



Social Security  
Tribunal of Canada

Tribunal de la sécurité  
sociale du Canada

Canada

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Social Security Tribunal of Canada

# Working Together for Justice



**Progress Report**  
2021 – 2022

# Word from the Chairperson and Executive Director

This year, the Social Security Tribunal (SST) continued to serve the public with an appeal process that is simple, quick, and fair. We received 6,193 appeals and issued 5,115 decisions.

Access to justice is one of our top priorities. The laws we work with are complex. And most of our appellants don't have professional representatives (like lawyers). This can make the appeal process even more intimidating. A simple, quick, and fair process is the foundation of access to justice.

For the past 3 years, we've focused on making the appeal process easier to understand and use. We'll keep working to make it better.

But making the right changes in the administrative justice system isn't something we can do on our own. We have to work with others. This year's theme is "Working together for justice." The best way to provide a justice service that works for everyone is to work with the people who use our service. That means focusing on what appellants and partners have to say. It also means working with experts outside the SST who can tell us how they think we're doing.

Working with appellants and the organizations that support them makes for a better justice service. When we look for advice outside the SST, we can

design an accountable appeal process with people at the centre.

Our design approach is based on 3 pillars:

- **Collaboration:** We don't have all the answers so we work with outside experts, partners, and the people who use our service.
- **Decisions based on data:** We're always evaluating what we do because this tells us how we can keep making things better.
- **Transparency:** We make public what we do and how we do it, because appellants — and the public — have a right to see how we do our job.

This year's progress report is divided into two parts. In the first part, you'll see specific examples of how working with people and organizations outside the SST has helped us provide a better justice service. You'll see what's working well and where we can do better. In the second part, we report on our service standards and processing times at the SST.



