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The Ombudsperson's Report on Seniors Care: A Brief Analysis of the Government's (Non)Response

By Marcy Cohen and Janine Farrell

In 2008, more than five years ago, BC Ombudsperson Kim Carter began a systemic investigation into seniors care in BC. The investigation was initiated in response to widespread public concerns about the erosion in seniors' services and numerous complaints received by her office.

After more than three years of intensive investigation, the Ombudsperson's office released *The Best of Care: Getting it Right for Seniors in British Columbia* in February 2012. It is the most comprehensive and in-depth report in the history of the Ombudsperson's office, with 176 recommendations that address issues of fairness, access and quality in BC's home support, assisted living and residential care systems.

The community response to the report was unprecedented and overwhelmingly positive. Carter and her staff were invited to communities across BC to share their findings, in locally organized, often very large public events, with local media in attendance.

Most of the recommendations in *The Best of Care* report are directed at the provincial Ministry of Health (MOH) and not the health authorities that actually deliver most seniors care services. This is because it is up to the provincial government, via the MOH, to set the standards of care and service levels and ensure seniors' needs are being met no matter where they live in the province. The overarching message from the Ombudsperson's report is quite simple: the MOH has failed, in many ways, to fulfill its leadership role for seniors care in the province.

When the *Best of Care* report was released, the provincial government responded with a short 12-page document, *Improving Care for BC Seniors: An Action Plan*. While the Action Plan included a few positive steps, in particular a



consultation process to establish a new seniors advocate, it failed to address many of the most significant issues in the Ombudsperson's report.

In June 2013, 16 months after the publication of the *Best in Care* report, the Ombudsperson published a series of updates, for each health authority and the Ministry of Health, detailing their response to the report's recommendations. The figure (page 5) summarizes the response to those recommendations directed to the Ministry of Health—140 of the total 176 recommendations.

- Only 6 per cent of the Ombudsperson's recommendations have been fully implemented.
- Twenty-four per cent have either been partially implemented or are under consideration (i.e. there is ongoing work on the recommendations).
- Sixty-six per cent have been ignored (i.e. the provincial government has not acknowledged, responded to, or acted on these recommendations in any way).

Are we undermining our schools by not investing enough in education?

By Igluka Ivanova

This year's back-to-school media coverage featured surprisingly little analysis of how our schools are doing. Not to say that articles about innovative approaches to help students stay alert, back-to-school parenting advice and school lunch ideas aren't useful, but surely these could have been combined with more in-depth analysis of the challenges and opportunities facing our schools.

Maybe it's because our students consistently perform well in international student assessments that British Columbians don't think they need to spend much time worrying about school quality. But are we undermining our schools by becoming complacent?

A thoughtful article I came across earlier this year argues that this is exactly what's happening, that chronic underfunding of our schools is threatening the high quality of education BC has been so proud of in the past. "The Observant Citizen's Guide to School Funding in BC," by John Malcolmson and Bill Bruneau from the Public Education Network Society, is worth revisiting as we mark the start of a new school year.

Malcolmson and Bruneau sum up the BC school reality in one line: "Our schools operate with inadequate supplies and support."

How did we get here? Years of funding increases that didn't cover costs, and most recently, flatly frozen funding despite escalating costs (like MSP premium and hydro rate hikes). November's announcement of a 28 per cent hydro rate increase over the next five years will put additional pressure on stretched school budgets if additional funding is not made available. Malcolmson and Bruneau explain:

When BC forests go up in flames, we spend what's necessary to save trees and take care of

our communities. When communicable disease endangers public health, we don't count the cost: we send in our doctors and nurses, we make tough decisions and act on them.

So when kids work in overcrowded classrooms, and schools deal with pressures hardly anyone imagined twenty years ago, you'd think we would rise to the occasion. You'd think we would deal with basic changes in our neighbourhoods and the wider society. You might imagine that the stewards of our school system would remember to take inflation into account when they set the budget. After all, good public education comes at a reasonable cost.

But there's no sense of urgency. ... The 2013 budget announces "flat funding" until 2016 for public schools.

