

# **Income Assistance Policy and Procedures Manual**



## **Income Security Programmes**

**Effective September 1, 2007**

## A MESSAGE FROM THE DEPUTY MINISTER

I am pleased to provide you with this Income Assistance Policy and Procedures Manual. It outlines the *Income Assistance Regulations* in detail through policies and provides procedures for programme staff on how to work through administrative processes.

The income assistance program focuses on self-reliance and is designed to provide financial assistance to people to help them in achieving a standard of living and quality of life that ensures their health, safety, comfort and dignity. A focus that can also be seen in the Department of Education, Culture and Employment's vision: People actively participating in community and society to their fullest potential.

This is a living document. From time to time new policies will be added and old ones amended or revoked. Please accept and use this document as the current Income Assistance Policy and Procedures Manual effective September 1, 2007.

Approved:



Deputy Minister  
Education, Culture and Employment

2007-10-19  
Date

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# 1 Introduction

This manual explains the Regulations and policies of the Income Assistance Programme in the Northwest Territories (NWT) and offers procedures on how to implement these Regulations. **Where there is a discrepancy between policies and legislation, the legislation take precedence.**

## **What Is the Income Assistance Programme?**

The Income Assistance Programme is one of seven Income Security Programmes delivered by the Department of Education, Culture and Employment. Income Security Programmes provide financial resources in combination with other Government programmes and services to help people become independent and self-reliant.

The Income Assistance Programme helps people when they do not have enough money each month to pay for basic needs like food, shelter and utilities. The Income Assistance Programme also provides enhanced benefits for longer-term supports, such as clothing or disability allowance. The amount of support available to individuals is based on overall needs, where a person lives, the size of the family, and the person's ability to provide his/her own financial resources. The programme encourages people to make productive choices, allowing them to achieve self-reliance.

## **What are the Income Assistance Regulations?**

The *Income Assistance Regulations*, R.R.N.W.T. 1990, c.S-16 (the Regulations), are part of the Social Assistance Act. The Regulations outline how the Income Assistance Programme operates and how assistance is delivered to Clients.

## **What about other legislation?**

Other legislation that can influence the Income Assistance Programme are the Access to Information and Protection of Privacy Act (ATIPPA) and the Interpretation Act. This list is not inclusive.

## **Who is responsible?**

The head of the Income Assistance Programme is the Director of Social Assistance (Income Security Programmes). He/she works out of the Department of Education, Culture and Employment's Headquarters office in Yellowknife. When an Officer finds himself/herself in a situation that is not covered by the Act, the Regulations, or this Policy Manual, the Officer, through his/her Regional Supervisor, should contact the Director, who makes a decision on how to handle the Client's situation.

### **Must Clients use the assistance for which it was intended?**

Clients are expected to use the assistance for the purpose it was provided. Officers are not expected to monitor spending except in unusual circumstances that requires the Officer's discretion, e.g. homelessness.

### **What happens when a Client is no longer in need?**

When a Client is no longer considered to be in need, he/she is no longer eligible to receive income assistance. **If a Client is later considered to be in need again, they can be considered for income assistance.**

### **Can Clients receive benefits while they are disqualified?**

Clients cannot receive income assistance or request a financial review at any time during their disqualification period. An Officer may change his/her decision to disqualify a Client if he/she has new information **that shows the Client is eligible for income assistance.**

**When there is an appeal pending, income assistance shall not be granted until the decision of the appeal committee or the appeal board is decided.**

### **Asking for types of assistance**

If a Client does not ask for a certain type of assistance, the Officer **must make the Client aware and** offer the assistance to the Client.

### **How is this manual set up?**

This manual follows the same order as the Regulations. The manual groups the Regulations according to themes before providing a brief explanation of those Regulations.

Each section includes the following headings:

- **The law** – a copy of the Regulation(s)
- **What it means** – provides details of the Regulation

Each section may also include:

- **Current practice** – describes what approved practices are in place
- **Example** – describes “real life” examples of how the Regulations should be used
- **Note** – outlines any issues or circumstances that an Officer should be careful of or be aware of

## 2 Income Assistance Regulations

### 2.1 Interpretations – The Meaning of Words

#### The law

1. In these regulations,  
"Act" means the *Social Assistance Act*;  
"adult" means a person who has attained 19 years of age;  
"applicant" means a person who applies or on whose behalf an application is made for assistance, and includes a recipient;  
"application" means an application for assistance under these regulations  
"basic benefits" means the benefits set out in Schedule A;  
"budget deficit" means the amount by which the total cost of those basic benefits that are necessary to an applicant exceeds the financial resources of the applicant;  
"budget surplus" means the amount by which the financial resources of an applicant exceed the total cost of the basic benefits;  
"child" means a person under 19 years of age;  
"dependant" means a member of the family of the applicant who resides with him or her and who is wholly or in part dependent on the income of the applicant, and includes the spouse living with the applicant, but does not include an adult living in the home of the applicant who is maintained by the Director;  
"earned income" means the items set out in subsection 20(3);  
"enhanced benefits" means the benefits set out in

Schedule B;  
"financial resources" means the financial resources of an applicant and his or her dependants as determined in accordance with section 20;  
"foster child" means a child who is maintained in a private home by the Director of Child and Family Services;  
"head of a family" means a person who has charge of a household and who has one or more dependants in the household;  
"Officer" means a Social Welfare Officer appointed under section 4 of the Act;  
"recipient" means a person to whom assistance has been granted;  
"spouse" means a person who  
(a) is married to another person,  
(b) has together with another person, in good faith, entered into a marriage that is voidable or void, or  
(c) is cohabiting with another person in a conjugal relationship outside marriage;  
"unearned income" means the items set out in subsection 20(4);  
"unit" means, for the purpose of calculating the amount of assistance to be granted, a person who is an applicant or one of his or her dependants.

#### What it means

Section 1. of the Regulations provides the exact meaning of some of the words that are used in the Regulations.

#### Words in this manual

For the purpose of this manual, the following provides the meaning of some additional words that are used:

**Application period** - Clients must apply at least once per year. An application is in effect for one year or until there is a break from income assistance of at least one calendar month. Clients must reapply every year or when there is break **of at least one calendar month.**

**Asset** - Any item of economic value owned by an individual, which could include cash, investments, vehicles, real estate or other property.

**Bankruptcy** - When determining the need of a person, it should be noted that bankruptcy is always on an individual basis - couples cannot claim bankruptcy.

**Business day** - Monday to Friday, excluding **statutory and civic** holidays.

**Compensation** - Money paid or payable as compensation for harm done to an individual.

**Director's discretion** - The Director has the legislative authority to make a decision in a Client's case.

**Disabled person** - A person with either physical or mental impairments that significantly restrict his/her ability to perform daily living activities, either permanently or periodically for extended periods, and medical treatment **would not** remove or heal his/her disability and because of these restrictions, requires assistance with daily living activities.

**Earned income** - the items set out in subsection 20.(3) of the Regulations (any income that comes from participation in a community **activity**, employment, training, **or an activity that** includes honoraria).

**Excluded Income** - Items that are excluded from the calculation of financial resources

**Family** - This refers to immediate family and is defined as an Officer's or Client's father, mother, brother, sister, spouse, child, father-in-law, mother-in-law, son-in-law, daughter-in-law, grandparent, and all relatives permanently residing with the employee.

**Financial review** – A monthly review of a Client's income that is required before that Client, and their dependent(s), can receive assistance.

**Friend** – A close and favoured companion



**Headquarters** – The head office of ECE where the Income Security Division is located, the Director is based, and support is provided for the administration of Income Security Programmes.

**Health care professional** – The following personnel have been approved by the Director: a doctor of medicine, a doctor who is specialized in an area of medicine, a physiotherapist or occupational therapist, a psychologist, a nurse practitioner or a registered mid-wife.

**Landlord** - The legal owner or owners of a property and/or building.

**Month or monthly** - The period of time that represents a calendar month, such as the month of February. [*Interpretations Act*]

**Parenting** - The raising of children by a parent or legal guardian.

**Prorate** - To divide expenses based on days. Income assistance is based on monthly payments, but if a Client requests assistance in the middle of the month, the amount the Client is allowed to receive is based on the number of days left in the month and not the whole month.

*For example, a food allowance for a family of three in Aklavik is \$891. If this family made an application for a food allowance on July 14, they are entitled to \$489. The amount is calculated using this formula:  $\$891 \div 31 \text{ days} \times 17 \text{ days} = \$489$ .*

**Productive choice** - The activity or programme a Client must take part in to continue receiving income assistance unless he/she is exempt.

**Remote, inaccessible area** - A remote or inaccessible area is any place that is not easily accessible and is more than 50 kilometres from the nearest road.

**Resident** - A person lawfully entitled to be, or to remain in Canada, who makes his or her home and is ordinarily present in the Territories, but does not include a tourist, transient or visitor to the Territories.

**Separated** - When couples no longer live together but are not divorced. The Director must be consulted if other circumstances exist.

**Spouse** - means a person, 19 years and over, whom is either: married to another person or living together in a conjugal relationship outside a marriage (conjont).

**Transient** – A person who is in need of short-term assistance.

**Traditional activities** - A traditional activity is any one of the following: hunting, fishing, trapping, crafting (baskets, dream-catchers, etc.), carving or being out-on-the-land in a remote or inaccessible area.

**Unearned Income** - the items set out in subsection 20(4) [Regulations]. Income received as a result of activities other than participation in community activities, employment, or training.

## Note

1. The words “must”, “shall” and “will” in the Act and Regulations, or in this manual, refer to something that has to be done, there is no choice.
2. The word “may” in the Act, Regulations, or in the manual will be used to express possibility, opportunity or permission and it is not a requirement.

## 2.2 Person in Need – Who is Eligible

### The law

1.1. (1) In this section,

"long term care facility" means a residential facility providing personal assistance and care to persons outside of their homes and includes a nursing home and an extended care ward of a hospital.

"safe shelter" means a facility providing shelter, protection, emergency care, or support to women who have experienced domestic violence or abuse and to their children.

(1.1) Subject to subsection (2), an applicant is a person in need where, by reason of inability to obtain employment, loss of the principal family provider, illness, disability, age or other cause of any kind that makes the applicant unable to provide adequately for himself or herself and his or her dependants or any of them,

(a) a budget deficit exists; or  
(b) a budget surplus exists that is inadequate, as determined in accordance with the direction of the Director, to provide for an unexpected situation.

(2) An applicant described in subsection (1.1) is not a person in need where the applicant

- (a) is employable but is unwilling to accept employment of any type that has been offered in the Territories that would enable the applicant to provide adequately for himself or herself and his or her dependants;  
(b) is unemployed but is employable as determined under section 5 and an Officer is not satisfied that the applicant is searching for and is willing to undertake wage employment or self-employment;  
(c) is a child;  
(d) is residing in a  
(i) hospital, other than a long term care facility, or  
(ii) safe shelter;  
(e) is incarcerated;  
(f) has the means available to maintain himself or herself and his or her dependants adequately; or  
(g) refuses or neglects to utilize all of the financial resources that he or she may access including but not limited to employment,

unemployment or disability benefits or, subject to subsection (3), pension benefits.

(3) An applicant is not required to access pension benefits before he or she attains the age of 65 years if doing so would reduce his or her future entitlements under the pension plan.

1.11. An applicant is only eligible to receive assistance if he or she

- (a) is a Canadian citizen;  
(b) is a permanent resident as defined in subsection 2(1) of the *Immigration and Refugee Protection Act* (Canada);  
(c) is a protected person within the meaning of subsection 95(2) of the *Immigration and Refugee Protection Act* (Canada) and he or she  
(i) has applied for permanent resident status, and  
(ii) has been issued a social insurance number; or  
(d) is a person who has made a claim for refugee protection inside Canada under subsection 99(1) of the *Immigration and Refugee Protection Act* (Canada), whose claim  
(i) has, under section 100 of that Act, been referred to the Refugee Protection Division of the Immigration and Refugee Board, or is deemed to be referred, and  
(ii) has not been rejected, suspended, abandoned or withdrawn.

1.12. (1) Where the Director is satisfied that an applicant has made a false or misleading statement for the purpose of obtaining assistance for himself or herself or any other person, the applicant is not eligible to receive assistance until 60 days after the day on which he or she made the false or misleading statement.

(2) Where an applicant voluntarily left employment without just cause as set out in paragraph 29(c) of the *Employment Insurance Act* (Canada) he or she is not eligible to receive assistance until 60 days after the day on which he or she left the employment.

(3) Where an applicant's employment was terminated by his or her employer for just cause the applicant is not eligible to receive assistance

until 60 days after the day on which his or her employment was terminated.

1.13. (1) Where a recipient's assistance is terminated under paragraph 16(1)(b), (c), (d.1), (d.2) or (d.3), he or she is not eligible to receive assistance until 60 days after the day on which his or her assistance is terminated.

(2) Where a recipient's assistance is terminated under paragraph 16(1)(b), (c), (d.1), (d.2) or (d.3) and it was previously terminated under the same paragraph, he or she is not eligible to receive assistance until 90 days after the day on which his or her assistance is terminated.

## What it means

Section 1.1.(1) to 1.13.(2) of the Regulations explains how to determine if a person is in need and is eligible to receive income assistance. It also explains what an Officer must do when a Client's assistance is increased, reduced or refused.

A person in need is a person who does not have enough money to pay for his/her or his/her dependents' basic needs (food, shelter and utilities). The amount of income assistance needed is calculated by subtracting the Client's income from the cost of his/her basic needs. If a person **does not have** money left over, he/she may be eligible for income assistance.

If a person has money left over, he/she is not a person in need unless the Director believes the money left over is not enough to provide for an unexpected circumstance.

### Person in need

The following are examples of situations where Clients and/or their dependents would be considered a person in need,

- The Client cannot find work
- An income earner no longer supports the Client and/or dependents
- The Client is ill or homeless and unable to support himself/herself or his/her dependents
- The Client is disabled and living
  - Alone or with someone
  - In a group home
  - In a long-term care facility/hospital, a nursing home or an extended care facility/hospital
- A senior has an income that is not enough to meet his/her needs
- A Client is unable to provide adequately for himself/herself and/or his/her dependents, according to the Director
- A Client who is under house arrest

### Person not in need

The following are examples of situations where Clients and their dependents **would not be** considered persons in need.

- A Client will not take offered work
- A Client can work but the Officer is not satisfied that the person who has applied for assistance is **actively** looking for work
- A Client is under the age of 19 and considered a child
- A Client is in a hospital in the NWT for a medical, surgical, or psychiatric procedure (extended care or long-term care excluded)
  - A Client in this situation may still be considered a person in need if his/her dependents require care and his/her home needs to be maintained. The Client's dependents and home must be in the NWT
- A Client is living in a safe shelter
  - A Client in this situation may still be considered a person in need if his/her dependents require care and his/her home needs to be maintained. The Client's dependents and home must be in the NWT
- A Client is in prison
- A person who, while receiving income assistance:
  - Now has the resources (money, goods or services) to support himself/herself and/or his/her dependents
  - Will not, or does not, bother to use all the financial resources he/she can access (other than income assistance) and is thus not eligible for assistance for 60 days
  - Will not participate, or stops participating, in a productive choice and is thus not eligible for assistance for 30 or 60 days (unless exempt from a productive choice)
  - Will not, or does not, provide any personal or financial information required for the Officer to carry out a financial review
  - Is now working and the earnings are enough to support the Client and his/her dependents according to the Officer. (Income assistance can continue until a Client's first paycheque. If assistance overlaps, no recovery is required)
  - The Officer believes the Client has made a false or misleading statement in order to receive assistance for himself/herself, or for another Client. (The Officer must believe there was intent to make a false or misleading statement and be sure of this intent beyond a reasonable doubt)
  - Quits a job without a good reason (see section 29(c) of the Employment Insurance Act)
  - Is fired with just cause
  - Leaves the NWT, **unless** the Client leaves in order to receive medical treatment that is unavailable in the NWT. If that is the case, his/her assistance can continue for a time period determined by the Director so that he/she may maintain his/her home and care for his/her dependents if the home and dependents are in the NWT

### **Penalties of 60 or 90 days**

***False or misleading statement:*** Where the Director is satisfied that an applicant has made a false or misleading statement for the purpose of obtaining assistance for himself or herself or any other person, the applicant is not eligible to receive assistance until **60 days** after the day on which he or she made the false or misleading statement.

***Left a job:*** Where a Client, who has not been a recipient of income assistance in the last 31 days, has voluntarily left employment without just cause, as set out in paragraph 29(c) of the Employment Insurance Act (Canada), he or she is not eligible to receive assistance until **60 days** after the day on which he/she left the employment. For more information, please visit: [http://www.hrsdc.gc.ca/en/ei/legislation/ei\\_act\\_part1\\_10.shtml](http://www.hrsdc.gc.ca/en/ei/legislation/ei_act_part1_10.shtml).

***Job is terminated with just cause:*** Where an applicant's employment was terminated by his or her employer for just cause, the applicant is not eligible to receive assistance until **60 days** after the day on which his/her employment was terminated.

***Assistance is Terminated:*** Where a recipient's assistance is terminated based on this section of the Regulations, he/she is not eligible to receive assistance until 60 days after the day on which his/her assistance is terminated.

***The two strikes rule:*** If a Client's assistance is terminated a second time, for the same reason as the first, he/she is not eligible to receive assistance until **90 days** after the day on which his/her assistance is terminated.

### **Who is eligible?**

Canadian citizens, permanent residents, refugee claimants and protected persons with a social insurance number living in the NWT are eligible for assistance. If Clients and their dependents have not been issued temporary or permanent social insurance numbers, they are not eligible to receive assistance. Officers must contact a Regional Supervisor/Director who can verify the Clients' and their dependents' Canadian citizenship status.

### **Clients temporarily leave the NWT for medical reasons**

When Clients with dependents temporarily leave the NWT to receive medical treatment that is not available in the NWT, the Director can grant up to three months of assistance (for shelter, utilities, food and clothing for dependents at home). The Client can receive the aged or disabled with the clothing and incidental amount if eligible. Because each case is different, the Officer must send an email to his/her Regional Supervisor to get approval from the Director.

## Note

1. A Client cannot receive assistance for a need that is outside of the Regulations. A debt of any type (credit card, maintenance, personal taxes, etc.) is not considered a need. Rent, utilities, or fuel arrears incurred when a Client was not receiving income assistance is not a need. See Section 6.1 for more information.
2. The Department of Health and Social Services has established the Homelessness Assistance Committee, which can assist a homeless Client and his/her dependents to return to their home community within Canada. See Section 10 of this manual for more information.
3. A person in need can include someone who is self-employed.
4. When a Client quits employment or a productive choice, he/she and his/her dependents will no longer be eligible for assistance.
5. A person aged 16 to 18 years is not eligible for assistance, but can be directed to the Department of Health and Social Services, which may provide benefits under a social services programme through a Support Services Agreement (SSA). See Section 11 of this manual for more information

## 2.3 Kinds of Assistance – Money, Goods or Services

### The law

1.2. (1) The kinds of aid that constitute assistance for the purpose of the Act are money, goods and services.

(2) Basic benefits and enhanced benefits or a portion of them may be provided in goods or services of an equivalent amount.

### What it means

Section 1.2.(1) to 1.2.(2) of the Regulations explains how income assistance can be provided to the Clients and their dependents.

Aid for basic and/or enhanced benefits can be provided to the Client and his/her dependents in the form of:

- Money (cheque or direct bank deposit), and/or
- Goods and services (i.e., food, fuel, etc.)

For more information on enhanced benefits, refer to Section 4 – Schedule B of this manual.



## 2.4 Delegation – Transfer of Responsibilities

### The law

1.3. The Minister may delegate to a local authority designated under section 5.1 of the Act the implementation of any direction of the Director

referred to in these regulations in a community in respect of which the local authority has been designated.

### What it means

Section 1.3. of the Regulations explains how local First Nations, Aboriginal governments, and other community groups can be given responsibilities regarding Income Assistance

The Minister can delegate duties, not the authority of the Director, to community groups. However, at this time, the Minister has not delegated any authority.

Regardless of the employer, all Officers are subject to the same Regulations, policies and procedures. On matters regarding policies and procedures, Officers should report to the Regional Supervisor of Income Security Programmes.

