of Passport funding to traditional agency operated residential programs as to do so would be to contradict the aim of using such funds for individualized supports for which they are intended

We do believe however that some clarification is needed with respect to the type of supports that must be provided through a transfer payment agency and cannot be funded through direct funding. The models of support identified as “residential supports” in the Act include:

1. Intensive support residences
2. Supported group living residences
3. Host family residences
4. Supported independent living residences
5. Such other types of residences as may be prescribed

Clarifications to policy should be made regarding three of these items:

1. Under the Act, “intensive support residences” are defined as:

A staff-supported residence operated by a service agency,
(a) in which one or two persons with developmental disabilities reside, and
(b) in which each resident requires and receives intensive support that meets the prescribed requirements

A policy clarification is needed to make it clear that an individual with high support needs who may choose to live with one other person who requires support, can receive direct funding where that support has been planned and executed specifically for that individual and is not established as an agency service location. Of course, at present, caps on funding (discussed in point iii below) will need to be addressed to make it possible for most people with complex support needs to consider in-home supports through direct funding.

Clarification is needed with respect to current policy related to some residential options to avoid inappropriate restrictions of the options for creating a home of one’s own through direct funding

2. A “host family residence” is defined under the Act as a:

Residence of a family, composed of one or more persons, in which a person with a developmental disability who is not a family member is placed by a service agency to reside and receive care, support and supervision from the host family, in exchange for remuneration provided to the host family by the service agency

The host family support option is currently a subject of much discussion following the inquest into the tragic death of Guy Mitchell who was being supported in a family home arrangement. Recommendations from the inquest are helping to inform policy reform that is currently under way in this area. Host family arrangements should always be highly individualized and based on committed relationships between the people involved. Where such relationships exist, the approach can provide an excellent option for people looking to create a home together. As Guy Mitchell's story teaches us however, various checks and safeguards are appropriate and essential. The current policy efforts should consider under what circumstances an expanded direct funding mechanism can be used to support an individual to live with a family other than his/her natural family. Agency oversight will continue to provide appropriate safeguards in many host family arrangements. In other situations, given the nature of the relationship between the family and the individual requiring support, direct funding may be a more appropriate option. Such an alternative should be available to people and an appropriate policy framework should exist for such arrangements.

3. "Supported independent living" is defined in the Act as:

A residence operated by a service agency that is not supported by staff and in which one or more persons with developmental disabilities,
(a) reside alone or with others but independently of family members or of a caregiver, and
(b) receive services and supports from the service agency.

Where a person lives independently or with one other person and has planned these supports outside of an agency program, direct funding should be available for the required supports. Again, a clarification should be provided for this policy.

Care needs to be taken in the drafting of the clarifications indicated above. The intention is not to allow the establishment of agency operated programs (including services offered by for-profit service providers) outside of the established regulatory framework. The intention is to make it clear that where a person plans a unique path for his or her life that may align with some of the descriptions within the above definitions they are not excluded from direct funding.

ii) Vacancy management and transferability of funding

The first question asked when a "vacancy" becomes available, should not be "who can fill this spot?" but "what is the most effective way to use the freed up resource?"

Developmental Services Ontario has established an increasingly restrictive mechanism of vacancy management with agencies. Vacancy management works to maximize efficiency by fully utilizing the services that currently exist. The result has been that agencies have little flexibility with respect to changing the type of supports and services they provide. As long as we

continue to simply refill vacancies in residential and other programs with people who are deemed to match the available spot, it is impossible for service providers to transform; they will simply continue to do what they do at present.

The first question asked when a “vacancy” becomes available, should not be “who can fill this spot?” but “what is the most effective way to use the freed up resource?”

Further, a revised system should make it easy for a person who chooses to do so, to redirect some or all of the funding committed to them away from agency services and into direct funding. Where this occurs, the existing agency service should be eliminated (i.e. agency should not be expected to refill the spot and should be allowed to make necessary adjustments to services to address the reduction in funding.) Such a policy is intended to begin to rebalance the system with an aim of raising the current funding allocation to direct funding without reducing the ability of agencies to sustain a high quality of services to the people it continues to support.

