



COMMISSARIAT AUX  
SERVICES EN FRANÇAIS

OFFICE OF THE FRENCH LANGUAGE  
SERVICES COMMISSIONNER



**La voix  
d'accès.**

**Your Voice  
Matters.**

# French Language Health Services in Ontario and the *French Language Services Act*

Presented to the North East LHIN  
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Commissioner

## Purpose of the meeting

- Know and understand your challenges and expectations.
- Explain the *Special Report on French Language Health Services Planning in Ontario, 2009*.
- Explain the mandate, role and functions of the French Language Services Commissioner.
- Answer your questions.

# Summary

- Context
- The Office of the French Language Services Commissioner
- *French Language Services Act*
- *2006 Act* and LHINs
- Planning Entity
- Active Offer
- Complaints Resolution
- Comments and Suggestions

## Context

- **1976:** Publication of the Dubois Report entitled *Pas de problème* (report of the French Health Services Action Committee to the Ontario Ministry of Health)
- **1989:** The *French Language Services Act* comes into force
- **1997:** The Montfort Hospital Case (*Lalonde v. Health Services Restructuring Commission (Ontario)*)
- **2005:** French Language Health Services Working Group Report
- **2005:** The creation of the LHINs
- **2006:** The enactment of the *Local Health System Integration Act, 2006*
- **2007:** The creation of the Office of the French Language Services Commissioner, following an amendment of the *French Language Services Act*
- **2008:** The Proposed Regulation on the Engagement of the Francophone Community
- **2009:** *Desrochers v. Canada (CALDECH)* for “services of equal quality”
- **2009:** The creation of a working group chaired by the Honourable Charles Beer and the publication of its report
- **2009:** The publication of the Commissioner’s Special Report (May)

# OFLSC's Mandate and Responsibilities

- Conducting independent investigations under the *French Language Services Act* in response to complaints or on its own initiative.
- Preparing reports on investigations, including recommendations aimed at improving the provision of French-language services.
- Monitoring the progress made by government agencies in providing French-language services.

*The Commissioner may at any time make a special report to the Minister on any matter related to this Act that, in the opinion of the Commissioner, should not be deferred until the annual report.*

# Goals of the Special Report

- Access to French health services is a matter of service quality and accessibility.
- Demonstrate the obligations and responsibilities of the key stakeholders in the health system.
- Develop plans based on the needs of Francophones.
- Make the LHINs accountable for their decisions.
- Access to French health services has a direct impact on the health of Francophones. Action in this area is urgently needed.

## Goal of the *French Language Services Act*

- The Act's preamble states that “...*the French language is an historic and honoured language in Ontario and recognized by the Constitution as an official language of Canada*” and that “...*the Legislative Assembly recognizes the contribution of the cultural heritage of the French speaking population and wishes to preserve it for future generations*”.
- A person has the right to communicate in French with, and to receive available services in French from, any head or central office of a government agency or institution of the Legislature.
- If they work in a designated area, government agencies must engage the Francophone community in the development of their service plans.

# Determinants of Health

The health of individuals and communities is significantly influenced by complex interactions between social and economic factors, the physical environment, and individual behaviours and living conditions. These factors are referred to as the determinants of health, and together they play a key role in determining the health status of the population as a whole. Determinants of health include the following:

- **Social support networks;**
- **Education and literacy;**
- **Income and social status;**
- **Employment/working conditions;**
- **Social and physical environments;**
- **Personal health practices and coping skills;**
- **Healthy child development;**
- **Biology and genetic endowment;**
- **Health services;**
- **Gender;**
- **Culture; and**
- **Language.**

# Determinants of Health

Public health works to address the determinants of health as the underlying causes of health inequities. This approach is reinforced in the OPHS, which require the following types of activities by public health units:

- identification of priority populations;
- adapting programs and service delivery to meet locally identified priority needs;
- assessment and sharing information of health inequities; and
- raising awareness with community decision makers and partners

Source: Initial Report on Public Health, August 2009.

