



Nova Scotia

**NOVA SCOTIA OFFICE OF THE OMBUDSMAN
ANNUAL ACCOUNTABILITY REPORT FOR THE FISCAL
2014-15**

July 2015



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ACCOUNTABILITY STATEMENT

The accountability report of the Office of the Ombudsman for the year ending March 31, 2015, 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 2014-2015. 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 2014-2015 Statement of Mandate.



Christine Delisle-Brennan
Acting Ombudsman

MESSAGE FROM THE OMBUDSMAN

This year the Office has undergone a period of transition, however service delivery has gone on uninterrupted, and the Office remains committed to fully exercising our mandate.

Throughout the fiscal year a number of projects were completed, including the report of our findings from an administrative review into the death of a child in care. The report was made public in July of 2014. We also commenced, and have been conducting, an in depth investigation of a public body, as well as preparing for our application to the Nova Scotia Court of Appeal on a question of our jurisdiction to investigate a matter.

In preparation for the April 1, 2015 'go live' target, our new Client Relations Management database system was prepared by a committee of office representatives and technology professionals. It is expected this new database will help update our client and records management process, streamline reporting, provide Ombudsman Representatives with better tools to access information needed to enhance and perform their duties, as well as bring our software in line with provincial technological priorities.

This year we had the pleasure of undertaking preparations to host the annual meeting of the Canadian Council of Parliamentary Ombudsman. This two day meeting, held in June 2015, provides ombudsman from across the country an opportunity to discuss topics such as administrative fairness and investigative techniques and strategy.

The Office remained committed to developing our approach to public outreach, in order to help all Nova Scotians who require our service. An outreach strategy was developed for the year which included tools and tactics aimed at growing awareness around the role of our office among youth and seniors. Included in this strategy was a renewed focus on social media.

As a result of our internal review on adult corrections site visitation process in the previous fiscal year, this Office implemented a new approach to complaint resolution among adult corrections. This has reduced the overall volume of complaints to this Office originating from correctional facilities, while continuing to ensure that inmate and staff concerns are being addressed.

We remain dedicated in our role as an oversight body for government service delivery.



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 2014-2015 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. 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		
2014-2015		
Core Business	Budget	Actual
	(\$ thousands)	(\$ thousands)
Gross Expenses	1682	1682
Net Program Expenses	1503	1278
Salaries and Benefits	1503	1278
Staff (FTE's)	17	16.9

PERFORMANCE MEASURES

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 complaint resolution process.

Measure: Timely completion of reviews and 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 exceed our goal of maintaining the 2008-2009 time frames for completing administrative review investigations, and ensuring effective and efficient complaint resolution. We built on our previous year's success and saw a higher proportion of investigations completed within one to seven days. We've continued our outreach efforts to provincial adult correctional facilities as well as youth care facilities.

Figure 1: Investigation Time Frames

Investigation Time Frames								
	2008-2009 (Base measure)		2012-2013		2013-2014		2014-2015	
1-7 days	1139	70%	1340	78%	1872	86%	1902	88%
8 days - 4 weeks	257	16%	211	12%	185	9%	126	6%
4 weeks plus	241	15%	165	10%	117	5%	124	6%
Total	1637	100%	1716	100%	2174	100%	2152	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.

In 2015-2016, our Office will be implementing a new database/computer system, which we believe will facilitate our continued success in this area.

We aim to continue maintaining the 2008-2009 time frames.

Outcome 2: A high percentage of resolutions addressed through administrative review investigations, resulting in less formal investigations; increased public confidence and accountability of government.

Measure: Maintain a low percentage of formal investigations compared to 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, our Office completed 6 formal investigations, compared to 1378 administrative reviews. In total, formal investigations represented less than one percent of the 2152 matters addressed by the Office.

We successfully maintained a low ratio of formal investigations to administrative reviews; compared to 2004-05, our base year for this statistic, both the number of formal investigations and the ratio of formal investigations to administrative reviews has decreased. This success can be attributed to cooperation within government and an encouragement of informal complaint resolution techniques.

Where do we want to be?

