

2017-2018

Annual
Report

Office of the
Ombudsman

"...fairness, integrity, good governance"

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Ombudsman Annual Report 2017- 2018
Office of the Ombudsman
September 2018

September 2018

The Honourable Kevin Murphy
Speaker of the House of Assembly
Legislative Assembly of Nova Scotia
Province House
Halifax, Nova Scotia

Dear Speaker Murphy,

In accordance with subsection 24(1) of the Ombudsman Act, chapter 327 of the Revised Statutes of Nova Scotia, 1989, and section 28, subsections (1) and (2) of the Public Interest Disclosure of Wrongdoing Act, Chapter 42 of the Acts of 2010, I have the pleasure of presenting to you, and through you to the House of Assembly, the annual report on the exercise of my functions under those acts for the fiscal year ending March 31, 2018.

Respectfully,



William A. Smith
Ombudsman

MESSAGE FROM THE OMBUDSMAN



**William A. Smith,
Ombudsman**

As Ombudsman, I am continuously encouraged by the individuals who seek assistance from this Office. Not only due to the difficulties that many have faced when they finally come to an Office of last resort, but also due to so many Nova Scotians who are genuinely pursuing better outcomes from their government.

This Office has one of the largest mandates in the country for an Ombudsman Office, with three key oversight functions. First, pursuant to the Ombudsman Act, we help to resolve public complaints regarding the administration of provincial and municipal government. This includes all municipal units, provincial departments, agencies, boards, and commissions. Second, we work with several departments and agencies who provide services directly to children, youth, and seniors in the care of the province, to help better those services provided, and to function as a safeguard when complaints arise from those services. Thirdly, this Office receives and investigates Disclosures of Wrongdoing from public servants and the public. When a “whistleblower” comes forward with a disclosure of wrongdoing by public servants, we are positioned to respond or to investigate those concerns. This is achieved through the Public Interest Disclosure of Wrongdoing Act. Having these three functions also helps to ensure less bureaucratic hurdles for those seeking help with complex or overlapping issues.

I would encourage all Nova Scotians to take some time and review this report, whether as a member of the public or a public servant. This report is designed to provide you with insight into how the Office of the Ombudsman works for fairness and integrity within government. My hope is that readers find a greater understanding of how beneficial an independent oversight body can be, as well as how we work toward good governance in Nova Scotia.

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Mission

Promote the principles of fairness, integrity, and good governance.

Role and Mandate

Ensure government decisions and processes are fair, consistent, and transparent. Our mandate applies to individuals who receive services from, or are impacted by, provincial and municipal governments.

Provincial government employees and members of the public have an avenue to submit allegations of government wrongdoing to the Ombudsman under the Public Interest Disclosure of Wrongdoing Act (PIDWA).

Organization

Administration The Office Manager fulfills most administrative and business functions and is a committee member for the Occupational Health and Safety Legislative Committee.

The Records Analyst manages the office's program of records control and retention, adhering to provincial standards.

Managers and the Executive Director supervise staff, oversee investigations, and provide advice to the Ombudsman.

Investigation and Complaint Services (I&CS) The Complaint and Assessment Analyst provides initial intake, assessment, and referrals, and creates records of all inquiries.

Ombudsman Representatives conduct investigations, including Own Motions (self-initiated, in-depth reviews of potential systemic issues in policy or process) and systemic reviews. The unit addresses departmental services, adult corrections, municipal services, and many other inquiries and complaints.

Staff also provide regular outreach visits to inmates in provincial correctional facilities to advise of our services and discuss complaints in person.

ABOUT THE OFFICE

Youth and Seniors Services (Y&SS)

Ombudsman Representatives review, investigate, and report on the concerns of children, youth, parents, guardians, and those working in government child and youth residential care and custodial facilities. Ombudsman Representatives examine issues and complaints affecting senior citizens, particularly those who reside in provincially licensed long-term care (LTC) facilities.

Staff also provide regular outreach visits to Residential Child Care Facilities, Wood Street Secure Care, the Nova Scotia Youth Centre (Waterville), and the Cape Breton Youth Detention Facility (Sydney).

The Ombudsman is an executive member of the Canadian Council of Child and Youth Advocates (CCCYA), and Ombudsman Representatives sit on various CCCYA working groups.

Human Resources

The Office of the Ombudsman is committed to providing a workplace that is free of discrimination and promotes equality of opportunity for all persons seeking employment with the Office.