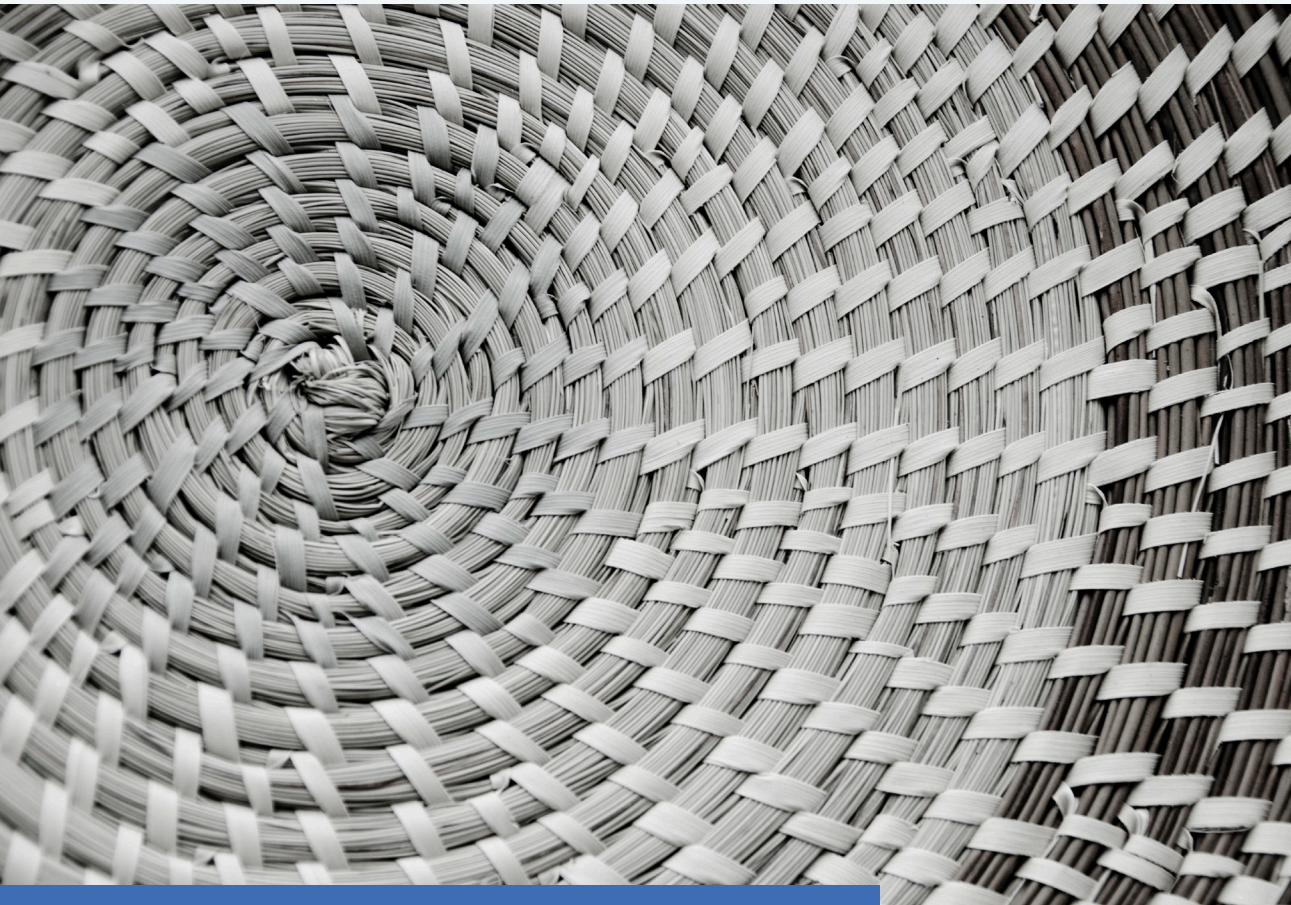
**Paul Aterman**  
Chairperson



**Anab Ahmed**  
Executive Director



# Land Acknowledgement



We wrote and published this report in Ottawa, the traditional unceded territory of the Algonquin Anishnaabeg people.

We understand we're part of a larger conversation about reconciliation. In 2021, we began to explore what truth and reconciliation mean in what we do at our tribunal. We now have a group at the SST looking at barriers to justice that Indigenous people may face. This

group is working with us to make our processes better. Our goal is to find ways to take part in reconciliation in a meaningful way.

People will be reading this report in many places across Canada. These will include other traditional Indigenous lands. We invite you to learn more about these communities.





The SST decides appeals about whether you can get these benefits

- **Employment Insurance**
- **Canada Pension Plan (CPP) disability and other CPP benefits**
- **Old Age Security**

Our federal social support system is built on these benefits. Anyone who qualifies can get them to help meet their basic needs. The SST gives you the opportunity to challenge a government decision about whether you qualify.

# By the Numbers



We processed **5,115** appeals this year



**13%**

of Appeal Division (AD) appeals have been sent to Alternative Dispute Resolution (ADR)



**82%**

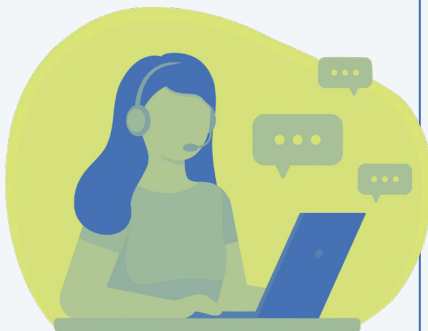
of ADR appeals at the General Division and Appeal Division were resolved without a hearing



Navigators worked on

**2,465**

appeals, helping under-represented appellants



We published **1,056** decisions on our [website](#)

Of the 1,200 survey responses we received this year,

**95%**

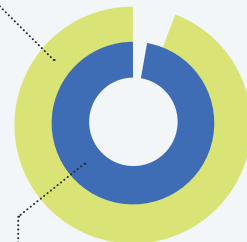
of clients were satisfied overall



This is **3%** higher than last year

**94%**

of appellants surveyed felt that they knew what to expect and how to prepare for their hearings



**97%**

of appellants surveyed felt they were able to participate fully in their hearings

Part 1:

# 2021 – 2022 Highlights

## We have a new website

We're always looking for ways to improve our content so we can serve you better. We did user testing on our old website. People had a hard time navigating through it and finding what they needed. Using what you told us, we created and launched a new [website](#).

