

The Department of Social Services Act

being

Chapter D-23 of *The Revised Statutes of Saskatchewan, 1978*
(effective February 26, 1979).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER D-23

An Act respecting the Department of Social Services

Short title

1 This Act may be cited as *The Department of Social Services Act*.

Department continued

2(1) The department of the Government of Saskatchewan called the Department of Social Services is continued.

(2) The Minister of Social Services shall preside over the department.

1972, c.35, s.2; R.S.S. 1978, c.D-23, s.2.

Staff

3 The staff of the department shall consist of a deputy minister, to be called the Deputy Minister of Social Services, and such other employees as are required for the proper conduct of the business of the department.

1972, c.35, s.3; R.S.S. 1978, c.D-23, s.3.

Seal

4 The Lieutenant Governor in Council may vary the Seal of the Department of Social Services or may adopt and provide another seal for the department in its place.

1972, c.35, s.4; R.S.S. 1978, c.D-23, s.4.

Administration of Acts

5 The department shall administer the following Acts:

- (a) *The Corrections Act*;
- (b) *The Saskatchewan Assistance Act*;
- (c) *The Deserted Wives' and Children's Maintenance Act*;
- (d) *The Housing and Special-Care Homes Act*;
- (e) *The Rehabilitation Act*;
- (f) such other Acts as may be designated by the Lieutenant Governor in Council.

1972, c.35, s.5; R.S.S. 1978, c.D-23, s.5.

Certain powers of department subject to approval of minister

6 Subject to the approval of the minister, the department may:

- (a) furnish, alter or repair buildings necessary for the purpose of exercising any of the powers or performing any of the duties of the department;
- (b) enter into contracts for the alteration or repair of buildings necessary for the purpose of exercising any of the powers or performing any of the duties of the department;

- (c) where the amount involved does not exceed \$1,000, settle legal and equitable claims against the department if the minister deems it advisable to do so in the interest of or for the welfare of persons in Saskatchewan;
- (d) upon such terms and conditions as the minister may deem advisable:
 - (i) purchase, lease or otherwise acquire any real property;
 - (ii) sell, lease, sublease, exchange, assign, distribute or otherwise deal with real property acquired;

where the value of the real property does not exceed \$1,000 or, in the case of a lease or sublease of real property, the term of the lease or sublease does not exceed ten years or the annual rent under the lease or sublease does not exceed \$1,000;

- (c) in any other case where the amount involved does not exceed \$1,000, do such acts and things or pay such expenses or fees, other than those provided for by subsection (2) of section 7, that the minister deems advisable for the purpose of providing for the welfare of persons in Saskatchewan.

1972, c.35, s.6; R.S.S. 1978, c.D-23, s.6.

Certain powers of department subject to approval of Lieutenant Governor in Council

7(1) Subject to the approval of the Lieutenant Governor in Council, the department may, except in cases provided for by section 6, do such things as the minister deems advisable for the purpose of promoting the well being and providing for the welfare of persons in Saskatchewan.

(2) Without limiting the generality of subsection (1), when authorized by the Lieutenant Governor in Council to do so the department may:

- (a) when the amount involved exceeds \$1,000, settle legal and equitable claims against the department if the minister deems it advisable to do so in the interest of or for the welfare of persons in Saskatchewan;
- (b) upon such terms and conditions as the Lieutenant Governor in Council deems advisable:
 - (i) purchase, lease or otherwise acquire any real property;
 - (ii) sell, lease, sublease, exchange, assign, distribute or otherwise deal with real property acquired;

when the value of the real property exceeds \$1,000 or, in the case of a lease or sublease of real property, the term of the lease or sublease exceeds ten years or the annual rent under the lease or sublease exceeds \$1,000.

1972, c.35, s.7; R.S.S. 1978, c.D-23, s.7.

