

SOCIAL UNION FRAMEWORK AGREEMENT REVIEW
WEB SITE SUBMISSIONS SUMMARY

The final section of the Social Union Framework Agreement (SUFA) calls for a review of the Framework Agreement in Section 7 as follows:

By the end of the third year of the Framework Agreement, governments will jointly undertake a full review of the Agreement and its implementation and make appropriate adjustments to the Framework as required. This review will ensure significant opportunities for input and feed-back from Canadians and all interested parties, including social policy experts, private sector and voluntary organizations.

As part of the review process, the Federal/Provincial/Territorial Ministerial Council on Social Policy Renewal (Ministerial Council) commissioned a bilingual Web site (www.sufa-review.ca) and (www.ecus-examen.ca) as one method of facilitating feed-back from the public. The Web site was advertised in newspapers across the country and on government Web sites. Letters seeking submissions were sent to over 300 groups and individuals. The deadline for the receipt of submissions to the Web site was extended from October 18 to October 31, 2002.

Submission Overview

Between September 10 and October 31, 2002, 72 submissions were posted on the Web site. Another 11 private submissions were received where the authors did not grant permission to post them on the Web site. Nine other submissions were received, but permission to post them on the Web site was not received by the October 31 deadline. The breakdown of the submissions by province/territory is as follows:

Province/Territory	Total	Posted	Private	Permission Not Received
Alberta	3	2	-	1
British Columbia	28	20	7	1
Manitoba	7	4	1	2
Newfoundland and Labrador	1	1	-	-
Nova Scotia	7	6	1	-
Ontario	31	29	1	1
Prince Edward Island	2	1	-	-
Québec	5	4	-	1
Saskatchewan	5	5	-	2
Yukon	1	-	1	-
Total	92	72	11	9

The 72 posted submissions came from a wide variety of sources including a number of national, provincial and local organizations, interested members of the public, one British Columbia M.L.A., one university president and the Commissioner of Official Languages. Five of the submissions contained previously published papers or commentary on the SUFA. A number of the submissions are in response to the invitation from the Ministerial Council to organizations requesting their views. Submissions varied both in length and content. They ranged from a single sentence, to more detailed critiques and specific comments on the SUFA, to expressions of concern regarding the state of social policy or programs in Canada or in a particular province.

The total originating from Ontario was influenced by the number of submissions from national organizations located in that province.

Organizations provided 44 of the 92 submissions received, and the following organizations gave permission for their submissions to be posted:

- Canada's Association for the Fifty-Plus (Ontario);
- Canadian Association of Social Workers (Ontario);
- Canadian Association of University Teachers (Ontario)
- Canadian Bar Association (Ontario);
- Canadian Chamber of Commerce (British Columbia)
- Canadian Housing and Renewal Association (Ontario);
- Canadian Medical Association (Ontario);
- Canadian Police Association (Ontario);
- Canadian Public Health Association (Ontario);
- C.D. Howe Institute (Ontario);
- Certification Council of Early Childhood Educators of Nova Scotia (Nova Scotia);
- Child Care Connections (Nova Scotia);
- Coalition of Child Care Advocates of British Columbia (British Columbia);
- Canadian Union of Public Employees (Ontario);
- CUPE Saskatchewan (Saskatchewan);
- Family Service Association of Toronto/Campaign 2000 (Ontario);
- Fédération des communautés francophones et acadienne du Canada (Ontario);
- First Call: British Columbia Child and Youth Advocacy Coalition (First Call) (British Columbia);
- Income Security Advocacy Centre (Ontario);
- Metis Urban Housing Association of Saskatchewan (Saskatchewan);
- National Aboriginal Housing Association/Association Nationale D'Habitation Autochtone (Ontario)
- National Anti-Poverty Organization (Ontario);
- National Children's Alliance (Ontario);
- National Council of Welfare (Ontario);
- Ontario Federation of Indian Friendship Centres (Ontario);

- Ontario Non-Profit Housing Association (Ontario);
- Ottawa Child Poverty Action Group (Ontario);
- The Poverty and Human Rights Project (British Columbia);
- Prairie Women's Health Care Centre of Excellence;
- Saskatoon Anti-Poverty Coalition (Saskatchewan);
- Social Planning Council of Winnipeg (Manitoba);
- The Social Planning and Research Council of British Columbia (British Columbia);
- United Nations Platform for Action Committee (Manitoba); and
- Voluntary Sector Forum (Ontario).