Our goal for the coming year is to maintain a low number of formal investigations; specifically, we will aim for 1% or less formal investigations. Our Office has been experienced success in this area, so to achieve this goal, we will focus on continuing to support alternate dispute resolution processes, while also continuing to educate both the public and government vis-a-vis the role of our Office.

Outcome 3: Increased awareness of the expanded role and mandate of the Office of the Ombudsman in relation to the Public Interest of Disclosure of Wrongdoing Act.

Measure: Increase in the number of disclosure of wrongdoing Inquiries and Investigations.

What do these measures tell us?

This year, we have focused on expanding citizen knowledge and understanding of the Office. These measures tell us how well we've educated government officials, and Designated Officers about the Public Interest Disclosure of Wrongdoing Act.

This measure also tells us how well we've refined the internal investigative process to allow for expanded role and scope of disclosure of wrongdoing.

Where are we now?

This year, we've focused on expanding citizen knowledge and understanding of the Office; specifically, we created a new outreach strategy which we implemented through site visits. Public interest disclosures were down from last year. Of the 10 disclosure inquiries our Office did receive, none produced formal recommendations.

Where do we want to be?

We would like to bring our disclosure numbers back up to 2013-2014 standards. To do so, we will continue implementing our identified strategies in this area. We will continue to refine the internal investigation process to allow for an expanded role and scope for disclosure of wrongdoing, including providing ongoing feedback on the Public Interest Disclosure of Wrongdoing Act and Regulations. We will also establish and develop a toolbox for Departments and Designated Officers conducting investigations.

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 1: 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.

Informing Nova Scotians about the disclosure of wrongdoing act provides citizens and government employees the opportunity to disclose government wrongdoing in a secure and independent environment.

Where are we now?

This year the office re-oriented how it has dealt with outreach efforts. Due to these changes, the overall numbers of outreach activities have gone down. A new outreach strategy was created which was designed to connect our office with those most at risk such as youth and seniors, while also implementing cost savings by reducing the requirement for travel. Based on the new strategy fewer site visits and presentations will be able to deliver our message better, by using new technologies such as social media, digital conferencing, and by selecting areas where we will be most effective to employ our outreach resources.

Where do we want to be?

While it takes time to implement a new strategy and to make it effective, we are confident that our re-focused efforts will lead to an increase in the overall number of Nova Scotians who hear our message.

Using our new outreach strategy, we will continue to increase site visits for youth and seniors, interact with the public, and generally increase awareness

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

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

Measure: Number of administrative review investigations, formal and own motion investigations with positive outcomes. Number of formal recommendations implemented.

What does this measure 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-two percent of administrative reviews resulted in positive outcomes, exceeding the goal of 80%.

Assistance Rendered	663
Resolved	18
Properly Implemented	94
Total with positive outcome	775
Discontinued / Withdrawn	65
Total Administrative Reviews*	840
*This total does not include meetings with youth in care/custody	

The Ombudsman issued 5 recommendations during 2014-2015. Of the 5 recommendations, 1 has been accepted by government resulting in changes to policy and procedure. The 4 remaining recommendations are in the interim stage.

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

We believe that policy review and development is integral to mitigating complaints and promoting a positive relationship of government and the public. Often times the cause of a well-founded complaint stems from outdated or under-examined policy. As the public's interaction with government adjusts over time the result can be ineffective policies that do not achieve their intended goal. We encourage departments, agencies, boards, and commissions to review and update their policy on a regular basis. If an outside perspective on a policy is required this office can take on the task of performing an independent policy review at our own discretion, or at the request of a department or agency.

This Office also focuses on interacting with vulnerable or historically marginalized groups by targeting these groups through outreach activities such as formal presentations and site visits and by expanding the use of evaluation tools such as the Youth Evaluation Interviews for youth in the custody and care of the Province.

Outcome 1: Conduct reviews of legislation, regulations, and policies associated with investigations.

Measure: Number of requests for reviews by government. Number of system reviews and own motion investigations.

What does this measure tell us?

Our intention is to communicate to government officials our willingness to participate in requests for reviews. Greater numbers of requests would indicate that government is willing to commit to independent policy review. We also intend on identifying opportunities for such reviews through management reviews and file monitoring (trends). The trend over the last four fiscal years has been down from six requests in the 2009-2010 fiscal year to just one in 2012-2013

While requests for review have been trending down, the overall numbers of system reviews and own motion investigations has gone up. During the 2009-2010 fiscal year there was one, but in the 2012-2013 fiscal year there were fifteen overall reviews.