The new website:

- has less text and more images
- is written in plain language
- is focused on our appellants' needs

Our [client satisfaction survey results from January to March 2022](#) show positive feedback to our website. **Of the respondents who had visited our website, 95% were able to find what they were looking for.**

We still have work to do. People want **more visual content and infographics.**



We'll add these.

Our website also now has a [glossary](#) of legal terms we sometimes use.

The laws that set out whether you have a right to benefits are very technical. And sometimes, we have to use the complicated terms the laws use. But we can always explain what these terms mean in a way that's easy to understand. Our glossary has our top 50 complex terms. We hope it will help you understand the language:

- on our website
- in our decisions
- in our forms and letters

We want to keep hearing from you about our website. [Contact us](#) to tell us what you think.



### We're getting good results from our early resolution pilot project

Appeals can take time. But some can be resolved quickly and even without a hearing. That's why we started the **early resolution pilot project** for the General Division – Income Security Section. With early resolution, a member (decision-maker) meets with the parties early in the appeal process. The goal is to see whether we can resolve the appeal quickly.

After 1 year, here's what we know:

- On average, appeals that go through the pilot project are heard sooner and resolved faster than other appeals

- Appellants are better prepared for their hearings
- Appellants tell us they feel heard and are thankful for the opportunity to talk about their appeals with a member
- Appellants better understand what we can and can't do for them, and what their role in the process is

We'll keep working on this project to see whether we can use it for more appeals. We expect to see the results from a wider sample of appeals next year.



## We got an outside perspective

### — Our forms and letters

If you have an appeal at the SST, you need to be able to understand our forms and letters. We rewrote them in plain language. But we wanted an outside perspective on our work. So we asked the **National Self-Represented Litigants Project** (NSRLP) to evaluate how we're doing.

The NSRLP talked to people who had represented themselves in courts and tribunals and asked them to review forms and letters that the SST sends to claimants. They gave us detailed feedback on our work.

Overall, people say our letters and forms explain legal language and complex terms well. They also like how we structured and organized information. But many didn't know how to complete parts of the forms. And they still had questions about what they were supposed to do, even after reading the forms and letters.

The NSRLP gave us some recommendations. They said people want:

- clearer instructions in our letters and forms
- a friendlier tone in our letters
- more visual content (like flow charts, infographics, and short videos)
- more explanations of what some terms mean

We thank the NSRLP for this valuable input! We have an [action plan](#) and are already starting to make changes. Read more about the [NSRLP evaluation](#) on our website.

Our [January to March 2022 client satisfaction survey](#) results show that we've made progress since this evaluation. **98% of respondents said they knew what to expect and how to prepare for their hearings.**

### — Our navigator service

A navigator guides you through your appeal with **one-on-one support from start to finish**. This service is new in the world of administrative tribunals. For the SST, it's an important step in making it easier for under-represented appellants to access justice. An "under-represented" appellant is someone who doesn't have a professional representative (like a lawyer) to act on their behalf. They might be representing themselves or getting help from a family member or friend.

Our navigator service has been running for over 2 years now. To be more transparent and accountable, we wanted to hear what experts outside the SST think of the service.





How is it working to help our under-represented appellants and serve marginalized groups?

So, we were pleased to have Professors **Dr. Laverne Jacobs from the University of Windsor and Dr. Sule Tomkinson from Université Laval** look at the navigator service from an access to justice perspective.

Their report is called [Examining the Social Security Tribunal's Navigator Service: Access to Administrative Justice for Marginalized Communities](#). It gives us open and honest feedback on how the service is working for people who face barriers to justice.

