

Item 9 - Ombudsman Toronto Report: Update on Toronto Community Housing Corporation (TCHC) Complaint Trend Data and Related Recommendations
TCHC April 27, 2021 Board Meeting
Report #: TCHC:2021-28



OMBUDSMAN TORONTO REPORT

UPDATE ON TORONTO COMMUNITY HOUSING CORPORATION (TCHC) COMPLAINT TREND DATA AND RELATED RECOMMENDATIONS

April 26, 2021

Susan E. Opler, Ombudsman



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EXECUTIVE SUMMARY

Last year, Toronto’s Ombudsman released a public report about trends in all Toronto Community Housing Corporation ("TCHC") complaints to her office in 2019. Poor or no communication was the most common cause of unfairness. She recommended that TCHC more effectively publicize its complaints process and train all staff on how to provide good public service.

This report—on Ombudsman Toronto’s TCHC complaints data from 2020—serves as an update on that work, and as a constructive tool to help TCHC continue to improve its service to tenants.

Since last year’s report, TCHC made progress publicizing its internal complaints process by launching a “Solutions communications campaign.” (Solutions is the group at TCHC that manages the internal complaint process.)

Despite that positive step, however, the number of TCHC complaints to Ombudsman Toronto increased again in 2020. We continued to receive a high number of premature complaints (tenants had not completed TCHC’s internal complaints process before contacting us) and we heard that some tenants are still unaware that TCHC has an internal complaints process.

TCHC has also developed a training plan for staff on good public service, which it began to implement in 2020. However, poor communication remained the number one fairness problem. There is more work to do.

To address these findings, the Ombudsman recommends that:

- The Board should satisfy itself that TCHC management has updated and renewed the “Solutions communications campaign,” taking into account any changes it makes to its internal complaints policy and the Solutions team’s processes. This should happen by August 31, 2021 at latest.
- The Board should satisfy itself that TCHC management has assessed whether the Solutions team has sufficient resources to effectively carry out its duties, given the large increase in complaints it received from 2019 to 2020, and the potential for its complaint numbers to continue to increase.
- The Board should satisfy itself that TCHC management has reviewed its public service staff training plans for all staff corporation-wide, to ensure the training includes specific content on the importance of timely communications.

TCHC management accepts our findings and agrees with our recommendations. We will continue to follow up.



INTRODUCTION

1. Last year I presented a report to the Toronto Community Housing (“TCHC”) Board of Directors about data and trends from the TCHC cases my office had handled in 2019.¹
2. I made that report in response to a request from TCHC’s management and Board. I commended them for wanting to know more about our data. Complaint trends can be a valuable tool for identifying problems and improving public services.
3. I am exercising my discretion again this year to release a public report on our 2020 TCHC cases, by way of update. I am doing this to further help TCHC improve the quality of its complaint handling system and its overall services to tenants, and because sharing this information is in the public interest.
4. I fully appreciate that the COVID-19 pandemic has greatly disrupted operations for City of Toronto organizations over the past year. I commend TCHC staff, from management to front-line workers, for all their work to keep their tenants and themselves safe, and to continue providing a valuable public service.
5. I intend this report to be a constructive tool to help TCHC strengthen and improve its operations as it carries out its important mandate.

OMBUDSMAN TORONTO’S MANDATE AND ROLE IN HANDLING COMPLAINTS

6. We independently and impartially investigate complaints about City of Toronto services and administration. This includes complaints about TCHC.
7. Before looking into a complaint from a member of the public, Ombudsman Toronto usually asks the person to give the City an opportunity to respond to

¹ Ombudsman Toronto Report: Toronto Community Housing Corporation (TCHC) Complaint Trend Data and Related Recommendations, March 17, 2020
[https://www.ombudsmantoronto.ca/getattachment/a3bd061f-b0d4-4fe3-919a-70c8b175a6ae/2020-03-17-OT-TCHC-Complaints-Data-Public-Report-\(AODA-Compliant\).pdf.aspx?lang=en-US&ext=.pdf](https://www.ombudsmantoronto.ca/getattachment/a3bd061f-b0d4-4fe3-919a-70c8b175a6ae/2020-03-17-OT-TCHC-Complaints-Data-Public-Report-(AODA-Compliant).pdf.aspx?lang=en-US&ext=.pdf)