The Office has 17 full-time positions, including that of Ombudsman. It continues to benefit from a roster of supplemental trained employees, co-op and student work placements. The casual roster enables the Office to accommodate staff vacancies while continuing to carry out in-depth investigations.

This year, we hosted one student each from the following post-secondary programs:

- Master of Public Administration, Dalhousie University
- Juris Doctor (JD), Schulich School of Law, Dalhousie University
- Bachelor of Social Work, Dalhousie University
- Office Administration, NSCC
- Criminology, Eastern College

We also hosted a student from the Master of Arts in Children's Rights Studies program at the University of Geneva, Switzerland.

Memberships

The Ombudsman is a member of the Board of Directors for the Forum of Canadian Ombudsman and Treasurer for the Canadian Council of Parliamentary Ombudsman.

Training and Professional Development

This year our staff participated in the following training and professional development opportunities:

Internal and Public Service Commission Training

- Management Leadership Development Program
- Unpacking White Privilege and Employment Equity in the Workplace
- LGBTI Network AGM
- Global Accessibility Awareness Day Event
- Emergency First Aid
- Non-Violent Crisis Intervention
- Mental Health First Aid
- Presentation Skills
- Diversity and Employment Equity
- Supporting Survivors of Sexual Violence
- Project Management
- Cybersecurity Awareness

External Training

- International summer course on the Rights of the Child
- Youth Engagement training
- “Sharpening Your Teeth” Investigative Training
- Managing Unreasonable Complainant Conduct
- Applied Suicide Intervention Skills Training (ASIST)

Finances

The Office of the Ombudsman’s 2017-2018 budget is shown in (*Figure 1*). The Office spent 92.4% of its budget. The variance in budgeted and actual expenses reflects savings in operational costs (i.e. position vacancies). The increase in spending on salaries from previous years is due to government’s implementation of revised pay levels for employees excluded from bargaining units.

Figure 1

OFFICE OF THE OMBUDSMAN 2017-2018		
CORE BUSINESS	ESTIMATE (\$ THOUSANDS)	ACTUAL (\$ THOUSANDS)
BUDGET	1791	1654
NET PROGRAM EXPENSES	263	284
SALARIES AND BENEFITS	1600	1458
LESS CHARGEABLES	-72	-88
STAFF (FTEs)	17	16.1

Travel and Hospitality Expenses for the Office of the Ombudsman are disclosed on our website. This information will be posted quarterly on an ongoing basis. This data has been available online since March, 2018 and includes information dating back to April 1, 2016 which complies with a directive of the Department of Finance and Treasury Board issued in September, 2016. Unfortunately, due to a failure in communication this Office was not made aware of the existence of such a directive until March, 2018, consequently we undertook to comply as soon as we were informed.

CASE STUDY #1

While reviewing a complaint against the Employment Support and Income Assistance (ESIA) division of Community Services, this Office was advised by a caseworker that caseworkers may only attempt to contact a new applicant once to follow-up on any outstanding information in their application, whether or not a caseworker is able to leave a message. While the initial complaint was addressed through the administrative review process and the file closed, this Office continued to have concerns regarding this communication practice.

The Ombudsman Representative followed-up with the Regional Manager, who confirmed that the number of attempts to contact a client is not outlined in policy and while some caseworkers may leave one message, others may make additional attempts at contact. Concerns with this practice and the reported inconsistencies between caseworkers in communication with applicants were forwarded to the Executive Director of ESIA.

