



**Nova Scotia**

# **Office of the Ombudsman**

**Statement of Mandate  
2011-2012**

March 28, 2011

## TABLE OF CONTENTS

Message from the Ombudsman.....	3
Mandate .....	4
Mission.....	4
Government Priorities .....	5
Priorities and Performance Measures. ....	7
Budget Context .....	13



## Message from the Ombudsman

This document has been prepared in keeping with our legislative mandates. This planning cycle focuses on improving our capacity to conduct timely and effective systemic and policy reviews and formal investigations, as well as facilitating early resolutions of complaints through alternative dispute resolution. We will work to address the expanding needs of Disclosure of Wrongdoing and our responsibilities regarding youth, seniors, adult offenders, and other vulnerable groups. We remain committed to making our services known and available to all Nova Scotians and will continue to pursue our community awareness and outreach efforts.

A handwritten signature in black ink that reads "Dwight Bishop". The signature is written in a cursive style with a large initial 'D' and 'B'.

Dwight Bishop  
Ombudsman

## **Mandate**

The Ombudsman is established as an Officer of the House of Assembly, a commissioner for investigations. The Office of the Ombudsman investigates complaints arising from the administration of provincial or municipal laws within Nova Scotia. The Office of the Ombudsman may also initiate investigations of administrative activities and practices, (own motion investigations) or matters referred to it by a committee of the House.

The primary mandate of the Office of the Ombudsman is to review and respond to citizens' concerns arising from the administration of provincial and municipal laws in Nova Scotia. In recent years, the mandate has expanded to include a proactive role in relation to the province's programs and services for youth, seniors, adult correctional facilities, as well as systemic and policy reviews. In 2004, under the province's Civil Service Disclosure of Wrongdoing Regulations, the Ombudsman was given the authority to investigate claims brought forward by provincial civil servants about wrongdoing in the workplace. The role and scope of our responsibilities will be expanded once regulations are passed in relation to the newly enacted Act to Promote Public Interest Disclosure of Wrongdoing.

## **Mission**

Promoting confidence in the public service by promoting the principles of fairness, integrity and good governance.

## Government Priorities

The core priorities of government are:

1. Make health care better for you and your family
2. Create good jobs and grow the economy
3. Get back to balance and ensure government lives within its means

The Office of the Ombudsman priorities are:

1. Quality complaint resolution process (*Complaint Processing - integrity, efficiency and effectiveness*)
2. Access and Awareness of the Office of the Ombudsman (*Education - of public and government officials*)
3. Fairness and accountability in public sector administration (*Public Service Administration and Good Governance - systemic and policy reviews*)
4. Promote initiatives such as government policy development, as well as initiatives focusing on youth, seniors and cultural diversity (*Complaint Prevention/Reduction - emphasis on quality and fairness of services*)

The Office of the Ombudsman's priority of a "Quality complaint resolution process" supports government in achieving the first priority of "Make health care better for you and your family" through our investigative and oversight authority of provincial and municipal government departments, agencies, boards, and commissions. Our focus has resulted in improvement in the areas of youth in care and custody of the province, educational initiatives, senior residential care facilities, including addressing capacity issues, continuing care, and adults in need of protection.

The priority of "Create good jobs and grow the economy" is supported by all of the Office of the Ombudsman's priorities. Effective government programs, fairness, and accountability of government enhances prosperity and promotes a positive working environment within the Province. Recommendations stemming from the Ombudsman Act and Disclosure of Wrongdoing regulations focus on government accountability and policy development.

The third priority of Government "Get back to balance and ensure government lives within its means" is supported by the Office of the Ombudsman first "Quality complaint resolution process" and third priority "Fairness and accountability in public sector administration". Our oversight role results in more effective delivery of government services, enhanced fairness, and accountability.

The Office of the Ombudsman has taken a number of measures to insure our fiscal responsibility, including diverting administrative resources to operations, decreasing investigation time frames by increasing the emphasis on a facilitative approach to complaint resolution, maintaining and

training a roster of full and part time employees. The roster creates operational efficiencies during job absences and prevents lapses in investigations, both in terms of quality and time frames.

Please also refer to Ombudsman Annual Reports located at

<http://gov.ns.ca/ombu/publications.htm>

<b>Performance Measures</b>					
<b>Complaint Resolution</b>					
<b>OUTCOME</b>	<b>MEASURE/ RATIONALE</b>	<b>DATA Base Year 2005-2006</b>	<b>TARGET YEAR 2013-2014</b>	<b>TRENDS</b>	<b>STRATEGIES to achieve target</b>
An efficient and effective complaint resolution process.	Timely completion of administrative review investigations.	2005-2006 (Base Year) 1-7 days 55.9% 8 days - 4 wks 14.8% 4 weeks + 29.2%	2013-2014 Maintain 2008-2009 ratio	2006-2007 1-7 days 60.6% 8 days - 4 wks 17% 4 weeks + 22.4%  2008-2009 1-7 days 55 % 8 days - 4 wks 25% 4 weeks + 20%  2009-2010 1-7 days 73 % 8 days - 4 wks 13% 4 weeks + 14%	Conduct annual performance appraisals, revise work plans, education, and training initiatives, including mentoring.  Monitor percentage of jurisdictional and non-jurisdictional matters being brought to our attention.  Amend Ombudsman Act to recognize facilitative process and to clarify access to information.