Members of the BC Association of School Business Officials estimate the system is hundreds of million of dollars behind where it was a decade ago. Funding has not kept pace with cost pressures, new and old. We spend almost \$1,000 less per child for public education in BC than the national average.

And it's not just operating funding that isn't keeping pace with costs. Capital improvement grants, which were cut in 2009, have not kept up with school maintenance needs.

Deferring regular building maintenance is a false economy. Minor issues that are straightforward to fix today will only get worse and more expensive to deal with if neglected. It's only a matter of time before news of crumbling schools hits the papers. University buildings in embarrassing states of disrepair are already making headlines, like in a September 4 *Vancouver Sun* article about SFU aptly titled "Crumbling Campus," which points out other universities are suffering from very similar problems after reductions in the capital funding they used to receive from the province (similar to what schools are experiencing).

Malcolmson and Bruneau sum up the BC school reality in one line: "Our schools operate with inadequate supplies and support."

BC's GHG targets and LNG: not compatible

By Marc Lee

BC stands at a carbon crossroads: developing a multi-billion-dollar liquefied natural gas (LNG) industry would make it impossible to obey BC's 2007 law on greenhouse gas (GHG) emissions, which requires a 33 per cent reduction by 2020 and 80 per cent by 2050.

So far, GHG reduction measures include BC's much-praised carbon tax, the carbon-neutral government initiative, energy efficiency retrofits, and a commitment to renewable power through BC Hydro. These measures have not been perfect, but they represent important first steps on climate action.

There is good reason to believe the plan is working: as of 2010, the last year for which we have data, emissions had fallen by 4.5 per cent, and without BC paying an economic price.

BC's is a good news story precisely at the time when climate action needs to be ramped up on a global scale. In short, global warming is putting our weather on steroids, from record-breaking hurricanes in the Philippines and United States to torrential flooding in Alberta and Central Europe. Here at home, BC has seen windstorms, landslides, and the devastation caused by the mountain pine beetle.

As a result, climate scientists are calling for a ceiling on total emissions going forward. That carbon budget is equivalent to about 30 years of global emissions at current levels, and it means two-thirds of proven fossil fuel reserves are "unburnable carbon." For BC, any plausible share of that carbon budget means at least 80 per cent of our fossil fuel reserves will need to stay in the ground.

So this is precisely the wrong time—morally, economically and financially—to be developing an LNG export industry. Even with a modest three LNG plants, the additional GHG emissions into the atmosphere would be like putting 24 million cars on the roads of the world.

Could LNG reduce global emissions by displacing coal? Not likely. Projections are calling for China to increase its demand for all sources of energy, including both coal and gas (and nuclear and renewables). If exported to Japan, LNG is not displacing coal but GHG-free nuclear. In any event, scientists are questioning

whether natural gas is better than coal at all, due to the problem of methane leaks from wellhead to final consumption.

Developing an LNG industry could well be the single most environmentally damaging activity in BC history. While the GHG emissions are immense, the potential damage to water supplies from hydraulic fracturing ("fracking") is raising alarms around the world, with several jurisdictions issuing moratoriums on the practice.

These problems might strike up a classic "jobs versus environment" problem for LNG, except for one thing: there are very few jobs. BC's Natural Gas Strategy (based at the time on three LNG plants) estimated about 800 permanent jobs in LNG facilities and up to 9,000 jobs during construction. Including upstream employment, BC may gain about 5,000 jobs. This is a far cry from the dubious, ever-escalating job claims made in recent months.

The reality is that there are more and better jobs to be had from greening our economy: public transit, district energy systems, zero waste infrastructure and renewable energy. All of these investments create far more jobs per dollar, and could be financed through higher carbon taxes, resource royalties or corporate income taxes.

If BC really wants to "do the world a favour," it should stick with the law of the land, position itself for the future, and drive an investment agenda based on low-carbon technologies and infrastructure.

Marc Lee is Senior Economist at the CCPA-BC and author of BC's Legislated Greenhouse Gas Targets vs Natural Gas Development, available at policyalternatives.ca/natural-gas-ghgs



PHOTO: GARTH LENZ

Developing an LNG industry could well be the single most environmentally damaging activity in BC history.