## 2.5 Application for Assistance – How to Apply

### The law

2. Every person applying for assistance shall

- (a) make application for assistance to the Officer for the area in which the applicant is residing; and
- (b) sign a statement and authorization in the presence of the Officer taking the application.

3. Application for assistance on behalf of a family shall be made by the head of a family on behalf of himself or herself and his or her dependants, but where an Officer is satisfied that the head of the family is unable, for a valid reason, to make the application, the Officer may permit the application to be made by another adult member of the family, or by a responsible person outside of the family.

3.1. Subject to sections 3.2 and 3.3, the Director shall determine the content of the forms to be used by an Officer for an application, statement and authorization referred to in section 2, and for an assessment and verification of whether an applicant is a person in need and for any other purpose that the Director considers necessary.

3.2. (1) In this section, "income in kind" means goods or services received by an applicant free of charge.

(2) The following must be provided in respect of an applicant and each of his or her dependants before

assistance is granted:

- (a) name, sex, address, phone number, birth date, marital status and ethnicity;
- (b) education and occupation;
- (c) proof, satisfactory to an Officer, of health care number and social insurance number;
- (d) description of any maintenance order entitling the applicant to maintenance;
- (e) reason for the application for assistance;
- (f) employment history;
- (g) the monthly amount and sources of all income including gross earned income, net earned income, unearned income and income in kind;

- (h) the value and description of all assets;
- (i) information concerning finances from, if relevant, his or her employer, bank or other financial institution, mercantile organization, educational institution and federal, provincial, territorial and municipal government departments and agencies, including the Canada Revenue Agency and Human Resources and Skills Development Canada;
- (j) the most recent Canada Child Tax Benefit Notice.

3.3. The statement and authorization of the applicant referred to in paragraph 2(b) must include statements that the applicant

- (a) meets one of the eligibility criteria set out in paragraphs 1.11(a) to (d);
- (b) has attained the age of 19 years;
- (c) will inform the Officer immediately of any change in his or her circumstances that would affect his or her application or the amount of assistance granted, including change in dependants, income, assets or residence;
- (d) authorizes the Officer to verify the information provided by the applicant;
- (e) authorizes the release to an Officer of any information, including personal information, relating to the applicant by the applicant's employer, bank or other financial institution, mercantile organization or educational institution or by a federal, provincial, territorial or municipal government department or agency, including the Canada Revenue Agency and Human Resources and Skills Development Canada for the purpose of determining the applicant's financial resources and his or her eligibility for assistance and for the effective and efficient general administration and enforcement of the Act and the regulations made under it;
- (f) authorizes the release to an Officer of any information, including personal information relating to any claim by the applicant for benefits including but not limited to employment, unemployment, pension or disability benefits

under any Act of the Territories, a province, a territory or Canada;

(f.1) authorizes the release by an Officer of any information relating to the applicant including personal information, to the applicant's employer, bank or other financial institution, mercantile organization or educational institution or to a federal, provincial, territorial or municipal government department or agency, including the Canada Revenue Agency and Human Resources and Skills Development Canada for the purpose of determining the applicant's financial resources and his or her eligibility for assistance and for the effective and efficient general administration of the Act and the regulations made under it;

(g) declares that he or she understands the circumstances under which the procedure by which he or she may appeal a decision respecting assistance and the circumstances under which the Officer may assist the applicant in making the appeal;

(h) declares the information that he or she provides to the Officer is true;

(i) declares that he or she understands that making a false or misleading statement for the purpose of obtaining assistance for himself or herself or any other person is an offence punishable on summary conviction;

(k) will repay assistance for which the applicant is not eligible or in excess of the amount of assistance to which the applicant is eligible and understands that such assistance may be deducted from future assistance payments.

5. Where an applicant is unemployed but is employable, as determined in accordance with the direction of the Director, the Officer shall satisfy himself or herself that the applicant is searching for and is willing to undertake wage employment or self-employment.

6. (1) An Officer may require an applicant to disclose fully such information as the Officer considers necessary to establish the eligibility of the applicant and the Officer may refuse assistance until sufficient information is provided. (2) The applicant shall be informed in writing of a refusal under subsection (1) together with the reasons for the refusal within 24 hours of the refusal.

7. An Officer shall refuse assistance to any applicant whom the Officer determines is not a person in need, and the applicant shall be informed in writing of the refusal and the reason for the refusal within 24 hours of the refusal.

## What it means

Sections 2. to 7. of the Regulations set out the rules Clients must follow when applying for income assistance and the rules an Officer must follow when refusing a Client.

### Place of residence

Clients must apply for income assistance in their community. Before Clients can receive income assistance from another community, they must provide proof of residence (such as address change, rental agreement, utility bill, etc.) to the Officer that they have moved to the new community. To assess eligibility for assistance in the new community, the Officer must determine the amount of assistance received prior to the Client's move to the new community.

A new application and a statement of authorization are required.

The Client's file is not to be transferred to the new community. Specific documents (such as income tax notice of assessment, old application, Statement

of Authorization, etc.) must be faxed from the original community to the new community, where a new file will be created.

### **Application and forms**

The Director must approve all forms. Officers **shall use only** the approved forms.

Clients must complete and sign all necessary forms to apply for assistance. Clients who are unable to complete the forms may request assistance from another adult member of the family, another responsible adult person, or the Officer.

### **Client and dependent information**

Clients must provide all of the following information (for themselves and for any dependents). The Officer must collect all of this information before the need for income assistance is determined:

- Full name (first, last, middle, as well as any nicknames, maiden names, aliases, etc.)
- Gender
- Address (street and mailing)
- Phone number(s)
- Birth date
- Marital status
- Ethnicity
- Education and occupation
- Health care number (copy)
- Social insurance number (copy)
- Description of any maintenance order (copy)
- Explanation of why they are applying for income assistance
- Employment history
- Monthly income (gross earned, net earned, unearned and income-in-kind)
- Description and estimated value of all assets
- Information about the money kept in or received from employers, financial institutions, agencies or governments, and,
- Most recent copy of their Canada child tax Benefit Notice

When a Client is new to the NWT, staff at Headquarters are required to verify the following information:

- Provincial and territorial income assistance
- Employment Insurance
- Child support registered with Maintenance Enforcement Program
- Workers Compensation
- Landlord
- Suppliers

- Citizenship and Immigration status
- Credit check
- GNWT superannuation

Verification must be done before an Officer can determine if a Client and his/her dependents are eligible to receive income assistance.

### **Statement of Authorization**

When applying, Clients must sign the *Statement of Authorization* included in the application. If a Client has adult dependents, they must also sign one too.

The *Statement of Authorization* allows the Officer to collect and use the information about a Client and his/her dependents. It also indicates that the Client and his/her dependents understand the form and will tell the truth on their application.

### **Looking for employment**

The Officer must verify that a Client who is employable is **actively** searching for and willing to work for a wage, salary or to become self-employed. If the Officer does not believe a Client is searching for and willing to work, his/her Regional Supervisor must be contacted and he/she must agree with the Officer's decision not to provide income assistance.

The Client must show the Officer that he/she made a reasonable effort to look for work. In order to verify the search for work, a Client may be requested to complete a *Work Search Form* that lists the places and dates where the Client has applied for work. The Client may also be requested to complete a job application, drop off a resume and obtain dated signature from potential employers.

### **Request for additional information**

Clients may be asked to provide additional information if the Officer believes it is essential to complete the application.

### **Refusing assistance**

An Officer may refuse assistance to any Client and his/her dependents if the Officer believes they are not in need. The Client should be notified in writing of the decision within 24 hours. If that is not possible, the decision should be mailed to Clients and the date the decision was mailed should be recorded in the file.

## 2.6 Granting of Assistance – How Assistance is Given

### The law

9. Where, after thoroughly reviewing and verifying the information provided by the applicant, an Officer is satisfied that an applicant is a person in need, the Officer shall

- (a) determine the amount of assistance based on the applicant's need for assistance;
- (b) determine, in accordance with the direction of the Director, whether the assistance is to be provided as money, goods or services, or any combination of them; and
- (c) grant assistance in accordance with Schedule A and, subject to section 13.1, Schedule B as is applicable to the circumstances of the applicant.

10. Where assistance has been granted under section 9, the Officer shall inform the applicant immediately

- (a) of the kind and the amount of assistance, the manner in which the amount of assistance was determined and the method of providing the assistance; and
- (b) of the responsibility of the applicant to report immediately any change in circumstances that would affect the amount of the assistance that has been granted.

### What it means

Sections 9. and 10. of the Regulations set out the process Officers must follow to provide income assistance.

### Current Practice

Although the Director should be in agreement with how the Client receives assistance, the practice has been to allow the Officer and Client to decide how the assistance will be provided, without consultation with the Director.

#### Officer responsibilities

After an Officer has reviewed and examined the Client's application information and determined that the Client and his/her dependents are in need, the Officer must:

- Calculate the amount of eligible assistance (full month or prorated)
- Tell the Client he/she is eligible to receive assistance and what he/she can receive
- Decide how the assistance will be provided – cheques, direct deposit, goods, services or a combination
  - The Officer determines how the assistance will be provided in consultation with the Client

- The Director has the authority to overturn the Officer's decision.
- Provide assistance under Schedule A and/or Schedule B, depending on the circumstances
- Tell the Client he/she must report all changes to his/her personal information (where he/she lives, how many people are in the family, etc.) and financial information (income and assets)
- Explain the Income Assistance Programme to the Client, making sure that he/she understands what he/she is eligible to receive, how much he/she is receiving, what his/her rights and obligations are, and what the government's rights and obligations are

### **Providing assistance to family members and friends**

An Officer, working alone in a community, can help a family member, friend or co-worker who is applying for assistance, but cannot issue income assistance without approval from a co-worker or Regional Supervisor.

If the Officer has a co-worker, the co-worker must assess this file.

The Officer should get approvals from a co-worker or Regional Supervisor for friends, where he/she feels that there could be a conflict of interest.

If the Officer is the only Income Security Programme employee in the community, the assessment can be sent to another Officer or to the Regional Supervisor using the following process:

1. The Officer will collect all relevant information and provide the information to his/her Regional Supervisor by fax
2. The Regional Supervisor will sign and date the page of the financial case report
3. The Regional Supervisor may choose to initial and date every page that was sent or initial all needs and income of an FCR before entering notes in CMAS that this was approved/not approved
4. The information will then be faxed back to the Officer
5. The Officer will put the original and the faxed copy with approval into the Client's file
6. Only after this is done can assistance be issued

## 2.7 Commencement of Assistance – When Assistance Starts

### The law

11. (1) Assistance shall commence
- (a) on the day application for assistance was made, or
- (b) on the day in respect of which the need for assistance is established
- whichever day is the later, but assistance for rent, fuel and utilities may, if the need exists, be granted commencing from the beginning of the month in which application was made.
- (2) If the eligibility of an applicant for assistance cannot be determined immediately for reasons

beyond the control of the applicant or the Officer and the need is apparently urgent, a grant of minimal assistance may be made in accordance with Schedule A to meet the need until the eligibility of the applicant can be determined.

(3) Notwithstanding subsections (1) and (2), assistance shall not be granted in respect of a period of time during which an applicant is not eligible to receive assistance under sections

### What it means

Section 11.(1) to 11.(3) of the Regulations explains when to begin a Client's income assistance.

A Client's income assistance begins on the day he/she makes an application for assistance or on the day the Officer deems assistance is required.

However, a Client's assistance for rent, utilities, or fuel can be retroactive to the first day of the month, or at any time during the month, if the Officer determines the need exists.

### Start of assistance

Clients must:

- Apply each year on the anniversary of their first application (if they have received assistance continuously for the year)
- Reapply if they have left the system for one month or more
- Review the *Statement of Authorization* form if a new Officer has been assigned to their case, or
- Re-sign the *Statement of Authorization* form if a new *Statement of Authorization* has been developed

Once the application process is complete, assistance is retroactive to the date the application process started or the day the Client told an Officer of his/her intent to



make an application, unless the Client misses his/her appointment set up to start the application process.

If the Officer is not in the community, the assistance starts when the Client makes contact with the Officer by phone, fax or email, unless the Client misses the appointment date set up to start the application process.

### **Urgent assistance requirements**

In a situation where eligibility for assistance cannot be immediately determined, and the Officer believes the need is urgent, the Officer may issue  $\frac{1}{4}$  or  $\frac{1}{2}$  of a Client's food allowance under Schedule A.

An urgent circumstance is one that is beyond the Client's control (i.e. house fire, natural disaster such as a flood, etc.).

*For example, a single Client in Yellowknife is eligible for \$286 month in food allowance from Schedule A. If the Officer believes the need of the Client is urgent, the Officer can issue a quarter or a half of the \$286.*

Once eligibility is established, the amount of urgent assistance must be deducted from the Client's total assistance available.

If it is determined that the Client was not eligible, the amount of assistance that was advanced to the Client must be recovered from the Client through the appropriate overpayment process.

## 2.8 Method of Providing Assistance – Money Now or Later

### The law

12. (1) Assistance shall be provided in advance either monthly or on a *pro rata* monthly calculation at intervals during the month, as considered appropriate by the Officer having regard to the circumstances of the recipient.
- (2) Assistance may be provided in advance for up to two months where the recipient is able to demonstrate to an Officer that the recipient and his or her family will be residing in a remote or inaccessible location for an extended period of time.
- (3) Assistance in the form of money may be paid

- (a) by cheque or direct deposit to the recipient or as otherwise directed by the recipient; or
- (c) by cheque to a trustee.
- (3.1) Assistance in the form of goods or services may be provided to the recipient by the Officer or by a person authorized by the Officer to provide the goods or services.
- (4) Where, under subsection (3), payment is made to a trustee the trustee shall, in a manner approved by the Director and at intervals of not longer than three months, provide an accounting of expenditures to the Officer granting the assistance.

### What it means

Section 12.(1) to 12.(4) sets out the rules for providing income assistance to Clients by the month, in advance, or to another person or agency.

With the Client's circumstances in mind, the Officer can provide assistance to the Client and his/her dependents as follows:

- At the beginning of the month
- At prorated intervals during the month, or
- If the Client and his/her family are residing in a remote, inaccessible area, assistance can be provided for up to two months in advance

#### **When and how to prorate**

During a month, any type of assistance, except utilities and fuel, can be prorated. Prorating depends on the actual need and the type of assistance. See Sections 3 and 4 of this manual for treatment of each individual benefit.

If a Client applies on the 1 to the 7 day of a month, do not prorate the Client's assistance for that month. If a Client applies on or after the 8 day of a month, prorating would take place and begin on the day they applied.

When a Client applies during the first 7 days of a month, look at the full, prior month to determine the Client's income.

### Previous Month

*For example, if a Client applied February 7, the officer would use the entire month of January's income to determine benefits for February.*

### Count 31 Days Back

*For example, a Client applies on February 8, the officer would start counting 31 days back beginning on February 7 and ending on January 8, using the income earned during the period January 8 to February 7, prorating food and assisting with other needs as necessary. If that same Client returned in March, count the income earned from February 8 to February 28, do not prorate, and if that same Client returned in April, count all of the income earned in March to determine benefits.*

### Paid to a public trustee

If assistance is paid to a public trustee, the trustee must provide the list of expenses paid on behalf of the Client to the Officer **at least every three months** unless the Director approves another time-period. The Director has not approved a standard format for this information; therefore, the Officer must contact the Director in all cases involving a public trustee.

When assistance is paid to the public trustee, the public trustee must arrange to take care of the Client's affairs by completing all the necessary paperwork and signing, or arranging for signatures for, all necessary documents.

## 2.9 Continuing Eligibility – Payrolling

### The law

13. A recipient who, in the opinion of the Officer is likely to be in monthly receipt of assistance in substantially similar amounts for a period of three months or more and whose financial

circumstances, in the opinion of an Officer, are unlikely to change, may be issued assistance monthly without financial review for a period up to 12 months.

### What it means

Section 13. of the Regulations explains that if a Client and his/her dependents' circumstances are unlikely to change during a period of three to 12 continuous months, the Officer may provide the assistance monthly to the Client without a monthly financial review. This practice is known as payrolling.

#### Continuous payments

The Officer must be completely satisfied that the circumstances of the Client and his/her dependents will not change during the approved continuous period. Generally, Clients who are disabled or on short to long-term medical have a certificate that exempts them from a productive choice and may be payrolled.

*For example, a 25-year-old Client is disabled and unable to work. That Client has no other source of money and is not able to receive money from any other source. An Officer can issue all basic and enhanced benefits on a monthly basis without meeting with the Client or looking at the Client's income and expenses. Under these circumstances, the Client (or a designate) is still responsible for providing the Officer with all bills that are to be paid by income assistance.*

#### Clients reporting changes

An Officer should remind a Client, or the person taking care of the Client's expenses, that any changes to the Client's information must be reported to the Officer immediately.

#### Headquarters' monthly downloads

Every month, ECE downloads information for the National Child Benefit, Territorial Worker's Supplement and the Senior Citizen's Supplementary Benefit and loads it into CMAS. This usually occurs between the 10<sup>th</sup> and 15<sup>th</sup> of the month. Staff should never manually enter either of these benefits unless the Client has been off Income Assistance for longer than 6 months or he/she is a new Client. Amounts should never be overwritten, as the actual amount paid to the Client is what is loaded into CMAS. If you are in doubt about a particular payment please contact

the CMAS helpdesk. See Section 12 of this manual for Income Security staff contact information.

## 2.10 Participation in a Programme or Activity – Productive Choice

### The law

13.1. (1) An Officer shall meet with an applicant and

(a) discuss the activities and programs referred to in subsection (6) that are available in the community in which the applicant resides or to the residents of that community;

(b) determine the activities and programs that the applicant is capable of participating in; and  
(c) recommend to the applicant one or more activities or programs in which the applicant must participate that are available in the community in which the applicant resides or to the residents of that community.

(2) An Officer, in consultation with the recipient, shall determine the time within which an applicant must commence participation in any activity or program recommended by the Officer and the duration of the applicant's participation in the activity or program.

(3) An Officer shall monitor an applicant's participation in any activity or program recommended by the Officer and the applicant shall report to the Officer on his or her participation in the activity or program as required by the Officer.

(4) An Officer may change his or her recommendation respecting an activity or program in accordance with subsection (1) and shall review his or her recommendation on the request of an applicant.

(5) An applicant shall participate in the activities and programs recommended by an Officer unless  
(a) a person in a health care profession approved by the Director, an occupational therapist or a medical practitioner certifies that the applicant is

not capable of participating in the activity or program for a specified period of time; or

(b) the applicant attained the age of 60 years.

(6) The activities or programs that an Officer may recommend to an applicant are the following, if the activities or programs conform with criteria approved by the Director:

(a) wage employment;

(b) traditional activities;

(c) education and training;

(d) career counselling;

(e) wellness programs and activities, including but not limited to medical treatment, counselling and treatment programs;

(f) parenting or care of adult family members;

(g) unpaid community work;

(h) other activities or programs designated by the Director as activities or programs that an Officer may recommend to applicants.

(7) Where an applicant is participating in an activity or program recommended by an Officer or is exempted under subsection (5), in addition to the assistance granted under Schedule A, an Officer shall grant assistance under Schedule B.

(8) In granting assistance under subsection (7), the Officer shall

(a) determine the amount of assistance based on the applicant's need for assistance;

(b) determine, in accordance with the direction of the Director, whether the assistance is to be provided as money, goods or services, or any combination of them; and

(c) grant assistance in accordance with Schedule B as is applicable to the circumstances of the applicant.

### What it means

Sections 13.1.(1) to 13.1.(8) of the Regulations outline the programmes and activities most Clients must take part in to continue to receive income assistance

and to be eligible for enhanced benefits. These programmes and activities are called productive choices.

### **Who participates in a productive choice**

Productive choices are mandatory for all adults in the Client's household, unless exempt under section 13.1.(5) of the Regulations.