Grants

8(1) Subject to the approval of the minister, the department may make annual or other grants, not exceeding \$5,000 in any one case:

- (a) to any agency, organization, association or institution providing programs or services for the benefit of people in Saskatchewan;

- (b) to any person, agency, organization, association or institution to assist in the research, development, expansion or maintenance of services that have as their purpose the furthering of the welfare of persons in Saskatchewan.
- (2) Subject to the approval of the Lieutenant Governor in Council, the minister may make annual or other grants in amounts in excess of \$5,000:
 - (a) to any agency, organization, association or institution providing programs or services for the benefit of people in Saskatchewan;
 - (b) to any person, agency, organization, association or institution to assist in the research, development, expansion or maintenance of services that have as their purpose the furthering of the welfare of persons in Saskatchewan.

1972, c.35, s.8; R.S.S. 1978, c.D-23, s.8.

Advisory boards, etc.

- 9(1) The department may establish advisory boards or committees of persons who are interested and knowledgeable in the programs or services administered or provided under this Act or any other Act administered by the department.
- (2) The members of an advisory board or committee established under subsection (1) shall be appointed by the minister.
- (3) An advisory board or committee shall:
 - (a) when requested to do so by the minister, advise the minister on matters pertaining to social services in the province;
 - (b) when requested to do so by the minister, review or assess programs or services being provided for the people of Saskatchewan and for that purpose, may, subject to the approval of the minister, appoint such committees or commission such studies as it deems advisable;
 - (c) perform such other duties as may from time to time be assigned to it by the minister, the Lieutenant Governor in Council or an Act administered by the department.
- (4) The minister shall provide an advisory board or committee with such clerical, technical or professional staff as the advisory board or committee may require to carry out its functions.
- (5) The members of an advisory board or committee may be paid such remuneration for their services and allowances for travelling and other expenses as may be determined by the Lieutenant Governor in Council.

1972, c.35, s.9; R.S.S. 1978, c.D-23, s.9.

Appeal committees

- 10(1) The minister may, subject to the approval of the Lieutenant Governor in Council, establish appeal committees that shall review or hear any grievances submitted to them by persons who feel that they are aggrieved by any decision, act or omission of an official of the department or its representative where the grievances arise out of the administration of this Act or any other Act administered by the department.

- (2) The decision of an appeal committee is final unless it is not in accordance with the law.
- (3) An appeal committee may, as a result of a review or a hearing:
- (a) recommend to the minister changes in existing laws or policies administered by or affecting the department; and
 - (b) recommend to the minister changes in service practices of the department.
- (4) The minister may by order make rules for the procedure and operation of an appeal committee.
- (5) The minister shall provide an appeal committee with such clerical, technical or professional staff as the appeal committee may require to carry out its functions.
- (6) The members of an appeal committee may be paid such remuneration for their services and allowances for travelling and other expenses as may be determined by the Lieutenant Governor in Council.

1972, c.35, s.10; R.S.S. 1978, c.D-23, s.10.

Additional powers of department

11 The department may:

- (a) collect information and statistics relating to all matters of welfare;
- (b) disseminate information in such manner and in such form as may be found best suited to promote the welfare of persons in Saskatchewan;
- (c) conduct research to determine the effectiveness of its programs in providing programs and services to persons in Saskatchewan;
- (d) conduct programs or purchase research services for the purposes of furthering the programs and services of the department for persons in Saskatchewan.

1972, c.35, s.11; R.S.S. 1978, c.D-23, s.11.

Investigations, etc.

12 The minister may investigate, inspect and report upon all activities, agencies, organizations, associations or institutions that have for their object the provision of social services to men, women or children in Saskatchewan or rendering care to such persons and which activities, agencies, organizations, associations or institutions are not under the control of any other department of the Government of Saskatchewan.

1972, c.35, s.12; R.S.S. 1978, c.D-23, s.12.

Administration of funds

13(1) Any moneys received from any source by the minister or the department on behalf of, for the benefit of or in trust for any client of the department or person resident in an institution administered by the department may be administered and invested by the department for the general benefit of the client or person.