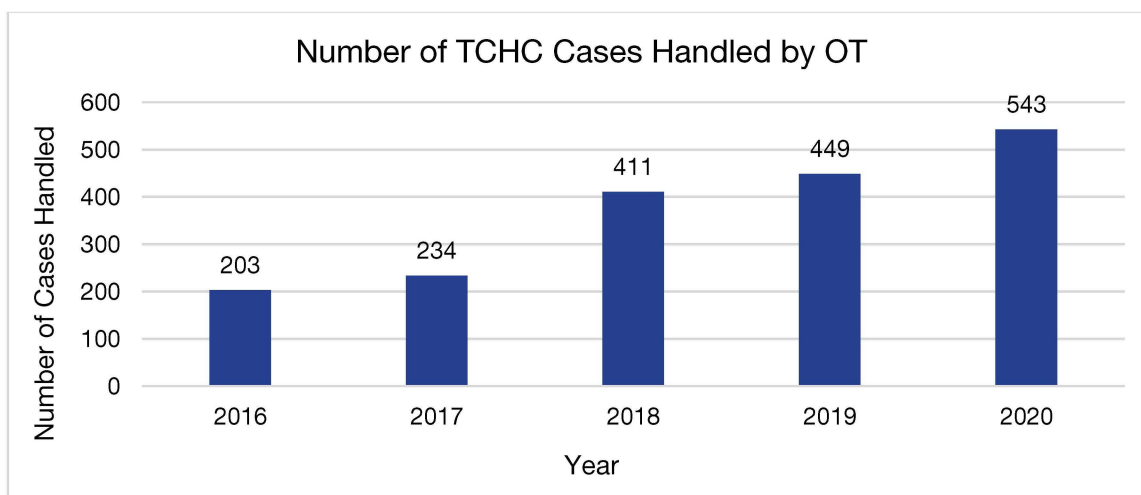
the complaint. Normally this means that the person must first go through the City organization's internal complaints process.

8. We focus on whether City organizations, including TCHC, have delivered services and administered policies fairly.
9. We consider whether the City has provided Fair Process (including by giving an opportunity for those affected to be heard), a Fair Outcome (including by properly basing decisions on relevant rules, policies and procedures), and Fair Treatment (by treating people in an equitable, inclusive and accessible way).
10. Where we find problems, we discuss them with the organization and may make specific recommendations to fix them.
11. We resolve the vast majority of our Enquiries, including into TCHC complaints, without any public report.

OMBUDSMAN TORONTO CASE DATA REGARDING TCHC

Number of TCHC Cases

12. The number of TCHC cases we handled increased again last year. We handled 20.9% more TCHC cases in 2020 than in 2019.





Cases about TCHC Compared to Other City Organizations

13. As in past years, in 2020 Ombudsman Toronto handled more TCHC cases than cases involving any other City organization.
14. The chart below compares the five City organizations (divisions, agencies, boards or corporations) with the highest number of cases Ombudsman Toronto handled for each of the past five years.²
15. In 2020 we handled more TCHC cases (543) than the next four City organizations combined (528).
16. The high number of TCHC complaints relative to other City organizations is not necessarily an indicator of a problem, in and of itself. TCHC serves an extremely large client base and provides a very direct service to those clients. The other organizations have different client bases and provide different types of service. We can't, and don't, expect the numbers of complaints about each organization to be the same.
17. However, these numbers demonstrate that many tenants are trying to resolve problems, which drives home the need for TCHC to have an effective internal complaints process that allows TCHC to address these concerns and learn from them.