## Goal of the *2006 Act*

- In the designated areas, the health services put in place for the Francophone community are quality services.
- These services must meet the needs of the public and address its concerns about the services it receives.
- Each LHIN must engage the Francophone community through a French health services planning entity.

## LHINs Accountability

- Evaluate and monitor the performance of the local health system, including access to health services.
- Ensure that the needs of Francophones are taken into consideration in planning the local health system.
- Evaluate the human resource capability of their health service providers and recommend their designation to the Ministry.
- Submit report to the Minister and be accountable for it.

The LHINs are government agencies within the meaning of the *FLSA*. They must justify the decision they make and the action they take-or fail to take- to the Francophone communities they serve.

# Changes to the Proposed Regulation

(September 13, 2008)

- Make provisions for a French health services planning entity (not a committee) for each LHIN.
- Make provisions for the definition of a planning entity, for a description of its role and mandate, and for French health service planners.
- Make provisions for the addition of a French health service planner/coordinator within each LHIN.

## Expected Role of a Planning Entity

- Identify the needs of the area's Francophone community.
- Identify gaps in the professional resources that are available and develop training and recruitment strategies.
- Recommend partial or full designation of certain key services by identifying service providers.
- Evaluate the French-language health service plans of the service providers.
- Support the LHIN in the health promotion strategies that it deployed in the Francophone community in its service area.

# Responsibilities of the Planner/Coordinator

- Position: designated bilingual, management or senior management level that of Senior Director, Planning, Integration and community Engagement.
- Ensure follow-up of the activities of the French language health planning entity.
- Supervise the integration of French language services in the LHIN's short, medium and long-term strategy.
- Act as a liaison both with the ministry and with the Francophone communities.
- Influence the design of the LHIN's strategic directions to ensure active offer in the delivery of French language services.

## Active Offer <sup>(1)</sup>

- ***“The OPS is effective at fulfilling its responsibility under the FLS Act when Francophone members of the public are informed about available services in French, have access to these services, and are satisfied with the quality of those services.”*** (OPS Framework for Action: A Modern Ontario Public Service)
  
- An active offer of FLS is provided in the context of planned interventions that are:
  - Results-oriented.
  - Integrated into a Ministry’s overall service delivery model.
  - Proactive.
  - The result of a dialogue with the population served and ultimately reflective of their needs.
  - In place for the life-cycle of the service, activity or initiative.