- (2) Without limiting the generality of subsection (1), the department may:
- (a) hold, administer and invest any moneys received by the department on behalf of any client of the department, former ward of the minister or resident of an institution, school or treatment centre administered by the department;
 - (b) administer payments of moneys made in respect of recipients under *The Saskatchewan Assistance Act* and make payments of such moneys on behalf of those recipients;
 - (c) administer and invest moneys of the estates of deceased residents of institutions administered by the department until the moneys can be turned over to persons who are responsible for those estates;
 - (d) establish and administer trust accounts in accordance with such regulations as the Lieutenant Governor in Council may prescribe;
 - (e) administer and invest moneys received by the department as restitution for damage caused by juvenile delinquents or wards of the minister where such moneys are or will be payable other than to the province.
- (3) Moneys authorized to be invested under this section and that are not immediately required for the use for which the moneys were received shall be invested by the minister or deputy minister in any of the classes of securities set out in section 36 of *The Department of Finance Act*.
- (4) Notwithstanding subsection (3), the department may provide that moneys that may be invested under subsection (1) or (2) shall be turned over to the Official Guardian for investment.

1972, c.35, s.13; 1973-74, c.30, s.2; R.S.S. 1978, c.D-23, s.13.

Power of minister respecting certain institutions

14 The minister may:

- (a) plan, develop, furnish, equip, administer, manage, operate, maintain and repair any provincial jail, correctional institution, housing project, nursing home, special-care home for the care or accommodation of needy, aged, infirm, blind or disabled persons or other facility for the care or treatment of neglected children, heretofore or hereafter established by the province, and all lands and buildings and all personal property now or hereafter used in connection herewith; and
- (b) authorize the purchase of all materials, goods and equipment, and procurement of all the services required for the efficient administration of the institutions mentioned in clause (a) and may make payment therefor from moneys appropriated by the Legislature for the purpose.

1972, c.35, s.14; R.S.S. 1978, c.D-23, s.14.

Ministry may accept grants, etc., for department

15(1) The minister may accept grants, gifts, devises and bequests for the purposes of the department and shall administer the same, subject to the terms of any trust imposed by the donor or testator thereof, for the purposes of the department.

(2) The minister may execute any instrument required for the purposes of accepting a grant, gift, devise or bequest under subsection (1) and administering it, subject to any terms of trust imposed in respect thereof, for the purposes of the department.

1973-74, c.30, s.3; R.S.S. 1978, c.D-23, s.15.

Co-operation with other governments etc.

16 The department may co-operate with any other department of the Government of Saskatchewan or Canada or any other province or with any municipality in Saskatchewan in exercising powers or performing duties of the department.

1972, c.35, s.15; R.S.S. 1978, c.D-23, s.16.

Annual report

17(1) The minister shall, in accordance with *The Tabling of Documents Act*, submit to the Lieutenant Governor in Council an annual report respecting the work performed by the department.

(2) The report required by subsection (1) shall be laid before the Legislative Assembly in accordance with *The Tabling of Documents Act*.

1972, c.35, s.16; R.S.S. 1978, c.D-23, s.17.

Secrecy

18(1) In the public interest, no file, document or paper that is kept by any person or in any place and that deals with the personal history or record of a child or adult and that has come into existence through anything done under or pursuant to this Act or an Act administered by the department, and no information pertaining to the personal history or record of a child or adult, shall be made available to any person other than the minister, the deputy minister or a person employed by the department, without the written consent of the minister.

(2) Neither the minister nor any person serving on a board or committee appointed by the minister under this Act or any other Act administered by the department, nor any member of the staff of the department shall be:

- (a) compellable to give evidence in respect of:
 - (i) written or oral statements made to him;
 - (ii) knowledge or information acquired by him;

in the performance of his duties;

- (b) required to produce any written statement mentioned in subclause (i) of clause (a) at a trial, hearing or other proceeding.

1972, c.35, s.17; 1976-77, c.81, s.4; R.S.S. 1978, c.D-23, s.18.