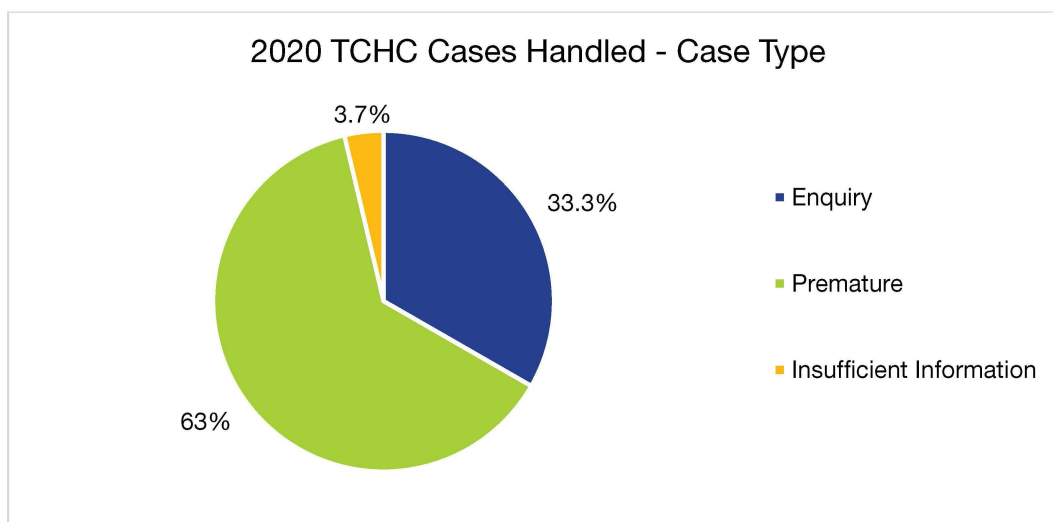
	2016	2017	2018	2019	2020
1	TCH 203	TCH 234	TCH 411	TCH 449	TCH 543
2	City X 131	City X 173	City X 199	City E 171	City X 168
3	City B 78	City Y 76	City D 126	City X 157	City D 153
4	City Y 68	City E 73	City E 97	City D 139	City E 122
5	City F 61	City B 70	City G 95	City G 109	City Z 85

² The City organizations in the chart, other than TCHC, have been colour and letter coded for confidentiality. The number in each colour-coded box represents the number of cases for each City organization each year.



Premature Cases

18. In 2020, well over half of the TCHC cases we handled were premature. This means that the tenants had not yet completely gone through TCHC's internal complaints process before contacting Ombudsman Toronto. As we noted last year, very often this is because tenants do not know how to raise and escalate their complaint at TCHC.
19. A higher percentage of our TCHC cases were premature in 2020 (63%) than in 2019 (54.8%).



20. Last year, we recommended that the TCHC Board satisfy itself that TCHC management had developed and executed a detailed plan to effectively publicize its new internal complaints process to all tenants, residents, staff and members of the public who interact with TCHC by June 1, 2020.
21. Our hope was – and is – that if tenants know about TCHC's internal complaints process, they will follow it, and ideally TCHC will be able to address their complaints. Ombudsman Toronto will generally then only become involved if the tenant remains dissatisfied or is having trouble navigating the internal complaints process, or if the complaint is urgent.
22. TCHC management has since reported to us and to the Tenant Services Committee that it launched a "Solutions communications campaign" in July and August of 2020. Solutions is the name of the group at TCHC that handles the internal complaint process. The communications campaign included posters,

