

## **How to appeal a Special-Services-at-Home Contract**

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The Special Services at Home (SSAH) program, administered by the Ministry of Community and Social Services (Ontario), provides supports to individuals with a disability who are living at home with their families, and to families caring for a family member with a disability. If you apply for Special Services at Home funding, but are not granted what you applied for, then you have the right to appeal. If you are uncertain about the terms of the Special Services at Home program, then you should get a copy of the SSAH Guidelines. Call your local office of the Ministry of Community and Social Services.

### **Facts**

The SSAH Program is not a charity. It is funded with your own tax dollars. SSAH is a very cost effective investment for the taxpayers of Ontario. It was designed to prevent institutionalization. The Ontario government spends an average of over \$110,000 per person per year to support people in institutions which are considered to be dehumanizing. There is no limit to the amount of an SSAH contract, but amounts over \$10,000 do require the approval of the Regional Office Manager.

### **Tips**

1. Remember that the SSAH Guidelines are only guidelines. They are not laws or regulations, and they are not strictly followed. If your needs do not conform to the guidelines, you can, of course, try to make a case for an exception justified by special circumstances.
2. If you are appealing your SSAH contract, it is advisable that you get in touch with others who have some experience with appeals. It is recommended that you contact the Family Alliance for assistance or the Special Services at Home Provincial Coalition (send copies of your correspondence to both).
3. You have more than the right to appeal. You also have a duty to appeal in order to inform the Minister of your needs. The Ministry of Community and Social Services has no data on the volume of existing needs which are not met. Your only hope for supports may be through recognition of your needs.
4. Do not get sidetracked by arguments about lack of funding. Your concern is that you want your needs to be addressed. It is not your fault if the Ministry of Community and Social Services has failed to plan and to budget for your category of needs. Remember that the Minister has the power to reallocate funds within his/her Ministry, and the option to make special submissions to cabinet for reallocations from other Ministries. The issue is: What are the government's priorities? You have the right to demand accountability from government.
5. Do meet with your local Member of the Provincial Parliament to assist you with your appeal. Ask him/her to write a letter of support and to contact relevant bureaucrats or politicians.

## The Appeal Process

1) You must appeal within 20 working days of receiving written notice of the Ministry's decision. If you were not granted what you asked for, the Ministry should give you the reasons in writing. If you were put on a waiting list, that confirms that the Region Office has not committed funds for your contract, and gives you the right to appeal. You start the appeal by writing to the Region Manager. You need only state that you want to appeal the decision, that's all. Of course, you should feel free to supply any additional information that would strengthen your case. Contact the SSAH Provincial Coalition or the Family Alliance for assistance and keep them informed of the progress of your appeal. We believe it is very important to write an accompanying letter to detail why your family member has needs this request for SSAH.

2) The Region Manager should designate a new officer (not involved in the original decision) to review your application. The Region Manager must reply within 20 working days from the receipt of your letter. Some people have waited many months to receive a reply, so it's wise to put some pressure to make sure that the Ministry follows its own guidelines! Call about a week after your appeal letter to confirm that the Ministry has received it, and to find out who has been designated to review your application. Call the designated person from week to week to find out how things are coming along and to remind him/her of the due date for the reply to your appeal. Keep a record of all your phone calls in case calls are not returned, or in case delays become intolerable [dates, times, names, content].

3) If your appeal is not granted at the first level, you can appeal to a second level. Again, you should be given reasons in writing. This time you write to the Assistant Deputy Minister (ADM) of Operations. Just a short letter saying that you want to appeal will suffice. The ADM should designate a person not yet involved to review your application and should reply to you within 20 working days. Again, it is wise to find out who has been designated to deal with the second level of appeal and to call regularly to check on the progress of the review. Again, keep a record of all your phone calls.

4) The decision of the ADM is final as far as the formal appeal process is concerned. However, if your appeal has been denied again, "it's not over 'til it's over". Politically it's never over, you have every right to write to the Minister of Community and Social Services to make the Minister aware that your needs are important and to demand that they be met. You should also contact your member of provincial parliament, leaders of the opposition, the Premier of Ontario, etc. if you want to increase the pressure. At this stage particularly, it is recommended that you seek advice from others who have experience with the process. The Family Alliance can put you in contact with key people.

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