

PUBLIC ASSISTANCE IN ALBERTA

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## PUBLIC ASSISTANCE IN ALBERTA

## I

## INTRODUCTION

Historical Background

Public assistance involves the payment of allowances and pensions by the government to people whose incomes are too low to support themselves. These types of benefits have evolved through the years with the present system coming into operation during the early sixties.

In Alberta public assistance began in 1919 with the Mother's Allowance. Later programs were as followed:

- 1929 Old Age Pension
- 1938 Blind Person's Allowance
- 1942 Supplementary Allowance
- 1952 Widow's Pension
- 1953 Provincial Disability Pension
- 1955 Federal Disabled Persons' Allowance

The philosophy behind these early programs was different to that of today's social assistance programs. The above pensions were available only to persons with clearly definable characteristics who could pass a Means Test. This test took into account a person's assets, income and other resources when calculating the amount he was qualified for. The maximum pensions did not fluctuate with family size or other financial requirements. Persons receiving such a pension were allowed to retain substantial assets while receiving a partial pension.

The drawbacks to the Means Test were basically twofold. The first was that a single person could receive the same amount as a family of five since financial requirements were not taken into account under this test. This is an obvious

disadvantage as a family of five's living requirements would certainly be higher than a single person. The second drawback was that persons receiving a pension had to have certain characteristics such as a required degree of medical disability. This meant that those persons who failed to meet the criteria set up would be ineligible. Another group unable to receive assistance were mothers with dependent children who were separated but not divorced.

In the 1960's the Social Allowance Program was set up to replace the above mentioned programs. The program was designed to help three main unemployable groups:

1. the elderly,
2. the ill and disable, and
3. single parents with dependent children.

The Program was later expanded to include employable persons who are out of work or who are working but are making an insufficient amount to cover their needs.

With the advent of the Social Allowance system came the implementation of the "Needs" Test which replaced the "Means" Test. This test takes into account both the assets and income of the applicant and their budgetary requirements. A maximum amount is set with regard to assets and those persons having assets in excess of that amount are ineligible. Further explanation will be given in the next section. The philosophy behind this system is that persons who have saved their money should be required to use their savings before applying for social allowance. The advantage of this test over the means test is that a person's needs are taken into account when assessing the amount to be given. This would mean that a single person would receive less than a family of four. This may not be as equitable to the single parent but is much more equitable to the family of four.

The last point to be noted in this historical background is that until recently there was a split jurisdiction in the area of social allowance between the province and the municipality. At one time the province was responsible for assistance to employable persons without municipal residence, and all unemployable persons regardless of residence. The municipality however had responsibility for employable persons who were resident in a particular municipality. This created numerous problems when defining who was or was not resident and who was or was not employable. In order to alleviate these semantic problems the province took over the control of the social assistance program in 1976. The take over is almost complete. However, there are still some small towns, villages and hamlets who have kept their control over social assistance for the employable.

## II ELIGIBILITY

In order to be eligible for social assistance the applicant must meet certain criteria. The following criterium have been set up:

### A. Employability

In this area there are two types of persons: employable and unemployable. The department will assist persons who are unemployed due to age, illness or disability and single persons who have dependent children. Section 7 of the Social Development Act is the section which allows them to assist unemployable persons. The section states:

The director may provide to an unemployable person in need of assistance

- (a) a social allowance;
- (b) advice and instruction to enable the person to properly use his social allowance;
- (c) guidance in the management of his personal affairs as related to the use of financial assets, orderly payment of debts and domestic problems;
- (d) assistance in obtaining such vocational or other training as is necessary in the preparation of a person with physical or mental disabilities for employment that is suitable to his circumstances;
- (e) any other assistance necessary in aiding the person to become an employable person.

The act in section 2(i) defines unemployable person:

- (i) a person who by reason of age or by reason of physical or mental disability is incapable of earning an income sufficient to pay for the basic necessities for himself and his dependents, if any, or
- (ii) a person who is physically and mentally capable of being employed but who has the custody and care and control of a dependent child under such circumstances as to be incapable, in the opinion of the director of earning an income sufficient to pay for the basic necessities for himself and his dependents, or
- (iii) a person who is physically and mentally capable

of being employed but who, in the opinion of the director, is not ready for employment or training, or is not suited to available employment or is otherwise considered to be unemployable, or

- (iv) a person who may benefit from rehabilitative services and who is unable to provide the basic necessities for himself and his dependants, if any, and at the same time receive the rehabilitative services.

Further explanation is needed with respect to section 2(i).

- (1) If age is the only factor then a male person over the age of 60 and a female person over the age of 55 may be considered eligible.
- (2) A person suffering from a physical or mental disability includes persons who lack the bodily strength or intellectual power to the extent that he is unable to work for wages that are sufficient to maintain himself and his family.
- (3) The department will consider a child to be dependent under this section if the child is temporarily residing outside the applicant's home.
- (4) When considering whether a person has potential to benefit from rehabilitative services a number of factors must be taken into account. The social worker must have regard to his employability by reason of age, his physical and emotional health, his education and any previous training, his work experience, social health of the family and his motivation. His goal must be realistic.

With respect to employable persons, the department may provide assistance to such persons. The section which gives the legal authority to do so is section 6 of the Social Development Act which states:

6. The Directory may provide to an employable person in need of assistance
- (a) a social allowance;
  - (b) advice and instruction to assist the person in devising and following a reasonable rehabilitative plan;
  - (c) guidance in management of his personal affairs as related to the use of financial assets, orderly payments of debts and domestic problems;
  - (d) assistance in obtaining such vocational, technical and other training as is necessary in the preparation of the person for employment;
  - (e) assistance in obtaining employment and special financial incentives in connection therewith;
  - (f) advice and instruction to assist the person in remaining employed.