At present, given that direct funding is relegated to the fringes of the system, there are many reasons (discussed elsewhere in this paper) that people will be reluctant to choose the option. Direct funding can be a catalyst for true transformation. It should be a clearly stated policy objective to increase availability of direct funding and begin to address and eliminate the reasons why people may be reluctant to choose it.

It should be a clearly stated policy objective to increase availability of direct funding - rebalancing the system with an aim of raising the current funding allocation to direct funding without reducing the capacity of service delivery by agencies

Such changes would result in a truly transformative shift through which the vacancy management system could begin to work as a tool for reducing reliance on program options that were developed for groups of unspecified individuals in favour of options that are planned and funded uniquely for each person.

iii) Funding levels (funding availability)

Passport funding is capped at a maximum of \$35,000 per year (\$25,000 plus an additional \$10,000 if the family qualifies for respite). According to MCSS, the cost of residential services is associated with individual needs and residence type. Costs range from a low of \$20,000 annually for Supported Independent Living, to a high of \$150,000 for an Intensive Support Residence, and in some exceptional cases to over \$500,000 for individuals with complex special needs. The cost of a group home, which is the most popular option with over 50% of individuals accessing it, is about \$100,000 annually.⁵

The Ministry has never explained the rationale for the wide discrepancy in funding allotments between the direct funding and services provided through transfer payment agencies. Nor has there been an explanation of how the discrepancy aligns with the key principle guiding transformation within developmental services of “fairness and equity”⁶.

⁵ Figures for residential costs provided by the MCSS Community Development Services Division, November 16, 2015.

⁶ Opportunities and Action Transforming Supports in Ontario For People Who Have a Developmental Disability Ministry of Community and Social Services May 2006

For many people, the upper limit of funding available through Passport may prove inadequate to address the full range of supports that might be needed to live in a home of their own

For many people, the upper limit of funding available through Passport may prove inadequate to address the full range of supports that might be needed live in a home of their own. We see no reason why direct funding should not be available to assist people who may have support needs greater than those that can be addressed within the current funding cap. People who have a higher

complexity of support need as a result of their disability require a higher degree of individualization in the supports provided. Direct funding provides a vehicle for planning and delivering highly individualized supports and services and is well suited to those with very complex needs.

It is not clear why the current policy framework restricts more complex and higher cost support plans to the transfer payment part of the system. We ask that the Ministry make clear the rationale for this restriction. If the cap on direct funding exists simply as a mechanism for controlling funding for this part of the system, we would challenge the efficacy of that policy. Since the Ministry continues to provide higher allocations of funds for the support of individuals through transfer payment arrangements, equal amounts of funding should be available for direct funding if it is anticipated that the individual will receive more appropriate and effective supports through that funding method. Otherwise, people with more complex support needs will continue to be directed into agency services even if their needs could be better supported through individually planned supports.

Funding equal to that provided through agency services should be available for direct funding if it is anticipated that the individual will receive more appropriate and effective supports through that funding method

iv) **Transparency of funding allocations**

The funding entity provided for in the *Social Inclusion Act* has never been established nor has the Ministry shared publicly the mechanism used for determining funding allocations through direct funding. Here is what we know, or presume from what has been shared:

- People who have received funding through the Passport program underwent an assessment through Developmental Services Ontario to determine their support needs
- 6,000 people received funding in the past year (cutting the waitlist approximately in half).
- Presumably, the allocation each person received was based on their assessed needs
- Presumably, a mechanism of benchmarking was used so that people deemed to have higher support needs received higher allocations than those deemed to have less need for support

What we do not know is:

- How were the costs of the supports needed by the person determined?
- Was each individual allocation based on the actual cost of assessed needs, or was benchmarking used to divide the available funding pot into “equitable” pieces?

- For people already supported in the agency system who received direct funding, how was the coordination of the two funding pots handled to avoid duplication?
- What kinds of plans, goals or intentions were funded and how have these actually unfolded?
- Was funding for planning and contract administration calculated separately from and additional to needed support dollars?
- The adjustment of contracts in consideration of cost of living adjustments.