In the report, the authors conclude that our navigator service improves access to justice in a meaningful way. They say:

[The] SST's Navigator Service is by far a leader in navigational tools. It is presently one of the most developed systems, if not the most developed system, within administrative tribunals in Canada.

The authors highlight that appellants consistently said they had a positive experience with their SST navigators. They note that "the navigator clears a path for the appellant who starts off at a deficit and faces a number of roadblocks that they could not even anticipate because they had never been there before."

Appellants repeatedly said they were grateful for their navigators' work and emotional support. One appellant said: "Navigators are not only an ingredient

in the process ... they are outright oxygen in the process. ... [I]t's like a fire needs oxygen, fuel, and ... a spark."

The report also recommends some ways we can make the navigator service better. These include:

- offering the service in different languages
- working with community justice organizations to help appellants with their documents
- consulting with disability advocacy groups
- continuing to train and support navigators
- working with a consultant to make sure we use disability-inclusive language in all our communications
- giving appellants infographics to explain the appeal process

We thank Professors Jacobs and Tomkinson for their valuable insights on our navigator service! We have an [action plan](#) and are already starting to make changes. Read more about the [navigator evaluation](#) on our website.

Our [January to March 2022 client satisfaction survey](#) results show that we've made progress since this evaluation. **97% of respondents said their navigators helped them feel more prepared and confident with their appeals. Navigated appellants also rated high levels of satisfaction (80 to 90%) on all questions in this survey.**

### Reaching out to help keep us accountable

The SST is responsible for handling appeals in a way that is simple, quick, and fair. But we don't do it alone. Our partners have a lot of insight into what works, or doesn't work, for our appellants. Our partners include:

- legal clinics
- lawyers
- paralegals
- unions
- advocacy groups

We meet with our partners regularly to share ideas and hear what they have to say. This year, we held 4 sessions through our consultative committees to meet with our partners. Read more about our [Employment Insurance Appeals Consultative Committee](#) and our [Income Security Appeals Consultative Committee](#) on our website.

We also had special sessions to talk about our upcoming new rules of procedure. We got a lot of useful advice on how they should work. Our website sums up [what we heard and what we plan to do](#).

Working with you is important to building a better administrative justice system. This year, we created an outreach team to do exactly that.

If you're interested in joining our community of partners or want an information session for your organization, let us know. Contact our outreach team at:

[NC-SST-TSS-OUTREACH-RELATIONS-GD@canada.gc.ca](mailto:NC-SST-TSS-OUTREACH-RELATIONS-GD@canada.gc.ca)



A hand is shown placing a yellow puzzle piece into a staircase structure made of colorful blocks. The blocks are arranged in a descending staircase pattern, with colors including yellow, dark brown, blue, orange, and green. The background is a light blue gradient.

## Explaining how we work

The federal courts can assess the reasonableness of Appeal Division decisions. They look at whether our decisions are based on a logical chain of reasoning and make sense in light of the law and facts. They do this through a process called judicial review. Judicial review is how the courts make sure we're following the rules.

The Supreme Court of Canada (SCC) said that the courts have to use the **reasonableness** standard of review when assessing most tribunal decisions, with some exceptions. The SCC confirmed this in a case from 2019 called [Canada \(Minister of Citizenship and Immigration\) v Vavilov](#) (Vavilov).

In the Vavilov decision, the SCC said that it's important to understand the context in which a tribunal works to decide whether a tribunal decision is reasonable. That's why we developed [How the Social Security Tribunal \(SST\) works: Responding to the Supreme Court of Canada's decision in Vavilov](#). This information is meant to inform courts, parties who want to challenge our decisions in the courts, and the public about the context we work in.





## What we're doing next

We keep looking for ways to serve you better. And we use your feedback to help us make the right changes. Going forward, one of our top priorities is to make sure people have the information they need to understand the appeal process. To do this, we're developing new tools to meet the different needs of the people who appeal to the SST.