The policy manual states that "all recipients who have the ability to take full-time or part-time employment will regard taking employment as an integral part of their responsibility to themselves and to society".

The department will assist an employable person in two situations. The first is where a person is temporarily unemployed. The department may step in to provide assistance on a temporary basis if he meets the other criteria. The second situation is where a person is actually employed but his earnings are not sufficient to provide for his basic needs.

#### B. Residence

In 1976, the provincial government offered to take over the complete responsibility for social assistance. Prior to that municipalities were responsible for employable persons resident in the particular municipality. Although most municipalities have accepted the governments offer, there are still a few who have not. In the event the municipality has not accepted the offer, they will still be responsible

for an employable person who was resident of the municipality during the twelve months prior to the application and who has not received assistance from the province or any other municipality. The municipality is responsible for such person for 90 days after he moves from the municipality. The province is then left with responsibility over unemployed persons and unemployable non-resident persons. If the province has taken complete control of the program then they will have responsibility over all other persons.

### C. Assets

Persons applying for social allowance are only allowed to have a limited amount of assets in order to qualify for social assistance. The reasoning behind this policy is that persons who have saved for a rainy day should be required to spend their savings first before asking the government to come to their assistance. Single applicants are allowed to have \$1000. in assets and married persons \$2000. Out of these amounts they are not allowed more than \$250. and \$500. respectively, of cash on hand, bank accounts or government bonds. The home where the applicant lives and household furniture are exempted. If the applicant lives on a farm the home quarter is exempted. All the assets must be listed by the applicant on the data decision sheet (See Appendix A).

Sometimes, the director will allow an applicant to have more than the limit if the assets are of a rehabilitative nature and if the applicant will probably be self-supporting in a reasonable amount of time. For instance, if the applicant is in an occupation which requires the use of a truck, he may be allowed to keep the truck if he will be able to secure employment in the near future.

### D. Income

A person may be qualified to collect social allowance if his income is insufficient to meet his primary needs. All earnings must be listed on the data decision sheet. They must also be verified either by the employer or by pay slips or income tax records. The income from any employment must be listed on the Statement of Net Earnings form. (See Appendix B)

If the applicant makes wages which vary, an average monthly amount will be taken.

If a person is temporarily unemployed, he is expected to apply for unemployment insurance before he receives social assistance. In order to eliminate duplication of benefits, the applicant will be asked to assign the lump sum retroactive U.I.C. payment to the department. He will be asked to sign the Unemployment Insurance Assignment of Benefit form. (See Appendix C) This form will be sent to the Unemployment Insurance Commission. If the applicant refuses to assign U.I.C., his social allowance will be reduced in an amount equal to his U.I.C. payment.

Family allowance is not taken to be income when the applicant's budget is calculated. The same rule applies to the renters assistance benefit. Income from a boarder is to be shown in full. If the applicant is eligible for Canada Pension Plan benefits or other pension benefits, these are to be listed as income.

All the above criteria form the basis of determining eligibility to receive social allowance. In addition to the above there are special groups of persons who may also be eligible. They are:

(1) Persons on Strike

An employed person who is on strike may not receive

social allowance. Two exceptions to this policy are: (a) if the person is receiving a social allowance supplement in addition to his earnings he will continue to receive the supplement, and (b) if the person on strike cannot provide for his dependents he may be given assistance in order to buy food only.

A person who has lost his job due to a strike by another group will be eligible for social assistance. He must however, look for other employment.

(2) Treaty Indians

All persons living on a reserve whether they are Treaty Indians, Metis or white are the responsibility of the Indian Affairs department. If the person is off the reserve they will be the department's responsibility.

(3) Treaty Indians from the Northwest Territories

The department is responsible for persons under this category but the department of Indians Affairs will reimburse the department.

(4) Immigrants

The department of Manpower and Immigration is responsible for immigrants until they are placed in a reasonably permanent job. If the immigrant loses this job through no fault of his own he may collect social assistance like any other person. If the immigrant is a sponsored immigrant he will first be referred to the Department of Manpower and Immigration before he receives assistance.

(5) Transient Single Men

Residence may be important in determining who is responsible

for transient single employable men. Temporary assistance may be available to this group. A form called Transient Single Men's Registration Form will have to be filled out. (See Appendix D) A transient single man requiring assistance for more than one week will be treated as an ordinary social allowance case.

(6) Persons Under 18 Years of Age

A person under 18 and living away from his parents will be treated as an unemployable person and may be eligible for social assistance. His family allowance will be treated as income and he will be required to collect it from his parents. Adult rates of social assistance will be used in such cases.

(7) Dependents of Social Allowance Recipients Not in School

Children of social assistance recipients, who are 16 and 17 and who are no longer in attendance in school, will be considered as dependents until they can find a job.

(8) Unmarried Mothers

Unmarried mothers over 16 will be treated like any other ordinary social allowance case. If they are under 16 the Child Welfare Protection has the responsibility. The department is careful in this area and looks into whether maintenance payments are or could be available.

(9) Separated Persons

Temporary assistance is available for recently separated persons. When the social worker feels the separation will be of a long term nature then she will be eligible for regular social assistance. The department is very careful in exploring all the means of obtaining or

enforcing maintenance payments.