We must be able to measure to what degree the funding a person receives is adequate to address the support needs for which it is intended

Allocations for direct funding must be transparent. We must be able to measure to what degree the funding a person receives is adequate to address the support needs for which it is intended. It is an appropriate policy aim to ensure that funds are shared equitably. However, where equitably sharing a finite funding pot among a number of

applicants results in some or all of those applicants receiving less than what they need, we should be able to identify the shortfalls with the hope of addressing them at a later time or through other means.

v) **Avoiding unintended consequences**

Individualized funding can be a powerful tool for promoting autonomy and giving people some of the tools and resources they need to live a good life in community. However, direct funding can also be misused and can produce harmful effects.

At present some of the things funded through direct funding work against the aims of the Social Inclusion Act. For example, social inclusion is not promoted through segregated and congregated programs. Current policy allows people who receive direct funding to combine their funding with that of other people in order to jointly purchase supports and services. While this policy may allow for some flexibility in how funds are used, the policy has promoted some negative and unintended outcomes. There are examples across the province of families pooling funding to start new congregated “day activity programs” and even proposals for funding group residences using Passport funding. Availability of direct funding has seeded a new for-profit industry aimed first at profits and where the social inclusion of the person is an incidental product rather than a primary objective. In many cases these programs are congregated and segregated and are inconsistent with the goals of MCSS and Community Living Ontario.

Pooling of direct funding has promoted some negative and unintended outcomes that work against social inclusion- there are examples across the province of families pooling funding to start new congregated “day activity programs” and even proposals for funding group residences using Passport funding

While the Act has established a regulatory structure for agency programs that are funded through developmental services transfer payment contracts, no provision has been made to regulate programs that emerge through direct funding dollars outside of the formal agency system. A policy framework is needed to ensure that direct funding is used to achieve the aims for which it is intended. Such a framework would need to prescribe the role and accountability of MCSS and the funding entity (if it is established) in relation to

regulatory oversight and monitoring of contracts in addition to the funding entity's role of ensuring not only administrative compliance but also outcomes for people supported. Accountability measures that focus on outcomes for people such as autonomy, relationships, authentic participation and belonging could be the basis for an accountability framework in addition to regulatory compliance. We view compliance with regulatory requirements and personal outcome based accountability as two different and separate processes that both require attention and prescription.

While it is the Ministry's role to outline expectations in policy, the measurement of the resulting outcomes for people is not. Any formal, system-wide performance measurement framework that is based on program and personal outcomes should not be taken up by the Ministry. Alternatively, this should be an independent, objective, third party process that is part of an ongoing quality improvement framework most frequently achieved through accreditation. We encourage a policy framework in which the Ministry clearly outlines the expectations for the use of funding and requires and supports independent evaluation of the outcomes achieved.

We sense that MCSS is reluctant to tell people what they can and cannot do with their direct funding with respect to the outcomes that they achieve. While we of course believe that government has no business telling people how they should live their life, we do believe that it is reasonable and appropriate for government to set clear parameters around the types of activities that can be funded with public dollars. Government does so time and again including in this sector when the government withdrew funding support for institutions and more recently when the Minister announced a commitment to end funding over time for sheltered workshops. We encourage the Ministry to be clear about the limitations of direct funding and to work to ensure that direct funding achieves the outcomes of social inclusion for which it is intended. The following are some of the policy safeguards and accountability measures that should be developed and established for direct funding:

- Funds can only be used for supports and services that are consistent with the aim of promoting social inclusion; individually planned one person at a time and implemented support that is flexible and portable in keeping with MCSS principles
- Where a person combines his or her direct funding with one other person (i.e. a couple, or two family members such as a brother and a sister) the support provided must be planned for each person individually and should prohibit options that are planned for more than one other person
- General pooling of funds to establish congregated and segregated programs, even if offered in typical community settings such as colleges or community centres, is inconsistent with the spirit and intent of MCSS principles, the transformation of the service system and the development of a more welcoming

Safeguards are needed to:

- ensure adherence to the principle of social inclusion
- ensure individually planned and delivered supports
- prohibit funding of congregated options (i.e. any option designed for more than two people)
- restrict use of for-profit programs

inclusive community; consequently, it should be a prohibited use of direct or individualized funding

- Direct funding allocations should be prohibited for use by for-profit private operators who run operations beyond the regulatory requirements of the MCSS Developmental Service system
- Clearer roles and accountability by MCSS, funding entities and direct funding applicants for contract compliance and approved outcome measures for supported people should be required

vi) Individualized planning and supports

Planning for a good life within one's community is an ongoing process and not a single event that is solely focused on the service system's need to confirm a person's eligibility for support and or to allocate resources. Person centered planning is a means to continually explore one's vision and possibilities for a valued, inclusive community life and to organize thoughts, ideas, people, actions and resources to enable that vision.