A number of the submissions, from both organizations and individuals, directly addressed the provisions of the Framework Agreement. The sections that attracted most attention were: Section 1, Principles; Section 3, Informing Canadians – Public Accountability and Transparency; Section 5, The Federal Spending Power; and, Section 7, Review of the SUFA.

General Comments and Observations on the SUFA

Public Profile

In mid-October, when there were only 22 posted submissions, Stuart Alcock (British Columbia) expressed concern about the low number of submissions posted on the review's Web site and stated, "This implies that citizens and their organizations are unaware and/or uncaring about the Framework and the current review." The Canadian Association of Social Workers made a similar observation. They said "It is a surprise and a disappointment the lack of awareness of this Review across Canada" and added "there seems to be a lack of awareness among people across the country about SUFA...."

The United Nations Platform for Action Committee (Manitoba) was

"...shocked that so few know of this agreement, despite the fact that Manitoba is the only province to have held public consultations on the Agreement. This general lack of awareness is highlighted by the relatively low number of submissions on the website. Given this context, we question if the Agreement has the ability to hold to its original principles."

Their submission was posted on October 31, 2002. They recommended "steps be taken to make many more Canadians aware of SUFA and its promise of a fair life for all."

The Canadian Housing and Renewal Association noted that "SUFA arose in a particular context." To the Association "a major preoccupation at the time was to prevent unilateral actions by one government that could destabilize the finances of another government, which followed from the imposition of the Canada Health and Social Transfer (CHST)." To Kenneth Kavanagh (Newfoundland and

Labrador) “SUFA is an ill-conceived child of the Federal Government’s agenda of massive, arbitrary cuts to transfer payments to the provinces.” In his opinion, the “SUFA was, and still is, an exercise in public relations.” To David Barnard, President of the University of Regina, “the SUFA provided a remarkable opportunity for co-operation that has not yet been realized.” David Hay (British Columbia) viewed the SUFA as “a very important political and policy document.” The Poverty and Human Rights Project (British Columbia) saw the SUFA as “a mechanism for agreement, which is why it has been looked to with hope by both voluntary organizations and social policy experts.”

Sectoral Issues

The Canadian Medical Association’s submission adopted a sectoral approach to the SUFA review, focussing specifically on health. They gave an assessment of the various provisions of the Framework Agreement as these provisions apply to the health sector. They noted that “while SUFA may not be perfect, it is better than the alternative of federal-provincial paralysis and dysfunction.” To the Canadian Medical Association, “the health sector is an important test case for SUFA.” They concluded that the SUFA “has been a positive step forward for social policy in Canada, though its potential is far from being fully realized.”

The sectoral approach was also adopted by the National Children’s Alliance who assessed the SUFA “through the lens of the Early Childhood Development (ECD) Agreement” (ECDA). The National Children’s Alliance “strongly supports the principles contained in the SUFA.”

While acknowledging that “the principles of the SUFA have been respected in the ECD Agreement [ECDA]”, the National Children’s Alliance has “strong concerns about the mechanisms of implementation....”

The scope of the SUFA was certainly a subject for consideration in a number of submissions. For example, the Canadian Housing and Renewal Association noted that the Affordable Rental Housing Program “is not listed as a SUFA Agreement on the Federal Government website; however, it provides the most relevant experience for (the Canadian Housing and Renewal Association) to assess the consultation and evaluation provisions of SUFA.” Housing was one of the policy fields raised by the Ontario Federation of Indian Friendship Centres. They stated that the “systematic construction of barriers to social housing aimed at Aboriginal people compromise a number of principles in SUFA. Fairness, equity, equal opportunity, recognition of diverse needs – all are violated.” To them it “contravenes the commitment of governments to work with Aboriginal people to find solutions to our needs, as expressed in SUFA.” The Canadian Union of Public Employees cited an April 1999 United Nations Human Rights Committee report that “expressed its concern about the high rates of poverty among Canadian women and about the harmful impact on women of cuts to social programs. This gender imbalance was not addressed in the SUFA and has not been addressed since.”

Comments on Specific Sections of the SUFA

Principles – Section 1

Although the principles were given general support, the Social Planning and Research Council of British Columbia said “a weakness of this section is that it does not specify the range of programs and services to which the principles are intended to apply.” The Social Planning Council of Winnipeg viewed the fact that “the Social Union is actually not defined in the agreement” as “a fundamental flaw.” The Saskatoon Anti-Poverty Coalition recommended “stronger and more deliberate language around the principles of social inclusion” which they believe should be a “foundational principle” of the SUFA. The Income Security Advocacy Centre thought the principles were “non-specific and unenforceable, falling far short of setting out standards which would provide accountability....”