*Continued from cover
Ombudsperson's report on seniors care*

- Three per cent have not moved forward (i.e. despite a government commitment to move them forward, nothing has happened).
- One per cent have missed their timeline for implementation (i.e. the Ombudsperson set a timeline for implementation that the government failed to meet).

In the lead-up to the provincial election this past May, MLA Ralph Sultan, Minister of State for Seniors at the time, said to the press that “his government’s overhaul of the senior-care system is adequate and, about ‘as done as it is going to be done.’”

It is difficult to understand how a 6 per cent completion rate can be considered “as done as it is going to be done.”

Below are a few of the key recommendations in the Ombudsperson’s report that have not been adequately addressed by government.

Public reporting and transparency

The first three recommendations in the Ombudsperson’s report focus on the MOH’s failure to track and report information on how and where funds are being expended in home and community care, and whether this funding is effective in meeting the needs of seniors for quality and timely care.

Without this information, it is impossible to know how well our system is working, if it is helping (or hurting) seniors, and whether the funding is effective and adequate. Such information is essential for ensuring accountability to the public, for planning purposes, and for making changes in areas where services are not producing the positive outcomes promised.

The very first recommendation in the report is a requirement for the MOH to provide the public with a clear and accessible annual report on the funding allocated and expended for home and community care in each health authority, and an assessment of whether these funds have been effectively utilized to achieve positive results. The government chose not to respond to this recommendation.

In the sections of the report dealing with home support and residential care, there are additional recommendations related to the importance of public reporting on wait times,

and on the need to track and report on the additional costs of keeping someone in hospital who requires residential care.

Although there is an explicit commitment in the Action Plan to provide more information on wait times, the MOH has not followed through on this commitment. And it ignored the call for reporting on the additional costs of keeping people in hospital who require residential services.

Access to BC’s home and community care system

As the Ombudsperson notes, “advocacy is necessary for seniors to ensure that their voices are heard, their rights respected, and their needs met.” To address this need for individual advocacy, the report recommends that the MOH “establish a program to support seniors and their families to navigate the home and community care system and bring forward complaints and concerns.”

The MOH has established a province-wide Seniors Health Care Support Line where seniors can raise concerns. It has also enacted legislation creating an Office of the Seniors Advocate to address systemic concerns. These are both positive developments, but do not address the need for individual advocacy and support. The government ignored the Ombudsperson’s call to establish local programs to assist seniors in navigating the complex array of care services and in raising concerns when problems arise.

Province-wide quality standards in home support, assisted living and residential care

Issues related to quality of care in home support, assisted living and residential care were common concerns raised by seniors and their families during the Ombudsperson’s investigation. The Ombudsperson’s findings provide clear evidence that the MOH is not adequately monitoring quality in any of their home and community care programs.

In assisted living the MOH has not established minimum and binding requirements in areas such as staffing, residents’ rights, food quality and nutrition, or assistance with activities of daily living. Similarly in residential care there are no objective and measurable standards related to bathing frequency, minimum direct staffing hours, toileting assistance, the provision of culturally appropriate care, etc.

To date, the MOH has not responded to the Ombudsperson’s call for clear and binding quality standards in home support and assisted living, or for minimum levels of direct care staffing in residential care.

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Changes to the complaints processes in home and community care

There were approximately 50 recommendations in the Ombudsperson's report for improving the complaints processes in home and community care. Despite the very detailed documentation of the problems and strategies for making improvements, the response from MOH has been minimal. The MOH did agree in the Action Plan to conduct an independent review of the Patient Care Quality Offices and Review Board, and has now completed this review—but decided that no changes are needed. This is despite the fact that the Ombudsperson's audit found that the person who responded to a complaint was often the same person who provided the care in the first place.