Funding for planning should be provided above and beyond the actual cost of support that a person requires so that a person does not have to use their needed support dollars for planning

Individualized planning as identified in the Social Inclusion Act is a fundable element and the Ministry has specified that \$2,500 per year of a person's direct funding allocation can be used for this purpose. This is a step in the right direction as individualized planning is a key element of support. Funding for planning should be provided above and beyond the actual cost of support that a person requires so that a person does not have to use their needed support dollars for planning.

When the legislation was drafted, Community Living Ontario recommended that individualized planning not only be fundable, but be made available to anyone who is eligible for support under the Act as an entitlement. We also recommended that planning dollars be made available to people before they undergo an assessment through Developmental Services Ontario. If people have an opportunity to plan in advance of entering the Developmental Services system they are more likely to consider the full range of natural supports that are available to them within their community, rather than relying on the Developmental Services systems to address all their needs.

We recommend that individualized planning be made available to anyone who is eligible for support under the Act as an entitlement and be made available to people before they undergo an assessment through Developmental Services Ontario in order to promote greater consideration of the full range of support available in one's community

We recommend that policy be adjusted to allow funding for individualized planning to be allocated to a person before they undertake the Developmental Services Ontario assessment process. Planning should continue to be a fundable option on an ongoing basis.

Recent investments by the Ministry into independent facilitation are a positive development. We look forward to what might be learned from the current project and the development of a policy framework to support the growth

of independent facilitation. The aims of such facilitation must work to promote social inclusion and identify the safeguards that will be needed in policy to ensure this. At the same time, there is a need to explore a range of models of planning together with families.

vii) Supports for individuals and families to undertake direct funding

Beyond the supports for planning described above, most families will need support throughout the whole process - imagining and planning; working out various and changing implementation strategies; keeping things on track; overcoming critical times; and in ensuring sustainability and relationships as safeguards.

As policy evolves and makes it easier to access direct funding to address a wide range of disability needs, work will be needed to help people understand how direct funding works and to encourage its use. Many people seeking support today continue to ask for traditional supports and services without exploring the possibility of accessing direct funding. There are a number of possible reasons for this:

- People are familiar with the traditional service options and trust them based on their long history
- People are not aware that planning of a uniquely tailored support option is available
- Responsive family support models are available in only some areas of the province
- People view direct funding as too onerous an option to undertake (e.g. the legal liabilities and obligations associated with hiring workers, contract administration and reporting, etc.)
- Parents worry about what will happen once they die or are no longer able to actively be involved in the planning of support for their son or daughter; they are more confident in a traditional service option to be there when they are not
- The amount of funding and support available through traditional services are often more substantial than through direct funding
- People are persuaded by professionals that their needs cannot be met through individual supports funded through direct funding
- Unions continue to frighten families away from direct funding through misinformation
- Cost of living adjustments are not part of the current funding framework and therefore the capacity of direct funding to provide needed support is eroded over time

Work is needed to help people understand how direct funding works and to encourage its use

Strategies are needed to:

- Provide adequate and separately defined planning resources for all who request this assistance aimed at helping individuals and families imagine what a good life in their community could look like and how it could be achieved
- Communicate more effectively how direct funding works, what the benefits of it might be for some people and how to access it

Families may need help to imagine what a good life in their community could look like and how it could be achieved

- Provide individuals and families the information, tools and support they need to explore and utilize the direct funding option confidently
- Expand responsive family support resource centres and related models of service to assist Ontario families throughout the direct funding process as required
- Continue efforts to streamline the administrative and reporting requirements for direct funding and to provide tools to individuals and families to carry out these functions including a separate allocation (additional to allocation for disability supports) for the administration costs associated with implementation; current policy allows 10% of a direct funding allocation to be used for the administration of funds
- Align the interests and capacities of the transfer payment system with the emerging direct funding system so that transformation and innovation is enhanced throughout the sector

Families will need various supports to understand and navigate the direct funding option

viii) Ensuring people live in safe and healthy environments

Regulations under the Social Inclusion Act set out Quality Assurance Measures that, among other things, require the maintenance of processes for ensuring the health and safeguarding from neglect and abuse of people receiving support. No such mechanisms exist for supports provided through direct funding. If direct funding is expanded to allow greater access to home supports, a policy framework for safeguards must be developed. We recommend that such a policy framework recognize/respect social institutions that already exist to provide safeguards to all citizens (police, Public Guardian and Trustees Office, etc.) and we should continue to expand and improve these social instruments.