### **Exempted from a productive choice**

Clients who are disabled, aged, or have medical certificates are not required to participate in productive choices, but may participate if they wish to. The following are exempt from participating in a productive choice:

- A Client who is 60 years of age or older
- A Client who has received a note from a health care professional that states the Client is a person with a disability
- A Client who has received a note from a health care professional that states the Client cannot work, attend school, or volunteer, as a result of his/her medical condition
- A Client who is unable to obtain day care for his/her children during holidays, March break or summer break, can be exempted from participating in a productive choice during those time-periods

### **Deciding on a productive choice**

A Client must participate in a productive choice if he/she is able. The Officer must meet with the Client and together they must:

- Discuss the productive choices that are available in the community
- Determine which productive choices the Client is capable of participating in
- Recommend to the Client productive choice(s) that are available
- Decide when participation in the productive choice(s) will begin
- Decide how much time during the month the Client must participate in a productive choice
- Decide how long the Client will participate in the productive choice

### **Approval of a productive choice**

The following is a list of approved productive choices:

- **Employment that generates wages or a salary**
- Traditional activities
- Education (post-secondary, adult basic education or other training)
- Career counselling
- Wellness programmes such as medical treatment, counselling, or addictions treatment (drugs or alcohol)
- Parenting a child, either their own or a foster child, from birth to three years of age
- Parenting two children under the age of six

- Caring for a disabled adult dependent(s) or a dependent requiring homecare services
- Volunteering (unpaid community work)
- Participating in a 'Plan of Care' developed by the Department of Health and Social Services

The Officer must speak to his/her Regional Supervisor and get approval from the Director for all productive choices not shown on the list above.

### **Beginning a productive choice**

Although the Regulations do not provide a start and end date for a productive choice, the common practice in the NWT is to begin productive choices when the Client starts his/her third month of assistance.

Clients may begin productive choices right away or any time within a two-month transitional period. The two-month period gives the Client and the Officer time to identify a plan of action.

If a Client is in a transitional period, he/she is not eligible for enhanced benefits.

An Officer will determine, with the Client, the appropriate time for the Client to begin a productive choice.

### **Verifying a productive choice**

The Officer must monitor the Client's participation in his/her productive choice. The Client must submit material that confirms the participation in a productive choice.

*For example, the report could be post-secondary school attendance records, pay stubs, or letters from volunteer agencies.*

### **Changing a productive choice**

At any time, an Officer may review a Client's circumstances and change the Client's productive choice *in consultation with the Client*. The change can take place at the Client's request, or if the Officer deems, in agreement with the Client, that changing the productive choice would benefit the Client, or if the Client quits a productive choice for a valid reason.

A change can be made either to the type of productive choice or to the length of time a Client participates in the productive choice.

The Client must receive approval from the Officer before altering dates, or the length of time, or changing or quitting their productive choices.



The Officer should review each situation on a case-by-case basis.

### **Quitting a productive choice**

The Officer should review with a Client the reason they quit a productive choice. There may be valid reasons that could lead to the office not refusing assistance, but recommending another productive choice.

### **Providing enhanced benefits**

A Client participating in a productive choice(s) is eligible for enhanced benefits. The Officer and the Client and his/her dependents must:

- Determine the type of benefit to be provided based on the Client's need
- Decide how the assistance will be provided – cheques, direct deposit, goods or services or a combination

### **Exempt from a productive choice**

A Client who is exempt from participating in a productive choice is eligible for enhanced benefits from the day he/she applies for income assistance, or from the day he/she becomes exempt from participating in a productive choice.

## **Note**

1. As each Client's situation is different, the Officer must consult with his/her Regional Supervisor.

## 2.11 Changes in Amount of Assistance – Changing or Stopping Assistance

### The law

14. (1) Where a recipient provides information satisfactory to an Officer that the recipient's need for assistance has increased due to a change in circumstances, the Officer shall, subject to subsection (3), grant an increase in the amount of assistance granted under paragraph 9(c).

(2) An increase granted under subsection (1) must commence on the earlier of the day the Officer is advised of the change in circumstances and the day the increased need is determined.

(3) An increase in assistance may be denied if, in the opinion of the Director, the recipient has, in an unreasonable manner, caused or contributed to the change in his or her circumstances.

15. Where the need of a recipient for assistance is reduced, the Officer shall take immediate action to reduce the amount of the assistance.

16. (1) Every Officer shall terminate assistance to a recipient where

(a) the recipient has the means available to maintain himself or herself and his or her dependants adequately;

(a.1) the recipient refuses or neglects to utilize all the financial resources that he or she may access including but not limited to employment, unemployment or disability benefits or, subject to subsection (1.1), pension benefits;

(b) the recipient refuses or ceases to participate in an activity or program recommended by an Officer under section 13.1 unless exempted under subsection 13.1(5);

(c) the recipient refuses or neglects to provide the Officer with any information that is required in order to determine the financial resources and other circumstances of the recipient that may affect the amount of assistance provided to the recipient;

(d) the recipient obtains employment resulting in earnings adequate to meet the needs of himself or herself and his or her family, but assistance may

be continued until receipt of his or her first pay cheque;

(d.1) the Director is satisfied that the recipient has made a false or misleading statement for the purpose of obtaining assistance for himself or herself or any other person;

(d.2) the recipient voluntarily leaves employment without just cause as set out in paragraph 29(c) of the *Employment Insurance Act* (Canada);

(d.3) the recipient's employment is terminated by his or her employer for just cause; or

(e) subject to subsection (2), the recipient leaves the Territories.

(1.1) A recipient is not required to access pension benefits before he or she attains the age of 65 years if doing so would reduce his or her future entitlements under the pension plan.

(2) Assistance may be continued for a temporary period, as determined by the Director, where a recipient leaves the Northwest Territories

(a) to receive treatment or medical care; or

(b) to participate in an activity or program, if the recipient maintains his or her ordinary residence in the Territories and the activity or program is, in the opinion of the Director,

(i) similar to an activity or program referred to in section 13.1; and

(ii) not available, and not ordinarily available, in the Territories.

(3) The temporary period for which assistance is provided under paragraph (2)(b) must not exceed three months.

17. (1) Before changing, suspending, reinstating or terminating assistance, an Officer shall, where possible, review the circumstances of the recipient with him or her, or in lieu of this review and with the knowledge of the recipient, make such inquiry and obtain such information as he or she considers necessary.

(1.1) An officer shall inform the recipient of the results of an inquiry conducted and the information obtained under subsection (1).

(2) Where assistance is changed, suspended, reinstated or terminated, the Officer shall endeavor to inform the recipient within two

business days of such change, suspension, reinstatement or termination and the reasons for it.

## What it means

Sections 14.(1) to 17.(2) of the Regulations provide information on when and how to increase, decrease, or end a Client's income assistance. This section only applies to Clients who have received income assistance **during the previous month**.

### Increased need

A Client must provide proof if his/her eligible need increases. The Officer, after confirming the increased need, must increase the eligible income assistance starting from the day the Client reported the increased need.

If the Director feels that a client has purposely caused or contributed to his or her poor circumstances, the Director may refuse assistance. *For example, a cause or contribution to a poor circumstance would be: damaging a rental property and being evicted, refusing employment for no just cause, or traveling outside of a home community to visit, using all resources.*

*For example, if a Client's rent is increased, he/she must provide a report or a bill to prove it.*

### Decreased need

When the need of a Client decreases, the Officer must reduce the income assistance immediately.

*For example, if the Client takes on a roommate, the need for rent and utilities assistance will decrease.*

If the decrease takes place before the day the Client reports it to the Officer, the Client has received too much assistance. In this case, a recovery is required and the Officer will need to set up an overpayment.

### When to stop assistance

An Officer shall stop assistance immediately when a Client:

- Has the resources (money, goods or services) to support himself/herself and his/her dependents
- Will not or does not use all the financial resources (such as paid employment or Employment Insurance benefits) that he/she can access and is thus not eligible for assistance for 30 or 60 days

- Will not participate, or stops participating, in productive choices (including from the result of quitting or being fired with just cause) and is thus not eligible for assistance for 60 to 90 days (unless he/she is exempt from productive choices)
- Will not or does not provide the personal or financial information required by the Officer to carry out a financial review and is thus not eligible for assistance for 60 to 90 days
- Is now employed and the earnings are adequate to meet his/her needs according to the Officer. Income assistance can continue until the Client receives his/her first paycheque. If assistance overlaps, no recovery is required
- Has been dishonest in order to receive assistance, or so that other Clients can receive assistance. The Officer must be sure, beyond a reasonable doubt, that there was intent to be dishonest
- Leaves the NWT, unless it is to receive medical treatment or an activity or programme related to a productive choice that is not available in the NWT, such as specialized counselling or employment training, etc. A Client can continue to receive assistance, for a time-period of up to three months, to maintain his/her home and care for his/her dependents if the home and dependents are in the NWT. All basic needs from Schedule A are issued when the Director approves this leave. The enhanced needs from Schedule B are issued at the Director's discretion. (The Director must be contacted for approval of the type of activity or programme a Client requests in order to leave the NWT.)

See Section 2.2 of this manual for clarification on length of time assistance is stopped.

### **Changing the assistance**

Changes to a Client's income assistance may include, but are not limited to:

- Providing more or less assistance
- Delaying assistance
- Restoring assistance, or
- Stopping assistance

Before an Officer can make changes to a Client's income assistance, the Officer, wherever possible, must let the Client know he/she is investigating the possibilities of a change. The Officer must explain the change and the reasons for the change to the Client.

The Officer must do whatever is possible to let the Client know within two business days that the Client's assistance will change.

### **Labour standards decisions**

When a Client has quit or been fired from a job for just cause and the case is reportable to the Labour Standards Officer (e.g. sexual harassment or excessive hours of work), the Client must provide proof that a complaint has been made to the Labour Standards Officer. Once proof has been provided to the Officer, the Client's assistance can continue until the Labour Standards Officer has made a decision.

If the Labour Standards Officer finds that the Client has quit or was fired for cause, the Client can be disqualified for 60 days from the day the Labour Standards Officer made his/her decision. Assistance that was issued during the appeal period should not be recovered from the Client.

### **Assistance is stopped**

Where the Director is satisfied that an applicant has made a false or misleading statement for the purpose of obtaining assistance for himself/herself or any other person, the applicant is not eligible to receive assistance until 60 days after the day on which he or she made the false or misleading statement. If there is suspicion of fraud, see Section 6.6 of this manual.

Where an applicant voluntarily left employment without cause as set out in paragraph 29(c) of the *Employment Insurance Act* (Canada), he/she is not eligible to receive assistance until 60 days after the day on which he/she left the employment. For more information, please visit:  
[http://www.hrsdc.gc.ca/en/ei/legislation/ei\\_act\\_part1\\_10.shtml](http://www.hrsdc.gc.ca/en/ei/legislation/ei_act_part1_10.shtml)

Where an applicant was fired for just cause, the applicant is not eligible to receive assistance until 60 days after the day on which his/her employment was terminated.

Where a Client's assistance is terminated based on this section of the Regulations, he/she is not eligible to receive assistance until 60 days after the day on which his or her assistance was terminated.

Where a Client's assistance is terminated on this section of the Regulations and it was previously terminated under the same paragraph, he/she is not eligible to receive assistance until 90 days after the day on which his or her assistance is terminated.

If a Client's assistance is terminated, his/her spouse and dependents are also disqualified from receiving assistance.

## 2.12 Financial Resources – What Income is Counted?

### The law

20. (1) In calculating the financial resources of an applicant and the dependants of an applicant, an Officer shall, in accordance with these regulations, ascertain the net monthly income of the applicant and dependants and shall complete an application and make such inquiries as are necessary for the purpose.

(2) In this section, "net monthly income" means the total, for a calendar month, of all

(a) earned income referred to in subsection (3), and

(b) unearned income referred to in subsection (4), less any allowable income referred to in subsection (7).

(3) Subject to subsection (5), the following shall be considered as earned income for the purposes of subsection (2):

(a) salary and wages including voluntary

deductions but excluding mandatory deductions;

(b) net income, determined in accordance with the direction of the Director, from hunting, trapping and fishing;

(c) net income, determined in accordance with the direction of the Director, from business operations;

(d) fellowships, bursaries, and scholarships;

(e) honoraria received from benevolent or other organizations or agencies.

(4) Subject to subsections (5) and (6), the following shall be considered as unearned income for the purposes of subsection (2):

(a) net income, determined in accordance with the direction of the Director, from roomers, other than roomers referred to in paragraph (b.1);

(b) net income, determined in accordance with the direction of the Director, from boarders, other than boarders referred to in paragraph (b.1);

(b.1) gross income received from roomers or boarders who receive assistance under the Act;

(c) net income, determined in accordance with the direction of the Director, received from rented self-contained living quarters or property the applicant is allowed to retain;

(d) the regular or periodic payments received under any annuity, pension plan, superannuation scheme or insurance benefit, except where the insurance payment is received as a result of fire, theft, or property damage and is used to replace or repair loss;

(e) benefits from benevolent organizations or other agencies;

(f) any payments received under a mortgage, agreement for sale or loan agreement;

(g) any pension or payment received under the legislation of any other country;

(h) money held in trust for a child and available for distribution;

(i) money received under the terms of maintenance orders, parent's maintenance orders, affiliation or contribution orders or agreements, separation agreements, court orders, divorce decrees, inheritance settlements or other types of settlements or agreements;

(j) the goods and services tax credit under the *Income Tax Act* (Canada), paid by the Government of Canada;

(k) the reasonable value of goods and services received by an applicant as estimated by the Officer;

(l) a gift or gratuity of cash, or of a financial instrument that can be converted into cash, with a loss not exceeding 25% of reasonable market value;

(n) tax refunds, including payments for tax credits;

(o) the National Child Benefit Supplement, paid by the Government of Canada;

(o.1) universal child care benefits paid by the Government of Canada;

(o.2) income, benefits or money, not otherwise dealt with in this subsection, received from or paid by a government agency;

(p) payments, including grants and loans, that are received for training and education and that are considered in accordance with the direction of the

Director to be provided for monthly living expenses;

(q) winnings, including but not limited to bingo or lottery winnings;

(r) payments made by the Director of Child and Family Services on behalf of a foster child;

(s) money, or the value of goods, received in accordance with the provisions of Treaty No. 8 (June 21, 1899) and Treaty No. 11 (June 27, 1921);

(t) money, or the value of goods, received under a self-government agreement or a land claims agreement;

(u) payments made by the Workers' Compensation Board that are considered, in accordance with the direction of the Director, to be paid or payable as compensation for loss of income;

(v) subject to subsection (6), financial instruments or other assets that can be realized within 90 days or that can be converted into cash at a loss not exceeding 25% of reasonable market value, including

(i) real property and equity in real property,

(ii) personal property, including money in a bank or other financial institution,

(iii) a right to receive or recover a debt on demand,

(iv) the immediate realizable value of stocks, bonds or other securities,

(v) mortgages,

(vi) agreements for sale,

(vii) entitlements under life insurance or other insurance policies, and

(viii) entitlements under wills, trusts or other settlements.

## What it means

Sections 20.(1) to 20.(4) of the Regulations describe what an Officer should consider as earned and unearned income.

In order to determine a Client's net monthly income, an Officer must consider all of the resources a Client and his/her dependents receive during the month (money, net income, assets, gifts of money, gifts other than money, etc.). In order to complete a Client's application for assistance, the Officer may also investigate the family's personal and financial information.

*For example, the Officer may make bank enquiries, ask the Client to provide copies of documents, or request to see a record of employment.*

### **Net and gross income**

Net income is the amount of money after mandatory deductions. Gross income is the amount of money before mandatory deductions.

### **Mandatory deductions**

A Client's income is subject to deductions. These are:

- Federal/Provincial/Territorial Income Tax
- Canada Pension Plan (CPP)
- Employment Insurance (EI)
- NWT Payroll Tax, and
- Union dues

A Client can opt out of all other deductions with the exception of some superannuation and pension deductions. Employers should be contacted to verify whether the Client could opt out of these deductions.

### **Lump sums**

Lump sum payments must be considered income in the month that it is received, and any payments held in a financial institution may also be considered as income unless they are items listed in sections 20. (6) or 20. (7) of the Regulations.

### **Income from an incarcerated spouse**

If a Client and his/her dependents receive income from his/her spouse who is incarcerated, that income is included in the Client's assessment.

### **Net monthly income**

A Client and his/her dependents' net monthly income is determined by reviewing the earned income, unearned income and income-in-kind.

### **Earned income**

Clients with earned income are able to exempt \$200 if they are single and \$400 if they have dependents. An additional 15% exemption for any earned income above \$200 / \$400 exemption is also applied. These deductions are an incentive to be and stay employed.

*For example, a couple with dependents earns \$1,000 for salary and wages. They are allowed to exempt the first \$400, plus 15% of the remaining \$600. The total amount exempted will be \$490 (\$400 + 15% of \$600).*

The way in which income from fostering child(ren) will be calculated has not been determined. For further direction contact your Regional Supervisor **who will contact the Director.**

Income from hunting, fishing, trapping or business operations approved by the Director is considered self-employment. If a Client does not have official financial statements showing net income, he/she must prepare a statement showing his/her total income using the following formula: adding income received from selling products or services, minus any expenses incurred to operate the business.

The Officer also has discretion, on a case-by-case basis, to consider all, some or none of the net income from hunting, fishing, trapping or business operations. The Officer should speak with his/her Regional Supervisor and Director in these situations.



### **Unearned income**

Unearned income for the recipient's household is exempt, up to a maximum amount of \$1,200 in a 12-month period. The exemption can be taken as a lump sum amount, or be split into smaller amounts that do not exceed \$1,200 for the 12-month period. In CMAS, the unearned exemption will be defaulted at \$100 per month; however, the Officer, in consultation with the Client, can change this amount.

The 12-month exemption period will not be the same for all Clients. Clients accessing income assistance in September 2007 will always have an exemption period that runs from September 1 to August 31. Clients who access the programme for the first time after September 2007 will begin their 12-month period in the month they began receiving assistance. Breaks in assistance will not impact the 12-month period.

*For example, a new Client who receives assistance for the first time in November will always have their 12-month exemption period run from November 1 to October 31. On the other hand, a new Client that receives assistance for the first time in September 2008 will always have their exemption period run from September 1 to August 31.*

Officers shall discuss with the Client how the unearned exemption will be used. The use of the unearned exemption will be different for each Client depending on the Client's circumstances, and it may require some longer term planning by the Officer and Client.

*For example, a couple with children who receive the National Child Benefit Supplement (NCBS) every month, and who receive no other unearned income may be better off exempting \$100 per month.*

However, a Client with different circumstances may want to treat the exemption differently.

*For example, a single Client expects that they will receive a GST cheque every 3 months, and also expects to receive an Impact Benefit Agreement (IBA) payment as well as many small gifts totalling \$50 each. For this Client, it would be in their best interest to plan ahead and ensure that their GST and IBA payments can be exempted before considering any small gifts.*

### **Loans**

A short-term loan of up to three months shall be exempt if the Client can provide a formal and valid loan agreement (loan agreement must be kept in their file) as well as documents that prove the loan was used for the purpose intended and no

income from the loan remains after the Client's debt is paid. These documents can include receipts, bank statements, etc. When a short-term loan goes beyond three months, the Director must be involved in a review of the loan to determine if it should still be considered a loan, or whether it is another form of income, such as a gift.

## Note

1. An Officer should speak to his/her Regional Supervisor if he/she is unsure if the financial resource should be considered income or if the deduction is considered mandatory.