## Performance Measures

### Complaint Resolution

OUTCOME	MEASURE/ RATIONALE	DATA Base Year 2005-2006	TARGET YEAR 2013-2014	TRENDS	STRATEGIES to achieve target
	Timely completion of formal investigations & system reviews.	2005-2006  (Base Year) Complete 60% of formal investigations and system reviews within 12 months (from date moved from administrative review investigation).	2013-2014  Maintain 2009-2010 time frame of completing 70% of formal investigations and system reviews within 12 months.	2009-2010  we opened 16 formal investigations, 6 or policy/system reviews, 5 own motion investigations, 5 disclosure investigations. 10 investigations were closed with an average length of 7 months. 4 investigations with recommendations being monitored averaged 7.5 months. 13 formal investigations or system reviews carried over into 2010-2011 (averaged 5 months when carried over.)	Review and revise quality assurance process and monitor progress.  Conduct regular management meetings focusing on files in excess of 3 and 6 months to ensure optimal operational efficiency  Amend Ombudsman Act to recognize facilitative process.  Continue to work to have File Net developed and implemented.



Complaint Resolution					
OUTCOME	MEASURE	DATA Base Year 2004-2005	TARGET YEAR 2013-2014	TRENDS	STRATEGIES to achieve target
A high percentage of resolutions addressed through administrative review investigations, resulting in less formal investigations; increased public confidence and accountability of government.	Maintain a lower percentage of formal investigations compared to administrative review investigations.	2004-2005 Formal investigations 14 (1%)	2013-2014  Maintain percentage of formal investigations at 5% or less.	2006-2007 Formal investigations -16 (1.4%) 2007-2008 Formal investigations -33 (2%) 2008-2009 Formal investigations -24 (2%) 2009-2010 - 27 Formal investigations (2%)	Educate government officials and public servants on the role and mandate of the Office of the Ombudsman.  Increase use of alternative dispute resolution processes.  Amend Ombudsman Act to recognize facilitative process and to clarify access to information.
Increased awareness of the expanded role and mandate of the Office of the Ombudsman as it related to the Disclosure of Wrongdoing Act.	Increase in the number of disclosure of wrongdoing file assessments and investigations.	New legislation was passed in 2010, Regulations are being developed  2004-2005 (Civil Service Disclosure of Wrongdoing Regulations)  file assessments - 5 Investigations -0	maintain file assessments to 20-25  investigations 2-4	2006 - 2007 file assessments - 16 Disclosure investigations - 2 Ombudsman administrative reviews - 3 2007-2008 file assessments - 21 Disclosure investigations - 1 Ombudsman investigations -1 2008-2009 file assessments - 20 Disclosure investigations - 0 Ombudsman investigations - 2 2009-2010 file assessments - 23 Disclosure investigations - 5 Ombudsman investigations -2	Educate government officials and public servants about the Disclosure of Wrongdoing Act.  Collaborate with the PSC and Justice regarding wrongdoing regulations  Refine internal investigation process to allow fro expanded role and scope.

Awareness, access and understanding of the Office of Ombudsman					
OUTCOME	MEASURE/ RATIONALE	DATA BASE YEAR 2004-2005	TARGET YEAR 2013-2014	TRENDS	STRATEGIES to achieve target
Increased awareness of the principles of administrative fairness, the role and mandate of the Office the Ombudsman and the Disclosure of Wrongdoing process.	The number of individuals receiving information on the roles and mandates of the Office	Individuals reached  2004-2005 -1710	2013-2014 Maintain 2009-2010 target of approximately 3000	Individuals reached  2005-2006 - 1975  2006-2007 - 2711  2007-2008 - 2700  2008-2009 - 3700 (exceeded target)  2009-2010 -5600 (exceeded target)	Enhance our communication strategy by targeting public, government officials, civil servants, seniors, youth, and other designated groups. Increase the number and frequency of site visits/information sessions in relation to youth and seniors. Distribute information regarding the Ombudsman and the Disclosure of Wrongdoing Acts. Increase distribution of materials in French. Provide bilingual website. Encourage the display of the <i>Bonjour</i> sign and encourage staff to enhance ability to provide services in French. Distribute pins depicting our logo.