(10) Common-Law Unions

The department considers common-law unions as if they were marriage unions for the purpose of administering social allowance. There are three forms such a relationship can take:

(a) Common-Law Relationships

This is where the man and woman live together as husband and wife. The social worker must look carefully to see if they are purporting to be man and wife in order to alleviate the risk of double benefits. If such a relationship exists then one person will be designated as head of the household and eligibility will be worked out considering both persons' employability. The common-law spouses income will be considered.

(b) An Acknowledged Boyfriend Relationship

This is a situation where the man is a boyfriend only and he is not considered head of the family. He will if living with her be expected to pay room and board. Careful checks are made to ensure that he's not making any other financial contribution in order to avoid overpayments.

(c) A Room and Board Arrangement

This is a situation where the man is just residing in the house. He is expected to make room and board payments.

(11) Recipients of Categorical Pensions

The province administers three pension programs:

Mother's Allowance, Provincial Disability Pension, and Supplementary Allowance. An individual may transfer into the social allowance program from these. He will of course lose his right to the pension and he cannot then return to the pension.

The above policy doesn't apply to the Federal Disabled Persons Allowance or Blind Persons Allowance. In these cases social allowance may be given to supplement these pensions.

Sometimes supplements will be given for specific needs to people collecting provincial pensions. These don't effect cancellation of the pension.

(12) Patients in Contract Nursing Homes

The department may provide a comforts allowance for persons in a nursing home to cover personal items and clothing.

(13) Patients in Auxiliary Hospitals

After 120 days in an auxiliary hospital, patients will be required to pay the cost of hospitalization.

(14) Patients in Active Treatment Hospitals and T.B. Sanatoria

Comfort allowances may be given if the person appears to be likely to stay more than 90 days. The assets and income of the spouse will be taken into consideration when deciding eligibility.

### III BENEFITS

There are two types of benefits: Primary Needs and Additional Needs.

#### A. Primary Needs.

The policy manual defines primary needs as "items that are required on a regular monthly basis to meet the immediate needs of a person who is unable to provide for them from his own resources". These include the following:

##### (1) Food

Food allowances change with variations in the cost of living. The Home Economics Division of the Department of Agriculture is responsible for calculating the allowances. For the present schedule see Appendix E. The department will provide extra money if a special diet is required. A physician must certify the need for such a diet.

##### (2) Room and Board

The rates for room and board are set up to be in line with the average cost of such accommodation in the particular community.

##### (3) Clothing

The rates for clothing are calculated in accordance with the Clothing Schedule. (See Appendix F). The recipient may be allowed up to 100% of the maximum rate. If the recipient is on the payroll the amount allotted will be included on the cheque. If not, a voucher will be made out. (See Appendix G).

(4) Shelter

If the person is renting a home the actual rent will be paid to the recipient. If the recipient owns his own home his taxes may be paid for. If the recipient is in the process of paying for a home, the department will supply a sum equal to the mortgage payments. In such a situation the department may file a caveat against the property. The caveat will be a charge equal to the sum by which the person's equity has been increased through the department's help. A caveat will be placed in the situation where the mortgage payments exceed the average rent the family would be paying if they were renting.

The department will also place a caveat on property where a woman who is separated from her husband, is living in a home owned by her estranged husband, or where the house is in joint tenancy.

Damage deposits on rented accommodation are the responsibility of the recipient. If he is unable to pay, the department will advance him up to \$200. to do so on condition that he repays the department. Repayment will take place by subtracting a small amount off the monthly cheque, usually about \$10.00. If assistance is ended, the recipient will not have to repay the remaining amount unless he goes back on social assistance.

Damage done to rental accommodation is the responsibility of the tenant. The department is not a party to the lease and thus has no legal liability to the landlord. Generally the damage deposit covers the amount of the damage. In the case where it does not the landlord must collect from the recipient. He may obtain a judgment. In the event of nonpayment of the judgment the department may pay off the judgment. They will then deduct monthly amounts from the recipient's cheque in order to recover the money.

There may be situations where the recipient falls in arrears with respect to his rental payments. The department

is not responsible for arrears but may pay for them and then deduct a reasonable amount from the recipient's cheque. The department in such a situation will then pay the rent through vouchers in order to alleviate further problems of arrears.

The Alberta Housing Corporation has a number of houses which are rented to social allowance recipients. The department make the decision as to who shall get these houses. Rent is paid directly to the corporation.

(5) Fuel and Utilities

If these services are not included in the rent, the department will take an average amount and grant it to the recipient. An extra amount will be granted if the department can be shown that the cost of utilities exceed the average amount.

(6) Personal Allowances

Recipients may be given a personal allowance which will cover their personal needs. The present rate of the personal allowance is \$2.00 a month per adult. Children who no longer receive family allowance are also eligible for this allowance.

(7) Comforts Allowance

As already mentioned, persons in hospitals, nursing homes, etc, may be eligible for a comforts allowance instead of a clothing and personal allowance. The present rate is \$33.00 per month.

(8) Household Allowance

This allowance may be granted to cover items such as bedding, linen, towels, and washing supplies. The present rate

is \$12.00 per month.

B. Additional Needs

Additional Needs are defined in the policy manual as: "those things, goods or services, authorized by the Director as basic necessities which may be provided as a social allowance to meet needs considered essential to a persons health and well-being ". Additional needs which may be provided as a basic necessity include:

- (1) items of need required on a regular monthly basis, such as telephone services, babysitting or homemaker services, transportation, etc.
- (2) items of need required from time to time on a non-continuous basis such as furniture or home repairs, trade tools, school supplies, etc.