## 2.13 Financial Resources – What Income is Not Counted?

### The law

20.(5) In calculating net monthly income under subsection (2) the following items shall not be included:

- (a) child tax benefits, except the National Child Benefit Supplement paid by the Government of Canada;
- (b) the Child Disability Benefit, paid by the Government of Canada;
- (c) contributions, other than for ordinary maintenance, that are determined in accordance with the direction of the Director to be paid or payable to the applicant or members of the family of the applicant who require special care;
- (d) payments determined in accordance with the direction of the Director to be paid or payable for the maintenance of a dependent adult;
- (e) money paid or payable that, in the opinion of the Director, having regard to the social and economic circumstances of the applicant, it would be unreasonable to include in the calculation of monthly income;
- (f) money paid or payable under the Memorandum of Understanding, dated April 30, 2002, between the 28 Claimants of Grollier Hall Residential School as identified in Appendix "A" and the Government of the Northwest Territories, the Government of Canada and the Roman Catholic Episcopal Corporation of Mackenzie-Fort Smith, except money paid or payable as compensation for loss of income;
- (g) money paid or payable as an advance payment on the Common Experience Payment as defined in the Agreement in Principle, dated November 20, 2005 between Canada, the Plaintiffs, the Assembly of First Nations, and the General Synod of the Anglican Church of Canada, the Presbyterian Church in Canada, the United Church of Canada and Roman Catholic Entities;
- (h) money paid or payable under the Indian Residential Schools Settlement Agreement, dated May 8, 2006 between Canada, the Plaintiffs, the Assembly of First Nations and Inuit Representatives and the General Synod of the Anglican Church of Canada, the Presbyterian

Church of Canada, the United Church of Canada and Roman Catholic Entities;

- (i) money paid or payable under the 1986-1990 Hepatitis C Settlement Agreement made June 15, 1999, except money paid or payable under article 4.02 or 6.01 of Schedule A or under article 4.02 or 6.01 of Schedule B of that agreement;
  - (j) individual redress payments granted by the government of Canada to a person of Japanese ancestry;
  - (k) money paid or payable under the Merchant Navy Veteran Special Benefit;
  - (l) money paid or payable by the Workers' Compensation Board, other than payments referred to in paragraph (4)(u);
  - (m) any other money that is considered, in accordance with the direction of the Director, to be paid or payable as compensation for pain and suffering.
- (6) The following shall not be included as unearned income referred to in paragraph 20(4)(v):
- (a) the value of real property used as a residence of the applicant unless the property is, in the opinion of the Director, in excess of the reasonable needs of the applicant;
  - (b) the value of real property and equipment business of the applicant as determined by an economic development agency or the Director;
  - (c) in respect of a person who has attained the age of 60 years, the value of assets up to a maximum of \$50,000;
  - (d) in respect of a person who is disabled, the value of assets up to a maximum of \$50,000;
  - (e) the value of materials or vehicles that are, in the opinion of the Director, reasonably required by the applicant for the purposes of hunting, trapping or fishing;
  - (f) the value of household furnishings, appliances and clothing of the applicant that are, in the opinion of the Director, reasonably required by the applicant;

(g) the value of a motor vehicle that is specially adapted to accommodate a physical disability of the applicant or his or her dependant;

(h) the value of a motor vehicle as determined in accordance with the direction of the Director, other than a motor vehicle to which paragraph (e) or (g) applies;

(i) the value of an asset purchased using money that is traceable to (i) an item not to be included under subsection (5) in the calculation of net monthly income, or

(ii) allowable income referred to in subsection (7);

(j) money held in a bank or other financial institution by the applicant, up to a maximum of

(i) \$300, if the applicant has no dependants, or

(ii) \$300 plus a further \$100 for each dependent adult and a further \$80 for each dependent child, if the applicant has dependants;

(k) money that is held in a bank or other financial institution and that is traceable to an item not to be included under subsection (5) in the calculation of net monthly income;

(l) money held in trust for a child and not available for distribution;

(m) money held in a Registered Education Savings Plan as defined in s.146.1 of the *Income Tax Act* (Canada);

(n) money that is held in a bank or other institution in a savings plan of a type approved by the Director;

(o) the value of an asset that, in the opinion of the Director, having regard to the social and economic circumstances of the applicant, it would be unreasonable to expect the applicant to convert into cash.

(7) For the purposes of subsection (2), allowable income is the total of

(a) \$200 of earned income for a calendar month in the case of an applicant who has no dependants, or \$400 of earned income for a calendar month in the case of an applicant who has one or more dependants;

(b) 15% of any earned income in excess of the applicable amount under paragraph (a); and

(c) unearned income of the applicant and his or her dependants for a calendar month, provided that the total amount of all monthly unearned income considered as allowable income under this subsection over a 12-month period does not exceed \$1,200.

## What it means

Sections 20.(5) to 20.(7) of the Regulations describe what are not considered resources (money, income, assets and gifts) when an Officer is determining the needs of Clients and their dependents.

The Regulations lists all income and assets that are not to be considered as unearned income. Please refer to the Regulations.

### Investigation

When determining the family's net monthly income, an Officer **must** consider all of the Client's resources (money, net income, assets, gifts of money or gifts other than money) to determine what to include.

The Officer may also investigate a family's personal or financial information to complete the Client's application for assistance.

*For example, the Officer can ask the Client to provide copies of any documents, or make a bank enquiry.*

## 2.14 Medical Certificates – Income Assistance Medical Form

### The law

21. An Officer may, at any time the Officer considers it necessary, require a medical certificate setting out the condition of health of an

applicant as an aid in determining the applicant's employability or ability to participate in an activity or program referred to subsection 13.1(6).

### What it means

Section 21. of the Regulations states that an Officer can ask a health care professional to determine whether a Client is employable or can participate in a productive choice.

#### **Medical certificate (Income Assistance Medical Form)**

An Income Assistance Medical Form is used to provide information about why a Client is unable to participate in a productive choice and/or why the Client is considered disabled.

The Income Assistance Medical Form must set out the health conditions of the Client so that the Officer can decide whether the Client is able to participate in a productive choice. Depending on the severity of the medical condition, the Client may be considered to have a short-term condition or a permanent disability (12 months or more).

*For example, an Income Assistance Medical Form for a Client who has a broken leg would state that he or she is unable to participate in employment due to a short-term condition. The Client could then be exempt from all or certain types of productive choices for that period of time.*

#### **Canada Disability Pension or Benefit**

If a Client is receiving a Canada Pension or Benefit for a disability, the Officer does not need to ask for a note or assessment because the federal government has completed a thorough review of the Client's disability. Proof that the monthly benefit is being received provides enough evidence of a disability.

#### **Renewing an Income Assistance Medical Form**

An Income Assistance Medical Form must include an end date, or a date when the Client can return to work. If the form has reached its end date, the Client must

provide another note to be exempt from participating in a productive choice while receiving income assistance.

*For example, the Client has a broken leg and the doctor wrote a note stating that the Client could not work from July 1 to October 31, 2007. If the Client claims he or she cannot return to work because of pain, the Officer must receive another doctor's note before enhanced disability benefits are issued for November 1, 2007.*

Clients whose medical practitioners have indicated that the disability is permanent do not need to renew the forms or assessments.

### **Accepting an Income Assistance Medical Form**

Income Assistance Medical Forms **must** be faxed directly from a health care professional's office. Officers should not accept medical forms handed in by Clients.

### **Disabled allowance**

In order to qualify for the disabled allowance under Enhanced Benefits, Clients must have an Income Assistance *Permanent Disability Assessment* form approved for 12 or more continuous months.

*For example, a Client who provides a note every four months for a year is not eligible for the disabled allowance retroactively or at the 12-month period.*

*For example, a Client waiting for an organ transplant or receiving cancer treatments could be considered to have a long-term, debilitating medical condition. The Officer should discuss the Client's circumstances with his/her Regional Supervisor.*

### **Alcohol or drugs**

A Client with an addiction to drugs or alcohol must provide an Income Assistance Medical Form that indicates his/her addiction is considered chronic. This Client may be considered exempt from a productive choice but is not eligible to receive the disability allowance as the addiction can be removed with counselling and/or medical treatments.

## 2.15 Recovery of Assistance – Taking the Money Back

### The law

22. The Director may recover from a recipient or the estate of a recipient the amount of assistance (a) in excess of that authorized by the Act, these regulations or any other regulations made under the Act; or

(b) to which the recipient was not entitled, but which was granted because of his or her failure to disclose income or assets.

### What it means

Section 22. of the Regulations indicates that a Director **shall** recover income assistance given to a Client or his/her dependents if the assistance was more than they were eligible to receive, or if the assistance was given because the Client made false statements or failed to provide correct information.

#### Director's discretion

The Regulations give the Director the right to choose whether to recover monies from Clients and their dependents on a case-by-case basis. **The Director has issued a blanket policy that allows the Officer to recover assistance on amounts under \$2,500 without case-by-case Director's approval. Anything \$2,500 and over must be presented to the Director for approval.**

#### What is a debt?

A debt is money a Client received above the amount he/she and his/her dependents were entitled to receive.

Security deposits are not considered debts until the Client and his/her dependents have left the premises. Once the premises are vacated, the security deposit becomes a debt. This must be repaid in full or in part. The Client is then required to begin repaying the deposit.

#### Collection of the debt

The minimum amount an Officer can collect from a Client who owes money to the Income Assistance programme is \$25 a month, regardless of the amount outstanding or the number of different debts a Client owes. If a Client wants more than \$25 deducted from his/her income assistance, he/she must provide a written and signed request, including the amount he/she wishes to have deducted.

### **Clients who separate**

When a couple owes money to the Income Assistance Programme, and the couple separates, the amount owed shall be divided in half and become a separate debt of each party unless one party agrees, in writing, to accept and repay the entire debt.

### **Time limited on recovering a government debt**

If a debt was proven a result of fraud, there is no time limit for collection of the debt.

*For example, in 2000 a Client living common-law did not claim the spouse when applying for income assistance. This fraud was not discovered until 2005, five years later. The debt is still recoverable.*

A debt invoiced to a Client that has remained inactive for seven or more years with no effort at collection is barred by legislation and is not collectable.

### **Note**

1. Officers must be careful not to collect money twice when considering recoveries.

*For example, A Client received the National Child Benefit Supplement from the Federal Government that they should not have received and did not report. The Federal Government realized the error and begins to recover the funds. The Officer should not consider the unreported benefit as an overpayment. If an Officer did, the Client would be repaying the benefit twice – once to the Income Assistance Programme and once to the Federal Government.*



## 2.16 Voluntary Repayment of Assistance

### The law

23. Any person who has received assistance may repay such assistance and the moneys so received shall be deposited in the Consolidated Revenue Fund.

### What it means

Section 23. of the Regulations explains how Clients, if they choose to, may repay assistance they received.

#### Repayment

This section refers to Clients who have been receiving assistance for a period-of-time and because that Client's circumstances have changed, they no longer need assistance. It does not deal with Clients who have debts or security deposits.

This Regulation allows Clients to pay back some, or all of the assistance they received. The Officer can receive the payment but must forward it to the Regional Supervisor.

*For example, a Client receives assistance from May to September and then finds employment in October. That Client can pay back any portion of the assistance he/she has received during May to September.*

## 2.17 Alienation or Transfer of Assistance – Client Owes Money to a Third Party

### The law

24. Assistance granted under these regulations is not subject to alienation or transfer by the recipient, or to attachment or seizure in satisfaction of a claim.

### What it means

Section 24. of the Regulations explains that assistance given to a Client and his/her dependents is for their use only and not something that can be transferred, sold, etc. to a third person. It also states that any assistance received cannot be seized or taken by a third party having a claim against the recipient.

Income assistance is for the Client's use for basic needs. If the Client owes money to a third party, this money cannot be used to repay that debt.

*For example, a bank cannot take a Client's assistance to pay an overdraft or other debt. A collection agency cannot take a Client's assistance to pay an outstanding invoice.*

### Note

1. If this type of situation occurs, the Director should be contacted.

## 2.18 Social Assistance Appeal Panels

### The law

#### Appeal Committee

26. A council of a municipal corporation or settlement corporation, a housing authority or other local body or organization may make recommendations to the Minister respecting appointments to and revocations from an appeal committee.

#### Administrative Review Group

28. (1) There shall be an administrative review group comprising three persons appointed by the Director, one of whom may be the Director and the Director may appoint acting members to fill any temporary vacancies that may occur in the membership of the group.

(2) The administrative review group shall act as a social assistance appeal committee for any community for which a social assistance appeal committee has not been established.

(3) The administrative review group shall, to as great an extent as possible, conduct its affairs in the manner prescribed for social assistance appeal committees

#### Social Assistance Appeal Board

29. (1) The Director shall recommend persons to the Minister for appointment to the Social Assistance Appeal Board under section 7 of the Act.

(2) No official of the Department of Education, Culture and Employment in the public service of the Territories is eligible for appointment as a member of the Appeal Board.

(3) The Director shall designate a senior officer to act as secretary to the Appeal Board but that person may not vote in any proceedings.

30. (1) The appointment of the Appeal Board shall have effect for two years.

(2) The Minister may, from time to time, revoke the appointment of any member of the Appeal Board and appoint such additional members as may be required.

31. The Appeal Board shall hear an appeal only in the event that a further appeal issues from the proceedings of an appeal committee or the administrative review group.

### What it means

Clients are entitled to a fair and reasonable assessment of their needs and appropriate assistance. If a Client does not agree with an Officer's and/or Director's decision, he/she can appeal the decision.

Section 26. to 31. of the Regulations details how panels are set up to hear appeals concerning social assistance.

#### Appeal Committees

Any community in the NWT may ask the Minister to have an appeal committee. The community government may recommend to the Minister who should be on a committee or who should be taken off a committee. The Minister may consider the recommendations made by the community when making a decision.

When hearing an appeal, a quorum of half the committee members plus one, must be present. If a quorum is not reached, the hearing is rescheduled.

*For example, if five members make up an appeal committee, at least three must be present at the hearing. If a committee is made up of six people, then at least four must be present.*

The majority decides the outcome of the hearing.

An appeal committee is appointed for a term, or any length, that is decided upon by the Minister.

### **Administrative Review Group**

A review group consists of three members. The Director may appoint three regular members and acting members to sit on a first level review group. One of these members may be the Director. However, the Director does not currently participate in appeals as the Director does have the right to appeal the Administrative Review Group's Decision.

The review group may hear appeals for communities that do not have a committee or that are unable to get a quorum. The review group follows the same rules as a committee.

### **Social Assistance Appeal Board**

The Director makes recommendations to the Minister about who should be appointed as Board members. No official of the Department of Education, Culture and Employment is eligible for appointment to the Board.

A Board member is appointed for two years. The Minister may review Board members and appoint other members as necessary. The Board hears appeals of decisions made by the committee or the review group.

The Director assigns a Senior Officer within the Department to act as Secretary to the Board. The Secretary assists the Board in the setting up and operation of appeals, but cannot vote.

## 2.19 Income Assistance Appeal Rights, Procedures and General

### The law

#### Right to Appeal

32. An applicant or recipient who is aggrieved by a decision of an Officer respecting the granting, refusal, suspension, reduction or amount of social assistance has the right to appeal.

33. Every applicant shall be advised in writing of the right to appeal and shall, on request, be provided with clear instructions respecting appeal procedures.

#### Appeal Procedures

34. (1) An applicant may within seven days of making an application request an appeal either personally or through a person acting on his or her behalf by notifying in writing the chairperson of the social assistance appeal committee for his or her community.

(2) The notification referred to in subsection (1) shall set out clearly the reasons for the appeal and the redress sought.

(3) Where an applicant is unable to provide the notification under subsection (1) in writing, the Officer shall assist the appellant or refer him or her to a person who will assist in the preparation of the notification.

35. Where there is no appeal committee for the community in which an appellant resides, the appellant shall notify the Director in his or her capacity as chairperson of the administrative review group.

36. Within 30 days after receiving notification that an applicant requests an appeal, the chairperson of the appeal committee shall hold a meeting of the committee, the appellant or his or her representative, or both, and the Officer whose decision is being appealed against, and issue a written ruling.

37. (1) The appeal committee, in its proceedings, has the right to require the Officer and the appellant to provide such documents and other information as are necessary to determine the eligibility of the appellant.

(2) Information that does not bear immediately in the eligibility of the appellant shall not be provided by the Officer without the express consent of the appellant.

38. (1) The appeal committee shall, after examining the documents and hearing such testimony as it considers necessary, issue a ruling in writing and shall

(a) dismiss the appeal,

(b) direct that assistance be denied, discontinued, reduced or recovered, or

(c) direct that assistance in an amount stated in the ruling be provided,

and may in addition issue such other ruling as may be necessary to resolve the appeal.

(2) Copies of the ruling under subsection (1) shall be forwarded without delay to the appellant, the Officer, the Director and the chairperson of the Appeal Board.

39. Where an appeal committee directs that assistance be provided to an appellant the Officer shall provide assistance in accordance with the ruling from the date of the ruling until the financial or other circumstances of the appellant materially change or until the Appeal Board varies the ruling.

#### Further Appeals

40. An appellant who is dissatisfied with the ruling of an appeal committee or the administrative review group, as the case may be, may, within seven days after receiving the ruling, appeal to the Appeal Board by forwarding written notification to the chairperson in the manner set out in section 34.

41. The Director may, within seven days after receiving the ruling of an appeal committee, appeal the ruling of the committee by forwarding notification to the chairperson of the Appeal Board in the manner set out in section 34.

42. (1) On receiving a notification under section 40 or 41, the chairperson of the Appeal Board shall cause to be assembled such documents as are necessary to determine the eligibility of the applicant and the reasons for the appeal.

(2) The chairperson shall, within 45 days of the receipt of a notification of appeal, call a meeting of the Appeal Board and issue an order.

43. (1) The Appeal Board, in its proceedings, shall have the right to require the Officer, the applicant, the appeal committee chairperson and the Director to provide such documents and other information as are necessary to determine the eligibility of the applicant.

(2) Information that does not bear immediately on the eligibility of the applicant shall not be provided by the Officer or the Director without the express consent of the applicant.

44. (1) The Appeal Board, after examining the documents and hearing such testimony as it considers necessary, shall issue an order in accordance with the Act and these regulations shall

(a) dismiss the appeal,

(b) direct that assistance be denied, discontinued, reduced or recovered, or

(c) direct that assistance in an amount stated in the order be provided, and may in addition issue such other order as may be necessary to resolve the appeal.

(2) Copies of an order under subsection (1) shall be forwarded to the applicant, the Director and the chairperson of the appeal committee that first heard the case.

45. Where the Appeal Board makes an order under section 44, the Director shall ensure that assistance is provided in accordance with the order from the date of the order until the financial

or other circumstances of the applicant materially change.

#### **General**

46. A majority of the persons from time to time appointed to the appeal committee shall constitute a quorum of an appeal committee.

47. (1) The consent of a majority of those present in the proceedings of the appeal committee shall be required before a ruling is issued.

(2) Where no quorum of an appeal committee can be reached within 30 days of the receipt of a notice of appeal, the matter shall be heard by the administrative review group.

48. Three members constitute a quorum of the Appeal Board.

49. The consent of a majority of those present in the proceedings of the Appeal Board shall be required before an order is issued.

52. An appellant may withdraw an appeal at any time before the meeting of the body hearing the appeal by notifying the chairperson in writing.

53. The appellant, the Officer and members of the appeal committee or Appeal Board shall be given five clear days notice before the hearing of an appeal.

54. Where an appellant or an Officer has been given notice of an appeal and he or she fails to appear, the proceedings shall continue in his or her absence.

55. Appeal proceedings shall be conducted in private and shall be revealed only to those persons authorized by these regulations to receive rulings or orders.

56. The Director shall provide members of appeal committees and the Appeal Board with copies of the Act and these regulations and such other information as the members consider necessary to the conduct of their affairs.

## What it means

Sections 32. to 56. of the Regulations explains a Client's right to appeal, the appeal process and general information concerning an appeal.

### **Right to appeal**

A Client has the right to appeal any decisions made by an Officer or the Director. Officers must advise Clients of their right to appeal. The Officer must provide the Client with clear instructions about how to appeal and the appeal processes and procedures. An Officer may help a Client appeal or direct the Client to someone else who may help the Client appeal.

Clients must provide a clear statement indicating everything they are appealing.

### **Committee and administrative review group appeal procedures**

A Client has seven business days, from the date of the application (Officer's decision) to appeal a decision. The appeal must be in writing. The Client's appeal must list the reasons for the appeal and indicate the changes he/she would like to see.

The Client may give the appeal to the local income assistance office, Headquarters, or a committee member.

The Client, someone on behalf of the Client, the Officer or someone the Officer has referred the Client to, may appeal on behalf of the Client.

An appeal decision may always be sent to the Client by registered mail. When a decision is mailed, the seven business days to appeal begins when the Client signs for the registered mail.

If there is not a committee in the community, or a quorum cannot be reached, the Officer or the Regional Supervisor must inform Headquarters, which will ensure that the Administrative Review Group is assembled.