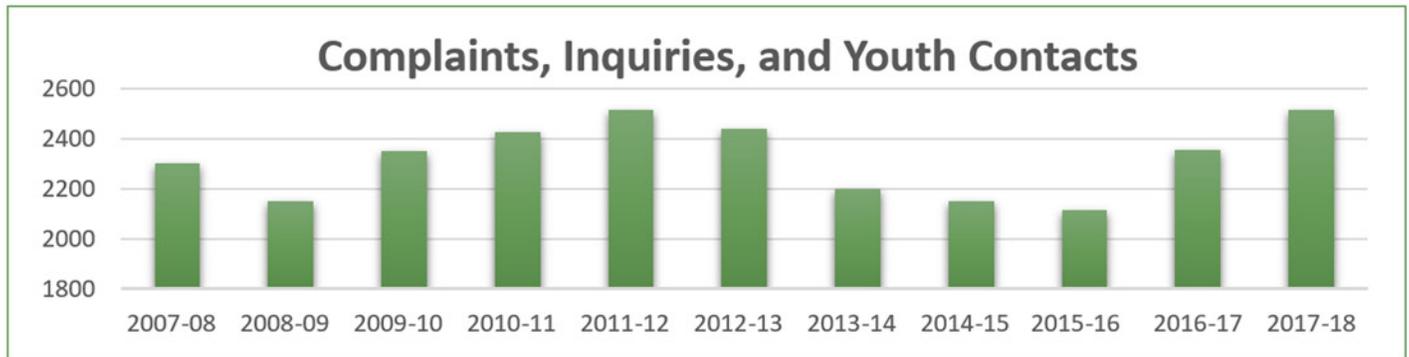
A meeting was held between ESIA and this Office regarding the issue. During the meeting the ESIA Specialist suggested discussing this issue at an upcoming meeting with ESIA Supervisors. The Specialist confirmed they discussed the issue, including the expectation that caseworkers who are unable to leave a message when they attempt contact with an applicant make a second call. If still unable to reach or leave a message for the applicant, a letter should then be sent to the applicant requesting they contact the caseworker to proceed with the application.

Based on the actions taken by ESIA to address the concerns, the file was closed. However, this Office will continue to monitor trends in complaints involving ESIA, including those that involve communication practices.

Key Facts and Figures

In 2017-18, the Office addressed 2517 complaints and meetings with youth in care, an almost 7% increase from last year, and consistent with a 10-year pattern of annual totals surpassing 2100 (*Figure 2*).

Figure 2



This total includes 1871 complaints or requests for information that are within jurisdiction, including 1259 that were resolved at the intake assessment stage, 596 administrative reviews, 8 own motion and policy reviews, and 4 formal investigations (*Figure 3*).

There were 504 non-jurisdictional complaints, and 646 in-person meetings with youth in care and custody (*Figure 4*).

Figure 3

Figure 4

Reviews/Complaints/Meetings

Results of Reviews/Complaints

- 1259** Intake Assessments
- 596** Administrative Reviews
- 4** Formal Investigations
- 3** PIDWA- Admin
- 0** PIDWA- Formal
- 8** Own Motion/Policy Review
- 1** Other
- 1871 Total Reviews/Complaints**
- 646** Meetings with Youth in Care or Custody
- 2517 Total New Matters in 2017-2018**

- 1309 Jurisdictional**
- 975** Assistance Rendered
- 81** Resolved
- 11** Settled
- 41** Properly Implemented
- 95** Discontinued by Complainant (Withdrawn)
- 106** Discontinued by Ombudsman
- 504 Non-Jurisdictional**
- 73** Court or Tribunal
- 11** Elected Official
- 125** Federal
- 188** Private
- 63** Self-Regulating Body
- 44** Other
- 32 Other Outcome**
- 1845 Total***

** Total excludes meetings with youth in care and files still open at year end.*

Jurisdictional and Non-Jurisdictional Complaints

All inquiries and complaints are assessed to determine if they fall under one of two acts, the Ombudsman Act or the Public Interest Disclosure of Wrongdoing Act (PIDWA). Issues that do not fall under either act may be considered for avenues of appeal or referral information that can be provided to the individual contacting the Office. 26.9% of matters addressed by the Office in the year under review were non-jurisdictional. This calculation excludes visits with youth in care. There are six categories of non-jurisdictional matters that are tracked when the Complaint and Assessment Analyst inputs the data in the Customer Relationship Management (CRM) software. Of the 504 matters deemed non-jurisdictional:

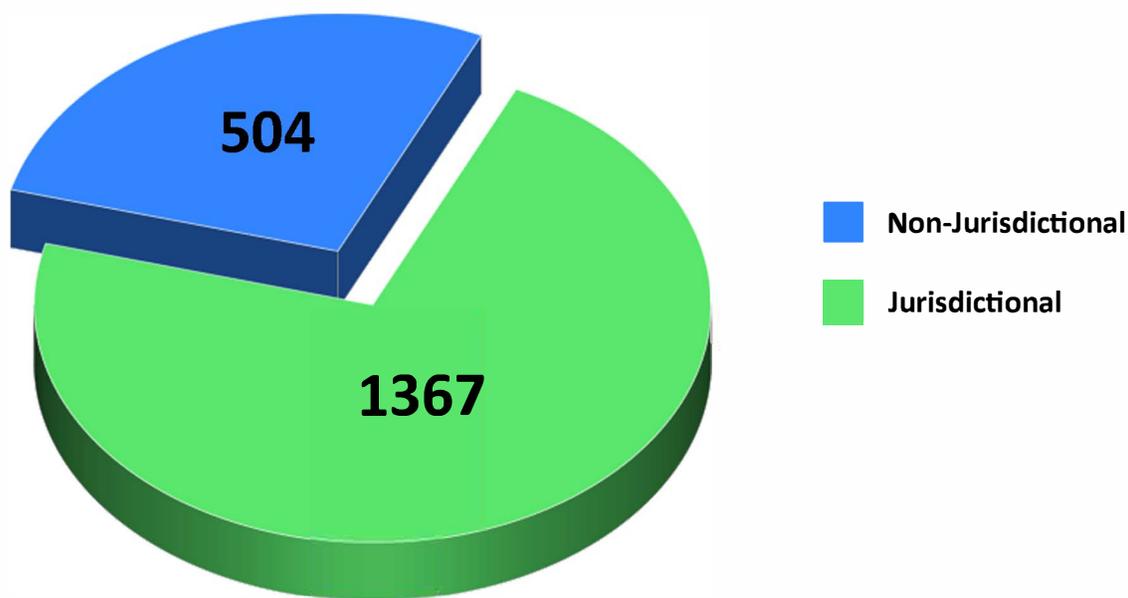
- 73 were regarding legal or court proceedings
- 11 related to the decisions of elected officials
- 125 were regarding the Federal government
- 63 were about professional or self-regulating bodies, and
- 232 related to private business and other matters.

Whenever possible, we refer people to organizations like federal and private industry ombudsman, legal assistance groups, and other oversight bodies. Although this service is not technically a component of our mandate, it was determined that assisting the public in this way helped to further educate about our role, and in the long-term, enables this Office to provide better service to those who have issues qualifying under one of our Acts.

Resolution Timelines

Most files are resolved by Ombudsman Representatives in one to seven days. Some matters may take more or less time depending on the complexity and severity of the issue. Many intake assessments are resolved on first contact with the Complaint and Assessment Analyst.

Figure 5



The Office of the Ombudsman was contacted by a small business owner alleging that the Nova Scotia Liquor Corporation (NSLC) unfairly tendered the location for a new store.

In fact, the complainant alleged that the NSLC already had their preferred location planned before releasing the Request for Proposal (RFP).

The complainant therefore concluded that their business was not able to make a fair bid for the new NSLC location in their community.

After initiating a review, the Ombudsman Representative assigned the case determined that the NSLC had already agreed to perform an internal review of the RFP process.

As this Office was now involved, the Ombudsman Representative monitored progress on the review and acted as an impartial third party in order to facilitate communication between the complainant and the NSLC representatives.

The Ombudsman Representative advised that a fairer and more accountable process would involve the NSLC advertising the RFP and linking to the process on their website.

While the NSLC maintained having followed all legally required procurement processes, they agreed to make the suggested changes and the RFP was re-advertised.

Ultimately, a third bidder was the successful bid for the new location.

YEAR IN REVIEW

Where Complaints Originate

Take a moment to consider the size and scope of government services.

From parks and roads, healthcare, police and social services; government services have the potential to impact our daily lives.

For each one of those services there is legislation, policy, and procedures that must be understood, adhered to, and implemented.

Complaints can originate from any program or service, or multiple agencies, and can be related to several diverse pieces of policy or legislation.

Matters may be referred to this Office for investigation by a committee of the House of Assembly, including complaints stemming from the House of Assembly Policy on the Prevention and Resolution of Harassment in the Workplace.

In addition to complaints under the Ombudsman Act, the Public Interest Disclosure of Wrongdoing Act (PIDWA), and matters referred by the House, the Office receives complaints that do not fall within our jurisdiction.

In all cases, the variety of matters brought to this Office each year requires staff at the Office of the Ombudsman to quickly adapt by researching and reviewing legislation, policy, and procedure from the spectrum of provincial and municipal government services.