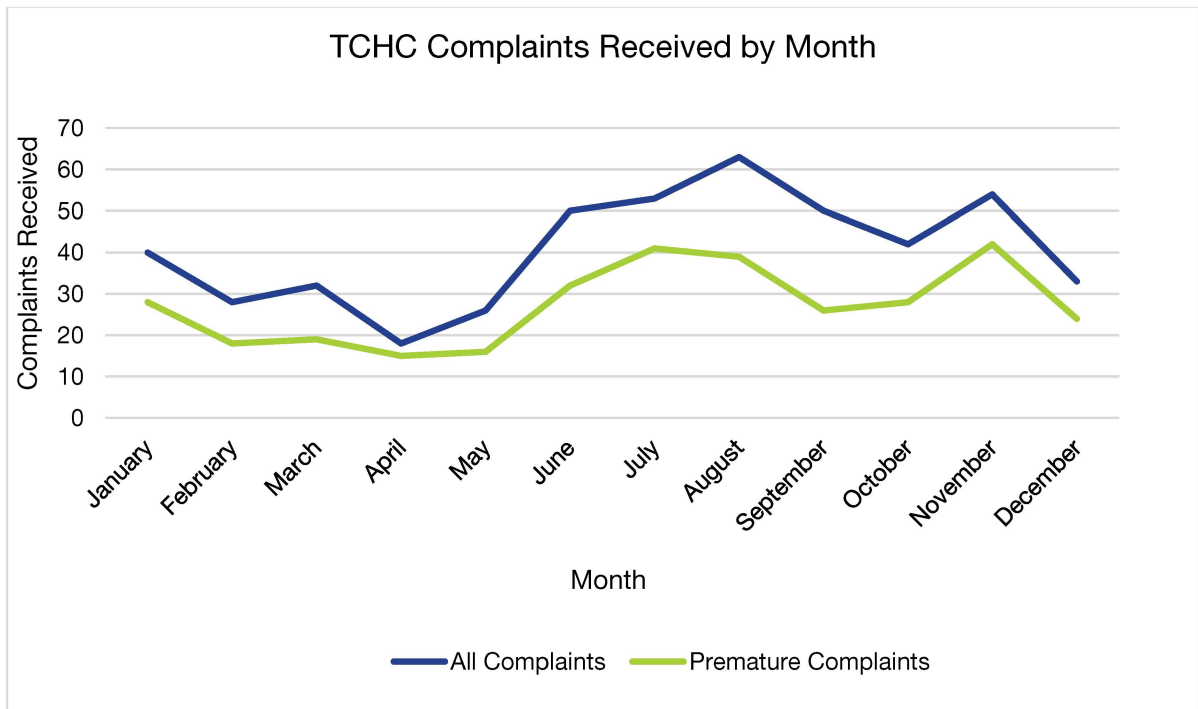


- brochures, social media, the website, an FAQ, and information in *Tenant Loop* (a newsletter). TCHC reports that it also targeted staff with an information campaign.³
23. TCHC management reported that they saw a notable increase in complaints coinciding with this communications campaign launch.⁴
 24. Overall, TCHC management reported that the Solutions team received 1,271 complaints in 2019, and 2,322 complaints in 2020,⁵ an increase of almost 83%.
 25. I am encouraged by these numbers. They suggest that more tenants are using TCHC's internal complaints process, which is a positive step forward.
 26. As I explained last year, complaints are a valuable source of information for an organization. TCHC can and should use complaint trends to identify systemic problems and to continuously improve the public services it provides its tenants.
 27. However, Ombudsman Toronto continues to receive a high number of premature complaints, and many tenants continue to tell us they do not know about TCHC's internal complaints process.
 28. The following table shows the number of TCHC complaints we received by month in 2020. While we do see a decline following August, which could relate to the "Solutions communications campaign" that TCHC ran around that time, we still heard from tenants that they were unaware of Solutions in the months following the campaign.
 29. I also note that even after the "Solutions communications campaign," we continued to receive high numbers of premature complaints in the fall and winter of 2020.

³ Update: Tenant Complaints Process, from the Chief Operating Officer to the Tenant Services Committee, report TSC:2020-34, August 14, 2020
<https://www.torontohousing.ca/events/Documents/TSC/2020%20TSC/Sep%203%202020%20TSC/Item%204%20-%20Update%20Tenant%20Complaints%20Process%20cw%20sf%20dm%20comments%20clean%20Updated%2008%2024%2020%201333.pdf>

⁴ Tenant Complaints Update, from the Chief Operating Officer to the Tenant Services Committee, report TSC:2021-06, January 7, 2021
https://www.torontohousing.ca/events/Documents/TSC/2021%20TSC/TSC%20Jan%2025%202021/Item%204B%20-%20TSC%20-Tenant%20Complaints%20Process%20Update%20-%20January%2025%202021_FINAL%20cw%20v2%20clean.pdf

⁵ Ibid.