The committee and review groups are required to follow the same process throughout the NWT. They have 30 days from the date of the appeal to hear the appeal and issue a written decision. The 30 days include weekends and holidays but do not include the day the appeal was received.

The committee or review group has the right to request documents from either the Client or the Officer.

The committee or review group, based on the Regulations, may:

- Refuse to hear the appeal (i.e. the deadline for appeal was missed for a reason that was within the control of the Client)
- Ask that the assistance be provided, denied, stopped, reduced, or recovered
- Issue any other decisions that may be necessary to solve the appeal

### **Providing the decision to the Client**

Copies of the decisions will be forwarded to the Client immediately. This means the decision should not be delayed on purpose or for any reason within the control of the Officer.

Currently, a verbal decision is provided directly to the Officer within two working days of a decision. On that same day, the Officer calls the Client, the written decision is sent to the Client and the Officer, and a copy is sent and kept at Headquarters.

If the committee or review group level upholds the Officer's decision, the Client is also sent information and a form to appeal to the Board level.

(The first level decision should also be shared with the Director as they may disagree with the decision and have the right to appeal the first level decision to the Board.)

### **Day the decision takes effect**

The decision of the committee or review group takes effect on the date of the refusal or on the first day of the month the refusal took place in, whichever the committee deems appropriate.

The committee's or review group's decision is final, unless the Board changes the decision or the Client provides new information.

If the Board receives new information after it has made its decision, the Board can reconvene to hear the new information. *New information could be, for example, receiving less income or resources, family member arriving or leaving or providing missing information.*

*For example, a Client's adult dependent moving back home is considered new information and could result in a change of assistance.*

A Client complying with a productive choice is not considered a change in circumstances.



### **Board appeal procedures**

If the Client is not satisfied with the decision of the committee or the review group, he/she may appeal the decision to a higher authority: the Appeal Board. The Director may also appeal the decision. The appeal must be made within seven calendar days of receiving the decision verbally.

The practice has been for the Client to provide that appeal to the local income assistance office, Headquarters, or a committee member. The Chairperson or Director is rarely notified directly.

A quorum for the Board is three people and a Chairperson must be present.

Once the Board makes a decision, the Client is informed verbally about the outcome. However, in cases where a Client cannot be informed verbally, the decision is mailed.

The Board may, based on the Regulations:

- Ask that the assistance be provided, denied, stopped, reduced, or recovered
- Issue any other decisions that may be necessary to solve the appeal

The Board is required to, within 45 days from the date of the appeal, hear the appeal and issue a written decision. The 45 days include weekends and holidays but does not include the day the appeal was received.

The Board has the right to require the Officer, the Client, the committee chair, review group chair, and the Director to provide all information necessary to make a decision. Information that is not relevant to the appeal can be provided if the Client agrees in writing.

The decision of the Board should be given to the members of the first level Administrative Review Group or the Social Assistance Appeal Committee who heard the initial appeal as an information item. The decision should also be provided to the Director as the Director may disagree with the decision and should have the opportunity to initiate a judicial review on behalf of the Department of Education, Culture and Employment.

### **Day the decision takes effect**

The decision of the Board takes effect on the day of the decision or on the first day of the month the decision was made, whichever the Board deems appropriate.

The Board's decision is final until either the Client provides new information that may change the appeal or the Client seeks a judicial review. If new information is

received after the Board's decision, the Board may reconvene to hear the new information.

### **Judicial review of Board decision**

If a Client seeks a judicial review, an Officer would be unable to assist the Client. Generally, a Client in this situation is advised to seek legal counsel. A Client should also be told that the courts would have to find a gross error and would more than likely turn the appeal back to the Board to re-hear.

### **General appeals**

It is not mandatory for the Officer who refused a Client to be present at an appeal. However, the hearing will continue without the Officer being there. If a Client or the Officer who refused the Client fails to appear, the appeal hearing continues without the Client and/or Officer. However, another Officer of the programme can attend on behalf of the issuing Officer.

A Client may withdraw an appeal at any time. The withdrawal must be in writing and addressed to the Appeal Committee, Administrative Review Group or the Chairman of the Board. The practice has been that a Regional Office or Headquarters is notified, which in turn informs the necessary appeal panel member(s).

All people involved in the appeal must be given five business days of notice, excluding the day they are contacted, before the appeal takes place.

Appeals must be conducted in private. The decision can only be given to the people directly involved in the appeal, with a copy provided to Headquarters.

A Client can appeal any decision of an Officer or Director at any time. It is up to the committee or review group to decide whether the appeal is valid or not.

The Director must ensure that copies of the Act and Regulations and any other information, such as Policies and appeal packages, are provided to the committee, review group and Board members. Currently, the Secretary of the Appeal Board and the Regional Offices are tasked to provide this information.

## 3 Schedule A – Basic Benefits

This section of the Regulations lists the types of basic benefits that Clients and their dependents may receive.

The following are some general instructions when administering basic benefits.

### **Decline of benefits**

If a Client does not want a benefit that he/she is entitled to, the Officer must receive a written request from the Client.

*For example, the Client chooses not to receive an allowance for food. The Client must indicate in writing that he/she does not wish to receive it.*

### **Reduction of Benefits**

If a Client only wants a portion of the benefit that he/she is entitled to, the Officer must receive the request in writing from the Client.

### **Sharing the costs**

If a Client and his/her dependents are sharing the premises with other individuals, the rent, fuel, or utility costs are prorated by the number of separate, adults living within the unit.

*For example, a single Client is sharing a house with a couple also on income assistance and another single person who is not receiving income assistance. The rent, fuel and utility costs would be divided by four, and each adult receiving Income Assistance would be eligible to receive one-fourth of the assistance.*

## 3.1 Food Allowance

### The law

1. (1) Assistance in the form of a food allowance must be provided to persons in need in accordance with the Table set out at the end of this Schedule that shows maximum scales in force in various settlements of the Territories.

### What it means

Section 1.(1) of Schedule A sets the rates of the food allowance available to Clients depending on the size of the family and where the Clients lives. This allowance is for the purchase of food as well as cleaning and personal products.

#### **Custody of children**

A food allowance is affected by a Client's arrangement to share custody of a child with another parent. The Client should not receive a food allowance for that child when the child is not in his/her custody.

*For example, a Client has custody of his/her children for two weeks every month. The Client only receives a food allowance for his/her children for those two weeks, not for the whole month.*

Use the following food allowance table:

Community	Total Number in Household											
	1	2	3	4	5	6	7	8	9	10	11	12
Aklavik	524	733	891	1048	1205	1363	1521	1678	1836	1993	2150	2309
Behchoko	390	547	664	781	898	1016	1133	1250	1368	1485	1602	1720
Colville Lake	530	742	902	1061	1221	1380	1539	1699	1859	2018	2178	2338
Deline	547	765	929	1093	1258	1422	1586	1751	1915	2079	2244	2408
Dettah/N'Dilo	286	400	485	571	657	743	829	915	1000	1086	1172	1258
Enterprise	312	436	530	624	718	812	905	1000	1093	1187	1281	1374
Fort Good Hope	545	762	926	1090	1253	1417	1580	1744	1908	2071	2236	2400
Fort Liard	387	541	657	774	890	1006	1122	1238	1355	1471	1588	1703
Fort McPherson	466	652	791	932	1072	1212	1352	1492	1632	1772	1912	2052
Fort Providence	359	502	609	717	824	932	1040	1148	1255	1363	1471	1579
Fort Resolution	374	524	636	748	861	973	1085	1198	1311	1423	1536	1648
Fort Simpson	405	568	689	812	933	1056	1177	1300	1421	1544	1665	1788
Fort Smith	321	450	547	643	740	836	932	1029	1126	1223	1319	1416
Gameti	437	612	743	875	1006	1137	1269	1400	1532	1663	1794	1926
Hay River	324	453	550	648	745	842	939	1037	1134	1232	1329	1426
Hay River Reserve	304	426	518	609	700	792	884	975	1067	1159	1250	1341
Inuvik	401	561	682	802	923	1044	1164	1284	1405	1526	1646	1767
Jean Marie River	408	571	694	817	939	1062	1185	1308	1431	1554	1676	1799
Kakisa	360	503	611	720	828	936	1045	1153	1261	1368	1477	1585
Lutsel K'e	500	699	849	999	1149	1300	1449	1600	1749	1900	2050	2200
Nahanni Butte	483	676	821	966	1111	1256	1402	1546	1692	1837	1982	2128
Norman Wells	535	747	908	1068	1229	1390	1550	1711	1872	2032	2193	2354
Paulatuk	633	886	1076	1266	1456	1646	1837	2027	2218	2408	2598	2788
Sachs Harbour	564	788	958	1127	1296	1466	1635	1805	1975	2144	2313	2482
Trout Lake	473	662	805	947	1090	1232	1374	1516	1659	1801	1944	2086
Tsiigehtchic	438	612	744	876	1007	1138	1270	1402	1533	1665	1796	1928
Tuktoyaktuk	590	824	1002	1179	1357	1533	1711	1888	2066	2242	2420	2597
Tulita	544	761	924	1087	1251	1414	1578	1741	1905	2068	2231	2394
Ulukhaktok	536	751	911	1073	1234	1396	1556	1718	1879	2040	2202	2363
Wekweti	486	679	825	972	1118	1264	1410	1556	1702	1848	1994	2140
Wha Ti	436	609	741	872	1003	1134	1265	1397	1527	1658	1789	1920
Wrigley	501	700	852	1002	1153	1303	1454	1604	1754	1906	2056	2207
Yellowknife	286	400	485	571	657	743	829	915	1000	1086	1172	1258

## 3.2 Room and Board

### The law

4. (1) An allowance for room and board may be provided to or on behalf of persons in need at local rates in accordance with the direction of the Director.

### What it means

Section 4.(1) of Schedule A sets out the rules for a Client and his or her dependents to receive assistance for room and board. Room and board fees include food, accommodations, fuel, and utilities.

#### **Public or transitional housing**

If public or transitional housing would be a less expensive option for the Client and his/her dependents, they must provide proof that their names are on the public or transitional housing waiting list before assistance for room and board can be issued.

When a Client and his/her family are unable to get their names on the public housing list, they must provide proof that their situation with public housing is going to be rectified. Such proof would be a letter from housing outlining any agreements. Any other situations will be reviewed on a case-by-case basis with the Regional Supervisor and Director.

#### **Single Client**

An amount to cover the cost of room and board may be provided to, or on behalf of, a Client at standard rates, set by the Director of up to a maximum of \$900.

#### **Family**

A Client and his/her family whose names are on the public housing waiting list, are eligible to receive assistance with market rent.

#### **Case-by-case basis**

The Director can decide on a case-by-case basis what assistance, if any, a Client will receive for room and board and for how long the assistance will be provided.

#### **Custody of children**

Room and board may be affected by a Client's arrangement to share custody of a child with another parent. In this case, the Client must provide information from the landlord on any adjustments made to the room and board cost while the child or children are not in the Client's custody.

### **Care facilities**

The Director should be contacted on a case-by-case basis to determine the rates for Clients in aged, long-term or disabled care facilities.

### **Note**

1. Officers must consider the needs of a Client and his/her dependents when considering the size and type of housing needed.

## 3.3 Accommodation – Rent or Mortgage

### The law

5. (1) A rental accommodation allowance to a maximum amount equal to the actual cost of rental accommodation may be provided in accordance with the direction of the Director.

(2) Where a recipient resides in accommodation for which a subsidy is normally available, the allowance must not exceed the minimum rental rate for the unit.

(3) Where a person in need who has one or more dependants owns his or her own home, a monthly allowance may be paid which is sufficient to cover current taxes, fire insurance and other

assessments, but the total allowance must not exceed the rental allowance that would otherwise be provided.

(4) Where a person in need who has one or more dependants is making mortgage payments on his or her own home, a monthly allowance may be paid which is sufficient to cover current taxes, interest on a mortgage, principal, fire insurance and other assessments, but the total allowance for these items must not exceed the rental allowance which would otherwise be provided.

### What it means

Section 5.(1) to 5.(4) of Schedule A explains what a Client and his/her dependents can receive as assistance for accommodation. Accommodation includes rent (building and land), mortgage (building and land), taxes and fire insurance.

#### **Rent allowance**

An amount to cover the cost of rent may be provided to, or on behalf of single Clients and single disabled Clients, up to a maximum of \$900.

Clients with dependents are eligible up to a maximum of:

- The actual cost of rent for a Client's family size that applies to the community, or
- The actual cost of a subsidized rent that applies to the Client in his/her community

Officers must consider the needs of a Client and his/her dependents when considering the size and type of housing needed.

*For example, a Client with one dependent living in a four-bedroom house is overhoused. When an Officer encounters this type of situation, he/she should speak with his/her Regional Supervisor and the Director.*

#### **Case-by-case basis**

The Director can decide on a case-by-case basis what assistance, if any; a Client will receive for rent and for how long the assistance will be provided.



### **Public housing**

Single Clients are not eligible for public housing and may be provided assistance up to a maximum of \$900.

A Client and his/her family who are renting must provide proof that their names are on the public or transitional housing list. If their names are on the list, market rent can be issued. If their names are not on the list, the Director, through the Regional Supervisor, must be contacted to determine assistance on a case-by-case basis.

Often Local Housing Authorities have a residency requirement and Clients and their families who have just moved to the community are on a waiting list to apply. These Clients are entitled to full market rent.

**Starting September 1, 2007, Officers will have to calculate a Client's public housing rental subsidy before calculating income assistance. The amount of income assistance will be based on actual needs to assist with paying rent.**

*For example, if a Client only requires \$300 to assist with paying rent of \$1,000, he/she will only be provided with \$300 through eligible income assistance.*

### **Owns a home**

If a single Client or a Client with dependents owns his/her home without a mortgage, a monthly allowance may be paid to cover current taxes, fire insurance and other assessments. However, the total monthly allowance shall not exceed the rental allowance the Client may be eligible to receive.

There is no time limit on the number of months assistance can be issued in this category.

If a Client and his/her dependents own their home and other adults living with them are paying rent, the rent collected would be considered an income.

### **Proof - home ownership and landlords**

Clients must provide proof that they own their home. A *Certificate of Title* is the common document to show proof of ownership.

Clients who rent a home or apartment must provide proof that their landlord is the owner or rental agency of the unit. This can be a copy of the rental or lease agreement the landlord provides to the Client.

### **Has a mortgage**

If a Client with dependents pays a mortgage, an amount to cover the principle and current taxes on the mortgage, fire insurance, and other assessments may be provided. However, the total monthly allowance shall not exceed the rental allowance the Client may be eligible to receive.

Before a Client with dependents receives assistance to pay monthly mortgage payments, he/she must provide proof that he/she has negotiated with the bank to either reduce or suspend mortgage payments.

An Officer may issue a one-time only assistance for one month under this category. The Director must be contacted to determine what further assistance can be issued beyond one month or for more than once in a lifetime, on a case-by-case basis.

## **Current Practice**

Mortgage assistance is issued for up to three months, once in a Client's lifetime. This practice is linked to the Regulations, Section 20.(4)(m), where a Client is required to realize all assets, that can be turned into cash within 90 days. This means the Client must sell their home (the asset) and use the cash received from this sale to meet any of their financial needs. (In all cases, the Director must be contacted for approval to pay a Client's mortgage.)

### **Other types of accommodation**

Only rent or mortgage is considered for assistance. Other types of accommodation, such as paying for a hotel room on a daily or weekly basis, should be directed to the Director for case-by-case approval.

### **Custody of child**

An accommodation allowance is not affected by a Client's arrangement to share custody of a child with another parent.

## 3.4 Fuel Allowance – Wood, Wood Pellets, Oil, Gas or Propane

### The law

6. An allowance may be provided to a person in need for the actual cost of fuel required for heating and cooking purposes.

### What it means

Section 6. of Schedule A explains how much a Client and his/her dependents can receive to pay for heating or cooking fuel.

#### Issuing the Fuel Allowance

The Officer pays for the actual cost of a Client and his or her dependents' fuel.

#### Method of Payment

The Client provides his/her fuel invoice or the fuel agency issues the invoice directly to the Officer, and the Officer issues the payment.

As the Regulations refer to paying for the actual cost of fuel, a payment other than for the actual cost of fuel can only be considered if the Client agrees in writing. Actual cost of fuel does not include arrears and/or interest.

#### Unreasonable costs

If unreasonable costs occur periodically, the Officer must investigate. Unreasonable is defined as 25% more than the monthly average in a community, over a period of three continuous months, or any five-month period within a calendar year.

The Officer may also provide less than the actual heating or cooking fuel costs if the actual cost is higher than the average of a community. Before an Officer assists with less than the actual costs, the Officer must request that a Client have a fuel efficiency study done on the house to determine the cause of high fuel costs. Clients can arrange through Arctic Energy Alliance for a fuel efficiency study to be conducted. The cost to the Client is \$150. For more information, visit: <http://www.oee.nrcan.gc.ca/residential/personal/retrofit-homes/retrofit-qualify-grant.cfm?attr=4>

An Officer must consult with his/her Regional Supervisor and the Director before a Client's fuel allowance is reduced to an average for the community.

## 3.5 Utilities Allowance – Power, Water and Sewer

### The law

7. An allowance may be provided to a person in need for the actual cost of light, water and sewage services required.

### What it means

Section 7. of Schedule A states that a Client and his/her dependents can receive assistance to pay for power, water and sewage services.

#### **Issuing the Utilities Allowance**

The Officer pays for the actual cost of a Client and his or her dependents' power, water, and sewage services.

#### **Method of payment**

The Client provides his/her utility invoice, or the utility agency issues the invoice directly, to the Officer, and the Officer issues the payment.

As the Regulations refer to paying for the actual cost of fuel, a payment other than for the actual cost of fuel can only be considered if the Client agrees in writing. The actual cost does not include arrears or interest on those arrears.

#### **Unreasonable costs**

If unreasonable costs occur periodically, the Officer must investigate. Unreasonable is defined as 25% more than the monthly average in a community, over a period of three continuous months, or any five-month period within a calendar year.

The Officer may also provide less than the actual costs if the actual cost is higher than the average of a community. Before an Officer assists with less than the actual costs, the Officer must request that a Client have an efficiency study done on the house to determine the cause of costs. Clients can arrange through Arctic Energy Alliance for an efficiency study to be conducted. The cost to the Client is \$150. For more information, visit:

<http://www.oee.nrcan.gc.ca/residential/personal/retrofit-homes/retrofit-qualify-grant.cfm?attr=4>.

An Officer must consult with his/her Regional Supervisor and the Director before a Client's fuel allowance is reduced to an average for the community.

**Payment plan**

A payment other than for the actual costs, such as a payment plan, can only be considered if the Client agrees in writing.

**Name on utility invoice**

The name on the utility invoice must be the Client's or his/her spouse in order for the Officer to pay the utility costs.

If the Client is sharing the accommodation, and the name on the invoice is the registered landlord, the Client's portion can be paid.

*For example, if there are two people living in the accommodations, the cost of utilities is divided by two, and the Officer pays for the Client's share.*

**Public housing and power rebates**

Tenants of some housing authorities may receive a power rebate, which is credited to their rent account. Therefore, their rent may be less than shown on their rental statement. Officers should contact the local housing authority manager for more information. A power rebate is not considered income.

## 4 Schedule B – Enhanced Benefits

This section of the Regulations lists the types of enhanced benefits that Clients, and in some cases their dependents, may receive. Enhanced benefits are clothing; incidentals and allowances for disabled and elderly; primary, secondary and postsecondary educational expenses; furnishings; security deposits; emergency expenses; and Child Care User Subsidy.

### **Who participates?**

Enhanced benefits are provided to the Client, or head of household, who is participating in a productive choice or to a Client who is exempt from participating in a productive choice.

Enhanced Benefits are provided to the family if the adults in the household are participating in a productive choice.

If eligible, Clients can receive both basic and enhanced benefits.

The following are some general instructions in administering enhanced benefits.

### **Who pays for the benefit?**

The benefit is payable to the Client, or on behalf of the Client to the person, business, landlord, government or agency of the Client's choice. It is up to the Client to decide to whom the benefit will be paid. A request to pay someone other than the Client must be in writing from the Client.