This Office recognizes that receiving a complaint does not necessarily mean it is with merit in every instance. *(cont'd)*

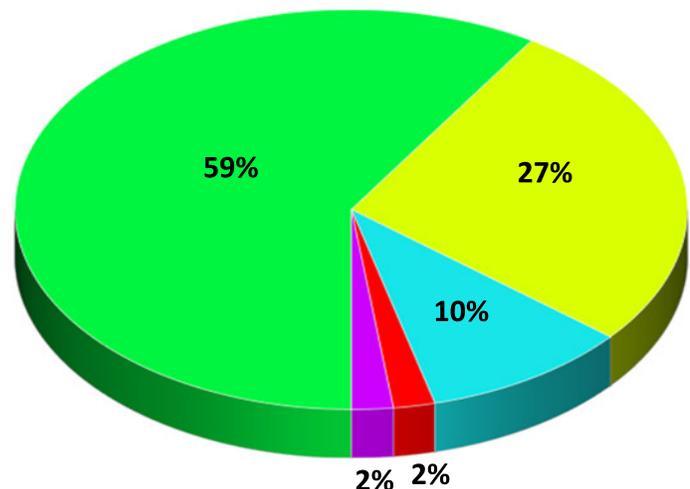
Figure 6

Department of Community Services			
Year	2015/16	2016/17	2017/18
Employment Support and Income Assistance	142	116	112
Children, Youth and Families	174*	276*	245*
Housing Nova Scotia	41	42	41
Disability Support Program	7	17	7
Other	4	9	7
Total	368	460	412

* includes complaints by youth in care

Figure 7

Community Service Complaints by Category



- Employment Support and Income Assistance
- Children, Youth and Families
- Housing Nova Scotia
- Disability Support Program
- Other

Figure 8

Department of Justice			
Year	2015/16	2016/17	2017/18
Correctional Services	221*	196*	277*
Maintenance Enforcement Program	27	35	30
Court Services	9	5	15
Other	28	23	23
Total	285	259	345

* includes complaints from Adult and Youth Corrections

(cont'd) Nor does the number of complaints regarding a public body speak to the quality of programs and services it delivers.

By their nature, the public bodies accessed more frequently by citizens, or who interact with a significant portion of the population, tend to generate the most complaints.

Typically, these are the larger departments that come to mind when one thinks about government, including departments and agencies serving vulnerable people who are often in distress or crisis.

In contrast, if a smaller agency were to receive a high number of complaints, it could be perceived as a reason for further, or systemic inquiry by this Office to assess any disproportionate amount or increase in the number of complaints.

It is important to focus on the substance and issue of each complaint, rather than solely the number of complaints received.

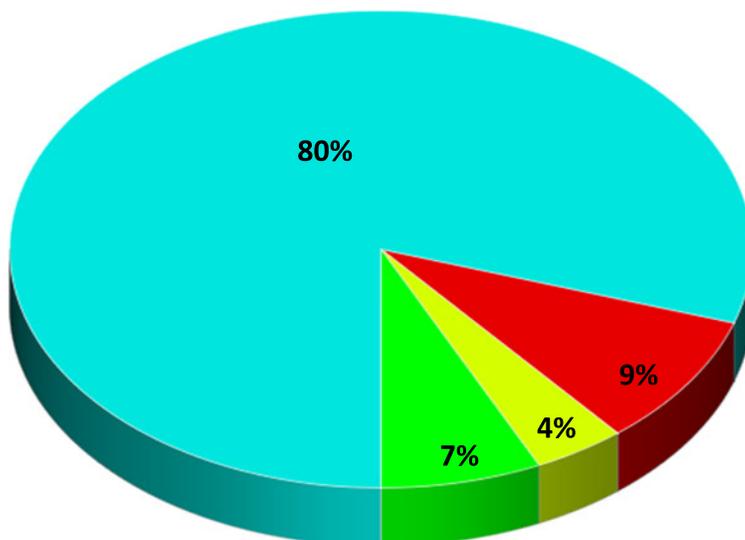
Figures 6-23 demonstrate from which government entities the most complaints originate, as well as the type of complaint.

The statistics reflect or illustrate a period of three years.

Appearing on these tables does not necessarily suggest fault or mal-administration by the respondent.