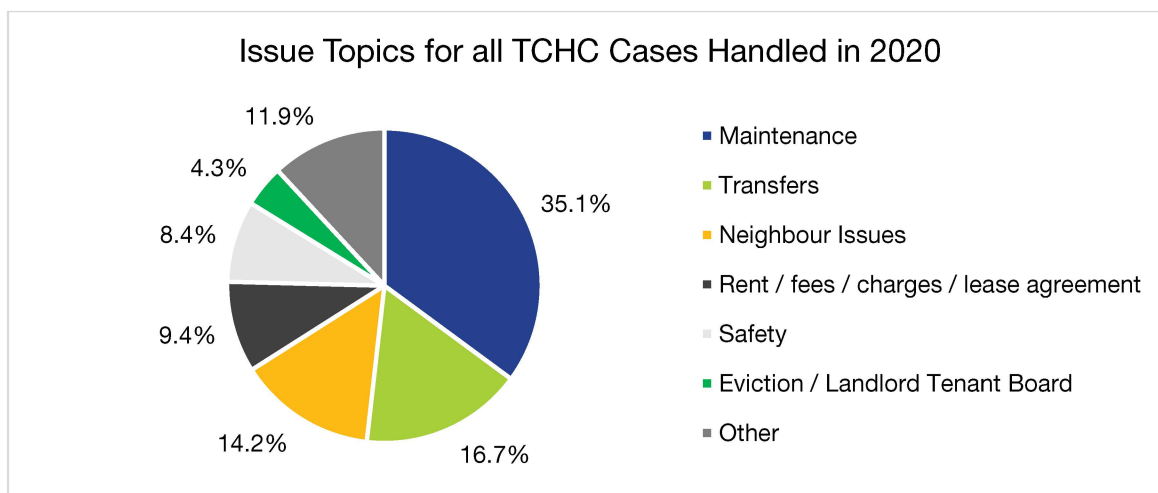
30. While I acknowledge and applaud TCHC's progress, its work publicizing its internal complaints process to make sure tenants know about it is clearly not done. It should be ongoing.

TCHC Complaint Topics

31. The following chart shows the type of concerns TCHC tenants raised with Ombudsman Toronto in 2020, and their frequency. As in 2019, maintenance was the most frequent topic of complaints and transfers the second most frequent topic.
32. Here are some examples of the types of maintenance complaints and transfer complaints we receive:
- Delays in communication from TCHC staff about when broken equipment, like fridges, would be replaced
 - Concerns that staff had not thoroughly investigated concerns about unit conditions, like complaints about mould

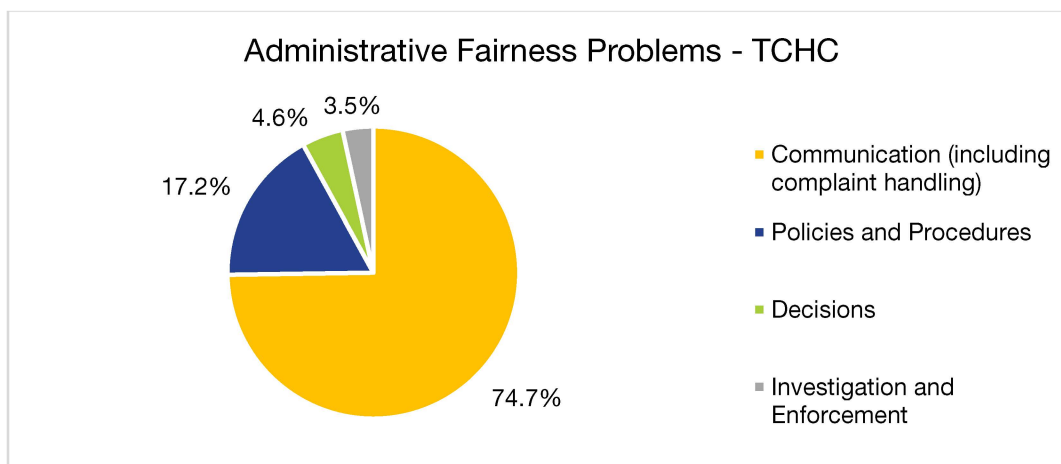


- Complaints that TCHC has denied crisis priority transfer applications, when the tenants believe they should qualify
33. Perhaps not surprisingly, given that more people were home more often in 2020 because of restrictions due to the COVID-19 pandemic, “Neighbour Issues” was the third most raised concern.