If funding is provided to support a person to live outside of his or her family home, a plan will be needed for each person describing the safeguards to be in place. Where necessary, funding to ensure that the safeguard plan is properly implemented must be provided. The person who signs the funding contract (family) should be required to indicate in writing that they have read and understood their contractual responsibility to ensure safeguards. The person signing the contract must be held responsible to monitor implementation of the plan to ensure that safeguards are in place.

Where funding is provided to support a person to live outside of his or her family home, a plan is needed for each person describing the safeguards to be in place - where necessary, funding to ensure that the safeguard plan is properly implemented must be provided

ix) Cash flow

Direct funding should be provided in advance and simple mechanisms for reporting on the use of funds should be developed

The way in which funds flow to an individual/family need to be simplified. Direct funding should be easy for families to use in order to facilitate people undertaking this approach. At present Passport works on a recovery

basis which does not work for families especially where large sums of funding are involved. Funding should be provided in advance and simple mechanisms for reporting on the use of funds should be developed. Expansion of direct funding to home supports will typically result in larger allocations of funding. The current recovery mechanism will prove a significant barrier to the use of this funding mechanism for most families.

x) Funding adjustments

The cost of providing support increases year by year yet there are no mechanisms for adjusting funding to address these increases. A policy should be established to automatically adjust funding to address wages for support workers and other support costs on a regular basis in order to avoid any deterioration in the amount and quality of support that a person receives.

Direct funding should be automatically adjusted over time to ensure consistency in quality of supports provided

xi) Equity - wages for support workers

While individualized funding has been in place in Ontario as a formal funding option since the inception of SSAH in 1982, the Ministry has never identified a funding policy that would ensure that wages for supports are appropriate and adjusted over time. The result has been that wages paid to support workers who provide support through direct funding have been quite low (often at or just above minimum wage) and there are no mechanisms for providing workers with benefits beyond wages. While there are no provisions in policy that stop people from paying a higher wage, the levels of funding provided have typically made it impractical to increase wages.

Wages paid by agencies are close to, and sometimes more than, double, those available through direct funding contracts - policy framework for wages and benefits paid to workers under direct funding is urgently required

In fact, many find that maintaining, or where necessary increasing, hours of support year by year has forced a downward trend in wages paid.

Meanwhile, we have made excellent progress in increasing wages paid to workers in agencies over the past decade. As a result retaining workers for direct funding has been an increasing challenge given the availability of much higher paying employment options

for workers. In many communities, wages paid by agencies are close to, and sometimes more than, double, those available through direct funding contracts.

The current situation with respect to wages paid through direct funding is not sustainable. It not only jeopardizes the future of direct funding, but, more importantly has the potential to decrease quality of supports provided and increase risk to individuals.

A policy framework for wages and benefits paid to workers under direct funding is urgently required. We recommend that the Ministry undertake a review of direct funding wages in consultation with stakeholders and develop a policy and funding approach that will resolve the situation. The approaches to consider include setting a reasonable wage and benefit level for direct funding and clearly identifying in direct funding contracts the number of hours of support that are being funded. This policy framework should be designed to include a calculation of

funding requirements based on the actual hours of support it is anticipated a person will require in order to accurately assess the cost of supports.

xii) Appeals

The current legislation provides for “reviews” of some decisions made about the support a person can receive under the Act. There are no provisions for actual “appeals” of decisions and there are no reviews or

appeals allowed regarding the amount of funding a person receives. Changes are needed to the legislation to allow for “appeals” to a third party of the decisions made about the support a person receives, including the funding allocation. This recommendation applies to the support people receive through either direct funding or an agency.