Specific parts of the Principles section were also used as benchmarks against which governments’ actions were assessed. For example, the Coalition of Child Care Advocates of British Columbia stated that “in reality, the implementation of the ECDI [Early Childhood Development Initiative] is falling short of meeting the key elements of SUFA....” To the National Council of Welfare the clawing back under the National Child Benefit (NCB) “has created a practice that discriminates on the basis of gender, and is contrary to one of the basic principles of SUFA.” The National Children’s Alliance made reference to specific parts of the principles section in framing two of their recommendations. For example, with respect to the federal/provincial/territorial (F/P/T) governments’ commitment to provide services of reasonably comparable quality, the National Children’s Alliance recommended that “governments review the impact of funding mechanisms, including the CHST, on the delivery of social programs....”

In commenting on the non-derogation clause contained in the Principles section, one organization that did not give permission to post its submission, and therefore is not identified here, argued “that the exclusion of direct participation by First Nations’ representatives does indeed abrogate and derogate from our Treaty and inherent rights, including the right to self-government....” This organization recommended that both they and the Assembly of First Nations have seats on the Ministerial Council.

Canada’s Association for the Fifty-Plus said, “We strongly endorse the principle of collaboration between the orders of government.”

In commenting on the “Meeting the Needs of Canadians” part of the principles section, the Metis Urban Housing Association of Saskatchewan suggested that:

“Governments need to communicate better with people and community organizations. People must know what is available and this has to be communicated in a method that can be understood.

The majority of information available is on websites, however, the majority of Aboriginal households do not have computers or access to them.”

Mary Baird (Prince Edward Island) said “I think that attempts of our Federal and Provincial governments to jointly move forward on social issues, such as respecting the five principles of medicare, guaranteeing comparable services for all Canadians, ensuring adequate, stable, and sustainable funding for social programs, etc. are important issues which define us as Canadians.”

Mobility – Section 2

David Barnard, President of the University of Regina, welcomed the movement on mobility and said, “This can be helpful to university graduates in various professional disciplines and to universities in recruiting faculty to professional schools.”

The Canadian Association of University Teachers noted that the mobility section of the SUFA refers to post-secondary education. They suggested that higher tuition fees for out-of-province students would appear to “be in violation of this provision.” They raised the possibility that “provincial student loan programs, bursaries and scholarships offered only to provincial residents” may not be in conformity with this section of the SUFA. They recommended that governments “conduct a review of post-secondary education policies in Canada to determine how consistent such policies are with regard to SUFA.”

To the Canadian Union of Public Employees “there has been a lack of progress in the accreditation of skills and training and of skills transportability from province to province or territory.”

Informing Canadians – Public Accountability and Transparency – Section 3

There were a significant number of comments on the matters addressed in this section. To a certain extent, the contents of the submissions were a reflection of the organizations’ or individuals’ experience.

Achieving and measuring results

To the Canadian Medical Association “increased emphasis on performance measurement and public reporting... is a positive development....” They cautioned, however, that this development

“has the potential to lead to information overload and paralysis, unless two critical elements are addressed. First, there is a need for a clear accountability framework that sets out the roles, rights and responsibilities of all key players in Canada’s health system: patients, health care providers and governments. This, in turn,

requires the creation of a credible arm's length institution to monitor compliance with this framework and rise above the fray to give Canadians the straight goods on health care.”

The Prairie Women's Health Care Centre of Excellence “encourage all levels of government to more fully develop their informational infrastructure to provide data to conduct gender-based analysis.”

With respect to accountability Lewis Auerbach (Ontario) made reference to the 1999 *Report of the Auditor General of Canada*. Chapter 6 of the *Report* “focussed particularly on the National Child Benefit and also on Employability Assistance for Disabled Persons as case studies that illuminate emerging shared accountability issues raised by the Social Union.” He also drew attention to the fact that the Public Accounts Committee “held a hearing on this chapter in June 1999 and issued a report... [in] November 1999. The federal government response was submitted April 13, 2000.” He emphasized that “the SUFA review should consider carefully the 1999 Auditor General Report and the Report of the Public Accounts Committee, even though they are not referenced on the SUFA website.”