Administrative Fairness Problems

34. When my staff conduct an Enquiry and find that something went wrong, they record this as an administrative fairness problem. For example, if a tenant complains that TCHC denied their transfer request (this is the issue topic, described above), my staff might look into the complaint and find that TCHC had failed to clearly communicate the reasons for this denial to the tenant (this is the fairness problem).
35. The following chart shows the most common fairness problems my staff identified. These fairness problems could relate to any of the issue topics identified in the previous section.



36. Like in 2019, communication issues made up the bulk of the fairness problems we identified in 2020 (74.7%).
37. Within the broad communications category, most of the problems we found were related to either delay or lack of response (67.7% of communications problems). We found delay or lack of response problems most often with maintenance complaints, neighbour issue complaints, and transfer complaints. In total these three types of complaints made up 79.5% of the delay and lack of response fairness problems we identified.
38. Many tenants also complained about communication delays in TCHC's internal complaints handling process. My staff generally resolve these complaints by contacting the Solutions team and ensuring the complaint gets on track, without making a formal finding related to complaint handling delay.
39. I recognize that 2020 was an extremely challenging year for TCHC staff and tenants. The COVID-19 pandemic has put immense strain on all our public organizations, and I have no doubt that this has affected the number of fairness problems we found.

WHAT ADMINISTRATIVE FAIRNESS REQUIRES

40. I provide the following comments in the spirit of constructive feedback as TCHC moves forward with its restructuring efforts, as it improves its internal complaints process, and as it looks to get back to normal, hopefully soon.



41. As a matter of fair service, public organizations must provide timely information to the people they serve, and act within a reasonable time when dealing with their requests. When someone complains or makes a service request, and the organization doesn't handle the complaint or request in a reasonable time, it risks creating a whole new problem: a complaint about delay.
42. Put in more colourful terms, complaints are like dead fish: the longer you wait to deal with them, the more they stink.
43. Even when staff are delivering news that tenants might not be happy with, whether about complaints or service requests, staff should respond as quickly as they can, with as much detail as possible. For example, if a tenant has requested work on their unit, and staff won't be able to schedule this until two months down the road, staff should clearly and immediately tell the tenant that.

STEPS TCHC MANAGEMENT IS TAKING

44. Last year, we also recommended that the Board satisfy itself that TCHC management has a plan to provide all employees with training about providing good public service, which includes communicating with tenants, residents and members of the public in a transparent, fair and timely way. We recommended that TCHC management should develop this plan by June 1, 2020, and execute it by December 31, 2020.
45. TCHC management told us they had developed a training plan for all staff on good public service, which they began rolling out in June 2020. This plan includes four stages and will continue into 2022.
46. We hope that we will find fewer communication problems at TCHC in 2021, now that TCHC staff are receiving additional training. We will continue to monitor and evaluate our complaints to assess this.
47. TCHC also carried out specific training for its Solutions team this April, with a focus on "customer service, communication, and the effective management of complaints."⁶ TCHC management shared details of this training with us.

⁶ Tenant Complaints Update, from the Chief Operating Officer to the Tenant Services Committee, report TSC:2021-18, March 9, 2021
<https://www.torontohousing.ca/events/Documents/TSC/2021%20TSC/TSC%20March%2024%202021/Item%204B%20-%20Tenant%20Complaints%20Process%20Update%20cw.pdf>



48. I am pleased to hear about these plans. We will follow up with TCHC to ensure that it continues to train all its staff in communication and good public service, including a specific focus on timeliness.
49. In addition, TCHC is updating its internal complaints policy and modifying its Solutions structure. My team has been meeting with TCHC staff to better understand the Solutions team's operations, the challenges they face, and the opportunities they see to improve how they handle tenants' complaints. We will continue these meetings.