Here's a look at our upcoming projects:

- We'll have information sessions for community justice organizations to explain the appeal process and what resources we have for appellants
- Our website will have roadmaps (printable infographics) on the processes for Employment Insurance and Income Security appeals
- We're working with [Community Legal Education Ontario](#) to make an online guided pathway for people applying for CPP disability
  - The pathway will guide them through filling in their notice of appeal form
  - When they're done, the pathway will generate a completed form
- We're giving appellants a new way to file their appeals by using their [My Service Canada Account](#)
- We'll be developing a plan to help us meet our commitment to fairness, diversity, and inclusion

We look forward to updating our partners and the public as these important initiatives take shape.



## Part 2:

# Service Standards and Processing Times

For most people, going through a legal process is stressful. For our appellants, a lot of the stress comes from waiting—waiting for a hearing, then for a decision. We need to be quick, but we also can't cut corners to rush things. Our goal is to make quality decisions as quickly as possible. That's why we publish statistics that measure our work. It helps us stay accountable to the people who use our service.

The numbers below are the most recent numbers from each fiscal (financial) year.

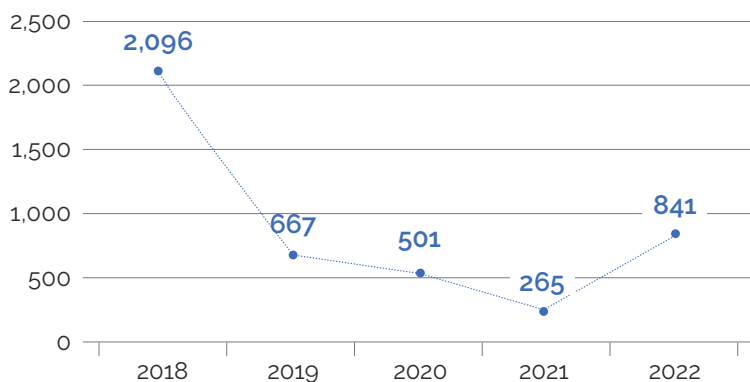


# General Division

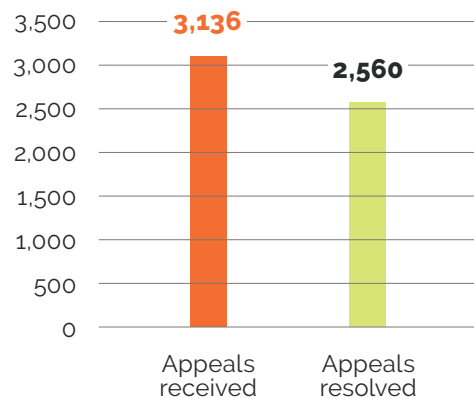
Employment Insurance (excludes group appeals)

