



Nova Scotia

NOVA SCOTIA OFFICE OF THE OMBUDSMAN

ANNUAL ACCOUNTABILITY REPORT FOR THE FISCAL YEAR

2013-2014

**FINAL
July 2014**



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ACCOUNTABILITY STATEMENT

The accountability report of the Office of the Ombudsman for the year ending March 31, 2014, is prepared pursuant to the Finance Act and government policies and guidelines. These authorities require the reporting of outcomes against the Office of the Ombudsman Statement of Mandate for the fiscal year 2013-2014. The reporting of the Office of the Ombudsman outcomes necessarily includes estimates, judgments, and opinions by Office of the Ombudsman management.

I acknowledge that this accountability report is the responsibility of the Office of the Ombudsman management. The report is, to the extent possible, a complete and accurate representation of outcomes relative to the goals and priorities set out in the Office of the Ombudsman 2012-2013 Statement of Mandate.

Christine Delisle-Brennan
Acting Ombudsman

MESSAGE FROM THE OMBUDSMAN

This year saw an increase in the overall number of inquiries to our Office, attributed in part to our outreach efforts and on-site visitation process to residential, long term care, and correctional facilities. A number of projects were completed including a provincial review of the Residential Child-Caring Facilities program, with recommendations pending for the respondents and potential changes in the role and activities of our Office. We also completed our first administrative review of the death of a child in receipt of government services, and will report on our findings next fiscal year.

This year the Office hosted the Forum of Canadian Ombudsman National Conference. Feedback from attendees was positive, and is currently planning to host the Canadian Parliamentary Ombudsman annual meeting in 2014-2015.

As part of our outreach efforts, the Office is continuing to explore options of establishing satellite office space outside the Halifax region. A review of our on-site visitation process for adult corrections was completed and recommended adjustments will be implemented in 2014-2015 in keeping with an efficient and effective use of resources.

The Office continue to experience acceptance and implementation of recommendations issued. Recommendations encompassed the development of, or changes to, policy, procedure or legislation. There continues to be a positive response from government to our efforts supporting the use and implementation of internal complaint and alternative dispute resolution processes.

Our role under the Public Interest Disclosure of Wrongdoing Act brought increased activity in inquiries and allegations compared to previous years, including those under the former Civil Service Disclosure of Wrongdoing Regulations. Work continues with government officials with respect to the role and training of Designated Officers.

We remain committed to maintaining an oversight presence in many areas of government service delivery, such as those relating to children, youth, seniors and correctional services.

Christine Delisle-Brennan
Acting Ombudsman

INTRODUCTION

This report is based on the goals, priorities, and performance measures set out in the Office of the Ombudsman 2013-2014 Statement of Mandate and should be read in concert with that report.

The Office of the Ombudsman is comprised of four sections: Investigation & Complaint Services, Youth & Seniors Services, Disclosure of Wrongdoing, and Administration. Permanent staff are appointed by the Ombudsman and approved by the Governor in Council (Section 7(1) of the Ombudsman Act).

FINANCIAL RESULTS

Office of the Ombudsman Estimated Expenditures 2013-2014		
Core Business	Budget	Actual
	(\$ thousands)	(\$ thousands)
Gross Expenses	1681	1640
Net Program Expenses	1681	1640
Salaries & Benefits	1488	1483
Staff (FTE's)	17	16.2

PERFORMANCE MEASURES

We continue to meet or exceed identified performance targets under the Ombudsman Act.

Core Business Area 1: Complaint Resolution

Ensure citizen complaints are addressed in a timely, comprehensive, objective, and independent manner through:

- investigations, reviews, assessments, and referrals
- utilization of alternate dispute resolution (ADR) processes
- formal investigations
- recommendations to improve the delivery of government services

Outcome 1: An efficient and effective (quality) complaint resolution process.

Measure: Timely completion of administrative review investigations and formal investigations.

What Does This Measure Tell Us?

The time frame required to complete administrative review investigations and formal investigations is one of the components which determines our effectiveness.

Where Are We Now?

We exceeded our goal of maintaining the 2008-2009 time frames for completing administrative review investigations. We continued to make adjustments to our intake process, specifically the distribution of assessments and inquiries received within the Office, as well as the assignment of formal investigations. We also maintained our outreach to include monthly site visits to all provincial adult correctional facilities.

Figure 1: Investigation Time Frames*

	2008-2009 (base measure)		2011-2012		2012-2013		2013-2014	
1-7 days	1139	69%	1400	79%	1340	78%	1872	86%
8 days - 4 weeks	257	16%	162	9%	211	12%	185	9%
4 weeks plus	241	15%	215	12%	165	10%	117	5%
Total	1637	100%	1777	100%	1716	100%	2174	100%

*These time frames include youth meetings.

Where Do We Want to Be?