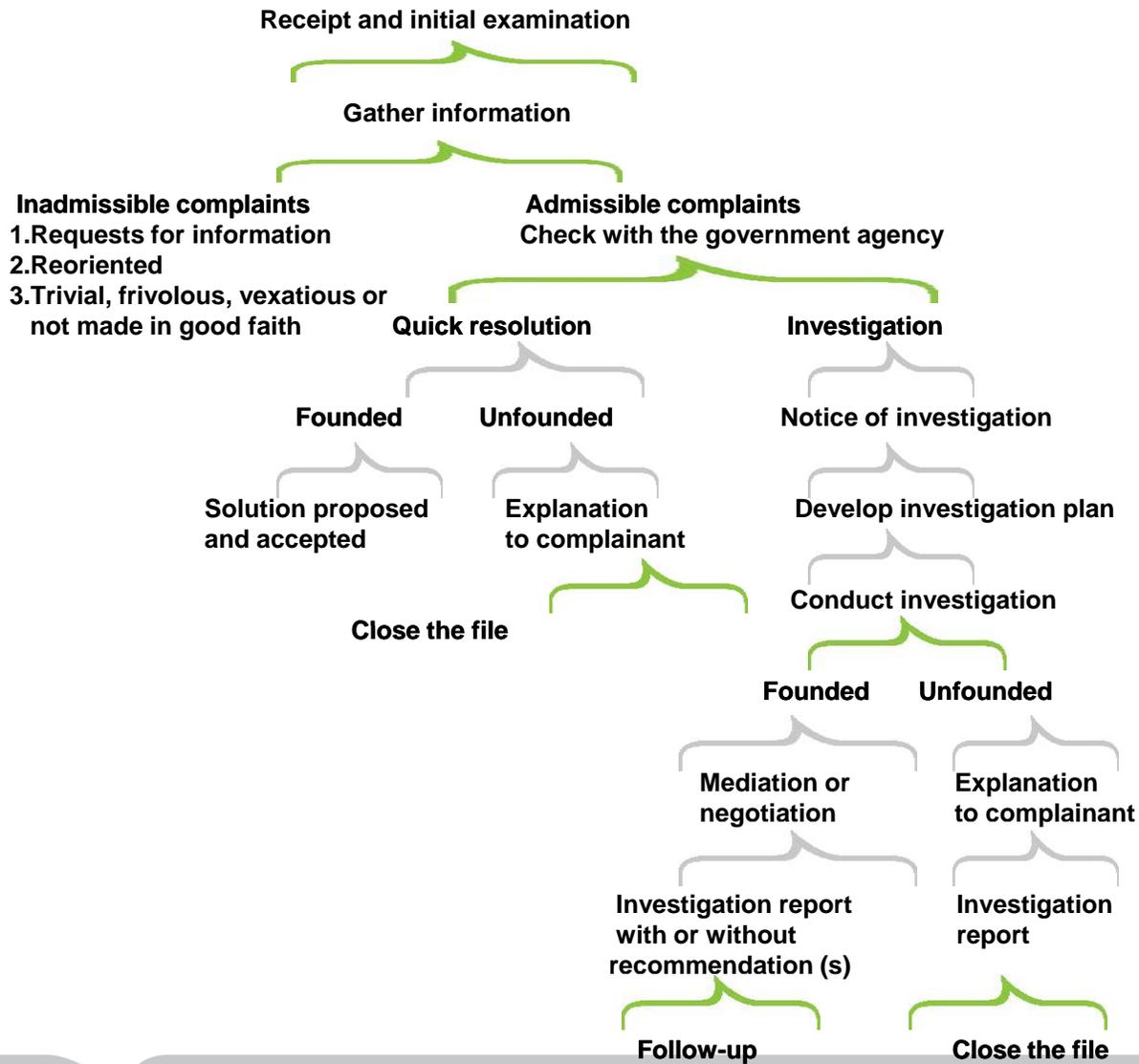
## Active Offer<sup>(2)</sup>

- Ultimately, focused planning and sustained action will contribute to the enhanced political, social, economic and cultural vitality and well-being of Ontario's francophone community which is the overarching objective described in the preamble of the *Act*.

# Investigation and Complaint Resolution

- According to [12.4 \(2\)](#) of *French Language Services* “ Before beginning an investigation, the Commissioner shall inform the deputy head or other administrative head of the government agency concerned of his or her intention to conduct an investigation.” 2007, c. 7, Sched. 16, s. 3.
- Each deputy minister has named an individual with decision making authority to deal with complaints and to keep him or her informed of the progress being made towards their resolution.
- The Commissioner may at any time inform the Deputy Minister of his intention to start a formal investigation in relation to complaints that are not rapidly resolved.
- He also has the discretion to terminate an investigation if an acceptable solution for all parties involved is put forward.

## Complaints Critical Path



# Complaint Resolution Objectives

- To contribute with your collaboration, to the improvement of the quality and accessibility of FLS for the francophone population.
- In carrying out our mandate, keep the process for handling complaints as simple as possible.
- Working with ministries to address concerns and resolve problems at the local level as quickly, as directly and as efficiently as possible.
- Complaints are viewed as quality control mechanisms and to be treated as opportunities for improvement.
- Major improvements resulting from their resolution may be noted in the OFLSC annual report. Ministries and agencies will be made aware in advance of such an occurrence.

# Questions, Comments, Suggestions ?

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