## Inventory

Number of open cases as of March 31

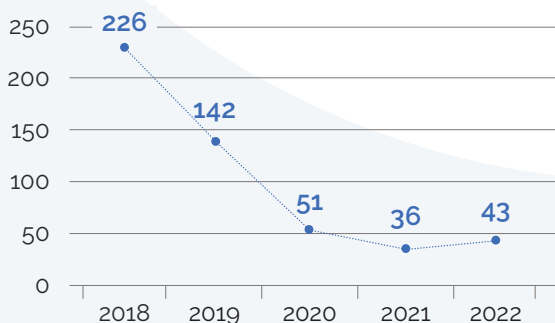


2021 – 2022

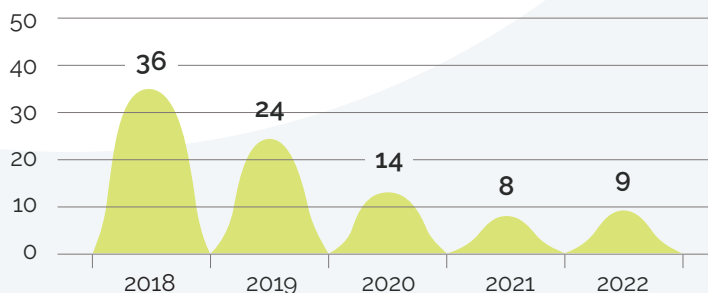


## Processing Times

Number of days from application to decision as of March 31

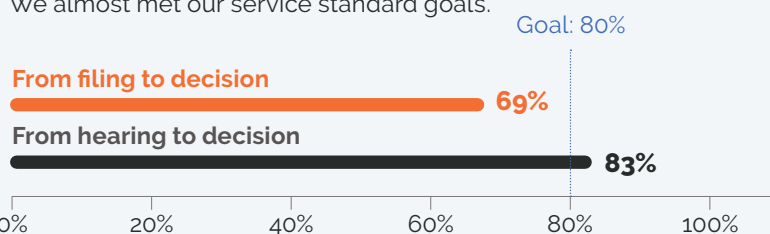


Number of days from hearing to decision as of March 31



## Service Standards

We almost met our service standard goals.

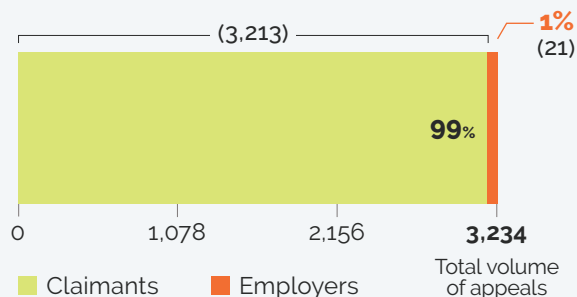


This year, we wanted to give appellants their decisions within **45 days** of when they filed their appeals and within **15 days** of their hearing. We wanted to do this at least **80%** of the time.

We met our 15-day goal, but not our 45-day goal. Our average time was **42.9 days** from filing to decision and **9.0 days** from hearing to decision.

## General Division Employment Insurance appeal origin

This year, **99%** of appeals (3,213) came from claimants and **1%** (21) from employers.