Where are we now?

While we conducted 4 system reviews this year, only one was requested by a department. That total is on par with the previous year but is under our target of 2 to 3 requested reviews. This can be attributed to the fact that reviews are now sometimes done as standard practice by this Office, rather than being directly requested each year.

In 2014-2015, by combining the 4 system reviews, as well as 2 own motion investigations, the total number of overall reviews was 6. This number is down from the previous year where we had fifteen total between the two review types. While there appears to be a discrepancy between this year's total and the five year trend, we have to take into account the baseline. In 2006-2007 the total was 5 and based on an average total from the base year to this fiscal year we are near the average of 7 total complaints. The total for this year of 6 is in the target range of 5-7 set for the year.

Where do we want to be?

Greater efforts may need to be made to communicate with government officials our intentions with policy reviews. Nevertheless it is up to those officials to make the request. Own motion investigations are another way we can review systemic policy issues. This Office is committed to determining areas where potential systemic issues may indicate a need for policy review, but the determination to carry out these types of investigations are always dependent on the types of complaints we receive, on the evidence of issues, and where believe a policy review is warranted.

Regardless of the direction we take with system reviews and own motion investigations, we intend to continuing monitoring trends in order to manage reviews, identify opportunities for reviews, and to determine factors indicative of future policy driven complaints.

Outcome 2: Increase presence within communities, areas relating to youth, seniors, and cultural diversity and government.

Measure: Number of site visits conducted

What does this measure tell us?

Site visits and other tools such as educational initiatives ensure robust service delivery by increasing presence and provide accessibility to seniors, youth, and other designated groups. Many complainants in these groups may feel isolated by their circumstances, are averse to making complaints over the phone, or are otherwise limited in their capacity to make complaints other than in person. Our annual number of site visits lets us know how many people we can reach and how many we can provide access to the complaint process as well as educational tools like presentations or evaluation interviews.

Where are we now?

Our target for 2014-2015 was to conduct 130 site visits, we were able to conduct 128. In the past we have reported on three types of site visits: youth facilities (youth corrections, residential care, etc.), senior long-term care facilities, and adult correctional facilities. In 2013-2014 we conducted a total of 247 site visits with 136 youth, 71 seniors, and 40 adult corrections. In 2014-2015 we conducted 110 youth and 18 corrections. While Ombudsman Representatives attended seniors' facilities, no formal site visits were scheduled. There are two reasons for the discrepancy between this year and the prior. First, efforts were made to decrease complaints received by this Office from adult corrections. This has been effective and has resulted in a decrease for an on-site corrections presence. Second, our approach to senior facility site visits has changed over the year to better facilitate communication with those who are positioned to help with seniors issues. The Office created a program of outreach presentations to educate long term care facility staff, resident councils, and family councils on the role of our office and how we can be helpful to them.

Where do we want to be?

In coming years we want to continue to visit as many youth in care and custody of the province as possible. We also want to continue growing our new approach to senior outreach by targeting the resident and family councils most eager for presentations and information from our Office. If residents or their representatives have issues they are being made aware of, our representatives are more than willing to set up visits, provide information sessions, and process complaints.

In the coming year we also want to make greater efforts to specifically incorporate traditionally marginalized groups, such as diversity groups, into our outreach efforts.

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 2014-2015.

Information Required under Section 18 of the Act	Fiscal Year 2014-2015
The number of disclosures received	N/A
The number of findings of wrongdoing	N/A
Details of wrongdoing	N/A
Recommendations and actions on each wrongdoing	N/A

The Office of the Ombudsman received 10 disclosure of wrongdoing inquiries/allegations under the Public Interest Disclosure of Wrongdoing Act (PIDWA). There were no formal investigations generated from these inquiries/allegations under the PIDWA. Furthermore, none of the inquires/allegations under PIDWA were addressed under the Ombudsman Act, however three were referred to the appropriate authorities. There were no findings of wrongdoing this fiscal year and no recommendations under PIDWA were made.