

## **Summary Notes**

### **UPDATE**

- The Board of Directors of Nelson House brought forward a recommendation to the registered membership on June 14<sup>th</sup> to close Nelson House and wind down the Corporation.
- The Special meeting did not take place because of an injunction which has been filed in court on June 14<sup>th</sup>, 2012.
- It is our understanding that the parties adjourned on consent. We anticipate receiving more information in the days to come.
- It is important as a community to be prepared to maintain the funding within the Ottawa VAW sector irregardless of the future of Nelson House.

### **UNDERSTANDING THE CONTEXT**

- Although the Comprehensive Risk Tool and the Governance and Management Report have not been made public, the Eastern Regional Office provided information on the overall risk assessment ranking of Nelson House. Nelson House has been ranked as an agency which rated at a high risk in all dimensions assessed: (governance/organizational risks, service delivery/operational risk, stakeholder satisfaction/public perception, financial risk, legal and compliance, technology and information, human resources). The third party report validated the results of the Comprehensive Risk and identified additional risks that needed to be considered within specific dimensions namely: governance, management, service delivery and financial.
- The identified risks were complex: it is not just one risk but more so the complexity of the risks and the challenges of mitigating all of the identified risks that brings significant challenges to identify a resolution.
- The Ministry can only contract with a duly constituted Board of a corporation.
- Should there be a new Board of Directors at Nelson House, the Ministry will continue to work with Nelson House providing that the Board is able to develop a risk mitigation plan to address

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all identified risks. This plan will need to be reviewed and approved by the Eastern Regional Office.

### OUR PROPOSED APPROACH

- The ministry is committed to work in collaboration with our VAW sector and key service partners to help inform immediate, short and long term solutions to the potential loss of bed capacity in Ottawa.
- We are proposing the establishment of a Community Engagement Working Group.
- The Working Group would be composed of 9 members: 4 Executive Directors from the VAW sector, 2 Program Managers from the VAW sector and 3 ED/Program Managers representing key partners (i.e. Ottawa CAS, City of Ottawa, and Ottawa Police) and two (2) staff representatives from the Eastern Region. It will be critical that the VAW sector represents the wide range of services/programs delivered in Ottawa.
- Draft terms of reference and criteria for membership were circulated at the meeting.

<b>Description</b>	<b>Timelines</b>
Expression of interest for membership on the Working Group submitted to Suzanne Gagnon, Regional Director	<b>June 22, 2012</b>
Review of interests based on pre-established criteria and communication of decision	<b>June 25 and 26, 2012</b>
Meeting of the Community Engagement Working Group	<b>June 27, 2012</b>

## Questions and Answers

### Q1: How does the injunction impact our next steps?

We still believe that the work that we need to do collectively has not changed as the shelter is still closed and as a system, we are still facing service pressures.

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This work, through the Community Engagement Working Group, will help inform us as a system on how best to work together and be prepared and proactive.

### **Q2: Why did the Ministry do a Comprehensive Risk Assessment? How is the comprehensive risk different than the risk assessment?**

The ministry employs a range of risk management practices, including the Comprehensive Risk Assessment. Other risk management/business practices that inform a risk profile include: ongoing communication between Ministry Staff and the Agency, quarterly reporting, Serious Occurrence Reporting, Financial Reviews. In the absence of the Executive Director's position, the Eastern Regional Office determined that it would be preferable to complete the Comprehensive Risk Assessment and to conduct a qualitative assessment of risk informed by all risk management practices.

Risks assessments help strengthen transfer payment accountability. The process support continuous improvement to mitigate the risks. The Comprehensive Risk measures the same dimensions of risks as the Risk Assessment Tool (Agency Reporting Tool). However, there are more questions for each dimension and more requirements relating to validation of information already on file or collecting information for each of the seven risk dimensions. The purpose is to strengthen accountability relationships between the Ministry and the agency and work to develop and address the identified risks. Following the comprehensive risk assessment process, the agency is asked to prepare a Risk Mitigation Plan which must be reviewed and approved by the Regional Office. Subsequently, the Regional Office must monitor progress of this plan.