FINDINGS

50. Based on the data above and the insights my team has gathered in their interactions with TCHC and its tenants, I make the following findings:
 - TCHC has made progress in publicizing its internal complaints process, but Ombudsman Toronto still receives too many premature complaints about TCHC. TCHC's work is not done. Fairness requires that more residents know about this process.
 - Solutions plays a vital role in responding to tenant concerns. TCHC's own data shows a significant increase in complaints to Solutions from 2019 to 2020. As more tenants learn about the internal complaints process, TCHC can reasonably expect a further increase in complaints.
 - The most common problem Ombudsman Toronto finds when we investigate complaints about TCHC continues to be poor communication. Problems of communication delay or lack of response make up a large percentage of the fairness problems we found in 2020.



RECOMMENDATIONS

51. To address the findings, I recommend:

- The Board should satisfy itself that TCHC management has updated and renewed the “Solutions communications campaign,” taking into account any changes it makes to its internal complaints policy and the Solutions team’s processes. This should happen by August 31, 2021 at latest.
- The Board should satisfy itself that TCHC management has assessed whether the Solutions team has sufficient resources to effectively carry out its duties, given the large increase in complaints it received from 2019 to 2020, and the potential for its complaint numbers to continue to increase.
- The Board should satisfy itself that TCHC management has reviewed its public service staff training plans for all staff, corporation-wide, to ensure the training includes specific content on the importance of timely communications.

TCHC MANAGEMENT’S RESPONSE TO THE FINDINGS AND RECOMMENDATIONS

52. As a matter of procedural fairness, we shared a draft of this report with TCHC management and gave them an opportunity to make representations on the findings and recommendations.
53. TCHC management accepts the findings and recommendations in this report and has responded with a plan to implement the recommendations. See Appendix "A."



OMBUDSMAN TORONTO FOLLOW-UP

54. Ombudsman Toronto will follow up until we are satisfied that TCHC has implemented our recommendations.

(Original Signed)

Susan E. Opler

Ombudsman

Appendix "A"

Toronto Community
Housing Corporation
931 Yonge Street
Toronto, ON
M4W 2H2



April 23, 2021

CONFIDENTIAL

Ombudsman Toronto
375 University Avenue, Suite 203
Toronto, Ontario
L5G 2J5

Attention: Susan Opler, Ombudsman
Ciaran Buggle, Deputy Ombudsman

Dear Ms. Opler and Mr. Buggle:

Re: Response to the Draft Ombudsman Toronto Report: Update on TCHC Complaint Trend and Data and Related Recommendations

Toronto Community Housing ("TCHC") is grateful for your continued support and the opportunity to review and provide feedback to the report that will be presented to the Board of Directors on April 27, 2021.

I would like to confirm that TCHC management accepts the findings and recommendations in the report. In response, I have provided our management response to these findings for your review.

Findings

- 1. TCHC has made progress in publicizing its internal complaints process, but Ombudsman Toronto still receives too many premature complaints about TCHC. TCHC's work is not done. Fairness requires that more residents know more about this process.*

TCHC agrees that there is more work to do to inform tenants of the complaints process. As a service organization, we learn from complaints. TCHC recognizes the important role of communication to ensure that we effectively inform tenants of the complaints process and clearly outline the numerous ways they can submit complaints.

We have had key learnings from the initial communications campaign last year, and we are applying them in developing ongoing complaints process communications designed to inform and support tenants.

2. *Solutions plays a vital role in responding to tenant concerns. TCHC's own data shows a significant increase in complaints to Solutions from 2019 to 2020. As more tenants learn about the internal complaints process, TCHC can reasonably expect a further increase in complaints.*

TCHC is committed to providing a positive experience for our tenants and communities. Tenants help us to identify problems to further understand where improvement opportunities exist, so we can take the necessary steps to improve services delivery.