With regard to number 2, such items may only be authorized by a social worker if the cost doesn't exceed \$100. Where the cost doesn't exceed \$500., unit supervisors and regional office administrators I and II may authorize the expenditure. Where the cost doesn't exceed \$1,000., regional office administrators III and IV may authorize such expenditures. If the need is an exceptional one, authority to grant it must be given by central office.

Additional needs may include:

(1) Telephone Services

Telephones are usually granted on the basis of medical needs. If the social worker doesn't find sufficient evidence to require a telephone, the recipient must get a medical certificate proving the need for one. Telephone services may

be provided if it is needed for employment purposes. The deposit on telephones is the responsibility of the recipient.

(2) Laundry Allowance

If the recipient owns a washing machine or has access to one he must use his household allowance to cover the expense. A laundry allowance will however be granted if the recipient has to use a coin laundry. In such a case single persons are granted \$2.00 per month and married persons \$5.00 per month. An extra \$1.00 a month will be granted if a child is in diapers or is a bedwetter.

(3) Babysitting Services

Working recipients may be granted a reasonable amount to cover babysitting costs. The amount will vary with the number and age of the children requiring babysitting services. A recipient who is in school will receive a babysitting allowance if help is not being given by the Student Finance Board.

(4) Day Care Services

The cost of day-care will be covered if the recipient is working or in training. Again the amount will vary according to the number and age of the children.

(5) Homemaker Services

"A homemaker is a person who provides housekeeping and child care service to meet the needs of a family because of illness or absence of the mother." The social worker will have to show clearly the need for such a person.

(6) Transportation

A transportation allowance may be provided if it is needed

for employment purposes, educational purposes, (as long as Student Finance is not involved), medical reasons, school reasons. Blind persons and handicapped persons may also receive such an allowance. In cities the cost is based on the cost of public transport. Where buses are not available, 5¢ a mile will be given for the use of a car.

Emergency transportation costs may also be paid. This can include ambulance and medical taxi, emergency air ambulance, and transportation for patients discharged from the hospital.

(7) Moving

Where a recipient must move for medical reasons or for reasons of well-being the cost of the move will be paid. All regional offices have a list of approved movers. In rural areas a local mover may be used. The recipient is responsible for packing.

(8) Repatriation

The cost of a move either into or out of the province may be paid if there is good reason for the move.

(9) Major Household Appliances and Essential Furniture

Essential furniture, stoves, fridges, and wringer washers may be provided by the department. Luxury items such as record players, drapes, etc. are not included in this area.

(10) Trade Tools

These may be paid for if they will secure employment for the recipient.

(11) Camp Fees

Camp fees will be paid for a period of 12 days if the social worker feels that it is desirable for a dependent child to attend a summer camp. Family camping may also be authorized if it is necessary for the mother's well-being.

(12) Home Repairs and Improvements

Before a recipient will be given money under this section, he must have made every effort to obtain assistance from the other public programs available. Money for home improvements will be granted to the aged, handicapped or large family, but only if a move to more adequate housing would have to be made if money wasn't provided. Regional administrators and unit supervisors are responsible for such authorization. They must make sure that it is worth while to improve the existing home. Non-essential house repairs are not to be authorized. These include such things as sidewalks, fences, and damage to a house other than structural damage. Essential home repairs will be paid for. These include structural damage, heating or electrical defaults making the home a hazard, etc. The Alberta Housing Corporation will often be called upon to provide inspection, estimates of repairs, and to make all necessary arrangements for the repairs. If the cost of the repairs is greater than \$1,000., the request must be sent to the Home Repair Committee of the Public Assistance branch for approval.

(13) Burial Expenses

The department will pay for burial expenses if the deceased was on social assistance, or didn't have a municipal residence and was without resources. If he had assets but was resident of a municipality, they are responsible for burial expenses. The worker must check and see if the deceased had made any contribution to the Canadian Pension Plan as they provide for funeral expenses. The amount spent only provides for a very small funeral without any of the trimmings. The department

will also pay for burial expenses for unidentified bodies or for indigent persons whose relatives cannot be located.

(14) School Books and Supplies

School books and supplies will be provided for dependent children of recipients. An allowance for school needs will be given at the beginning of the school year and will be issued either by cheque or voucher.

Special school needs such as rental of musical instruments, and gym equipment may also be provided for.

C. Exceptional Considerations

"Exceptional considerations are those things, goods and services, not included in primary needs or additional needs, that may from time to time be considered to be basic necessities." The regional administrator must refer these matters to the Director of Public Assistance, who will make the ultimate decision.

D. Emergent Assistance

This type of assistance could be provided by regional offices and can include such things as:

- a) loss of cheque
- b) transportation cost
- c) moving costs
- d) replacing clothing and household effects which were lost due to fire
- e) emergency dental treatment.

E. Medical and Related Services

The department will register all recipients with Alberta

Health Care if they have not been registered already. The cost will be borne by the department. Blue Cross is only provided without cost to recipients who are over the age of 65.

Recipients who only receive Hospital and Medical Benefits only are provided with a Treatment Services Card which entitled them to dental services and glasses. Recipients who are on the payroll will receive both a Treatment Services Card and a Medical Services Card which is an authorization for dental, optical and prescription drug requirements.