### **Bi-monthly payment of benefits**

The benefits for clothing, disabled, aged, and education can be paid on a bi-monthly basis at the Client's request.

The yearly benefit for furniture can be prorated throughout the year at the Client's request.

### **Custody of a child and enhanced benefits**

Certain enhanced benefits are affected by a Client's arrangement to share custody of a child with another parent as follows (always round up when dividing):

- Clothing should only be issued in a month the Client has custody of the dependent(s)
- Educational expenses should be shared with the other parent depending on the custody arrangement
- The disabled, aged and emergency allowances are issued only to the Client and are not affected by custody arrangements

- Furnishings allowance is not affected by custody arrangements
- Security deposits are not affected by custody arrangements
- Child Care User Subsidy should only be issued for the time the Client has custody of the dependent(s)

## Note

1. The Director can make a decision, on a case-by-case basis, on how much assistance or for how long a Client and his/her dependents will receive an enhanced benefit.



## 4.1 Clothing Allowance

### The law

1. Assistance in the form of a clothing allowance may be provided to persons in need in accordance with the Maximum Monthly Clothing Allowance

Table set out at the end of this Schedule that shows maximum scales in force in various settlements of the Territories.

### What it means

Section 1. of Schedule B sets out the maximum amount a Client can access for clothing depending on the size of the family and the community the Client lives in.

This allowance can be spent on clothing and footwear. The size of the family and the Client's community are taken into account to determine the allowance available, shown in the table on the next page.

#### **Clients temporarily leave the NWT for medical reasons**

When Clients with dependents temporarily leave the NWT to receive medical treatment that is not available in the NWT, the Director can grant up to three months of assistance (for shelter, utilities, food and clothing for dependents at home). The Client can receive the aged or disabled with the clothing and incidental amount if entitled to it. Because each case is different, the Officer must send an email to his/her Regional Supervisor to get approval from the Director.

The clothing allowance table is as follows:

Community	Total Number in Household											
	1	2	3	4	5	6	7	8	9	10	11	12
Aklavik	109	152	185	218	251	285	318	351	384	417	450	483
Behchoko	82	115	140	164	190	214	239	265	290	314	339	364
Colville Lake	112	158	192	226	260	295	329	364	398	432	466	501
Deline	109	152	185	218	251	285	318	351	384	417	450	483
Dettah/N'Dilo	79	110	134	158	182	206	230	254	278	302	326	350
Enterprise	86	120	146	172	199	225	251	278	303	329	356	382
Fort Good Hope	109	152	185	218	251	285	318	351	384	417	450	483
Fort Liard	89	124	152	178	206	233	260	287	314	341	369	396
Fort McPherson	103	143	175	206	237	268	299	331	362	393	424	455
Fort Providence	89	124	152	178	206	233	260	287	314	341	369	396
Fort Resolution	92	129	157	185	213	242	269	298	326	354	382	410
Fort Simpson	92	129	157	185	213	242	269	298	326	354	382	410
Fort Smith	86	120	146	172	199	225	251	278	303	329	356	382
Gameti	99	139	170	200	230	260	290	320	350	381	411	441
Hay River	86	120	146	172	199	225	251	278	303	329	356	382
Hay River Reserve	86	120	146	172	199	225	251	278	303	329	356	382
Inuvik	99	139	170	200	230	260	290	320	350	381	411	441
Jean Marie River	95	134	163	191	220	250	278	308	337	366	394	424
Kakisa	89	124	152	178	206	233	260	287	314	341	369	396
Lutsel K'e	103	143	175	206	237	268	299	331	362	393	424	455
Nahanni Butte	95	134	163	191	220	250	278	308	337	366	394	424
Norman Wells	103	143	175	206	237	268	299	331	362	393	424	455
Paulatuk	112	158	192	226	260	295	329	364	398	432	466	501
Sachs Harbour	112	158	192	226	260	295	329	364	398	432	466	501
Trout Lake	106	148	180	212	244	277	308	340	373	405	437	470
Tsiigehtchic	103	143	175	206	237	268	299	331	362	393	424	455
Tuktoyaktuk	109	152	185	218	251	285	318	351	384	417	450	483
Tulita	106	148	180	212	244	277	308	340	373	405	437	470
Ulukhaktok	112	158	192	226	260	295	329	364	398	432	466	501
Wekweti	86	120	146	172	199	225	251	278	303	329	356	382
Wha Ti	99	139	170	200	230	260	290	320	350	381	411	441
Wrigley	103	143	175	206	237	268	299	331	362	393	424	455
Yellowknife	79	110	134	158	182	206	230	254	278	302	326	350

## 4.2 Disabled, Aged and Incidental Allowances

### The law

3.(1) Assistance in the form of either a disabled allowance or an aged allowance may be provided to the recipient, where

- (a) in the case of the disabled allowance, it is to a maximum of \$300 each month where the recipient is exempted for a period of 12 months or more under paragraph 13.1(5)(a) of the regulations from participating in all activities and programs recommended by an Officer under paragraph 13.1(1)(c) of the regulations; or
- (b) in the case of the aged allowance, it is to a maximum of \$300 each month where the

recipient is exempted under paragraph 13.1(5)(b) of the regulations from participating in all activities and programs recommended by an Officer under paragraph 13.1(1)(c) of the regulations.

(2) A person in need who is granted assistance under subsection (1) may be provided with further assistance in the form of an incidental expense allowance in accordance with the Maximum Monthly Incidental Allowance Table set out at the end of this Schedule that shows maximum scales in force in various settlements of the Territories.

### What it means

Section 3.(1) to 3.(2) of Schedule B explains how much allowance a Client with a disability or a Client's 60 years of age or older can receive.

#### **Disabled Allowance**

For a Client with a disability, the Officer must receive proof of the disability through a letter from a health care professional or through proof that a Client is receiving a federal pension or benefit. If the Client's spouse and/or dependents are disabled, they are also eligible for this benefit.

#### **Short-term notes and the disabled allowance**

A Client who has an Income Assistance Medical Form of less than 12 continuous months is not eligible for the disabled allowance.

#### **Long-term notes and the disabled allowance**

A Client who has an Income Assistance Medical Form of more than 12 continuous months and meets the definition of a disabled person may be eligible for the disabled allowance.

The first note provided must be more than 12 continuous months.

*For example, a Client who provides a note every four months for a year is not eligible for the disabled allowance retroactively or at the 12-month period. A long-term medical condition could be a Client waiting for an organ transplant or receiving cancer treatments. The Officer should discuss the Client's circumstances with his/her Regional Supervisor.*

### **Alcohol or drugs review**

A Client with an addiction to drugs or alcohol must provide a health care professional's note that indicates his/her addiction to drugs or alcohol is considered chronic. This Client may be considered exempt from a productive choice for the period indicated on the note, but is not eligible to receive the disability allowance.

### **Productive choices and disabilities**

A Client with a disability, although exempt from participating in a productive choice, may participate if he/she chooses, and continues to receive the disabled allowance and incidental allowance.

### **Proof of disability**

A disabled Client does not need to provide a note every year if a qualified health care professional has certified his/her condition as permanent or if the Client receives a federal pension or benefit. Every year, the Officer only needs to update the file and the exemption from productive choices.

### **Aged Allowance**

The aged allowance assists the Client with his/her daily living needs. A dependent may be eligible to receive this allowance if they are 60 years of age or older.

### **Disabled and Aged Allowance**

A Client can only receive either the disabled allowance or the aged allowance from the Income Assistance Programme, not both.

### **Incidental Allowance**

Any Client who receives the disabled or aged allowance may also be provided with further assistance in the form of an incidental allowance in accordance with the Maximum Monthly Incidental Allowance Table. The allowance is provided to each person in the household that received the disabled or aged allowance. The allowance is intended to assist with the costs of personal care products and household supplies. The table, on the next page, shows the maximum incidental allowance rates for various settlements in the NWT.

The incidental allowance table is as follows:

Community	Total Number in Household											
	1	2	3	4	5	6	7	8	9	10	11	12
Aklavik	63	88	108	127	146	165	184	203	222	241	260	279
Behchoko	47	66	80	94	109	123	137	152	166	180	194	208
Colville Lake	64	90	109	129	148	168	187	206	226	245	264	284
Deline	66	92	111	131	151	171	190	210	230	250	269	289
Dettah/N'Dilo	36	51	62	73	84	95	106	117	128	139	150	161
Enterprise	40	56	68	80	92	104	116	128	140	152	164	176
Fort Good Hope	65	91	111	131	150	170	190	210	229	249	269	288
Fort Liard	48	66	81	95	110	124	138	152	167	181	196	210
Fort McPherson	57	80	97	114	131	148	165	182	199	216	234	251
Fort Providence	45	63	76	90	103	116	130	144	157	170	184	198
Fort Resolution	47	65	79	93	107	122	135	150	164	178	192	206
Fort Simpson	50	70	85	100	115	130	145	160	175	190	205	220
Fort Smith	41	57	69	82	94	106	118	131	143	155	168	180
Gameti	54	75	91	108	124	140	156	172	188	204	220	237
Hay River	41	57	70	82	94	107	119	132	144	156	168	181
Hay River Reserve	39	55	66	78	90	102	114	125	137	149	161	172
Inuvik	50	70	85	100	115	130	145	160	176	191	206	221
Jean Marie River*	50	70	86	101	116	131	146	162	177	192	207	222
Kakisa	45	63	76	90	103	117	130	144	158	171	185	198
Lutsel K'e	60	84	102	120	139	157	175	193	211	229	247	266
Nahanni Butte	58	81	98	116	133	151	168	185	203	220	238	255
Norman Wells	64	89	108	127	147	166	185	204	223	242	262	281
Paulatuk	74	104	127	149	172	194	217	239	262	284	306	329
Sachs Harbour	68	95	115	135	156	176	196	217	237	258	278	298
Trout Lake	58	81	98	116	133	151	168	186	203	221	238	256
Tsiigehtchic	54	76	92	108	124	141	157	173	190	206	222	238
Tuktoyaktuk	70	98	119	140	161	182	203	224	245	266	287	308
Tulita	65	91	110	130	150	169	189	208	228	247	267	286
Ulukahtok	65	91	110	130	149	169	188	208	228	247	267	286
Wekweti	57	80	97	114	132	149	166	183	200	218	235	252
Wha Ti	54	75	91	107	123	139	156	172	188	204	220	236
Wrigley	60	84	103	121	139	157	175	194	212	230	248	266
Yellowknife	36	51	62	73	84	95	106	117	128	139	150	161

## 4.3 Expenses for Primary, Secondary and Post-secondary Education and Other Training

### The law

9. An allowance may be provided in accordance with the direction of the Director for the following expenses incidental to the primary or secondary education or other training of a child who is a dependant of a recipient:

- (a) transportation;
- (b) text books and supplies;
- (d) annual school fees;
- (e) tuition.

#### Tuition and Book Allowances for Post-Secondary Education

9.1. (1) In this section, "Approved institution" means an approved institution as defined in subsection 1(1) of the *Student Financial Assistance Regulations*.

"Full-time student" means a full-time student as defined in subsection 1(1) of the *Student Financial Assistance Regulations*.

"Program of studies" means a program of studies as defined in subsection 1(1) of the *Student Financial Assistance Regulations*.

"Semester" means a semester as defined in subsection 1(1) of the *Student Financial Assistance Regulations*.

"*Student Financial Assistance Regulations*" means the *Student Financial Assistance Regulations* made under the *Student Financial Assistance Act*.

(2) Assistance in the form of a tuition allowance may be provided to a recipient for the payment of tuition for the recipient or his or her dependant to a maximum of \$1925 for a semester if

(a) the recipient or his or her dependant is enrolled as a full-time student at an approved institution in a program of studies approved by the Director; and

(b) the person who is enrolled as a full-time student is not eligible for student financial assistance under the *Student Financial Assistance Act* and the ineligibility is not the result of the application of subsection 35.1(2) or a provision of subsection 35.2 of the *Student Financial Assistance Regulations*.

(3) Assistance in the form of a book allowance may be provided to a recipient for the purchase of books for the recipient or his or her dependant to a maximum of \$400 for a semester if the recipient receives a tuition allowance for the recipient or his or her dependant under subsection (2).

### What it means

Section 9. to 9.1.(1) of Schedule B explains what type of assistance a Client and his/her dependents can receive for primary, secondary, training education or the post-secondary expenses.

#### **Children's primary, secondary, and training education expenses**

This section explains what assistance a Client can receive for his/her dependent in kindergarten to grade 12 or other training:

- Transportation (bus passes only)
- Text books

- School supplies (pencils and pens, paper, binders, rulers, markers, erasers, geometry sets, etc.)
- Annual school fees (locker charges, etc.)
- Tuition (Officer should speak with his/her Regional Supervisor)
- Running shoes, required musical instruments or special clothing, and
- Training (fees associated with special courses offered, or if dependent child is in post-secondary training)

### **Determination of education expenses**

The Director has approved the following procedure to determine the amount that will be supplied to Clients for their dependent(s) elementary and secondary school supplies.

An Officer should contact the school(s) at the end of the academic year and obtain a school supply list for each grade. The Officer will price the list at the least expensive store in the community. That list will be used to determine the amount of assistance provided to Clients for their dependent(s)' school supplies. Clients will be provided with a lump sum payment based on the list.

### **Exempt from expenses**

The Officer does not pay for expenses already paid for by other organizations. The Officer should ensure that the Client is not exempt for these expenses because of their ethnicity or because they are receiving, or will receive, the assistance from another source.

*For example, a First Nations Group may provide money for the child(ren)'s bus passes.*

### **Tuition and book allowances for post-secondary education**

Under this section, an Officer should refer to the *Student Financial Assistance Regulations* for definitions of the following: approved institution, full-time student, programme of studies, and semester.

A Client and one of his/her dependents must meet the requirements of all of these definitions.

If the NWT Student Financial Assistance Programme is not available to the Client, the Officer can provide an allowance of up to \$1,925 for tuition and up to \$400 for books if the Client or his/her dependent is attending a post-secondary programme as defined by the *Student Financial Assistance Regulations* and receiving a tuition allowance from income assistance.

### **Resident of the NWT**

A Client who has not been a permanent resident of the NWT for 12 continuous months may be eligible for post-secondary assistance from another province or territory in Canada or from his/her home country. Officers must ask the Client to apply first to his/her province, territory or home country. If the Client is denied, he/she must provide the denial letter to the Officer before the Officer can issue income assistance for this benefit. If the Client is eligible for post-secondary assistance from another jurisdiction, that assistance should be taken into consideration when a financial review is completed.

### **Other financial resources**

Clients may be eligible for funding through Employment Insurance, non-government organizations or other sources. Aboriginal Clients may also be eligible to receive post-secondary assistance through the Aboriginal Human Resource Development Agreement (AHRDA). See Section 7.3 of this manual for more information.

Clients must first apply to the other agencies responsible for funding and provide the amount of approved funding or a denial letter before income assistance can be issued for this benefit. The funding the Client receives from the Agency **must** be taken into consideration, as well as the expense of the programme, when a financial review is completed.

### **How the expense is paid**

The Officer must obtain an invoice from the school for the tuition and books and issue payment to either the Client or the institution. A book allowance will be provided up to a maximum of \$400 upon receipt of book expenses.

A book allowance up to \$400 is only provided if the Client is receiving a tuition allowance from income assistance.

### **Enhanced benefit approval**

The Director must approve the educational enhanced benefit.



## 4.4 Furnishings Allowance

### The law

12. (1) Assistance in the form of a furnishings allowance may be provided to a recipient for the purchase of household furnishings in an amount not exceeding the amount the recipient receives for a food allowance for the month in which the furnishings allowance is paid if the recipient (a) operates a household; and

(b) has received assistance for at least six of the 12 months preceding his or her request for a furnishings allowance.

(2) A furnishings allowance will not be provided to a recipient if the Government of the Northwest Territories is recovering a debt from the recipient under section 10 of the Act.

### What it means

Section 12.(1) to 12.(2) explains how much assistance a Client and his/her dependents can receive for furnishings.

A furnishings allowance is for the purchase of all household furniture as required from time to time by the Client.

#### **Assistance available**

A Client and his/her dependents are eligible to receive an **annual** furnishings allowance. This amount is based on the Maximum Furniture Allowance table, show on next page, if the Client has received income assistance for at least six of the last 12 months. The six months does not need to be continuous.

A Client is eligible to receive this benefit in full or at a prorated amount requested by the Client, at the end of a six-month waiting period.

*For example, a Yellowknife Client, his spouse and two children received assistance from February to May and then again in July and August, all within the same 12-month period in 2006. The Client has now applied for assistance again in September. The Client would be eligible to receive the furniture allowance on September 1, 2006.*

*The Client in the example above would be eligible to receive the furnishing allowance again on September 1, 2007, as long as he has received assistance for six of the 12 prior months.*

### Owes income assistance

The Client and his/her dependents are not eligible to receive a furniture allowance if the Client has an income assistance debt. Clients may not use their furniture allowance towards their debt.

Furniture must be provided to persons in need using the following furniture allowance table:

Community	Total Number in Household								
	1	2	3	4	5	6	7	8	+
Aklavik	320	591	834	1,038	1,224	1,371	1,508	1,599	93
Behchoko	222	412	581	720	849	951	1,047	1,110	65
Colville Lake	359	666	940	1,109	1,307	1,473	1,620	1,716	101
Deline	303	559	788	981	1,157	1,296	1,426	1,512	88
Dettah/N'Dilo	175	323	456	567	669	749	824	874	51
Enterprise	182	331	467	590	695	778	856	907	54
Fort Good Hope	291	541	763	941	1,110	1,243	1,368	1,450	85
Fort Liard	225	415	586	729	860	963	1,060	1,124	66
Fort McPherson	263	484	683	851	1,003	1,124	1,236	1,311	77
Fort Providence	199	369	521	641	756	846	931	987	58
Fort Resolution	231	429	605	726	856	959	1,055	1,118	66
Fort Simpson	224	414	584	726	856	959	1,055	1,118	65
Fort Smith	192	357	503	612	722	809	890	944	55
Gameti	232	426	601	749	884	990	1,089	1,155	69
Hay River	198	367	518	624	736	824	907	961	56
Hay River Reserve	198	367	518	624	736	824	907	961	56
Inuvik	257	475	670	833	983	1,101	1,211	1,284	75
Jean Marie River	250	462	651	811	956	1,071	1,178	1,249	74
Kakisa	193	355	501	624	736	824	907	961	56
Lutsel K'e	292	542	764	924	1,090	1,221	1,343	1,424	84
Nahanni Butte	284	527	743	879	1,037	1,164	1,280	1,356	81
Norman Wells	280	519	732	907	1,070	1,198	1,319	1,398	82
Paulatuk	338	623	879	1,094	1,291	1,446	1,590	1,686	99
Sachs Harbour	335	621	876	1,066	1,257	1,408	1,549	1,643	96
Trout Lake	301	556	783	975	1,150	1,288	1,417	1,503	88
Tsiigehtchic	265	483	680	856	1,011	1,132	1,246	1,320	80
Tuktoyaktuk	315	585	825	973	1,148	1,293	1,422	1,507	90
Tulita	301	556	783	975	1,150	1,288	1,417	1,503	88
Ulukhaktok	319	588	829	1,032	1,217	1,363	1,500	1,590	93
Wekweti	278	517	729	859	1,013	1,142	1,256	1,331	80
Wha Ti	281	512	721	911	1,074	1,203	1,323	1,403	84
Wrigley	305	562	793	987	1,164	1,303	1,434	1,520	89
Yellowknife	175	323	456	567	669	749	824	874	51

## 4.5 Security Deposits – Rent or Utilities

### The law

17. (1) Assistance may be provided to a recipient for the payment of a security deposit if one is required for the provision of accommodations or utilities to the recipient.

(2) A recipient must repay the total amount of assistance that he or she receives for the payment of a security deposit

(a) when the landlord or utility provider refunds the security deposit or a part of the security deposit to the recipient; or

(b) when the security deposit is forfeited under the terms of the agreement between the landlord or utility provider and the recipient under which the security deposit was paid.

