

# CORPORATION OF THE COUNTY OF DUFFERIN

## BY-LAW NUMBER 2023-32

### **A BY-LAW TO RATIFY THE ACTIONS OF THE WARDEN AND CLERK FOR EXECUTING AN AGREEMENT BETWEEN THE CORPORATION OF THE COUNTY OF DUFFERIN AND ONTARIO HEALTH. (Multi-Service Sector Accountability Agreement)**

BE IT ENACTED BY THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE COUNTY OF DUFFERIN AS FOLLOWS:

1. That the agreement between the County of Dufferin and Ontario Health, in a form substantially the same as attached hereto as Schedule "A" be approved.
2. That the staff of the County of Dufferin is hereby authorized to take such actions as are appropriate, and the Warden and Clerk are hereby authorized to execute such documents as are appropriate to implement the agreement referred to herein.

READ a first, second and third time and finally passed this 8<sup>th</sup> day of June, 2023.

*Original signed by:*

---

Wade Mills, Warden



---

Michelle Dunne, Clerk

**MULTI-SECTOR SERVICE ACCOUNTABILITY AGREEMENT**  
**April 1, 2023 to March 31, 2024**

SERVICE ACCOUNTABILITY AGREEMENT

With

Corporation of the County of Dufferin

Effective Date: April 1, 2023

Index to Agreement

ARTICLE 1 – DEFINITIONS & INTERPRETATION .....	3
ARTICLE 2 – TERM AND NATURE OF THIS AGREEMENT .....	9
ARTICLE 3 – PROVISION OF SERVICES.....	9
ARTICLE 4 – FUNDING .....	12
ARTICLE 5 – REPAYMENT AND RECOVERY OF FUNDING .....	14
ARTICLE 6 – PLANNING & INTEGRATION .....	17
ARTICLE 7 – PERFORMANCE.....	19
ARTICLE 8 – REPORTING, ACCOUNTING AND REVIEW .....	20
ARTICLE 9 – REPRESENTATIONS, WARRANTIES AND COVENANTS.....	23
ARTICLE 10 – LIMITATION OF LIABILITY, INDEMNITY & INSURANCE.....	25
ARTICLE 11 – TERMINATION AND EXPIRY OF AGREEMENT.....	27
ARTICLE 12 – NOTICE .....	31
ARTICLE 13 – ADDITIONAL PROVISIONS .....	32
ARTICLE 14 – ENTIRE.....	33

**SCHEDULES**

- Schedule A:** Total Funder Funding
- Schedule B:** Reports
- Schedule C:** Directives, Guidelines & Policies
- Schedule D:** Performance
- Schedule E:** Project Funding Agreement Template
- Schedule F:** Declaration of Compliance/Declaration of Compliance for Municipalities
- Schedule G:** N/A

**THIS AGREEMENT** effective as of the 1<sup>st</sup> day of April, 2023

**BETWEEN :**

**ONTARIO HEALTH (the "Funder")**

- and -

**Corporation of the County of Dufferin (the "HSP")**

Background:

This service accountability agreement is entered into pursuant to the *Connecting Care Act, 2019* (the "CCA").

The HSP and the Funder are committed to working together, and with others, to achieve evolving provincial priorities including building a connected and sustainable health care system centred around the needs of patients, their families and their caregivers.

In this context, the HSP and the Funder agree that the Funder will provide funding to the HSP on the terms and conditions set out in this Agreement to enable the provision of services to the health system by the HSP.

In consideration of their respective agreements set out below, the Funder and the HSP covenant and agree as follows:

## ARTICLE 1 - DEFINITIONS & INTERPRETATION

1.1 **Definitions.** In this Agreement the following terms will have the following meanings:

**“Accountability Agreement”** means the accountability agreement, as that term is defined in the Enabling Legislation, in place between the Funder and the Ministry during a Funding Year;

**“Active Offer”** means the clear and proactive offer of service in French to individuals, from the first point of contact, without placing the responsibility of requesting services in French on the individual;

**“Agreement”** means this agreement and includes the Schedules and any instrument amending this agreement or the Schedules;

**“Annual Balanced Budget”** means that, in each Funding Year of the term of this Agreement, the total revenues of the HSP are greater than or equal to the total expenses, from all sources, of the HSP;

**“Applicable Law”** means all federal, provincial or municipal laws, regulations, common law, orders, rules or by-laws that are applicable to the HSP, the Services, this Agreement and the parties’ obligations under this Agreement during the term of this Agreement;

**“Applicable Policy”** means any rules, policies, directives, standards of practice or Program Parameters issued or adopted by the Funder, the Ministry or other ministries or agencies of the province of Ontario that are applicable to the HSP, the Services, this Agreement and the parties’ obligations under this Agreement during the term of this Agreement. Without limiting the generality of the foregoing, Applicable Policy includes the other documents identified in Schedule C;

**“Board”** means:

(a) in respect of an HSP that does not have a Long-Term Care Home Service Accountability Agreement with the Funder and is:

- (1) a corporation, the board of directors;
- (2) a First Nation, the band council; and
- (3) a municipality, the municipal council;

and,

(b) in respect of an HSP that has a Long-Term Care Home Service Accountability Agreement with the Funder and may be:

- (1) a corporation, the board of directors;
- (2) a First Nation, the band council;