The Canadian Association of Social Workers referred to the provision in Section 3 of the SUFA where governments agree to “use funds transferred from another order of government for the purposes agreed and pass on increases to its residents.” In this context they referred to the September 2002, *Report of the Auditor General of Canada*. They noted that the Auditor General, Sheila Fraser, “criticized the CHST saying that it is impossible to determine whether the provinces spend federal transfers on programs for which they are designated.” They supported her recommendation that health funding be split off from the CHST and went further and recommended that there be separate streams for both post-secondary education and social assistance and social services. Lewis Auerbach also drew attention to the 2002 *Report* and stated that it “reflects a concern that many Canadians share with her, that accountability for shared programs in the social union is insufficient.”

The Canadian Association of University Teachers made a similar observation with regard to post-secondary education and recommended that “in exchange for stable federal funding, the provinces and territories should be required to publicly report on how federal cash transfers are spent.” To the Canadian Bar Association the “lack of transparency in the spending of transferred moneys has bred inequity in the legal aid system....”

The Canadian Housing and Renewal Association declared: “In fact, there has not been much discussion or action related to achieving the kind of partnership with third parties that is implicit in [the SUFA's] principles.” A similar sentiment is found in the submission from the Ontario Non-Profit Housing Association. To them “the Nov 30, 2001, Framework Agreement on Affordable Housing... was understood by many as an example of intergovernmental co-operation under

SUFA principles.” However “there has been no consultation or collaborative process on the Affordable Housing Program outside of the closed doors FPT gatherings and federal negotiations with individual provinces. The lack of consultation during the analytical and program design stages left knowledgeable stakeholders on the outside.”

The Voluntary Sector Forum, which has developed both an Accord with the Government of Canada and a Code of Good Practice on Policy Dialogue, “concluded that the promises of participation have not been kept.” They expressed disappointment with “the lack of opportunity for meaningful dialogue, particularly on social policies, and social priorities.” They would like to meet with the Ministerial Council “to discuss such a collaborative approach to making this part of the Agreement live and breathe, as other parts already do.”

The National Children’s Alliance also recommended that the Ministerial Council invite them “to the table for a dialogue on enhancing and monitoring the work that has begun with the implementation of the ECD Agreement [ECDA].”

Involvement of Canadians

There were several comments on the lack of citizen engagement and involvement of third parties as envisaged by the Framework Agreement. The closed-door nature of executive federalism was also raised in this context. It was noted that the implementation of the Framework Agreement has not lived up to its promise or potential.

The Poverty and Human Rights Project (British Columbia) stated that the SUFA “contemplates... a fuller interaction between governments and citizens on the matter of social policy. Unfortunately this promise has not been fulfilled.” They argued that:

“Citizen engagement requires the creation of effective mechanisms and SUFA endorses this in section 3. Mechanisms must be permanent, focussed, inclusive, and transparent. If the dialogue with governments is to be a genuine one, governments cannot select the participants, nor can they be the sole determiner of what will be discussed, or when discussion will occur.

More satisfactory mechanisms must be developed that will involve voluntary organizations which are knowledgeable about the delivery of social services, about the conditions and needs of particular groups of citizens, and about the social and economic impacts of social programs, in an ongoing deliberative dialogue with governments.

An essential feature of mechanisms for citizen engagement is that they provide greater opportunity for dialogue with elected

representatives, not just Ministers and officials. A danger of the SUFA... is that it removes social policy from the realm of open political process, and hides it in the black box of executive federalism. SUFA mechanisms should operate to revitalize political process, by creating a more active and involved civil society, and by increasing the involvement of elected representatives, as well as others, with citizens.”

The submission from the Social Planning and Research Council of British Columbia said:

“Commitments to involve citizens, organizations, and other third parties in determining social policy priorities and assessing program outcomes have not obviously been acted upon, nor has there been forward movement on creating mechanisms for citizens to appeal unfair administrative practices or to bring complaints about access and service. This is disappointing as the text of SUFA could certainly be seen as a promising instrument for enhancing mechanisms for citizen engagement.”

The National Council of Welfare stated:

“Our review, however, reveals significant differences in commitment to citizens’ engagement across the country. As often as not, people felt their involvement was sought for symbolic rather than substantive reasons. Opportunities such as submissions to standing parliamentary committees that allow citizens and their representatives to self-select for participation in the design and implementation of programs should be considered as an integral part of SUFA. But in addition to dealing on a government-by-government basis, there also needs to be a more open mechanism whereby partnerships and engagement are part of the process of making the larger decisions about SUFA’s national priorities, strategies and funding mechanisms rather than having the parameters set behind closed intergovernmental doors.”