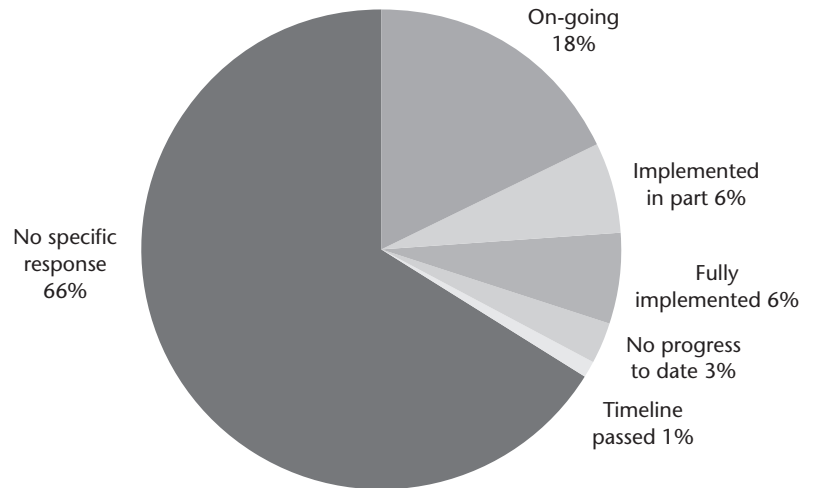
The Ombudsperson also recommended that a standardized complaint process for home support be developed, which should apply regardless of who is paying for the care (i.e. whether the service is subsidized or privately paid). This recommendation was ignored by MOH, as was the recommendation for making very concrete and specific improvements to the complaints processes in assisted living and residential care.

Adequacy of home support services

The Ombudsperson's report documents the erosion of the home support system in BC. She also references research showing that when seniors do not have access to quality home support, their independence, safety and health may be negatively affected, which can result in unnecessary hospitalizations. On top of being unjust, this situation is more costly for our health care system than providing a broad range of home support services.

The Ombudsperson's report raises serious questions about the ability of BC's home support program to meet the MOH's stated goal: to assist "seniors to live in their home as long as it is practical and in their and their family's best interests." Since the publication of the report, there have been no actions taken by MOH to address the question of adequacy of the home support services delivered by the health authorities.

Status of BC Ombudsperson's recommendations to the Ministry of Health as of June 2013



Source: Ombudsperson. 2013. Update on Status of Recommendations, Best of Care (Part 2). Victoria: BC Office of the Ombudsperson. June.

Instead, the government focus has been exclusively on creating a parallel, largely volunteer program for delivering non-medical home support services (such as friendly visits, shopping assistance and transportation) to seniors in their homes.

The seniors advocate, a new avenue for raising concerns

Thanks to the work of the BC Health Coalition, organizing efforts of seniors from around the province, and outstanding in-depth coverage about seniors care by *The Province* newspaper, the provincial government has agreed to establish a Seniors Advocate to address systemic problems in BC's system of seniors care and support. It is the first office of its kind in Canada and represents a very significant win for everyone who has worked so hard to improve care and support for BC seniors. If it weren't for the pressure from the community, this office would never have been established.

Only time will tell how effective this office will be. What is significant and important is the fact that its focus will be on systemic issues in seniors care. This represents a significant new opportunity to raise concerns about BC's system of care and support for seniors.

Marcy Cohen and Janine Farrell are authors of The Ombudsperson's Report on Seniors Care: A Brief Analysis of the Government's (Non)Response available at policyalternatives.ca/nonresponse. Watch the video at: bit.ly/improveseniorscare

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BC's public sector pensions plans need to divest from fossil fuels

By Marc Lee

Extreme weather, oil spills and other damages from fossil fuel development suggest it is only a matter of time before the world gets serious about climate change. The most recent Intergovernmental Panel on Climate Change (IPCC) report for the first time established an upper limit on total greenhouse gas emissions—a global “carbon budget” to keep temperature increase below 2°C. This is considered to be the threshold for “dangerous” climate change, and also the target for international climate negotiations.

It makes little sense for public sector pension funds to profit from pipeline companies whose pipelines are not wanted by the people of this province.

Here's the problem: if you do the math, any plausible carbon budget for BC or Canada means the vast majority of fossil fuel reserves will need to stay in the ground. But because stock market valuations are premised on companies extracting those resources, we have a “carbon bubble” in our financial markets. That makes divestment from fossil fuel companies not merely an ecological imperative, but a financial one as well.