We continue to work towards completing all formal investigations, disclosure investigations, and system/policy reviews within one year. Our quality assurance process and management reviews are working to ensure we meet this goal. We will continue our initiatives to ensure government officials are aware of the role and mandate of this Office as well as their reporting obligations during investigations. We will also continue to work with Designated Officers to expand our initiatives to ensure government officials are aware of their responsibilities under the Public Interest Disclosure of Wrongdoing Act.

Outcome 2: Increased awareness of the role and mandate of the Office and an increased awareness of the Public Interest Disclosure of Wrongdoing Act and Regulations.

Measures: Reduction in the number of formal investigations and increased usage of alternate dispute resolution (ADR), i.e. administrative review investigations.

What Do These Measures Tell Us?

Our focus over the last number of years has been to encourage the resolution of complaints informally. We continue to strive to ensure these resolutions are meaningful and address potentially long term or systemic issues. This approach provides staff with an opportunity to identify and address systemic issues through policy and program reviews. The ratio of administrative review investigations as compared to formal investigations and policy reviews indicates that staff of the Office of the Ombudsman are successfully addressing issues and that government officials are working cooperatively to improve service delivery.

Where Are We Now?

This year, under the Ombudsman Act, administrative review investigations comprised 99%, and formal and own motion investigations comprised 1%. We surpassed our goal of keeping formal investigations, policy/system reviews to less than 8% of investigations.

This year the number of matters addressed increased to 2716 from 2435 the previous year. This includes 1554 administrative review investigations, 17 formal investigations, 603 meetings with youth in care and custody. The Office also addressed 542 non-jurisdictional inquiries.

A significant number of administrative reviews resulted in changes in government policies, procedures, and actions which contribute to improvements in the delivery of government services.

We conducted 17 formal investigations. The Office received 20 allegations under the new Public Interest Disclosure of Wrongdoing Act. Of these allegations, 2 became formal investigations. The remaining allegations were assessed as outside the scope of the Act or more appropriately addressed via another avenue.

Where Do We Want to Be?

We want to maintain the ratio of less than 8% formal investigations as compared to administrative review investigations. We also want to continue to increase the number, scope, and complexity of system and policy reviews.

The 23 inquiries received regarding disclosure of wrongdoing while increased from last year, are below our target of 25. We anticipate this number to gradually increase over the next few years with our outreach initiatives under the new Act and as government and the public become more aware of the Act.

Core Business Area 2: Awareness, access and understanding of the Office of the Ombudsman

Promote citizen and government awareness and understanding of the Office of the Ombudsman. Our communications strategy aims to clarify our role and mandate, and increase citizens' accessibility through:

- presentations/meetings
- pamphlets/brochures
- group targeting (i.e., youth and seniors)
- increased media contact and coverage

Outcome: Increased awareness among Nova Scotians of the principles of administrative fairness, the role and mandate of the Office the Ombudsman, and the Disclosure of Wrongdoing process.

Measure: An increase in the number of contacts with individuals from the previous year who receive information on the role of the Office of the Ombudsman.

What Does this Measure Tell Us?

Increasing the number of individuals receiving information on the role of the Office of the Ombudsman ensures more Nova Scotians are aware and have a better understanding of the Office of the Ombudsman.

Where Are We Now?

This year, the Office reached more than 5,800 people through its outreach efforts, an increase of 18% from last year, well exceeding our target of reaching 3,000 people. The increase is attributed in part to our expanded site visits within correctional facilities, residential care facilities for children and youth and enhanced community outreach.

We conducted 145 site visits to youth in residential, secure care and custody reaching 603 youth.

Approximately 2,554 people visited our information booths, a minimal increase from last year. These include seniors expos, community events and presentations in Truro, Yarmouth, Greenwich, Digby, Shelburne, Halifax, Windsor, and Wolfville.

Over 9,679 pieces of communication material were distributed in this fiscal year. These were a combination of brochures and posters in English, French and Mi'kmaq, lapel pins, the Ombudsman Act, annual reports, magnets, as well as Disclosure of Wrongdoing information packages. Office also held a province-wide children's rights poster contest which drew 460 entries from children across the province.

Ombudsman Representatives also participate on a variety of committees focusing on youth and seniors in order to increase our awareness of youth and seniors' issues; to provide input on program and policy development; and to increase awareness of the overall mandate of the Office.

The use of social media for the purpose of expanding public awareness of the Office increased this year. Our fan page on Facebook has contact information for the Office and the phone number for our youth line. We post information of interest to children, youth and young adults. We use Twitter to announce activities and promote the mandate of the Office. Our number of followers has steadily increased from last year. This year we again participated in media interviews resulting in coverage by both mainstream and social media.

Where Do We Want to Be?

In addition to increased activity in the youth, seniors, and adult correctional service areas, we want to increase our capacity to conduct more outreach initiatives in all areas covered under the Ombudsman Act and the Public Interest Disclosure of Wrongdoing Act and Regulations. This will further enable Ombudsman Representatives to meet with individuals in their communities thus increasing the accessibility of the Office to Nova Scotians.