### **Q3: What is the focus of the risk assessment framework?**

The Ministry's risk assessment framework focuses on 7 risk dimensions:

- Governance and Organizational Risk
- Service Delivery and Operational Risk
- Stakeholder Satisfaction and Public Perception Risk
- Financial Risk
- Legal and Compliance Risk
- Technology and Information Management Risk
- Human Resources and People Risk.

### **Q4: Will the Ministry work with a new and duly constituted Board?**

The ministry is prepared to work with a new and duly constituted Board of Directors of Nelson House providing that the Board is prepared to develop a risk

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mitigation plan that would meet the requirements of the Ministry within approved timelines.

### **Q5: Can you speak to the impact of successor rights in the development of alternative service options?**

- Successor rights in this context refer to the “sale of business” provisions of the Labour Relations Act (LRA). The term sale of business is much broader than the meaning in the dictionary may suggest. “Sale” is defined very broadly to mean any transfer of a business. The term “business” also has a broad meaning and includes a public undertaking such as the operation of a women’s shelter.
- Successor rights commonly refers to the transfer of a union’s bargaining rights, related collective agreement and the related seniority rights of employees with a transferred business/undertaking.
- The term business is broadly interpreted but requires more than the mere transfer of work. In this case the business would seem to be the operation of Nelson House. Should another similar undertaking start in the same location the risk of a successor rights application would need to be assessed.

### **Q6: Can the Ministry force the Board or the membership to reopen the shelter?**

No. The Board of Directors is responsible for good governance and accountability practices in its organization. Not for-profit corporations are duly incorporated under federal or provincial legislation and must abide with these regulations including membership.

Should there be known concerns or issues; the ministry would identify these concerns and issues as part of our Risk Assessment Process which is conducted at a minimum every two years.

### **Q7: Can the Ministry force the transfer of the assets to another corporation?**

The assets belong to the Corporation and in this instance; the ministry has no interests on title for this property. Therefore, the ministry has no authority to provide a commitment to transferring assets to another organization. The corporation will need to respect their letters patent and the Corporation Act for the disposal of the assets.

**Q8: What will happen to the funding of Nelson House?**

The ministry is committed to ensuring that the level of funding continues to be available to support the needs of women and children in the Ottawa area.

**Q9: Will the Review on Governance and Management Report be available?**

The report is the property of the Board of Directors of Nelson House. The decision to release the report lies with the Board of Directors.

**Q10: We cannot afford to lose 15 beds in Ottawa. What can the Ministry do to address this service pressure?**

The ministry recognizes the value of all programs and services for abused women and children offered in the community and we understand that this temporary closure is creating a significant gap for women and children in the community of Ottawa. We have turned to the VAW sector to work together in identifying creative ways to respond to the needs of women and children and the service pressures as they have demonstrated so well in the past in times of closure (for example, closure resulting from health & safety reasons, relocation of shelter, summer measures, etc.).

**Q11: What is the Ministry's position on the proposed closure of Nelson House?**

The recommendation to close Nelson House is a Board's decision. The ministry has ensured that all residents at Nelson House have been transitioned to safe accommodations.

The ministry is proposing a community engagement process and the establishment of a Community Engagement Working Group to develop immediate and medium/long-term approaches to the delivery of services. Members of VAW agencies and key service partners in the Ottawa sector will have an opportunity to participate.

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**Q13: How can the VAW sector provide support in these times?**

The VAW sector can raise awareness in the broader sector and the general public on the continuum of services available in the Ottawa community to abused women and their children.

The VAW sector should speak to the capacity of the system to continue to respond to the needs of women and to the fact that the VAW sector has a proven track record at finding creative solutions for women and their children.

The VAW sector should speak to the importance of shelter beds and as well, to the fact that women can access crisis intervention services, safety planning, counselling services and transitional housing support services.

**Q14: What is your communication strategy to the broader community?**

At this point, the Eastern Region Office has not developed a community strategy with the broader community. However, through the media, the following messages have been communicated:

- The ministry is committed to providing supports and services to women experiencing violence and their children.
- We recognize that there are concerns in the community about the closure; however, the ministry remains committed in keeping this funding in Ottawa and in the VAW sector.
- The government of Ontario must ensure that clients are well served and that taxpayers' resources are appropriately used.
- The ministry recognizes the value of all programs and services for abused women and children.