### What it means

Section 17.(1) and 17.(2) of Schedule B explains how a Client can receive assistance for a security deposit for accommodations or utilities.

#### **Payment of the security deposit**

***Utilities:*** Security deposits must be provided to Clients as required by the utility provider.

***Rentals:*** The Residential Tenancy Act allows the payment of a security deposit to take place over a three-month period as follows:

- 50% of the deposit is due with the first month's rent
- The remaining 50% is due by the end of the first three months of the Client's tenancy

#### **Repayment of the security deposit**

Security deposits are not repayable until the Client has left the residence for which the security deposit was issued.

A Client must repay the total amount of the security deposit to the Government of the NWT. If only a portion of the security deposit is paid when the Client and his/her dependents move, the remainder immediately becomes a Client's debt that is owed to the Income Assistance Programme and can be paid back in \$25 monthly payments.

#### **More than one security deposit**

A second or subsequent security deposit for rent or utilities can be issued as required with approval from the Regional Supervisor.

**Where to send the returned security deposit cheques**

Officers must forward all security deposit returns to the finance personnel within income assistance at the Regional Office. The Officer should include the Client's name and social insurance number, and a description of the uses of the security deposit.

*For example, a description could include the landlord's name, utilities type and provider, or fuel type and provider*

Officers must get a General Receipt (GR) number from regional finance staff so they can data enter the returned security deposit in CMAS. Officer should also make sure that the Client's debt has been reduced.

## 4.6 Emergency Allowance

### The law

18. Emergency assistance may be provided in accordance with the direction of the Director to a recipient where he or she is unable to sustain himself or herself and his or her dependants.

### What it means

Section 18. of Schedule B states that a Client and his/her dependents may receive an emergency allowance when the need exists.

This allowance is provided to Clients who are eligible for income assistance and participating in a productive choice.

The current rates of the allowance are:

- Single: Up to \$500 or the amount of a Client's monthly food allowance as the need requires, whichever is higher.
- Family: Up to \$1,000 or the amount of a Client's monthly food allowance as the need requires, whichever is higher.
- Case-by-case as approved by the Director.

### Director approval

The Director must be contacted to approve emergency assistance. The types of situations that emergency assistance can be provided for include:

- Loss of a home due to a disaster – flood, fire, windstorm, landslide, or earthquake
- Inability to pay one month rent due to illness or loss of a job for reasons other than just cause

## 4.7 Child Care User Subsidy

### The law

19. A day care subsidy allowance may be provided in accordance with the direction of the Director.

### What it means

Section 19. of Schedule B states that a Client may receive a Child Care User Subsidy. Refer to the Child Care User's Subsidy Policies and Procedures for more information.

### How to pay child care

The student Child Care User Subsidy is provided at the beginning of the current month.

The income assistance Child Care User Subsidy is provided at the beginning of the current month for licensed child care services and at the end of the current month for unlicensed child care.

## ***5 Code of Ethics for Income Security Employees***

### **The law**

Both the Government of the NWT and the Department of Education, Culture and Employment maintain policy for ethics and conduct.

The Code of Conduct, as well as other Government of the NWT employee policies, can be found at: <http://www.gov.nt.ca/utility/employees/index.html>.

### **What it means**

The purpose of this Code of Ethics Policy is to promote an ethical culture in the workplace, to ensure that Clients receive professional dealings and that relationships between Clients and staff are clearly defined. **This helps ensure a high level of trust by the public and that Officers remain fair but are also seen to be fair by the public.** This Code of Ethics Policy is a guiding principle that Officers are expected to adhere to and is in addition to any statute pertaining to the actions of employees and to any instructions issued by the Government or a Minister to Deputy Ministers or Senior Management.

### **Definitions**

For the purposes of this Code, unless the context otherwise requires,

**“Client”** is an individual who has, is seeking, or currently receiving assistance from any of the programmes offered through Income Security

**“Employee”** includes persons who perform services as appointees, volunteers, students, and persons who perform services under contracts and agency relationships

**“Friend”** means a close and favoured companion

**“Fraud”** is an intentional act of deception committed for the purpose of gaining an unauthorized benefit or depriving the Government of the NWT of a benefit. Fraud includes, but is not limited to, an act, irregularity or activity that is unethical, dishonest, improper, or illegal such as:

- Theft, embezzlement, misappropriation, misapplications, destructions, removal, or concealment of Government property including but not limited to money, tangible property or intellectual property
- Forgery, falsification or alteration or inappropriate destruction of any paper or electronic documents (cheques, reference letters, resumes, applications, time sheets, requisitions, budgets, accounting records, etc.)
- False claims and/or misrepresentation of information and/or documents
- Inappropriate use of computer systems including hacking and software piracy
- Bribery, kickbacks, or rebates (given or received)
- Authorizing or receiving payments for goods not received or services not performed
- Authorizing or receiving payments for hours not worked

**“Predication”** is the set of circumstances that would lead a prudent, reasonable person to believe that fraud has occurred, is occurring, or will occur

**“Relative”** includes spouse, children, step-children, legal dependents, parents, siblings, in-laws, grandparents, grandchildren, nieces, nephews, aunts, uncles and first cousins

**“Policy”** means this Code of Ethics for Officers

**“Spouse”** means a person who

- a) Is married to another person,
- b) Has together with another person, in good faith, entered into a marriage that is voidable or void, or
- c) Is cohabitating with another person in a conjugal relationship outside marriage

**“Staff”** are defined as employees, volunteers, researchers, students and those involved in contract work with the Income Security Programmes

**“Supervisor”** is an individual that directly supervises or exercises influence over the assignments of duties, performance evaluations or related responsibilities of an employee, such as a Regional Supervisor or Regional Superintendent



## **Objectives**

The objectives of this policy are:

1. To describe the responsibilities Officers have when dealing with Clients
2. To provide guidelines to Officers to act in a professional manner
3. To clarify the relationship between Client, their relatives and the Officer

## **Officer's responsibilities under the policy**

Acceptance of Gifts:

Employees shall not accept fees, gifts or other benefits that are connected directly or indirectly with the performance of their public service duties, from any individual, organization or corporation, other than:

- The normal exchange of gifts between friends
- The normal exchange of hospitality between persons doing business together
- Tokens exchanged as part of protocol
- The normal presentation of gifts to persons participating in public functions

Confidentiality:

All Officers sign a statutory declaration affirming their Oath of Office and Secrecy. This Oath governs the Officers as an employee of the Government of the NWT. The original signed copy is retained on the personnel file.

Officers must respect the access to confidential Client information and that it can only be used when it is obtained by legitimate means that do not violate the Charter of Rights to privacy and personal security.

Conflict of Interest:

Officers shall identify potential or perceived conflict of interest situations to the Supervisor immediately. Officers shall, at all times, be aware of their responsibilities under the *GNWT Code of Conduct Respecting Conflicts of Interest and Oath of Office and Secrecy*.

*Furthering Private Interests* - Employees are in conflict of interest and in violation of this policy if they:

- Take part in a decision in the course of carrying out their duties, knowing that the decision might further a private interest of the employee, their spouse, family or friend
- Use their public role to influence or seek to influence a Government decision which could further a private interest of the employee, their spouse, family or friend
- Use or communicate information not available to the general public that was gained by the employee in the course of carrying out their duties, to

further or seek to further a private interest of the employee, their spouse, family or friend

**Competence:**

Officers should provide services and represent themselves as competent only within the boundaries of their education, training, license, certification, or other relevant experience.

When standards do not exist, Officers should exercise careful judgment and take responsible steps to ensure the competence of their work and to provide Clients with the best service possible.

**Derogatory Language:**

Officers shall not use derogatory language in their written or verbal communications to or about Clients. Officers should use accurate and respectful language in all communications to and about Clients.

**Discrimination:**

Officers shall not practice, condone, facilitate, or collaborate with any form of discrimination on the basis of race, ethnicity, national origin, color, sex, sexual orientation, age, marital status, political belief, religion, or mental or physical disability.

**Employee-Client Relationships:**

- All employees safeguard Clients and themselves by keeping their interpersonal relationships with Clients professional and consistent with any Income Security Programme interventions
- All employees adhere to the requirements of this section for a minimum of one year after the Client has ceased to be an active Client of the Income Security Programmes
- Abstain from dating Clients
- Abstain from sexual and/or physical intimacy with Clients and keep their relationship with the Client on a professional level
- Avoid non-job related socializing with Clients as much as possible
- Pre-arrange any away-from-the-job contact and use good judgment to avoid any possible misinterpretation of intent
- Dual and overlapping relationships – Employees who are related to a Client or otherwise involved in a friendship/relationship must declare this relationship to their supervisor. If possible, these employees shall abstain from providing assistance unless absolutely necessary. *Employees may calculate benefits for these Clients, but shall abstain from providing assistance. Their supervisor or a co-worker that is not related nor a friend, must review the assessment and issue the cheque*

#### Impartiality:

Officers are expected to conduct their duties with impartiality. Officers shall consistently provide all Clients with complete and accurate information regarding the extent, nature, and limitations of any services available to them and address all inquiries and complaints in a reasonable and timely manner.

#### Inter-agency collaboration and communications:

As part of case management, Officers will promote and participate in community inter-agency collaboration. This will ensure Officers have more knowledge about partner agencies and defined contact points within these agencies, in-turn addressing the well-being of Income Security Clients.

#### Mind-Altering Substances:

All employees are expected to be unimpaired or in a state that, in the opinion of their supervisor, does not negatively affect their ability to effectively perform their duties.

Employees serve as responsible role models for Clients, staff and community and exhibit responsible concern for the well-being of fellow staff members. When active mind-altering substances are being used (even if they are not using while on duty), a person's cognitive functions might be adversely affected which affects their ability to effective work in their role.

#### Personal Integrity:

Officers abide by this code and display integrity at all times while at work. Officers must act honestly and responsibly and promote ethical practices on behalf of the Income Security Programmes.

Employees shall conduct themselves both at work and away from work in a manner that upholds their reputation and does not adversely affect interpersonal relationships within the Income Security Programmes. The following conduct, although not all-inclusive, is prohibited and may be subject to disciplinary action:

- Lending, borrowing, accepting money, gambling (in office, during working hours), cashing cheques or accepting gifts from Clients
- Outside employment conflicting with Income Security Programmes services
- Dishonesty, theft or destruction of property. Besides stealing money from the Government, theft includes unauthorized use of telephones, fax machines or photocopiers, unauthorized removal of Income Security Programmes equipment or material, etc.
- Offering legal advice to Clients or relatives/friends of Clients

- Conduct that might negatively affect the reputation of the Income Security Programmes, such as protests against any Income Security Programme, public intoxication or recklessness, etc.
- Fraud of any kind is strictly forbidden, whether it the employee, a fellow colleague or a Client of the Income Security Programmes. Employees acting on behalf of the Income Security Programmes or Clients who engage in fraud of any kind will be subject to the appropriate discipline and possible criminal prosecution
- Employees at all levels are accountable for setting the appropriate tone of intolerance for fraud by complying with all laws, rules, regulations, professional codes of conduct and policies. Failure to report known evidence of fraud may be subject to the appropriate discipline. Income Security Programmes is committed to the thorough investigation of all allegations of fraud where there is sufficient cause or predication

**Social Welfare:**

Officers should promote the general welfare of society and the development of people, their communities, and their environments. Officers shall work to effect social change for the overall benefit of citizens of the NWT.

## 6 Income Assistance Procedures

### 6.1 Case Management

#### The law

Case management's purpose is to ensure the Client achieves the ultimate goal of self-reliance.

Officer's must guide the Client through the individual steps (counseling, education or training, and/or employment or volunteering) by being aware of all available resources and coordinating and integrating those resources so that a Client achieves their goal.

#### What it means

The Client has acknowledged his/her circumstances, established goals, and is working towards achieving them.

When applying the case management principle, use one or more the following:

- Networking with community organizations
- Get involved with planning
- Recognize and work with community wellness programs
- Have resources in your office
- Familiarize yourself with other programmes
- Work with Career Development Officers
- Work with Employment Development Officers
- With Client's develop long-term plan and link them to productive choices
- Use the case management forms
- Use the CMAS interview screens to track and evaluate Clients
- Respect confidentiality and privacy
- When a Client does not follow through, consider the Client's situation and be aware of set-backs

## 6.2 Issuing Assistance for a Prior Month, Debts and Arrears

### The law

The Department of Education, Culture and Employment has the authority to correct mistakes.

If a Client has debt or arrears from before he/she went on assistance, the Department shall not pay those debts or arrears.

### What it means

The law is set to ensure fairness to persons in need and appropriate use of government funds.

#### **Arrears, late charges or interest**

Arrears, late charges and/or interest that a Client and his/her dependents have incurred while not receiving income assistance, or as a result of the Client and his/her dependents' error, are not considered a need under the Income Assistance Programme.

Arrears, late charges and interest because of an Officer error are considered on a case-by-case basis and the Director should be contacted for the final decision.

#### **Debts**

Any debt or loan a Client and his/her dependents incurred are not a need under the Income Assistance programme. The following are some examples of debts that are not considered a need:

- Credit card
- Bank charges or overdrafts
- Vehicle payments
- Any basic or enhanced benefit need incurred while not receiving income assistance
- Maintenance, divorce or other settlements
- Income tax, or
- Lawsuits
- Personal debts to individuals, agencies, financial institutions or organizations

### **Rental arrears**

The tenant agreement is between the Client and the landlord. Any rent arrears is between the Client and the landlord. The Income Assistance programme is not responsible for rental arrears.

### **Damages**

Any expenses for damages a Client and his/her dependents caused while not receiving income assistance, or because of the Client and his/her dependents' error, are not considered a need under the Income Assistance programme.

### **Retroactive assistance**

There is no provision in the Social Assistance Act, and therefore no legal authorization, for an Officer or Director to make retroactive payments. If Clients disagree with an assessment, they have appeal provisions during the month to make a claim for assistance they did not receive.

However, the Appeal Committees and Appeal Board can order the Income Assistance programme to provide retroactive payments to a Client beginning on the date of refusal or the first day of the month in which the refusal took place.

### **Officer error**

An Officer error occurs if he/she fails to provide eligible assistance, in whole or in part, for any of the following benefits to a Client in need:

- Room and board
- Accommodations
- Fuel
- Utilities
- Educational expenses
- Security deposits
- Child Care User Subsidy

With Regional Supervisor approval, and proof that the need still exists, an Officer can issue the eligible assistance for any of the above benefits for up to a prior three-month prior period. Officer error of more than three-months requires the Director's approval.

Proof of need would be a landlord-tenant agreement, eviction notice, statement from a landlord showing outstanding rent, and/or statement from a fuel or utility provider.

### **Over recovery**

If an Officer makes a mistake and recovers assistance from the Client where there was no debt, the assistance will be returned to the Client. Contact Headquarters for assistance on the procedure for paying the Client.

### **Client error**

If a Client makes an error or neglects to provide an invoice during the current month, the Officer can revise the assistance for any of the following:

- Room and board
- Accommodations
- Fuel
- Utilities
- Educational expenses
- Security deposits
- Child care user subsidy

If a Client attempts to rectify an error, the Officer may go back up to three months depending on the circumstances. This should be discussed with the Regional Supervisor. Any outstanding Client errors of more than three months, require Director's approval.

### **Note**

1. Any direction and/or decision given by the Appeal Committee and the Appeal Board must be followed and data entered by the Officer into CMAS Notes.



## 6.3 Client Monthly Reporting Card

Monthly reporting cards are not recommended for use with all Clients; however, some Clients may be required to use the monthly reporting cards. The Client's circumstances will determine if the Officer requires the use of monthly reporting cards.

### What it means

If it is determined that a monthly reporting card will be used with Clients, the following process should be followed:

1. Identify existing Clients who would benefit from this process, and introduce Client-reporting card
2. Face to face interview:
  - If it is an existing Client, review the Client file for:
    - A current, completed statement of authorization
    - Identification for all family members including Current Health Care Card, verified Social Insurance Numbers for all adults, Birth Certificates and Treaty Cards if applicable
    - Current Income Tax Notice of Assessment
    - Current Child Tax Notice of Assessment
    - Rental/lease agreement
    - Utility bills such as water, power and fuel
    - Verification of income such as pay stubs, pensions etc
    - Income Declaration form
    - Productive Choice Agreement
    - Disclosure of assets form
    - Proof of application for child support
    - Proof of application for public housing
    - Damage deposit repayment agreements
    - Overpayment agreements if applicable
    - Other as applicable
  - If it were a new Client, any or all of the above would apply
  - Full explanation provided to the Client of how the reporting card works
  - If it were a new Review the Client Reporting Card Form and explain:
    - That the Form must be fully completed, signed and dated by the Client
    - That all questions must be answered with a Yes or a No. If yes, all amounts of money/income must be declared

- All documentation must be attached in order to avoid delays in processing payments
- The importance of the return date identified on the form
- Explain how the Client Reporting Card is received and returned to the Office:
  - All Client Monthly Reporting Cards are submitted to the Front Desk Receptionist or mailed to the Office to address provided by the date specified on the form
  - All documentation is verified and logged against a Required Documentation Checklist
- Be clear about:
  - What monthly documentation is required
  - The importance of having all the documentation returned with the card on a timely basis
- Provide explanation of the benefits of providing the documentation on time:
  - Client does not have to make a monthly appointment
  - Client does not have to come into the office
  - Client can be assured of receiving their assistance by the first day of the month
- Be clear about what will happen if the documentation is not provided on time:
  - Officer must do a follow up by phone or other method. This is time consuming and results in late payments on the Clients file
  - Receiving documentation late will result in the file being processed late
  - The monthly cheque/direct deposit will be delayed resulting in late payment of rent and utilities, which may result in late payment fees, the programme does not cover late fees or arrears
  - If documentation is not received on time for 3 reporting periods, does not have to be consecutive months, Client is removed from the Client Reporting Card process:
    - Client will have to make an appointment with the Officer
    - Officer will discuss the situation with the Client
    - Client may be returned to the appointment process

## Note

1. Best used with Clients who are willing, understand and are committed to the process.

2. Works well with Clients who are being supplemented, some Clients with disabilities, students, those who are parenting, or have no significant change in circumstances.
3. From compliance point of view there may be problems. Clients can fail to disclose on paper more readily than at a face-to-face interview.
4. A potential problem would be Clients who do not return the Client-reporting card by the specified time.
5. Another problem would be Clients who do not attach the required documents such as utility receipts or verification of income.
6. If there are situations where the Client continues to use the reporting card improperly, a Client's reporting card privileges can be reviewed and/or cancelled and the Client will then be required to meet with the Officer on a monthly basis.

## 6.4 Procedure for Lost or Stolen Cheque

Once notice has been received from the Client that a cheque is lost, a waiting period will be in effect (the amount of time will be determined by the ISP Supervisor and the Officer depending on when the cheque was issued and mailed).

Before submitting a request to Headquarters for a stop payment, the Client must sign the statutory declaration of a lost cheque.

The Officer must explain to the Client that if the cheque is found it must be returned to Headquarters. Cashing it may result in fraud charges and other fees, such as bank charges.

The Officer must send an e-mail request to the finance division at Headquarters to trace the cheque and place a stop payment on the cheque. Once the Officer receives verification back from Headquarters, the cheque can be reissued.

In the case of a stolen cheque, the process can only begin once a complaint has been laid with the RCMP and Headquarters has received verification that a complaint has been laid.

## 6.5 Client File Check List

The Officer must ensure all files have the following information before income assistance is issued.

1. Photocopies of identification on ALL persons on the file. I.D. must include:
  - Health Care Cards on ALL family members
  - SIN cards on adults on the file
  - Birth Certificates on all family members
2. A current signed and dated Statement of Authorization. These Statements must be done after a year on Income Assistance or when there has been a break in Assistance.
3. Pay stubs: When a Client is working if they are paid bi-weekly then there should be two or three stubs. If the Client is paid weekly then there should be four stubs. Any income declared has to be verified by the Employer. This includes honorary pay.
4. Income tax: a copy for ALL adult members of the household must be on file regardless of when the Client received it. This should also be followed and checked against the file to ensure that the Client(s) have declared ALL their earnings to us while receiving Income Assistance. In other words it is not just copied and filed away it must be reviewed against the file.
5. Records of Employment (ROE): If a Client comes in and claims he was working in the past then he/she MUST provide a copy of his/her ROE. If they are unable to get an ROE right away then we would temporarily accept a written letter from their Employer stating start date, finish date, rate of pay, last pay date and reason for termination of employment.
6. Productive Choice (PC) Agreements: Once a PC has been signed then follow up is required to verify that the Client has fulfilled the conditions of the PC. If they have not, then they are refused 60 days the first time this happens, and 90 days every time after.
7. Applications for Child Maintenance: A single parent has two months to file for child support from the time they first access the programme, unless an agreement with the spouse exists and is followed.