(1) Hospitalization

The cost of hospitalization is covered by A.H.C. Social Assistance recipients are not charged the \$5.00 admittance fee. Semi-private and private rooms are available to recipients over 65 since they have Blue Cross coverage.

(2) Drugs

The Medical Services Card provides for payment of 100% of the cost of prescription drugs for recipients. This has been due to an agreement of the Alberta Pharmaceutical Association and the department.

(3) Dental Services

The Medical Services Card entitles the recipient to basic dental care and the cost of dentures. Orthodontic work is in a special situation. This type of work must first be screened by the Orthodontic Screening Committee of the Alberta Dental Association. If they feel the work is necessary and the fee reasonable, they will forward the account to the department for payment.

(4) Eye Glasses

The cost of the eye refraction is paid by A.H.C. Recipients

who have a Medical Services Card are entitled to new glasses every two years. The selection of models is limited to welfare recipients. New glasses may be received prior to the two year limit if the refraction has changed drastically or if the glasses have been lost or broken. Contact lenses are generally not provided for unless some special need exists for them.

(5) Prosthetic Appliances and Equipment

Authorization must be arranged from central office for major prosthesis, surgical needs and other appliances. The purchase of wheelchairs must also be approved by central office. These remain the property of the department and are to be returned when no longer needed. Hearing aids are also to be approved by central office before purchase.

(6) Other Medical and Related Services

- (a) Physiotherapy: the cost is paid for by Alberta Health Care.
- (b) Nursing Services in the Home: the cost will be paid for by the department if the need for such a service is shown.
- (c) Private Counselling Services: the department will not pay for such services as there are a number of public agencies which provide such services free to social allowance recipients.
- (d) Referral to Larger Centres for Medical Services: the cost of transportation, accommodation and food will be provided for those recipients requiring medical services in a larger centre.

IV  
SERVICES

A. Employment Opportunities Services

(1) Who is to Receive the Services

All persons on social assistance who are assessed as capable of employment will receive intensive personal service in order to prepare them to take employment.

There are recipients who are considered incapable of taking employment. They include:

- (a) persons who are too old to take employment,
- (b) persons with a physical or mental disability which is long term (i.e. over 90 days),
- (c) persons who live with an old person or disabled person who must be looked after,
- (d) single parents with dependent children who must be looked after,
- (e) persons who are already employed to their capacity,
- (f) persons who are taking training which takes more than 2 months to finish, and
- (g) persons who have demonstrated an inability to work.

(2) Services to be Provided

- (a) Employer Contact: Regional offices are responsible for getting in touch with employers in order to explain to them the program and find out the positions available.
- (b) Client Services: These are all services provided to the client to ensure their success in the job. Time is to be spent by the workers in preparing the client for employment. This includes rebuilding his confid-

ence, developing motivation, and arranging transportation and proper dress. Time must also be spent in locating a job vacancy or training opportunity for the client. Further client services are arranging for child care, counselling in money management and follow-up after placement.

- (c) Employment Incentives: These are given in addition to social allowance benefits. They can include payment of union dues, hair appointments necessary for job interviews, payment of car insurance for up to 3 months if a car is needed for the job, etc.

At least once a year, all social assistance cases are to be reviewed and assessed in order to ensure that employable recipients are getting the maximum benefit from such services.

B. Other Services Regional Offices Can Provide

The regional offices may refer persons to Canada Manpower which will assist the individual in finding a job suited to that individual. Canada Manpower also has a number of programs whereby the applicant may be assisted financially while taking a training course.

Another organization which has similar programs to Canada Manpower is Alberta Advanced Education and Manpower. They also have educational programs and will provide financial assistance for persons undergoing such programs.

Social allowance may be continued if the individual is involved with one of the above training programs. They will be eligible for assistance if the training allowance does not meet the basic needs of the individual. Social allowance, won't be continued if the training program is not directly related to employment as an objective or where the applicant has left

or refused to take an adequate job. If the applicant is employable and capable of self support, he will not be assisted by the department. In such cases the student will have to find some other method to finance his training such as the Student's Finance Board.

C. Social Allowance and Education

If an individual can not get under one of the above programs the department will provide assistance for up to two years while the individual is in training. To qualify the recipient must:

- (a) be assessed by an Employment Placement Officer as being in need of training, and
- (b) support in a two year post secondary is recommended by a counsellor in the Alberta Advanced Educational Department.

The counsellor must decide the above on the basis of whether a training program is available under Canada Manpower and whether the program will allow the individual to obtain employment after completion.

Persons who want to get a university education or go into a post secondary program lasting longer than two years will not be assisted. They will have to obtain assistance from the Student's Finance Board. This policy is a recent innovation. Up until the summer of 1974, welfare recipients could attend university while receiving assistance. They would only have to pay for their tuition and books and this would usually be paid by the Student's Finance Board.

The anomaly in this situation becomes evident when this policy was looked into further. According to the Deputy Minister, a welfare recipient can not attend university full-

time or part-time even if he or she received a gift or grant covering the cost of tuition, books and day care. Furthermore, a recipient can not go off assistance while going to university, while the recipient's children are still on assistance.

This situation is greatly prejudicial to single parents who want to improve themselves and eventually remove themselves from the welfare payroll. The reason given for the change in policy is the tendency of abuse of such a system. It must however be recognized that abuse exists everywhere and that the majority should not be made to suffer because of the mistakes of the minority.