The Canadian Medical Association referred to intergovernmental negotiations as “cloistered decision making” and asserted that the “‘black box of executive federalism’ is not serving Canadians well.” Fostering real partnerships is perceived as one of the challenges that must be addressed in the SUFA review. They stated that:

“If we are to achieve the vision of a sustainable Medicare program, it is critical that governments come clean on their SUFA commitment to work in partnership with stakeholders and ensure opportunities for meaningful input into social policies and programs.”

To the Canadian Public Health Association, governments “can use the Framework Agreement as guiding principles to enter into discussions on Medicare and National Health Goals.” They also stated that “The involvement of the public in establishing national health goals will be key to successful implementation of the outcomes from the Romanow and Kirby reviews.”

David Hay (British Columbia) stated that “The SUFA was a particularly exciting policy agreement because of the promises for public accountability and transparency.” He concluded that the progress on this section has been “disappointing” and said that he had “yet to see any effective mechanisms created to encourage participation and engage Canadians in social development priority setting.” He recommended that governments “Develop and fund effective mechanisms for Canadians to participate in the SUFA.” He emphasized that “Particular attention should be paid to the participation of Québec, First Nations and Aboriginal peoples, municipal governments, and community and voluntary organizations.” In addition, he recommended the establishment of both a SUFA Secretariat which “would be responsible for overall administration of the SUFA” and an arm’s length body, a “Monitor General” which would have “legitimate monitoring and reporting authority on the SUFA policies and processes.”

The Social Planning Council of Winnipeg offered a different perspective. They stated:

“SUFA creates the possibility of consultation and public accountability mechanisms outside of usual democratic institutions and structures. These alternative mechanisms are often ineffective. The real issue is being able to hold each level of government accountable for its obligations through normal democratic processes. Similarly, consultation to each level of government should occur through the usual legislative, ministerial and bureaucratic channels.”

The Federal Spending Power – Section 5

The Social Planning Council of Winnipeg believes that the SUFA “unreasonably restricts the federal spending power, which has often been used to support progressive provincial and voluntary sector innovation. Why should progressive provinces and organizations have to await the agreement of a majority of provinces?”

The Metis Urban Housing Association of Saskatchewan recommends that “Prior to any negotiation or Agreements being transferred to Provinces, there is a need to have consultations with those associations delivering the respective programs.”

The Canadian Union of Public Employees believes that “the development of new social programs has actually been hindered by the Social Union Framework Agreement.” In particular they do not agree with the provision that new programs

require support of a majority of provincial governments. They feel that “too much power has been ceded to the provinces in this agreement.”

Some of the submissions call for the SUFA to be used to establish national standards and the need for their enforcement. For example, the National Anti-Poverty Organization stated that “The agreement means very little unless it incorporates a durable and enforceable set of national standards to which the provinces and territories must adhere.” This approach was also emphasized by the Saskatoon Anti-Poverty Coalition that recommended “a federal presence in developing national standards, which all provinces, if they are to receive any federal assistance, must adhere to.” The same point was made by the Ottawa Child Poverty Action Group that said “the federal government should outline clear expectations on how each of the provinces should use the *public monies* it provides and the federal government should have the ‘clout’ to ensure that these agreements are kept.” Another example is found in the Canadian Association of University Teachers submission. They recommended that governments “should use existing procedures within SUFA to develop a set of pan-Canadian principles and standards governing post-secondary education with the aim of creating a federal post-secondary education act.”

The Poverty and Human Rights Project recommended that Canadian governments collectively must set standards and noted that “without standards and an enforceable agreement not to fall below established thresholds, there is no social union.” They recommend further that “standards must reflect and comply with the rights set out in the Charter, the Constitution¹, the ICESCR [International Covenant on Economic, Social, and Cultural Rights], and other international human rights instruments to which Canada is a signatory.”

In its submission the Canadian Union of Public Employees stated that “A key component of any social union framework must be a commitment to pan-Canadian standards for social programs and services which will ensure the individual and collective well-being of all Canadians. The SUFA provides no such standards but instead outlines vague principles to guide the framework.”