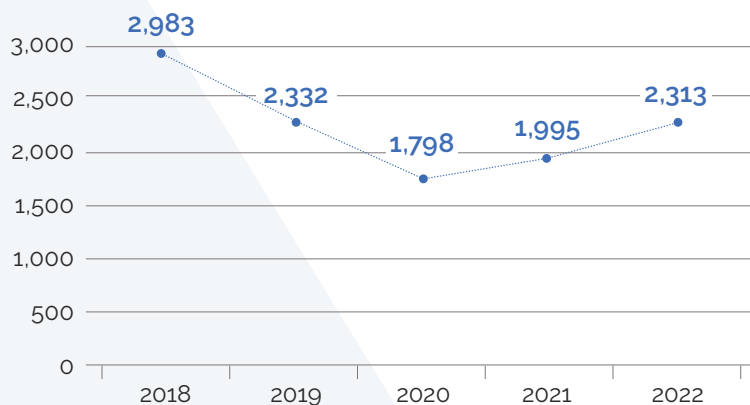


# General Division

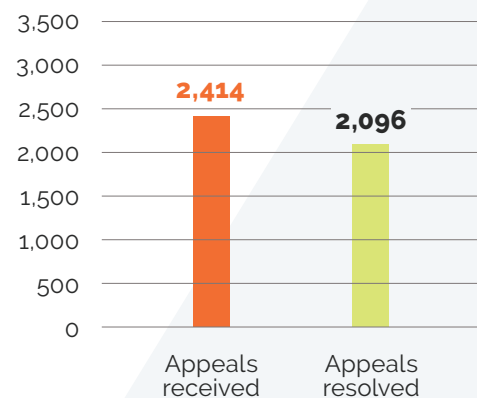
## Income Security

### Inventory

Number of open cases as of March 31

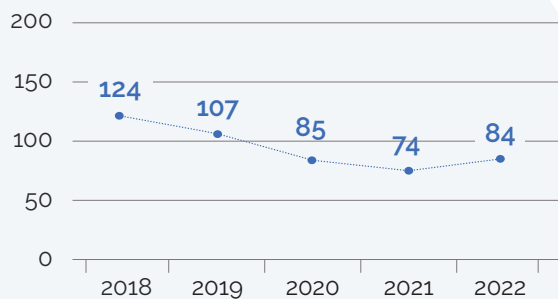


2021 – 2022

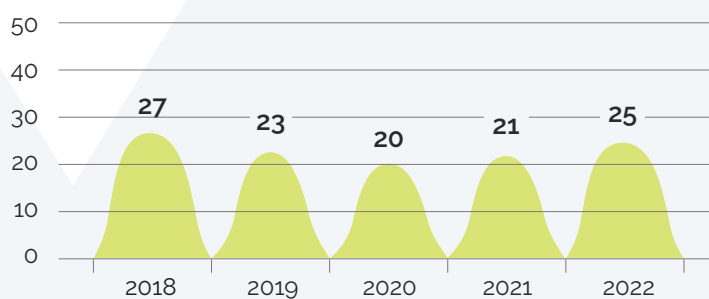


### Processing Times

Number of days from readiness to decision as of March 31

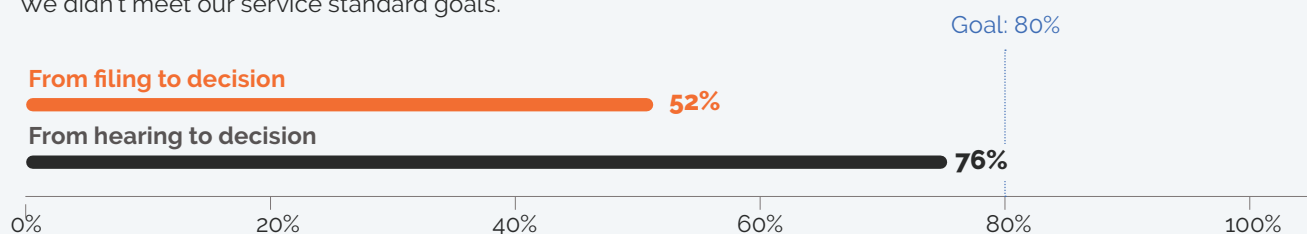


Number of days from hearing to decision as of March 31



### Service Standards

We didn't meet our service standard goals.



This year, we wanted to give appellants their decisions within **70 days** from when parties are ready for their hearing and within **30 days** of their hearings. We wanted to do this at least **80%** of the time.

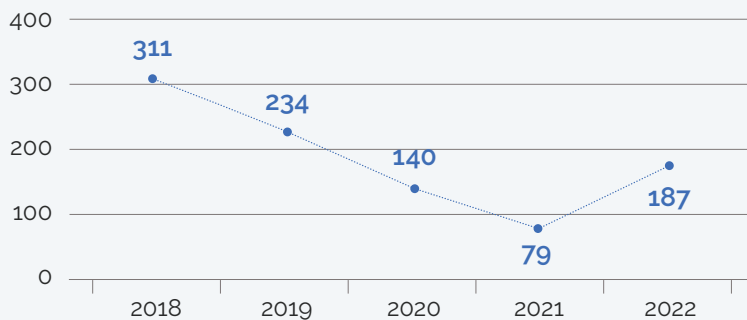
We didn't meet our goals. Our average time was **83.9 days** from filing to decision and **25.1 days** from hearing to decision. We met our service standard **52%** of the time from filing to decision, and **76%** of the time from hearing to decision.

