

Strengthening Families.
Buildin Communities.



The Social Services Appeal Board Guide

The Social Services Appeal Board is an independent group that hears appeals and rules on decisions made by Manitoba government programs (the respondent) that provide financial and social services. Social Services Appeal Board members are not government employees. They are appointed by the Lieutenant-Governor to conduct unbiased appeal hearings and to make fair decisions after hearing all relevant information. The board is made up of 15 community members representing Manitobans from a variety of backgrounds. Three of the members will be at your appeal hearing, and one of these persons will chair it.

The Social Services Appeal Board hears appeals about:

- Employment and Income Assistance
- Adoption Agency Licensing
- Child Care Subsidies
- Child Care Licensing
- 55-plus: A Manitoba Income Supplement, Junior Component
- Manitoba Prenatal Benefit
- Residential Care Licensing
- marketAbilities Program (Eligibility)
- Community Living disABILITY Services Program (Eligibility)
- Rent Assist

Filing an Appeal

You have 30 days to file an appeal after a department decision. The board has the authority to extend the time limit for filing an appeal. You can either fill out a Notice of Appeal form or write a letter to the appeal board. Your appeal can be faxed, mailed, e-mailed or delivered to the office. You **must** sign the appeal and clearly indicate the decision you wish to appeal.

The Appeal Process

Once the appeal board receives your appeal, the board will send you and the appropriate respondent a Notice of Hearing with the date, time and place of your hearing. In Winnipeg, most hearings are held in the boardroom at the appeal board office. If you live outside of Winnipeg, the hearings may be held in provincial buildings, municipal offices or other public locations. In some cases, the board may arrange a hearing by teleconference or other means if you are unable to travel. Before the hearing, the board will give you a copy of the respondent's response to your appeal. If you have documents or new information to support your position, effort should be made to provide written material to the appeal board (which will make photocopies) before the hearing so that it may be shared with the respondent.

The Hearing

The hearing is informal and every effort is made to make you feel at ease.

Staff of the Social Services Appeal Board do not act on your behalf during an appeal hearing. A friend or relative may attend for support and may speak at the hearing. You may also have an advocate, a lawyer or another person attend the hearing to help you.

All information about your appeal will be reviewed during the hearing. You will be given every opportunity to present your case. Representatives from the department responsible for the program that you are appealing against are also requested to comment on their written response to your

appeal and any further information you present. In situations where there is a witness who has information relevant to the appeal but who does not want to attend, the board can summon this person to testify or provide specific information at the hearing. The board wants to hear all relevant material in order to make a fair decision.

After the board hears from you and all persons involved, appeal board members will ask questions. You and the respondent will also be allowed to ask questions of each other.

All hearings are open to the public, unless you request otherwise.

The Decision

The board may, by written order, confirm, change or overturn the order or decision of the program. The board will send you a copy of the official order, outlining its decision and giving reasons for the decision. This will be sent within a week to 15 days after the hearing.

Reconsideration Requests

The official order is the appeal board's final decision on your appeal. However, should you or the respondent have a valid reason, a written application to reconsider a decision may be made. You have 30 days after receiving the order to apply for this. If the board agrees to reconsider your appeal, another hearing will be held to allow the board to reconsider.

Appealing the Board's Decision

The decision of the appeal board may be challenged before the Provincial Court of Appeal on law or jurisdiction issues. This must be done within 30 days of receiving the decision from the appeal board. You should contact a lawyer for help or apply to Legal Aid.

For more information, please contact:

**Social Services Appeal Board
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Winnipeg, Manitoba
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