Through our on-going analysis of tenant complaint data, we know there are instances where a tenant submits multiple complaints and at times, to more than one party (e.g., TCHC, Ombudsman Toronto) at the same time. While we have an internal process to ensure that complaints raised by the same tenant are addressed and that we provide the appropriate supports to the tenant, it is not clear whether this is also reflective of the Ombudsman's experience based on the data we have reviewed. We would welcome the opportunity to work with Ombudsman Toronto to address multiple complaints that are raised by the same tenant with your office and to align data trends.

3. *The most common problem Ombudsman Toronto finds when we investigate complaints about TCHC continues to be poor communication. Problems of communication delay or lack of response make up a large percentage of the fairness problems we found in 2020.*

TCHC acknowledges the importance of responsive and timely communication with tenants throughout the complaints process. Recently, we held tenant consultations as part of the complaints policy refresh. What we learned from tenants reinforced the design principles of our current program. Tenants were clear that they wanted TCHC to communicate better with tenants, which includes acknowledging when complaints are received, providing updates and closing the loop when the investigation has concluded. In the words of a TCHC tenant, "TCHC needs to have open and regular communication with tenants at every stage of the process."

Tenants have told us that we have more work to do on this front, including effectively delivering the services that the program was intended do. As such, we are looking to review the ways we communicate with our tenants. This includes scaling the training program that was recently delivered to the Solutions team to all staff involved in providing tenant-facing services.

Recommendations

1. *The Board should satisfy itself that TCHC management has updated and renewed the “Solutions communications campaign”, taking into account any changes it makes to its internal complaints policy and the Solutions team’s processes. This should happen by August 31, 2021 at the latest.*

TCHC will build on the initial Solutions communications campaign delivered last year that we know had an impact in raising awareness of how tenants can file complaints (48% increase of complaints following the campaign). We had key learnings from the initial campaign and will apply them as we look to develop a communications plan that will leverage multiple communications channels, including direct-to-tenant and through social media. Over the last year, our social media platform has experienced a growth in followers and this will become especially helpful as we look to inform as many tenants as possible. We are also currently piloting in-building digital screens to provide timely and relevant information to tenants, which will be an important tool as we expand this initiative to all communities. TCHC will implement the communications campaign by August 31, 2021 at the latest. We are also exploring how we might drive awareness of the complaints system through our day-to-day communications with tenants.

2. *The Board should satisfy itself that TCH management has assessed whether the Solutions team has sufficient resources to effectively carry out its duties, given the large increase in complaints it received from 2019 and 2020, and the potential for its complaints numbers to continue to increase.*

TCHC will conduct an in-depth review of the Solutions team’s resources to ensure that it has sufficient capacity to effectively manage the increasing number of complaints. As the Solutions team has recently restructured to be in alignment with the regional portfolios, this will be an opportune time to evaluate their capacity against the increasing number of complaints within their respective areas. TCHC will evaluate the Solutions Team’s resources and capacity by December 31, 2021, at the latest.

3. *The Board should satisfy itself that TCHC management has reviewed its public service staff training plans for all staff, corporation-wide, to ensure the training includes specific content on the importance of timely communications.*

TCHC will build on the public service training plans implemented in 2020 and 2021, including the integrated team training (i.e., Better Together), hub simulations and Solutions training, all of which are focused on teamwork, customer service and communication. As we look ahead to 2022, we will ensure that all training programs that are developed and delivered will address effective communication and the important role it plays in a service-oriented organization.

TCHC management will report back to the Board regularly on our progress with respect to these measures we are implementing.

Once again, I want to thank you for the opportunity to review and provide feedback to the report. TCHC looks forward to continuing to work closely with Ombudsman Toronto in providing a positive experience for our tenants and communities.

Sincerely,

A handwritten signature in blue ink that reads "Sheila Penny".

Sheila Penny
President and Chief Executive Officer (Acting)

c.c. John Angkaw, Chief Operating Officer (Acting)
Darragh Meagher, General Counsel & Corporate Secretary