<b>Fairness and accountability in public sector administration</b>					
<b>OUTCOME</b>	<b>MEASURE/ RATIONALE</b>	<b>DATA Base Year 2007-2008</b>	<b>TARGET YEAR 2013-2014</b>	<b>TRENDS</b>	<b>STRATEGIES to achieve target</b>
<b>Accountability in the delivery of government programs and services.</b>	<b>Number of administrative review investigations, formal investigations and system reviews with positive outcomes.</b>	<p>2007-2008 Administrative review investigations: percentage with positive outcomes 80%. Assistance rendered to the complainant 730, resolved for the complainant 160, resolved for the public body 98, settled between the parties 24. Total with positive outcomes - 1012. Discontinued /withdrawn - 160 reviews carried into next fiscal year - 64. Formal investigations - 33</p>	<p>2013-2014 Maintain the percentage of administrative review investigations with positive outcomes at 80%</p>	<p>2009-2010 Percentage with positive outcomes 88%. Assistance rendered - 802 resolved for the complainant 117, resolved for the public body - 125 settled between the parties 14. Total - 1058 Discontinued /withdrawn - 83 Reviews carried into next fiscal year - 58. Formal investigations - 27 Ombudsman Act, 5 Disclosure Total 32</p>	<p>Enhance relationship with government.</p> <p>Increase public and government's awareness of the role of the Office.</p> <p>Participate in consultation with government relating to the delivery of programs and services provided.</p> <p>Provide monthly, quarterly and biannual reports to departments on issues relating to youth and adult offenders.</p> <p>Continue to monitor implementation of recommendations.</p>
	<p><b>Number of formal recommendations implemented.</b> <b>Number of recommendations resulting in policy/procedure changes</b></p>	<p>2007-2008 Formal investigations and system reviews: 37 formal recommendations were made. 13 were accepted and implemented, 5 involved changes to policy or procedures. 23 were being monitored at the end of the 2007-2008 fiscal year, 9 included changes to policy and procedures, 1 rejected. 23 recommendations arose from Disclosure of Wrongdoing investigations (Office total 60).</p>	<p>Maintain the 2008-2009 number of changes to policies and procedures.</p> <p>2008-2009 27 formal recommendations, 18 involved changes to policy or procedures. 12 were implemented, 10 were being monitored at the end of the 2008-2009 fiscal year, 2 have been accepted in principle, 2 are being considered. 1 rejected.</p>	<p>2009-2010 37 formal recommendations, 25 involved changes to policy or procedures. 13 - implemented, 20 - being monitored at the end of the fiscal year, 3 - not accepted. No recommendations arose from Disclosure of Wrongdoing investigations. 24 made in previous years were being monitored.</p>	

**Promote initiatives such as government policy development and review, as well as initiatives focusing on youth, seniors, and cultural diversity**

<b>OUTCOME</b>	<b>MEASURE/RATIONALE</b>	<b>DATA Base Years</b>	<b>TARGET YEAR 2013-2014</b>	<b>TRENDS</b>	<b>STRATEGIES to achieve target</b>
Address requests from government for reviews of legislation, regulations and policies.	Number of requests for reviews by government.	2005-2006 - 2	2013-2014 Conduct 3-6 reviews.	2006-2007 - 2 2007-2008 -3 2008-2009 -4 2009-2010 -6	Communicate to government officials our willingness to participate in requests for reviews.
Conduct reviews of legislation, regulations and policies associated with investigations.	System reviews & own motion investigations.	2006-2007 - 5 2007-2008 - 10	Conduct 5-7 system reviews & own motion investigations	2007-2008 - 10 2008-2009 - 9 2009-2010 -1	Identify opportunities for such reviews through management reviews and file monitoring (trends).
Increase presence within communities, areas relating to youth, seniors, and cultural diversity and government.	Number of site visits conducted.	2006-2007- 110 Youth 4 Seniors 7 Adult Offenders 121 Total	number of site visits 130 +	2008-2009 155 Youth 18 Seniors 13 Adult Offenders  2009-2010 170 Youth 59 Seniors 12 Adult Offenders	Increase presence and provide accessibility to seniors, youth, and other designated groups through site visits and education initiatives.  Expand the use and subject base of Youth Evaluation Interviews for youth in care and custody of the Province.

## BUDGET CONTEXT

<b>Office of the Ombudsman</b>			
	<b>2010-2011 Estimate</b>	<b>2010-2011 Actual</b>	<b>2011-2012 Estimate</b>
Program & Service Area	(\$thousands)	(\$thousands)	(\$thousands)
Gross Expenses	1649	1649	1598
Salaries and Benefits	1425	1425	1421
<b>Staff (FTEs)</b>	17	17	17