#### D. Rehabilitation and Training of the Disabled

##### (1) Activity Units and Sheltered Workshops

The activity units are provided for those individuals who are incapable of productive employment. Sheltered workshops are set up for persons who can not cope with the community but who can work within an enclosed setting. The department sponsors these centres and individuals attending them will receive social assistance to cover basic requirements.

##### (2) Rehabilitation Centres

These centres are established for persons who have the potential to enter the community and obtain a job. These centres will train the individual to be able to do some type of work. While the person is attending he will continue to receive social assistance.

#### E. Other Services

##### (1) Debtors Assistance Board

Individuals will be referred here by the department if the

recipient is deeply in debt. The board will help the debtor set up a proper repayment schedule and help in teaching the person to budget. They will also contact creditors to set up a suitable repayment schedule.

(2) Legal Aid

Very little legal aid is done in the area of divorce unless there is a situation which demands that a divorce be granted. Usually the recipient will have to cover the cost herself.

(3) Bankruptcy Act

The department may refer a person deeply in debt to the Federal Trustee who administers the Bankruptcy Act. Here the recipient can declare bankruptcy under the Poor Debtor Program. To qualify, he must have debts over \$1,000., be unable to meet his obligations, not be self-employed, not have any property worth over \$2,000. Sometimes the fees for declaring bankruptcy will be paid by the department if it feels that by declaring bankruptcy the recipient may become employed and financially independent.

## V

## GUARDIAN SOCIAL ALLOWANCE

A Guardian Social Allowance will be issued to dependent children who are not being looked after by their parents. Section 8 of the Health and Social Development Act provides for this type of allowance. The section states:

8(1) Where the parents of a child are unable or unwilling to properly care for their child and the child is, in the opinion of the Director, being properly cared for in the home of another person or in an institution, a social allowance may be issued to that person or institution on behalf of the child.

(2) The Director may, in calculating need under section 11, take into consideration the income and assets of the child only.

For the purposes of this section a guardian refers to a relative or suitable person who is providing a home for the child and assumes responsibility for the child's support, care and training.

When a person applies for such an allowance the prospect of obtaining maintenance for the child from the parents must be carefully looked into. If possible the guardian should initiate a maintenance action. If they do not do so then the department may take steps to get the parents to enter into a voluntary agreement or initiate a court action. The Maintenance and Recovery Act in section 56, establishes the right of the department to recover social allowance paid on behalf of dependent children. The section states:

56(1) Where the parents of a child fail to provide adequate maintenance for their dependent child for whom a social allowance is being or has been paid under The Social Development Act, either or both parents may enter into an agreement with the Director to pay maintenance for the child in a manner agreed upon.

(2) If no agreement to pay is entered into by a

parent or upon the failure of a parent to comply with the terms of an agreement, the Director may make an application to a magistrate for an order for maintenance and sections 27 to 30 of The Domestic Relations Act apply mutatis mutandis and all proceedings shall be conducted in the same manner and to the same effect as if the application in respect of maintenance were made by a wife where the application is restricted to the maintenance of a child.

(3) Where no agreement to pay is entered into by a parent and the parent is resident outside Alberta, the Director may, on behalf of the dependent child apply under section 5 of The Reciprocal Enforcement of Maintenance Orders Act for a provisional maintenance order against that parent. [R.S.A. 1970, c. 223, s. 56; 1971, c. 67, s. 13]

The benefits that are given are restricted to food, clothing (see rates under Benefits), a Shelter Allowance of \$20.00, school books and supplies, medical, dental, optical services, and prescription drugs.

Generally the amount will be issued by payroll. Once eligibility under the program is determined Form SSCH39C and the Data Decision Sheets are to be completed in the name of the guardian. (See Appendix H).

VI  
ADMINISTRATIVE PROCEDURE

A. Applications

When an individual applies for social assistance three forms must be filled out. They are:

- 1) Social Allowance Information Sheet - SSCH58. (See Appendix I).
- 2) Social Allowance Application Form - SCCH39. (See Appendix J).
- 3) Data Decision Sheet - SSCH25. (See Appendix K).

The first form is a pre-application form. It facilitates the completion of the other two forms. This form is to be completed by the head of the household. The second form is the actual application form which, if possible is filled out by the social worker at the applicant's home. This allows the social worker to check out the validity of the facts. At the bottom is a comment section which allows the social worker an opportunity to comment on the relevant economic, health, and social circumstances of the applicant. In this section the social worker will also state the basis on which eligibility for social allowance is required, the approximate amount and length of time it will most likely be required for. The applicant is provided with one copy. The last form is the Data Decision Form where budgetary requirements are set out. This is filled out according to the policy manual. (See Benefits Section).

B. Annual Reviews

All recipients must have an annual report done. This report will state whether further assistance is required and the amount required for the next year. The report will also give the economic, health, and social circumstances of the recipient during the past year. The recipient is sent out a form called the Social Allowance Annual Report Form (See

Appendix L), which allows them to give information on events of the past year. According to the policy manual, about 10% of these reports are verified by the social worker.

C. Closure, Re-Opening, and Transfer of Files

Following the month in which assistance was last issued the file will be considered closed. The department will then discontinue medicare payments. Each closed file will contain a closing summary which will summarize the social allowance history of the recipient and the reason for termination of social allowance.

In order to re-open a file a new Data Decision Form is to be completed along with comments on Form SSCH73 (See Appendix M).