8. Applications/verification (notice of assessment) on Child Tax Benefit: We only count the NCBS. If they are not receiving this then, with the Client present you must call and confirm the reason why they are not receiving it.
9. Rental review forms and rent receipts. If in private rental then they must apply to public housing.
10. Mortgage verification if there is a mortgage.
11. A current disability review form for anyone receiving the Disabled allowance.
12. Verification of applications for Canada Pension Plan, Old Age Security, Worker's Compensation, Employment Insurance, whichever may be appropriate depending on Client's circumstances. This may not apply to every file.
13. Verification of bank accounts and a history for the previous 30 days.
14. Verification of liquid assets

## 6.6 Auditing of Client File

### The law

The Social Assistance Act and Regulations as well as the Financial Administration Act provide the authority to audit a Client file.

### What it means

These Acts and Regulations ensure that the Client and his/her dependents are receiving all of the benefits to which they are entitled, in the manner they are entitled, while also accounting for taxpayer dollars.

Headquarters staff will audit Client files on a scheduled basis and in the method that has been prescribed by the Regional Supervisor of the compliance-auditing unit. The Audit Bureau may be involved in audits from time to time, as required by Headquarters.

## 6.7 Reporting Fraud

### The law

The authority to report fraud resides within the Social Assistance Act, Sections 13-15, and the Financial Administration Act, Part X, Sections 101-106.

### What it means

This section ensures all Client information is reported to the correct authority when the Client or Officer shows intent to commit fraud.

*For example, a Client commits fraud if he/she rents out a room to another person but does not report the change in earned income to the Officer.*

#### Client

When a Client **attempts** to commit fraud, the Officer must report it to his/her Regional Supervisor.

If an Officer suspects the Client of attempting to commit fraud, he/she should contact his/her Regional Supervisor for a follow-up decision. Headquarters determines if criminal charges will be pursued.

#### Officer

An Officer who suspects another Officer of fraud is required to report the incident to his/her Regional Supervisor immediately.



## 7 Client Information

### 7.1 What to Bring to a Meeting With Client Services Officer

Clients are required to bring the following information when meeting with an Officer:

- Information for all family members, including Birth Certificates, Health Care Cards and Social Insurance Numbers
- Information and verification of financial situation, including but not limited to:
  - All pay stubs
  - Record of Employment from most recent employment
  - Verification of income received from any source (Employment Insurance, pension, Worker's Compensation, Child Maintenance, Child Tax Benefit, honoraria, student assistance, etc.), and
  - Information on any assets the Client possesses
- Verification of bank account(s) and all transaction for the past 30 days
- Rental receipts, mortgage verification or lease agreements
- If not currently in public housing, Clients will be asked to apply for public housing. If the Client has arrears with housing, arrangements to pay those arrears will have to be made
- Current utility bills
- Information on any winnings from bingo, lottery, gambling, etc.
- Income Tax Assessment
- If a productive choice agreement has been signed – verification the productive choice has been completed
- Information on any disability the Client may have

Clients will be asked by the Officer to apply for any financial resources that they are not currently accessing. This will include filing Income Tax, applying for Child Maintenance, Child Tax Benefit, Employment Insurance or any other resources that may be available. Please note that the Officer is required to do so based on the Social Assistance Act and Regulations.

## 7.2 Taxes and the Client

### The law

The authority to issue T5007 is through the Government of Canada and is a requirement of the Income Assistance Programme.

### What it means

This section explains how to report income to the Government of Canada and complete a personal income tax return, which determines the amount of tax a resident of NWT should pay.

A T5007 is issued for all of the income assistance payments a Client receives as follows:

- Income Assistance
- Day care, or
- Aged benefits

These are not taxable, but are reportable to the Government of Canada.

Headquarters issues the T5007, before March 1 of every year. Headquarters uses the permanent address identified in CMAS to mail out the T5007 to Clients. It is important that the Client's contact information and social insurance number is accurate in CMAS. Clients need these documents to complete their annual income tax returns.

## 7.3 Applying for Other Sources of Income

### The law

The authority for a Client to receive other sources of income rests with the governing department.

*For example, Maintenance Enforcement is legislated and receives its authority to collect maintenance from the Department of Justice. A Client must apply to the Department of Justice, not the Income Assistance Programme for Maintenance Enforcement.*

### What it means

This section provides Officers with a short list of other agencies and departments that help ensure Clients and their dependents receive the support they deserve.

#### **Maintenance Enforcement Programme (MEP)**

Some programmes outside of Income Assistance can affect a Client's eligibility for income assistance. One of those is family maintenance enforcement, administered by the Department of Justice. Income Assistance Clients who have custody of their children and do not receive support payments are required to apply to maintenance enforcement in order to demonstrate that they are genuinely attempting to access all income they are entitled to receive. If they are not receiving child support from their spouse and are not willing to seek enforcement through the Department of Justice, they will not qualify for Income Assistance.

Maintenance enforcement does not need legal documents to enforce maintenance collection. A letter with a clear statement of arrangements, dates and signatures of both parties can be used.

For more information on maintenance enforcement, visit:

[http://www.justice.gov.nt.ca/mep/e\\_index.asp](http://www.justice.gov.nt.ca/mep/e_index.asp)

#### **Other financial programmes**

For information on other programmes offering assistance, visit these websites.

- Student Financial Assistance <http://www.nwtsfa.gov.nt.ca/>
- Employment Insurance  
<http://www.servicecanada.gc.ca/en/sc/ei/benefits/regular.shtml>

- Aboriginal Human Resource Development Agreement funding  
[http://srv119.services.gc.ca/AHRDSInternet/general/public/HomePage1\\_e.asp](http://srv119.services.gc.ca/AHRDSInternet/general/public/HomePage1_e.asp)
- Child Tax Benefit <http://www.servicecanada.gc.ca/en/goc/cctb.shtml>
- Canada Pension Plan Disability Benefits  
<http://www.servicecanada.gc.ca/en/sc/cpp/disability/disabilitypension.shtml>
- Benefits for Seniors - CPP/OAS/GIS  
<http://www.servicecanada.gc.ca/en/audiences/seniors/benefits.shtml>
- Worker's Compensation <http://www.wcb.nt.ca/workers.html>

## 7.4 Dental Benefits

### The law

The authority to pay for basic dental benefits resides with Health and Social Services, under Indigent Health Benefits.

### What it means

The Income Assistance programme does not cover dental benefits. For more information on dental benefits, which are provided by the Department of Health and Social Services, visit: [http://www.hc-sc.gc.ca/fnih-spni/nihb-ssna/benefit-prestation/dent/index\\_e.html](http://www.hc-sc.gc.ca/fnih-spni/nihb-ssna/benefit-prestation/dent/index_e.html).

Cosmetic dentistry is not considered under the Indigent Health Benefits.

If a Client is already receiving income assistance, he/she must provide proof to the dental clinic in order not to get billed.

Contact Health Service Administration office in Inuvik at 867-777-7406 or toll free at 1-800-661-0830 for more information on Indigent Health Benefits.

## 8 Confidentiality and Records

### The law

The authority for this policy on confidentiality of records and information is in both the Social Assistance Act and the Access to Information and Protection of Privacy Act (ATIPP).

### What it means

This section is included to ensure that Officers observe and comply with the Access to Information and Protection of Privacy Act, the Social Assistance Act and the NWT Income Security Code of Ethics and Standards in adhering to and respecting Client confidentiality.

When a Client and his/her spouse sign a *Statement of Authorization*, the Client is enabling the Officer to collect personal information under the authority of the ATIPP Act and the Social Assistance Act.

The Officer can only use the information collected for determining the Client's initial and continuing eligibility for income assistance.

Client information cannot be released to a third party, including family members, unless the Client has authorized the release of the information in writing. Inquiries for Client information from the police, another GNWT department or agency, or a Member of the Legislative Assembly should be referred to Headquarters.

Inquiries for Client information from the media (television, radio, newspapers or magazines) should be referred to the Manager of Public Affairs, located at Headquarters.

Clients have a right to review most of the information within their file. If a Client makes this request, the Officer is required to contact Headquarters for guidance on what records and information should be disclosed to the Client. Client information is kept for two years in the current file and a further eight years in storage.

Clients who wish to make a formal request for information or records under the ATIPP Act should be informed that they must contact the Records and Access to Information Co-ordinator in Yellowknife (867-873-7719)

## 9 Family Violence Protocol

### The law

The Government of the NWT is responsible for the health, safety and wellbeing of its residents.

### What it means

This section ensures that victims of family violence are supported financially, physically and emotionally in an efficient and timely manner.

Clients who have been subjected to family violence are treated as an emergency and must be seen within 24 hours of the incident. Clients can receive emergency assistance and may return within a calendar month with all proper documentation.

Officers must ensure that the Client has been seen by, or must refer the Client to, the following local agencies:

- Royal Canadian Mounted Police
- Doctor or nurse at the health centre, clinic or hospital
- Counselling services
- Shelter, women's centre, Salvation Army or church, and child welfare

## 10 Homelessness Assistance Committee

### The Law

Established under the authority of the Minister Responsible for Homelessness, the group will administer policy, explore, assess, and make recommendations related to homelessness in the NWT in relationship to the policies it administers.

### Mandate

The mandate of the Homelessness Assistance Committee is:

- To administer the Homelessness Travel Assistance Policy – This policy recognizes that there are “homeless” persons who may be better able to gain accommodation and other needed services, if they were able to return to their home community and that some of these persons may need financial assistance with their return home travel costs.
- To administer the Homelessness Financial Assistance Policy – This policy recognizes that there are “homeless” persons or persons at risk of becoming “homeless” who may be able to improve their situation with some financial assistance for certain costs.
- To advise the Department in relationship to the structure and makeup of the aforementioned policies.
- To make recommendations to alleviate the challenges faced by homeless Clients in relationship to the policies mentioned above in cooperation with all stakeholders.
- To from time to time review and provide comments regarding policies, programmes and services for homeless Clients.
- The group will perform its duties outlined above in relationship to homeless individuals within the geographical boundaries of the NWT.

The members of the Homelessness Assistance Committee shall include:

Name	Organization	Contact Number
Lyda Fuller	YWCA	867-920-2777
Julie Thrasher	Inuvik Homeless Shelter	867-777-2726
Les Harrison	YKHSSA	867-873-7901
Arlene Jorgensen	BDRHSSA	867-777-8112
Robert Swan	DHSS	867-920-3407
Laurie Clarke	ECE	867-873-7746



## 11 Support Services and Agreements for Persons 16 to 18 Years of Age

### The Law

From the Child and Family Services Act:

- (1) The Director of Health and Social Services may enter into a written agreement with a person who has attained the age of 16 years but has not attained the age of majority and cannot reside with his or her parents to provide services or to assist others in providing services, or to assist that person in obtaining services, to support and assist that person to care for himself or herself
- (2) The services to support and assist a person referred to in subsection (1) may include:
  - (a) Counseling
  - (b) Parenting programmes
  - (c) Services for improving the person's financial situation
  - (d) Services for improving the person's housing
  - (e) Drug or alcohol treatment and rehabilitation
  - (f) Mediation of disputes, and
  - (g) Any other services agreed to by the Director and the person
- (3) The initial term of an agreement referred to in subsection (1) must not exceed six months, and an agreement may be extended for one or more terms not exceeding six months each until the person attains the age of majority.

### What it means

Support Services Agreements are often referred to as a SSA.

#### **Child and Family Services Standards**

Provide services that support the youth in his/her efforts to care for him/herself. Sometimes these youth may be parents. If the youth is a parent, then the services may be offered to support the youth as a parent.

- Persons who are 16, 17 or 18 years old (youths) and cannot reside with their parents may be supported in their efforts to support themselves
- The Director of Child and Family Services, board or agency does not assume custody or guardianship of the youth

### **Purpose**

To help the youth obtain services that support his/her efforts to care for him/herself.  
To help others provide services to the youth.

### **Process**

When a youth (16, 17 or 18 years of age) goes to see a Social Worker looking for support (support can be room and board, counseling, treatment, money to pay for graduation expenses, etc.) the Social Worker verifies the information (with parents, if possible, and/or with the school, etc.)

If a youth is looking for room and board the Social Worker will discuss the circumstances that have led them to no longer being able to reside with their immediate family. Extended family and friends are explored with the youth when there are housing needs.

Generally speaking, room and board will be provided for a youth if the youth cannot live at home because the situation would cause them, if they were under the age of 16, to be found in need of protection. *For example, parent(s) are abusive, family violence, alcohol abuse, parental criminal activity etc.*

If the youth cannot live at home because the youth themselves are refusing to obey the rules of the home, the Social Worker will offer services to help the youth and parent/s so the youth can either return home or to another living situation without the financial support of an SSA.

There is an expectation that a youth, whenever a SSA is entered into, engage in positive activities, such as school, training programmes, part-time work that is verified by the Social Worker.

## 12 Headquarters Income Security Responsibilities

**Laurie Clarke, Manager, Income Security Programmes**

Email: [laurie\\_clarke@gov.nt.ca](mailto:laurie_clarke@gov.nt.ca)

Toll free at 1-866-973-7252 or 873-7746

- ISP Policy

**Kim Burton, Student Financial Assistance / Daycare Specialist**

Email: [kim\\_burton@gov.nt.ca](mailto:kim_burton@gov.nt.ca)

Toll free at 1-866-973-7252 or 873-7194

- Student Financial Assistance Policy
- Childcare User Subsidy Policy

**Natasha Harris, Income Assistance Programme Specialist**

Email: [natasha\\_harris@gov.nt.ca](mailto:natasha_harris@gov.nt.ca)

Toll free at 1-866-973-7252 or 920-3376

- Income Assistance Programme
- Seniors Programs

**Lori Gresl, Public Housing Rental Subsidy Specialist**

Email: [lori\\_gresl@gov.nt.ca](mailto:lori_gresl@gov.nt.ca)

Toll free at 1-866-973-7252 or 873-7195

- Public Housing Rental Subsidy Program
- Disability Programs

**Norma Jeremick'ca, Trainer, Income Security Programmes**

Email: [norma\\_jeremick'ca@gov.nt.ca](mailto:norma_jeremick'ca@gov.nt.ca)

Toll free at 1-866-973-7252 or 873-7191

**Nicole Beauchamp, Student Financial Assistance Supervisor**

Email: [nicole\\_beauchamp@gov.nt.ca](mailto:nicole_beauchamp@gov.nt.ca)

Toll free at 1-800-661-0793 or 920-6236

- Duplicate payments
- Student Financial Assistance payment/application inquiries

**Helen Warren, Administrative Assistance**

Email: [helen\\_warren@gov.nt.ca](mailto:helen_warren@gov.nt.ca)

Toll free at 1-866-973-7252 or 920-8921

Fax at 1-867-873-0443

- Secretary to the Social Assistance Appeal Board and the Administrative Review Group
- Appeal Packages

**Jackie Hardy, Senior Finance Officer**

Email: [jackie\\_hardy@gov.nt.ca](mailto:jackie_hardy@gov.nt.ca)

Toll free at 1-800-661-0793 or 873-7441

- ISP Cheque Stop Payments, the following, in writing, must be provided:
  - Name (Given, Middle and Surname)
  - CMAS Case Number
  - Cheque Number
  - Payee Name
  - Cheque date (yy/mm/dd)
  - Cheque amount
  - Reason for the stop payment request
- Senior Citizen's Supplementary Programmes Enquiries
- T4A and T5007, the following, in writing, must be provided:
  - Taxation Year
  - Name (Given, Middle and Surname)
  - Social Insurance Number
  - Identify which programme the T4A or T5007 is for
  - Address or fax number where the T5007 is to be sent. (T5007's are always sent to the current address in CMAS, so it is important to always check/confirm the address with the Client throughout the year.)

**Kelly Amrow, CMAS Technical Support Officer**

Email: [kelly\\_amrow@gov.nt.ca](mailto:kelly_amrow@gov.nt.ca)

Toll free at 1-800-661-0793 or 920-6457

- CMAS - Help with procedural questions
- CMAS - Suggestions for improvements or fixes
- CMAS - How-to explanations
- Back-up verification of ISP (see attached)
- (All CMAS enquiries should be forwarded through Kelly for tracking and monitoring purposes. Cameron Kos and Don Plunkett should not be contacted directly. If Kelly is away, call should be directed through Michelle Beard.)

## 13 Verification – Income Security Programmes

All requests must be in writing (email or fax)

Email: [Clientcheck@gov.nt.ca](mailto:Clientcheck@gov.nt.ca)

Fax: 1-867-873-0443

### **New CMAS entries**

- Name (given, middle and surname)
- Date of birth (yy/mm/dd)
- Social insurance number
- Health care number (not required for newborns)
- Mailing address
- Previous provincial/territorial health care number
- Alternate identification (maiden, previous or alternate name)

### **Pension enquiry**

- Indicate type of benefit (old age security, spousal allowance, guaranteed income supplement, widows, orphans, survivors or disability)
- Name (given, middle and surname)
- Date of birth (yy/mm/dd)
- Social insurance number
- Survivor's benefits - deceased's name (given, middle and surname) and social insurance number
- Full mailing address

### **Provincial/territorial assistance enquiry**

- Name (given, middle and surname)
- Date of birth (yy/mm/dd)
- Social insurance number
- Previous provincial/territorial health care number

### **Employment insurance**

- Name (given, middle and surname)
- Date of birth (yy/mm/dd)
- Social insurance number
- CMAS case number

### **Maintenance enquiry**

- Client's name (given, middle and surname)
- Client's date of birth (yy/mm/dd)
- Every child's name (given, middle and surname)
- Each debtor(s)'s name (given, middle and surname) - if you know the name

### **Worker's compensation**

- Name (given, middle and surname)
- Date of birth (yy/mm/dd)
- Social insurance number
- A description of why and what you are enquiring about.

### **Landlord**

- Copy of land deed or mortgage document
- Name of individual (given, middle and surname) or name of company
- Social insurance number if Individual
- Business license if company
- Mailing address

### **Employment Agencies or Suppliers**

- Business permit or license (if operating a business or company)
- Name of individual (given, middle and surname) or name of company
- Social insurance number if individual
- Mailing address

### **Payees**

- Name (given, middle and surname)
- Date of birth (yy/mm/dd)
- Social insurance number
- Mailing address
- Applicant or recipient's reason and authorization for issuing payment directly to payee. *For example, an applicant requests, in writing, that they would like their ISP payment to be issued directly to landlord.* (This cannot be done under the Public Housing Rental Subsidies programme.)

### **Citizenship and Immigration Canada**

- Name (given, middle and surname)
- Date of birth (yy/mm/dd)
- Social insurance number (if they have one)
- CMAS case number (if applicable)
- Full mailing address

### **Public Housing Unit Amendments (adding units, rooms, or changing rent)**

- Old and/or new unit number
- Old and/or new unit room size
- Old and/or new unit rent

### **Miscellaneous**

- Name (given, middle and surname)
- Date of birth (yy/mm/dd)
- Social insurance number
- CMAS case number (if applicable)
- Full mailing address

With all above miscellaneous applicant or recipient information, Headquarters can also look into or verify (in most cases) the following:

- Spouse in the house
- Number of people occupying a unit
- Addresses or phone numbers
- Home or land ownership
- Outstanding debts with GNWT
- Outstanding student loans across Canada
- Other applications to access student grants/loans
- Credit checks
- Record of employment
- Public Housing Rental Subsidy tenant information
- Child(ren)'s resident information
- Status of Plan of Care, foster children or social worker contact (not yet established)
- Income Tax information (not yet established)
- Incarceration information (not yet established)
- GNWT superannuation payments (not yet established)