Dispute Avoidance and Resolution – Section 6

The Social Planning Council of Winnipeg believes that:

“the dispute resolution mechanism, designed to facilitate and clarify confusions and disagreements, is also... not clearly defined making its use ineffective in actually solving intergovernmental problems. As a result of the ambiguity within SUFA in this regard, significant and progressive initiatives run the risk of falling victim to the intergovernmental disagreements and misinterpretation that SUFA has not been able to eradicate and this has important implications for the voluntary sector.”

The Metis Urban Housing Association of Saskatchewan recommended that “in any dispute resolution that the third party be a representative from the same sector involved in the dispute.”

Review of the Social Union Framework Agreement – Section 7

Several submissions were critical of the process and procedures governments adopted to fulfill the three-year review commitment found in Section 7 of the SUFA.

The submission from the National Council of Welfare found “it impossible to completely separate” commentary on the provisions of SUFA and commentary on the state of social policies and programs. They asserted “it is only through the implementation of specific social policy agreements that we can determine how SUFA’s intentions are being realized.” In this regard, a number of the submissions take a sectoral approach in their analysis, one example being the submission of the Canadian Medical Association. While acknowledging the purpose and nature of the review, Child Care Connections said that they “would be amiss to not challenge the governments of Canada to utilize the SUFA in establishing a comprehensive, quality, pan Canadian child care delivery system.”

Some submissions were critical of the review process and the fact that a number of groups were not represented at the roundtables. This criticism is included in the paper submitted by Gwen Brodsky and Shelagh Day on behalf of the Poverty and Human Rights Project (PHRP) (British Columbia).

The National Council of Welfare expressed their “concern that the meaningful participation of low-income Canadians and non-governmental organizations that represent their interests may be constrained by the short time frame indicated in the invitation letter, for such a complex matter.” The Canadian Union of Public Employees Saskatchewan expresses “disappointment with the short notice....” The Income Security Advocacy Centre described the review as “hasty, exclusive and virtually invisible to the public.” They also “protest the notion that it will suffice as feedback from Canadians as to the efficacy of SUFA.” The Canadian Medical Association states that “Governments have taken a minimalist approach to the SUFA review by opting for an internet-based consultation and closed meetings with invited external representatives.” The National Anti-Poverty Organization was equally critical of the time limits for the review and the fact that the poverty community was “starkly underrepresented” in the roundtables. The Poverty and Human Rights Project consider the current review “With respect to citizen engagement... [as] entirely inadequate.” In their opinion, “The timelines for written submissions was too tight, ... The three roundtables were convened hastily, with participants hand-picked by governments, ... [and] there has been no apparent involvement of legislators in this review.”

Mary Baird (Prince Edward Island) agreed with the principles of the SUFA but expressed some concern over the review process and the fact that no consultation

was held in her province. The Certification Council of Early Childhood Educators of Nova Scotia observed that “the Round Tables on the SUFA were limited in that there was only one in New Brunswick and these were by invitation. On line is limited to those who have access to the Internet.”

To Martha Friendly the “review in no way meets the terms set out in SUFA.” She gave three reasons for her assessment.

- “It will be close to a year late.
- Opportunities for participation – like social programs – have been very unevenly distributed across Canada.
- Third, I don’t think that a chance to respond to a website constitutes the full public review the agreement committed to. What about consulting with the ‘social policy experts’ identified in the agreement? Does the one roundtable held in Ottawa cover that off?”

She concludes that “Overall, the review and the process – like SUFA itself – is insufficient and poorly executed.”

The Canadian Bar Association was critical of the fact that it “received nothing soliciting its participation in the review” noting that it was not invited to participate in the roundtables or to make a written submission. In their opinion, the SUFA review has not met the section 7 “commitment to a comprehensive and open consultation process.” They stated: “Ironically, our ongoing frustration with the lack of transparency in the actual operation of the SUFA is now redoubled by the lack of transparency in the consultation which, had it been more open, would surely have brought to brighter light the first lack of transparency.”

The submission from the Social Planning and Research Council of British Columbia stated that “Overall, in light of the commitments to accountability and transparency embedded in SUFA, it is startling that more opportunities for genuine citizen and community engagement were not made in the context of the review.” The submission included several recommendations with respect to the conduct of future reviews:

- “Ensure that future review processes include a sufficient number of Roundtable sessions with a broader and more representative cross-section of participants”;
- “Ensure that future review processes provide adequate time for the provision of input by voluntary and not-for-profit organizations and individuals”; and

- “Ensure that future review process provide some funding to facilitate the participation of voluntary and not-for-profit organizations.”