Pension fund managers around the world are now starting to ask the right questions. Recently a group of 70 large institutional investors, representing \$3 trillion in assets, demanded answers from fossil fuel companies about whether their business plans are compatible with climate action.

BC's pension fund managers need to get serious about this harsh reality, which is a significant source of systemic risk to financial markets. Pension funds are an asset class that is second only to housing in importance to middle-class households. And as we saw during the housing bubble collapse, many pension funds were left holding sub-prime mortgage assets.

The challenge for pension portfolio managers is to plan now for a “soft landing” so as to avoid this wreckage. The key is to shift investment from fossil fuel companies to industries, companies and infrastructure projects that will emerge as vital activities as we rise to the climate challenge.

BC's public pensions are managed by the BC Investment Management Corporation. While it is somewhat reassuring that the BCIMC has adopted the United Nations' Principles for Responsible Investing, there is no evidence that these principles have been applied.

The BCIMC, for example, owns \$406 million in Enbridge stock and a lesser amount (\$5 million) in Kinder Morgan stock. It makes little

sense for public sector pension funds to profit from pipeline companies whose pipelines are not wanted by the people of this province.

A recent staff report to Vancouver city council on holdings of the Municipal Pension Plan (MPP, run by the BCIMC) is instructive. Among the limited number of companies listed (top ten of each of Canadian, global and emerging market equities), there are six of the top 50 carbon polluters in the world—Suncor, Potash Corp, Shell, Chevron, Exxon Mobil and Petroleo Brasileiro.

The MPP also held Canadian Natural Resources, a company that gained notoriety recently for an uncontrolled (and ongoing) tar sands spill in Alberta. The Alberta government has since ordered a lake drained in the hopes of containing the spill.

To the extent that BC IMC has been applying “principles for responsible investment,” or in using their ownership stake to “engage in dialogue” with these companies about changing their ways, that has been a failure.

Linking the future economic security of City of Vancouver workers to the success of fossil fuel giants is deeply problematic. Divestment is also the prudent financial move.

While pension funds account for many investment risks like inflation or political turmoil, risks associated with climate change and climate action have largely been ignored. In the face of climate action, fossil fuel assets will likely lose most of their value. Alternatively, a business-as-usual emissions path itself poses significant risk to corporate infrastructure, as well as to the economy as a whole.

Pension funds that ignore climate risk are not living up to their fiduciary responsibility. Fund

Are big-five forest firms about to get a windfall?

By Ben Parfitt

Shortly before the May election, the provincial government withdrew legislation that could have handed de facto control of publicly-owned forestlands to a handful of forest companies. The contentious sections of the bill were dropped amid a swelling chorus of questions about why such a gift would be bestowed without any debate about what it meant for our shared lands and resources.



It took little time, however, for the government to reverse direction again. During a campaign stop in Burns Lake, Premier Christy Clark said that if re-elected, her government would reintroduce the bill because that is what “the people” wanted.

Given that only weeks earlier the government had pulled the bill from the order papers in response to objections from First Nation leaders, environmental organizations, social justice advocates and forest professionals, among others, the premier’s choice of words was, to say the least, odd.

What “people” did she refer to? Well, we may soon find out. Following her party’s re-election, the premier instructed Minister of Forests, Lands and Natural Resource Operations Steve Thomson to make the campaign pledge a reality.

A good bet is that the answer lies in understanding who would benefit most from such a change. In that regard, the shareholders of the five largest forest companies operating in the province fit the bill nicely.

Between them, Canadian Forest Products, West Fraser Timber, International Forest Products, Tolko Industries and Western Forest Products control the bulk of what is logged each year in British Columbia. They would control even more under the proposed legislative changes.

To understand what is at stake, it helps to know that outside of parks, virtually every standing tree in BC is spoken for, because the province has allocated the rights to log them under numerous licences issued to forest companies, logging contractors, woodlot owners, First Nations and communities.

The most important and valuable of those licences are Tree Farm Licences (TFLs). Holders

of TFLs have exclusive rights to log trees over defined areas of land. Currently, TFL holders log about 11.3 million cubic metres of trees per year (a cubic metre equals one telephone pole). Of that, the top five companies control 9.1 million cubic metres or 80 per cent. TFLs are as close as one gets to private control of public forestlands in BC.