When a recipient moves into another district, his file will be transferred along with a memo stating the reasons for transfer. The new office is then responsible for seeing the client and filling out a new Data Decision Form.

D. Assessment of Files

Social allowance will not be paid until there is a full assessment of all the applications. The assessment includes:

- a) review and confirm eligibility of the applicant or recipient,
- b) determining whether assistance is issued in accordance with existing rates,
- c) determining whether assistance provided is within existing policy, and
- d) determining whether the computation of amounts and other data is accurate.

The assessment is done by assessors who are senior office clerks. Any problem with the file are sent to the Regional

Administrator. Central Office will reassess files periodically to ensure that departmental policy is followed.

E. Method of Issue

There are two types of issues. One is called Regional Office Issue and the other Payroll Issue.

1) Regional Office Issue

a) Public Assistance Voucher (Form SSCH18R)

This voucher may be issued to a recipient for the payment of rent, food, clothing, damage deposits, household and personal allowances. The voucher will be made in the vendor's name. When he receives it he will sign it and send the voucher to the department who will mail him his payment. Generally vouchers aren't used for clothing unless the social worker feels the recipient is responsible enough to buy the proper clothes. (See Appendix N).

b) Requisition for Social Allowance Payment by Cheque (Form SSCH17A)

The recipient may receive a cheque covering the monthly amount from regional office. This is usually done while awaiting the recipient to be put on the payroll. (See Appendix O).

2) Social Allowance by Payroll

Some recipients are allowed to receive a monthly cheque issued from Central Office. This is the general procedure. Persons who are in an unsettled situation or who aren't yet able to handle money won't be put on the payroll immediately. Generally it takes about a month for the recipient to be put on the payroll. Prior to that he will be aided through regional office issue.

VII  
APPEALS AND OVERPAYMENTS

A. Appeal Procedure

Section 24 of the Social Development Act provides for an appeal procedure. The section states:

24(1) Any person or municipality affected by a decision on any matter under Part 2 or 3 of this Act may appeal to such appeal authority as is established by the Minister for a review of the decision and the appeal authority may confirm, reverse or vary the decision as in its discretion, it considers proper in the circumstances, subject to this Act and the regulations.

24(2) The minister may establish the remunerations to be paid to members of an appeal authority who are not employees of the government.

According to the policy manual, appeals may be brought on the following grounds:

- (a) refusal to grant allowance,
- (b) cancellation of allowance,
- (c) suspension of allowance,
- (d) reduction of allowance,
- (e) inadequate allowance,
- (f) manner of grant (voucher/payroll), and
- (g) other.

Once the applicant has decided he has grounds to appeal, he must set out the grounds in writing on a Notice to Appeal form. See appendix P. This form is sent to the administrator of the regional office where the original decision was made. The administrator then carries out an administrative review. If he rules in favor of the applicant the appropriate action will be taken by the department. If however he does not rule in favor on the basis of the notice of appeal, he will generally call in the applicant for an interview. The applicant will have full opportunity at that time to explain his position and question the administrator. The administrator will have the same opportunity to question the applicant and give an explanation of the department's position. The administrator will then make his decision and this will be recorded.

If the applicant is unhappy by the administrator's decision he can then appeal to an Appeal Committee. He will be required to sign the Notice to Appeal Committee portion of the Notice of Appeal of a decision form. The Appeal Committee will then set a date for the hearing and inform the applicant and the administrator.

There is one Appeal Committee in both Edmonton and Calgary. Eight people are on each board but only four sit at each hearing. In towns such as Grande Prairie and Red Deer, four members are on the board with three comprising a quorum. In the smaller centres committee are made up of three people. The members of the board are appointed for three year terms. Four out of the present thirty-one people sitting on the boards are lawyers. Almost each board has a person on it who is collecting social assistance. The boards apparently are fairly representative of the community as a whole. Hearings are held every two weeks. With respect to time

limits, once the applicant has decided to appeal the social worker's decision, the administrative review must take place within ten days. If the applicant wishes to appeal further to the appeal committee, the hearing must take place within fifteen days of the notice to appeal the decision form is filed.

The appeal committee hearing is set up on a rather informal basis. Confidentiality is maintained at all times. The appeal is inquisitorial in nature in the sense that the board participates in the appeal by asking questions of all parties concerned. The applicant is first given the opportunity to express himself and bring in witnesses. Then the administrator is allowed to speak. The appeal committee may ask the social worker who made the original decision to come in and give a summary of the situation. The committee will also be supplied with the complete file on the case. Once the committee has heard all the evidence they will usually make their decision within a day or two. The decision is given in writing. In the decision, reasons are usually given but this is not mandatory. The decision is written up on a form called the Appeal Report. (See Appendix Q) A copy of the report is then sent to the applicant the regional office and the Supervisor of Public Assistance appeals. The decision is legally binding. It should be noted that the decision can later be varied by the board if circumstances change.

It should also be noted that the applicant can have a lawyer present. This obviously is not a common practice due to the financial situation of persons appealing. The applicant may also have someone also appear for him if he feels he cannot handle the situation. The applicant however must fill out an authorization form in order to allow an agent to appear for him. (See Appendix R).

If the applicant is still unhappy with the decision of

the appeal committee, he could feasibly take the case to Supreme Court. However, this has never been done in Alberta to date. The other option for an unhappy applicant is to appeal to the provincial ombudsman. This method is not used very often either. In the case of an applicant going to the Ombudsman, the Ombudsman will review the whole case. He will then make a recommendation which will be sent to the Appeals Committee. They can then if they wish vary their decision. The recommendation of the Ombudsman is not binding on the committee. They may if they wish disregard it completely.