The Canadian Association of Social Workers was also critical of the short time frame and proposed a further consultation on the Framework Agreement within the next three years. They made a number of recommendations about the next review. It should:

- provide effective publicity about the consultation;
- include hearings across the country;
- be accompanied by high quality government research; and
- provide funds to facilitate the participation of national and community groups concerned with program delivery and the needs of service users.

The Canadian Union of Public Employees recommended that

“The next Three Year Review should engage the public in a meaningful way by actively seeking input and arranging forums for public debate and discussion. There should be a concrete progress report on whether the federal, provincial and territorial governments have achieved the goals of the SUFA to ensure greater equity and fairness in social programs and promote collaboration, accountability and transparency.”

Other Matters Raised in the Submissions

Municipal participation in the SUFA

The issue of municipal participation was raised in a few instances. To the Social Planning Council of Winnipeg “it appears as though SUFA is too limited in scope to be truly effective and to live up to its potential, particularly in terms of the exclusion of municipal governments from the agreement.” They added that, “Given the current context including the devolution of responsibility to the municipal government [through the new *City of Winnipeg Act*], the fact that more and more Canadians are situated in an urban setting, and the apparent public belief that the municipal level is where change can happen, any social policy debate, agreement or framework has to involve the municipal government as equal partners.” Paul Smith (Ontario) suggested that “Cities need a voice in the social union framework...” The Canadian Housing and Renewal Association stated that “Provincial and Territorial Governments should be required to consult with local governments as well as with community groups.” The Ontario Federation of Indian Friendship Centres emphasized their role in providing services to urban Aboriginal people and assessed the SUFA in that context. David Hay (British Columbia) thinks municipal governments should be formally

included in the SUFA because “The majority of Canadians live in urban centres and local level governments have increasing responsibility over developing and delivering social programs....”

Aboriginal Peoples Participation in the SUFA

A few submissions made reference to the SUFA and Aboriginal people. The Ontario Federation of Indian Friendship Centres saw the Framework Agreement as “a real opportunity [for the federal government] to explore the modern nature of its relationship with all Aboriginal people, regardless of residency.” The Canadian Union of Public Employees Saskatchewan “urge the federal government to deliver on its promises to Aboriginal people and for the provincial and federal governments to resolve jurisdictional disputes surrounding the funding and delivery of social programs to Aboriginal people.” The Canadian Housing and Renewal Association “supports a strengthened role with the Aboriginal community” and noted that “The Aboriginal community was very disappointed with the lack of consultation when its housing stock was being transferred to the provinces and territories.” The Social Planning Council of Winnipeg stated that “Aboriginal governments should and must be made a party to SUFA, as they have a vested interest in the design and delivery of programs.” They suggest that “attention within SUFA must also be paid to the needs and perspectives of municipalities, particularly cities with high Aboriginal populations like Winnipeg. This is vitally important in ensuring that Aboriginal people on and off reserve get the services that they need and to which they are entitled.”

Early Childhood Development

There were a number of references to the ECDA. To First Call, “The reporting requirements outlined in the ECD agreement are vague and unclear.” To Child Care Connections “the implementation of the ECDA is falling short of meeting the key elements of SUFA, the ECDA objectives and the child care needs of children and families.” The National Anti-Poverty Organization states that “There must be established through the SUFA a stringent set of protocols disallowing provincial/territorial governments from undertaking a ‘claw-back’ of any federally-initiated tax benefit, such as the National Child Tax Benefit....”

The National Children’s Alliance felt that the baseline reports prepared under the ECDA “have provided valuable information for each jurisdiction but comparability is seriously constrained by the lack of a coordinated framework for reporting.” The National Children’s Alliance recommends that the “governments continue to work together on the monitoring of the ECDA and develop a joint framework for reporting on expenditures and services.” The National Children’s Alliance recommends further that governments develop mechanisms with each other and with “the voluntary/NGO [non-governmental organization] sector to address gaps in data availability on child outcomes and social service delivery for children, youth and their families.”

While noting that the ECDA was the first intergovernmental agreement signed under SUFA, the National Council of Welfare echoes the above concern about reporting but was much more explicit in its criticism. They stated

“Reporting in turn is made difficult because of lack of national standards or common benchmarks and indicators. Although the initiative is now in its second year of operation, government reporting has tended to be vague, self-aggrandizing and even obfuscating. It is impossible to tell how funds committed are being spent, on which programs, what goals are to be achieved or even in some cases what directions are being pursued, and what results are expected. From what the Council has been able to determine, it is creating such an increasingly complex patchwork of different programs that the possibility of any meaningful accountability seems remote.”