Changes are needed to legislation to allow for “appeals” by a third party of the decisions made about the support a person receives, including the funding allocation

xiii) Passport categories

As a person seeks to change their living arrangements during the course of his/her life changes in funding should be seamless and based on the identified needs of the individual

The discussion group contemplated a recommendation regarding the establishment of a unique category under Passport for individualized residential supports through which a person could apply for a higher level of funding for home supports. We rejected the idea in favour of a principle of seamlessness in the system. As Community Living Ontario has argued for a seamless transition from

SSAH to Passport, we recommend a seamless system of ongoing planning and support as a person moves through all transition points in life. Likewise, as a person seeks to change their living arrangements during the course of his/her life changes in funding should be seamless and based on the identified needs of the individual. We concluded that the establishment of a residential “silo” for funding would risk unintended complications and potential funding duplication. A mechanism such as Guided Personal Support (GPS) being considered by MCSS, Developmental Services Ontario and Community Living Ontario could form the basis for such a seamless lifetime planning approach.

xiv) Accountability

Direct funding provides an approach to addressing the individual needs of a person that has the potential for being highly accountable as it is based on the unique plan of each person and what the funding is to be used for is specifically identified. This approach responds directly to historical concerns of the Provincial Auditor about the ability of the Developmental Services system to clearly identify how public dollars are spent. As such, direct funding is inherently accountable with respect to the expenditure of funds. Work is needed to ensure that the system is accountable for the quality of the support provided. The outcomes achieved for each person should be

Individualized/direct funding is inherently accountable with respect to the expenditure of funds. Work is needed to ensure that the system is accountable for the quality of the support provided. The outcomes achieved for each person should be aligned with the aims of the legislation; this will result in a high quality of life and real inclusion in one’s community

aligned with the aims of the legislation; this will result in a high quality of life and real inclusion in one's community. The recommendations contained in this discussion paper, if acted on, will result in a high degree of accountability both quantitatively and qualitatively. In particular, the recommendations will ensure, among other things, that:

- Funding allocations are transparent and align with the principles of fairness and equity
- People receive support that is tailored to their unique needs
- Even the most complex support needs are addressed in an effective and cost efficient manner
- Funding is not pooled in ways that will act against social inclusion and, therefore, against the intention of the legislation
- People have access to potentially higher levels of funding for in-home supports that will allow them to be highly creative in identifying the kind of living arrangements that best suit their needs and life goals
- Appropriate mechanisms are in place to ensure the health and safety of people as they create a home of their own using direct funding
- The current transfer payment system has opportunities to reform approaches to service provision that are not currently possible
- The vacancy management system is reformed and begins to act as a mechanism for transforming services and supports rather than locking them in place in their current configuration
- The use of direct funding can increase without affecting the viability and stability of the current transfer-payment services
- People are able to fairly compensate their support workers and reduce the currently high turnover rate caused by workers seeking higher wages from agency based employers

Conclusion

While we are making progress in the implementation of direct funding for adults in Ontario, many of the outcomes we are experiencing are not always aligned with the goal of social Inclusion held by Community Living Ontario and the Ministry.

We have had enough experience now with the new legislation and the Passport program to begin to understand where some of the flaws in the system design exist. We are not appointing blame to anyone for the flaws; they are to be expected in a mechanism that is trying to address very complex matters. Our aim is to promote discussion and to explore the changes that are needed to stay on track to achieve the outcomes we have identified.

We must work to ensure that direct funding can be used in as flexible a manner possible in order to achieve the best outcomes for people, including making it work as a tool for helping people to achieve a home of their own

Direct funding can accomplish so much more than it is currently achieving. We must continue to work collectively to expand the use of this important funding tool. We must also work to ensure

that funding can be used in as flexible a manner as possible in order to achieve the best outcomes for people, including making it work as a tool for helping people to achieve a home of their own.

We look forward to an opportunity to explore these ideas with members of Community Living Ontario, our friends and supporters and the Ministry.

Contact us:

If you have any comments or questions about this paper Community Living Ontario would very much like to hear from you. Please contact:

Gordon Kyle
Director of Policy, Community Living Ontario

Email: gordon@communitylivingontario.ca

Phone: 416-447-4348 extension 230

Address:

Community Living Ontario
1 Valleybrook Drive, Suite 201
Toronto, ON
M3B 2S7