Each month, a monthly report is made up. The report included in the appendix is that of February 1977. The report includes the monthly provincial statistics and a summary of the cases heard. The names of the persons involved are deliberately left out in order to ensure confidentiality. By looking at the statistics it is shown that forty-six administrative review were held in February. Of these in thirty-three cases did the administrator reverse or vary the judgment of the social worker. In February, seventeen appeals were heard by the appeal committee. Of these nine decisions of the administrator were confirmed and eight were reversed or varied. The statistics also show a breakdown of the reasons for appeal. The majority of the cases involved inadequate social allowance and refusal of social allowance. (See Appendix S).

The final item which should be noted is that it appears that persons on social assistance do realize there is an appeal procedure. There are posters in all the regional offices plus twice a year a card is included with the recipient's cheques which outlines the appeal procedure. This seems to be giving recipients adequate information concerning appeals. This is also indicated by the fact that the number of appeals is constantly increasing.

## B. Overpayments

An overpayment is social assistance which a recipient received to which he was not entitled. Where such a situation exists the social worker will make a full report to the Public Assistance Branch outlining the particulars of the overpayment.

If the recipient is still on assistance the overpayment can be recovered by making monthly deductions from his cheque. The reduction can be no less than \$5.00 and no greater than the amount he receives as his personal allowance. Generally in such situations, an agreement is drawn up between the recipient and the department which outlines the amount of the deductions.

Where the person is no longer on assistance, the department may ask the individual to enter into a voluntary repayment agreement. If he does not want to do so the department may take a court action to obtain an order against the person under the Maintenance and Recovery Act. If the social worker feels that the person does not have the ability to pay nor will he have in the future, the worker will make a recommendation to the Public Assistance Branch as to whether future review is advisable.

All cash contributions will be considered as income. However, material contributions will not be considered as overpayments if they were for items that the department would have provided anyway. If they were of a kind not generally provided by the department they will be considered as assets and may affect the continuation of social assistance.

VIII  
FRAUD INVESTIGATION

Where a person has received social allowance fraudulently an action may be taken against them by the Attorney General. An action may be taken in one of two ways. (1) under the Criminal Code: Section 338.

(1) Everyone who, by deceit, falsehood or other fraudulent means, whether or not it is a false pretence within the meaning of this Act, defrauds the public or any person, whether ascertained or not, of any property, money or valuable security, is guilty of an indictable offence and is liable to imprisonment for ten years.

(2) under the Maintenance and Recovery Act, Section 54:

(2) A person who, for the purpose of obtaining a social allowance or causing a social allowance to be obtained for himself or for any other person under the Social Development Act, knowingly (a) gives false information, or (b) conceals information, or (c) omits to provide or disclose information, is guilty of an offence and liable on summary conviction (d) to a fine of not more than \$1000 and in default of payment to imprisonment for a term not exceeding one year, or (e) to imprisonment for a term not exceeding one year.

The fraud investigations department of the Social Services Department has four full-time investigators. These persons go out and will investigate complaints of fraud. The investigators are generally ex-policemen. Complaints are usually received from taxpayers who know or have heard of a fraudulent activity. About thirty-five cases of alleged fraud are given to the investigators. Sometimes in less serious cases the social worker will be asked to investigate. This type of investigation includes about fifteen cases a month. The number of fraud cases have more than doubled in the past three years.

If fraud is found to exist, the department has a legal

obligation to refer it to the Attorney General's department with a recommendation. The Attorney General may then prosecute if they wish to under the above mentioned sections. Out of the last six cases, which have been taken to court, five have resulted in jail terms ranging from three to nine months. The sentence will usually include a restitution order.

Sometimes the Attorney General will not prosecute. In such an event the department can either get the recipient to sign a voluntary refund agreement whereby the recipient agrees to pay the department back or the department may take the recipient into civil court in order to obtain a judgment against him. See next section.

IX  
STATISTICS

A. Reasons for Assistance

The largest group of persons on social assistance are persons with dependent children to care for. This group is ever increasing as can be seen from the statistics. In January - March this group comprised 37.94% of recipients. This increased to 39.16% in the April - June quarterly average and a further increase to 40.30% in the July - September quarterly average. The next largest group is persons with physical ill health and disability. They form approximately 18% of social assistance recipients. Close behind are persons over 60 who form approximately 17% of recipients. The remainder is scattered over the other groups. About 14% of persons on social assistance are considered employable. The other 86% are considered unemployable. (See Appendix T).

B. Age Distribution

The age distribution is fairly even accross the board especially for males. With respect to females the largest group are women between the ages of 20 to 24. (See Appendix U).

C. Marital Status

In June 1971, 36% of female recipients were separated. In June 1976 this figure increased to 44.9%. Separated women formed the largest group. In comparison, the largest group of male recipients, 58% were married and only 14% were separated. An interesting point to note in this area is that according to the June 1971 census only 41% of females were separated. It is obvious that an overwhelming majority of them were on social assistance. (See Appendix V).

D. Case Load Distribution Across Alberta

From April to September 1976, the Edmonton and Calgary regional offices accounted for 65% of the total caseload. In this period the Edmonton caseload decreased by 18% and the Calgary caseload increased by about 8%. The largest increases for this period were in Grande Cache, Slave Lake, Blairmore, Hanna, and Calgary, South. (See Appendix W).