Core Business Area 3: Fairness and accountability in public sector administration

Promote fairness and accountability in public sector administration through:

- identification of specific and systemic issues
- research and investigation of systemic issues
- issuance of recommendations and monitoring compliance
- education/training

Outcome: Accountability in the delivery of government programs and services.

Measures: The number of administrative review investigations with positive outcomes
 The number of recommendations accepted and implemented
 The number of recommendations resulting in changes to policies and procedure

What Do These Measures Tell Us?

Positive outcomes and acceptance of recommendations by government indicates that the Office of the Ombudsman is conducting effective investigations and reviews, properly identifying the issues within complaints, and offering meaningful recommendations and resolutions.

Where Are We Now?

Ninety-four percent of administrative reviews resulted in positive outcomes, exceeding our goal of 80%.

Administrative Review Investigation

Assistance Rendered	1333
Resolved	32
Properly Implemented	97
TOTAL with Positive Outcomes	1462
Discontinued/Withdrawn	92
TOTAL Administrative Reviews*	1554
<i>*This total does not include 603 meetings with youth in care and custody</i>	

The Ombudsman issued 64 recommendations during 2013-2014. Of the 64 in total, 32 have been accepted by government resulting in changes to policy and procedures. Of the 32 accepted by government, 20 have been implemented, and 12 are being monitored for implementation. Of the 64 recommendations issued, 32 are awaiting formal response of their status (accepted/rejected) by the respective government departments, which this Office is monitoring.

Where Do We Want to Be?

Our goal is to maintain a positive outcome for 80% of our administrative review investigations and continue to strive to obtain 100% acceptance of recommendations. In order to achieve this, we will continue to enhance our working relationship with government and to increase awareness of our role. We will also continue to conduct thorough investigations and develop meaningful recommendations to resolve outstanding issues.

Core Business Area 4: Complaint Prevention/Reduction focusing on youth, seniors, and cultural diversity: Promote initiatives such as government policy development and reviews.

Promote a problem-solving model that embraces prevention, early identification, consultation, and resolution of issues through:

- increasing Office of the Ombudsman presence, particularly with respect to target groups
- building relationships within government and segments of the community
- participating in policy development and review committees/processes
- utilizing alternate dispute resolution (ADR) processes

Outcome 1: Increase the number of reviews of legislation, regulations, and policies.

Measure: The number of requests received by this Office from provincial and municipal government entities to review proposed amendments to legislation, regulations, and policies. The number of own motion and system/policy reviews initiated.

What Does This Measure Tell Us?

Requests initiated by government bodies outside the complaint resolution process indicate that these entities consider our input to be meaningful. It also demonstrates that our efforts to further develop collaborative working relationships are obtaining positive results.

Where Are We Now?

In 2013-2014, we completed two extensive own-motion reviews regarding the provincial residential child-caring program and a child death review.

Where Do We Want to Be?

We would like to continue to increase the number of requests from government officials for our advice and to maintain the number of own-motion investigations and formal system/policy reviews.

Outcome 2: Increased presence in areas relating to youth, seniors, and cultural diversity.

Measure: The number of site visits conducted.

What Does This Measure Tell Us?

Site visits to youth and seniors' facilities allow us to provide our services directly to many youth and seniors residing in provincially licensed facilities.

Where Are We Now?

In 2013-2014, the number of site visits to youth in care and custody is consistent with the previous two years at 145. The number of youth reached during these visits increased substantially to 603 from 410.

Where Do We Want to Be?

Although a slight increase from last fiscal year, we exceeded our goal of conducting 130 site visits. Our goal for next fiscal year is to maintain this number.

We decreased the number of seniors site visits to long term care facilities to 71 from 93, while the number of seniors reached increased to 351 from 203. It is anticipated ongoing revisions to our strategy for seniors will assist us in increasing the impact of our efforts in this area.

PUBLIC INTEREST DISCLOSURE OF WRONGDOING ACT

There were no disclosure of wrongdoing inquiries, allegations, or investigations specific to the Office of the Ombudsman received/submitted in 2013-2014.

Information Required under Section 18 of the Act	Fiscal Year 2013-2014
The number of disclosures received	N/A
The number of findings of wrongdoing	N/A
Details of wrongdoing	N/A
Recommendations and actions taken on each wrongdoing	N/A

The Office of the Ombudsman received 23 disclosure of wrongdoing inquiries/allegations under the Public Interest Disclosure of Wrongdoing Act, and conducted seven investigations in this regard. Four inquiries/allegations received under PIDWA were addressed under the Ombudsman Act, and eight were referred to other appropriate authorities. There were no findings of wrongdoing this fiscal year, although three recommendations under PIDWA were made. Of the three recommendations made, all (three) have been accepted and implemented.