The next most important licences are forest licences. Forest licence holders have rights to log set numbers of trees over vast landmasses known as Timber Supply Areas or TSAs. But because many different companies may hold forest licences within the same TSA, forest licences have less value than TFLs, which give one company exclusive control over a specific area.

One other essential detail: the most valuable forest licences are “replaceable” or renewable. Far less valuable are non-replaceable forest licences, which are usually issued on a one-off basis to deal with perceived crises such as mountain pine beetle attacks or forest fires. Significantly, the overwhelming number of licences held by First Nations—who are typically on the outside looking in when it comes to benefiting from natural resources in our province—are non-replaceable.

As with TFLs, the top five forest companies hold a virtual monopoly on replaceable forest licences. Two out of every three trees allocated under such licences are theirs.

What the government now proposes in the name of “the people” is to allow the holders of replaceable forest licences to roll such holdings into far more secure TFLs. This could lead to near total control of public forestlands by an exclusive five-member club.

To understand what is at stake, it helps to know that outside of parks, virtually every standing tree in BC is spoken for.

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Big-five forest firms' windfall

In 2012 and in the lead-up to the 2013 provincial election, that club made \$556,020 in political contributions to the Liberal Party and \$115,200 to the NDP—big dollars for some, but no more than modest investments for a powerful handful of companies who have a very clear vision of what lies ahead.

Entire TSAs—where trees are in increasingly short supply and where what little timber remains is oversubscribed—are on the cusp of being rolled into TFLs. And the Gang of Five is well positioned to divvy up the spoils.

Left on the sidelines would be First Nations, rural communities, small independent and value-added mill owners—people made poorer to give “the people” what they want.

Whether the government’s second attempt at this legislation will move forward remains to be seen. It has promised a public consultation process of sorts. The voices of opposition were heard loud and clear in the lead-up to the provincial election. This time out, which people will the government listen to?

Ben Parfitt is a resource policy analyst with the CCPA-BC and author of True Partners: Charting a New Deal for BC, First Nations and the Forests We Share, available at: policyalternatives.ca/publications/reports/true-partners.

CCPA-BC'S ANNUAL GALA

The State of Public Finance and Democracy in Canada

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\$750 for group table
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Are we undermining our schools?

Malcolmson and Bruneau are right to be concerned that chronic underfunding only worsens existing inequalities in our society, and hurts already disadvantaged kids the most:

In well-off neighbourhoods, parents may be able to raise funds for the essential tools of 21st-century education—but elsewhere in urban and rural BC, fundraising for classrooms and needy children is usually Wishful Thinking.

At the end of the day, you get what you pay for and education is no exception. As a society, we have been short-changing our schools for a while now, and it’s time to reinvest in the quality of all our children’s education in this province. Our children are worth it.

Iglika Ivanova is economist and public interest researcher at the CCPA-BC and author of Paid in Full (Update): Who Pays for University Education in BC? Available at: policyalternatives.ca/paidinfull

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Divest from fossil fuels

management is not just about returns for existing retirees or soon-to-be-retired workers. Young workers must be treated equally, so quantifying and accounting for climate risk is necessary, as it will be several decades before they retire.

Recently, the City of Vancouver took an important first step towards divestment from fossil fuel (and other harmful) industries. The City’s mission and values, including its ethical purchasing policy and eco-friendly aspirations are not aligned with its financial investments. Vancouver will now be asking tough questions of the BCIMC about how it is considering climate risk and carbon budgets.

This is a positive move for a city council that aspires to be the world’s Greenest City. Let’s hope BCIMC heeds the call for divestment.

Marc Lee is Senior Economist with the Canadian Centre for Policy Alternatives and co-author of Canada’s Carbon Liabilities: The Implications of Stranded Fossil Fuel Assets for Financial Markets and Pension Funds, available at policyalternatives.ca/publications/reports/canadas-carbon-liabilities.

BC COMMENTARY

a publication of the BC office of the
Canadian Centre for Policy Alternatives

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Any errors and opinions presented in this paper are those of the authors, and do not necessarily reflect the views of the Canadian Centre for Policy Alternatives.