# Appeal Division

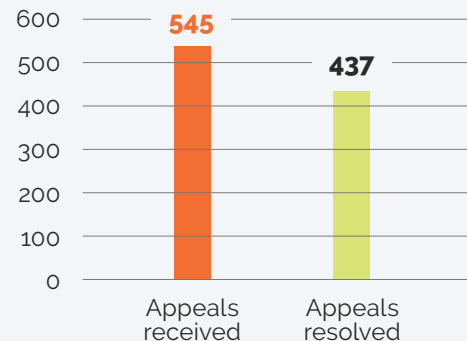
(excludes Employment Insurance group appeals)

## Inventory

### Number of open cases as of March 31

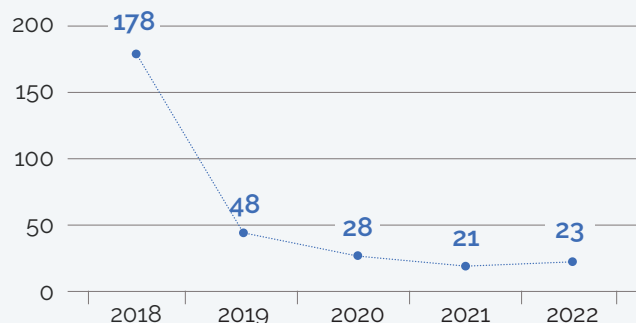


### 2021 – 2022

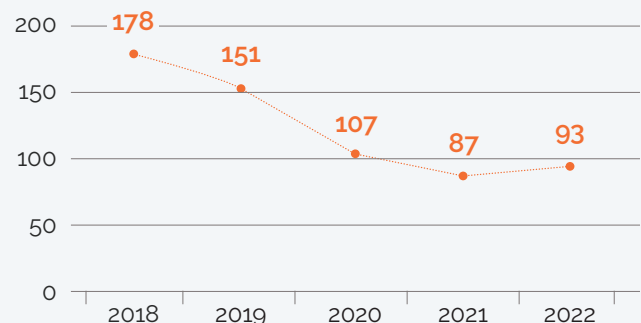


## Processing Times

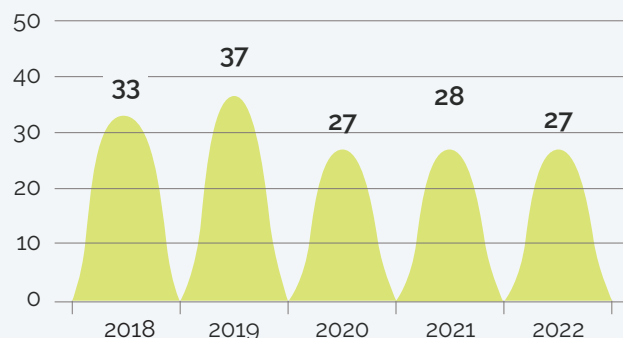
### Number of days from application to decision about permission to appeal as of March 31



### Number of days from permission to appeal to decision as of March 31

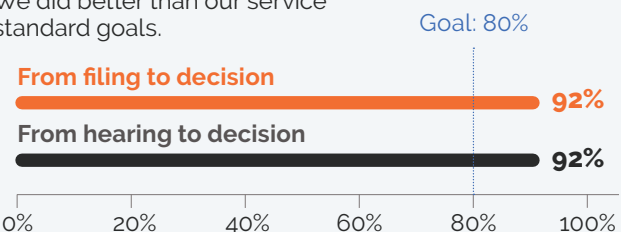


### Number of days from hearing to decision as of March 31



## Service Standards

We did better than our service standard goals.



This year, we wanted to give appellants their decisions about permission to appeal within **45 days** of when they filed their appeals. And we wanted to make a final decision within **150 days** of giving them permission to appeal. We wanted to do this at least **80%** of the time. We did better than our goals! Our average time to give permission to appeal was **23.1 days**. And our average time to make a final decision was **93.1 days**.



# Appeal Division

(excludes Employment Insurance group appeals)

## Appeal Origin

For Income Security appeals, **151 appeals** came from claimants, **17** came from the Minister of Employment and Social Development, and **4** came from Added Parties. For Employment Insurance appeals, **244 appeals** came from claimants, **123** came from the Canada Employment Insurance Commission, and **6** came from Employers.

