

**Regional Office Letterhead]**

**[Date]**

**MEMORANDUM TO:** MCCSS-funded Adult Developmental Services (DS) Transfer Payment Recipients (TPRs)

**FROM:** Director, Regional Office  
Ministry of Children, Community and Social Services

**RE:** **Next Steps in the Process to Support Validation and Enforcement Related to Recurring Non-Compliance**

Protecting the safety and well-being of vulnerable individuals receiving developmental services and support continues to be our top priority. Thank you for your cooperation as the ministry continues to implement its Developmental Services compliance inspection activities.

In September 2021, the ministry strengthened compliance inspections and enforcement actions with respect to recurring compliance issues in order to help ministry-funded adult developmental service agencies mitigate potential risks to the safety of individuals receiving services and supports. Additional expectations and strengthened timelines for corrective action resulting from recurring non-compliances cited since the most recent agency inspections conducted by the ministry were implemented, based on the severity of risk.

These enhancements included:

- **IMMEDIATE** risk-based recurring non-compliances must be corrected within **24 hours** and a written attestation that the service agency has addressed the item(s) throughout all applicable programs must be received prior to the conclusion of the inspection exit meeting
- High risk-based recurring non-compliances must be escalated to **IMMEDIATE** risk and must be corrected within **24 hours** and a written attestation must also be received within 10 days
- Low to moderate risk-based recurring non-compliance must be escalated to **HIGH** risk and must be both corrected and attested to within **10 business days**, and
- Service agencies must **attest to the ministry in writing to** having achieved compliance with any non-compliance for which they have been cited, including across all of the service agency's operations as appropriate and in accordance with SIPDDA.

Further to these enhanced expectations, this memo is to notify you of the next steps that will be implemented as of **April 1, 2023**, to validate attestations of compliance submitted by service agencies.

## **NEXT STEPS:**

- a. For recurring non-compliance items, a new enhanced compliance expectation will require that the Compliance Action Template also outline the strategies the agency has implemented to prevent systemic recurrences across the organization.
- b. Where an agency has been cited for recurring non-compliance(s) and has submitted an attestation confirming the non-compliance(s) has been addressed throughout the agency, within the three months of the inspection, the ministry will follow-up with the agency to validate the attestation and verify that the agency complies with the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008* (SIPDDA) and its regulations and policy directives made under SIPDDA.

This follow-up may include virtual discussion and records review and/or on-site(s) inspection. Where the ministry determines an on-site(s) inspection is required, two weeks' notice will be provided.

- c. During this follow-up, where the recurring non-compliance(s) has not been rectified, cannot be validated, and/or the ministry finds recurrence of any non-compliance for which the service agency has been previously cited, the agency will receive a Letter of Non-Compliance immediately, to be posted.

As per the existing enforcement process under SIPDDA, a Notice of Compliance Order may also be issued that would identify what is required in order to demonstrate compliance and the date by which this must be completed. The service agency will have 14 calendar days, or another time period specified in the notice (e.g., 10 business days) to make submissions with respect to the proposed order and may respond with evidence of compliance. After considering the submission, or the time period for making a submission has expired, if the agency remains in non-compliance a Compliance Order may be issued.

We thank you in advance for your continued support.

Should you have any questions or concerns related to this new process, please reach out to your Program Supervisor and/or contact [DSCompliance@ontario.ca](mailto:DSCompliance@ontario.ca).

**Signature**  
**Director**

- c. Program Supervisors