Kerry McCuaig (Ontario) stated that “The Early Childhood Development Agreement is an example of the failure to enforce SUFA – suggesting that there is no real enforcement mechanism.” She was concerned that “without enforcement mechanisms and the ability to document that new spending has made a difference there will be little public enthusiasms for renewing the agreement when it expires in 2005.”

Linguistic Duality

The Commissioner of Official Languages viewed the SUFA as “a keystone of the advancement of Canada’s official languages” and recommended that the “Framework Agreement be changed to accurately reflect Canada’s linguistic duality...” A similar view is found in the submission from the Fédération des communautés francophones et acadienne du Canada.

Previously Published Submissions

As noted above, five papers were posted on the Web site. One was a paper by Christian Dufour entitled *Restoring the Federal Principle: The Place of Québec in the Canadian Social Union*, published by the Institute for Research on Public Policy in January 2002.

Dufour assesses the current state of Canada-Québec relations and concludes that the SUFA is “a clear manifestation of the Québec-Canada impasse...” He also stated that “Québec’s non-participation clearly renders it [SUFA] deficient as a framework from which to chart a renewed national project.”

The second was a paper by John Richards entitled *The Paradox of the Social Union Framework Agreement*, published by the C.D. Howe Institute in March 2002. In his paper Richards advances “two reasons [why] SUFA’s impact has so far been inconsequential: an overemphasis on technical evaluations at the

expense of parliamentary accountability, and a failure to accommodate divergence and experimentation among Ottawa and the provinces in their conduct of social policy.” He recommended that the three-year review be deferred for three more years. Richards states that “the overwhelming majority of Canadians are unaware of SUFA’s existence”, an observation also made in some of the Web site submissions.

It should be noted that on the theme of Québec’s non-participation in the SUFA both authors commented on the 2001 Québec Liberal Party document that contains a number of proposed changes to the Framework Agreement.²

A third paper was published by Robert Hajaly who also argues that the Framework Agreement should allow provinces to opt out of programs with compensation in the form of tax point transfers.³ In his covering letter he indicated that his “article intends to show how the federal government may truly respect provincial jurisdiction while still being able to initiate or inspire needed provincial social programs....” He added that “Over the long run this may be the best way to diminish support for separation in Québec and to gain acceptance there of the federal system.”

The fourth paper was submitted by Martha Friendly (Ontario) entitled, *Is This as Good as It Gets? Child Care as Test Case for Testing the Social Union Framework Agreement*, Canadian Review of Social Policy.⁴ Friendly stated in 2001 that “It would be hard to argue that the limited civic engagement that has occurred constitutes SUFA’s promised ‘effective mechanisms for Canadians to participate...’.” Instead “policymaking for children has been carried out in behind-closed-doors intergovernmental processes that not only exclude ordinary Canadians but also that the traditional more public legislative processes of Parliament have essentially been rendered impotent.” She concludes that “using child care as the lens reveals that the 1999 agreement and its offspring – the NCA and the ECD – are not designed to ensure that promises to families and children will be fulfilled.”

The fifth paper was submitted by Laurel Rothman (Ontario) entitled, *Reflections on the Social Union Framework Agreement and the Early Childhood Development Services Agreement: Are We Moving in the Right Direction for Young Children*, Canadian Review of Social Policy.⁵ In her article she gave an overview of the SUFA and, among other observations, indicated that the review under Section 7 “provides a rare chance for broad collaboration on social policy.” She noted that the Early Childhood Development Services Agreement (ECDSA) was, “despite SUFA” negotiated “behind closed doors” and added that “there was no NGO involvement in developing ECDS” [ECDSA]. Her assessment was that, “On balance the ECDS Agreement lacks the teeth needed to deliver on the critical SUFA goal of ensuring access to essential social programs and services, for children in this case, that are comparable in all regions of Canada and that meet the well-documented needs of modern families.”

¹ They refer in the text specifically to Section 36 (1) (c) of the *Constitution Act*, 1982.

² *Québec Liberal Party, A Project for Québec: Affirmation, Autonomy and Leadership*. Report of the Special Committee of the Liberal Party of Québec on the Political and Constitutional Future of Québec Society (October 2001).

³ There was no citation information included with the submission.

⁴ Issue Number 47 (Spring), 2001.

⁵ 2001