Figure 9

Justice Complaints by Category



- Correctional Services
- Maintenance Enforcement Program
- Court Services
- Other

Figure 10

Department of Community Services

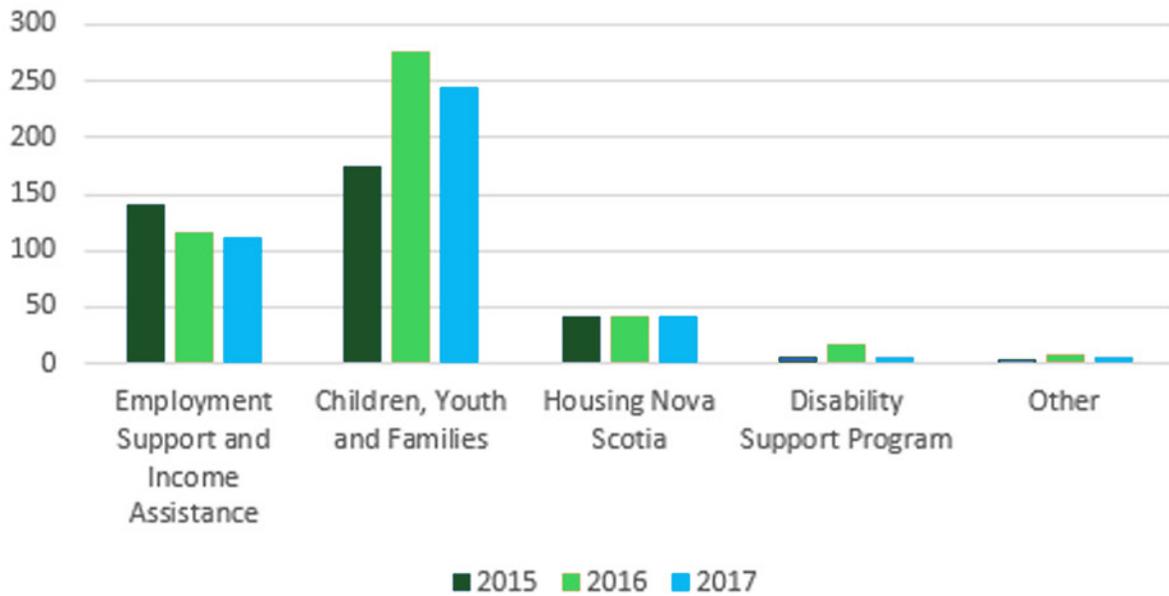


Figure 11

Department of Justice

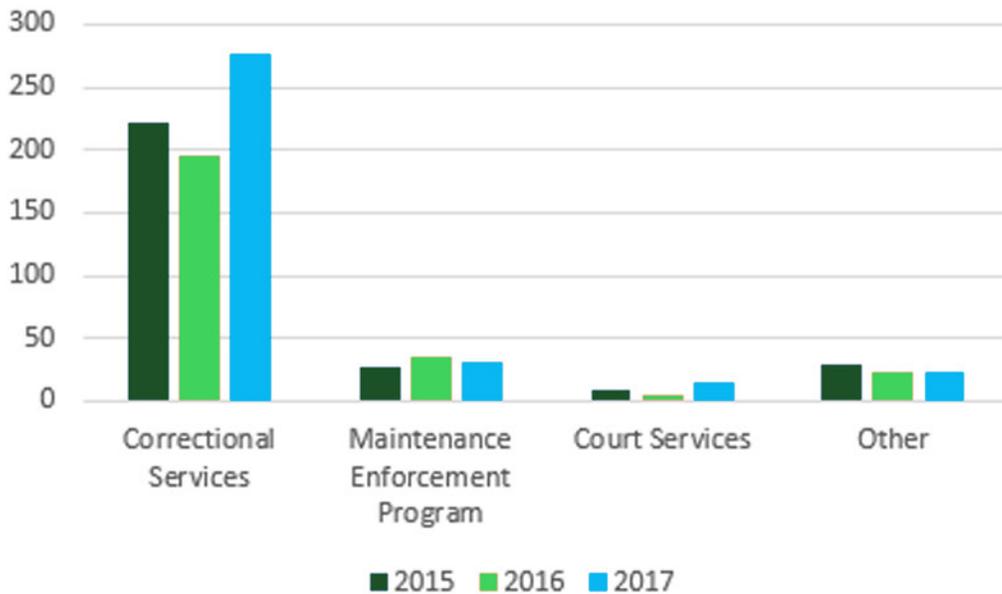


Figure 12

Service Nova Scotia			
Year	2015/16	2016/17	2017/18
Registry of Motor Vehicles	14	17	8
Residential Tenancies	4	8	4
Debtor Assistance and Student Loans	21	0	5
Land Title Registry	2	2	1
Other	3	13	7
Total	34	40	25

Figure 13

Service NS Complaints by Category

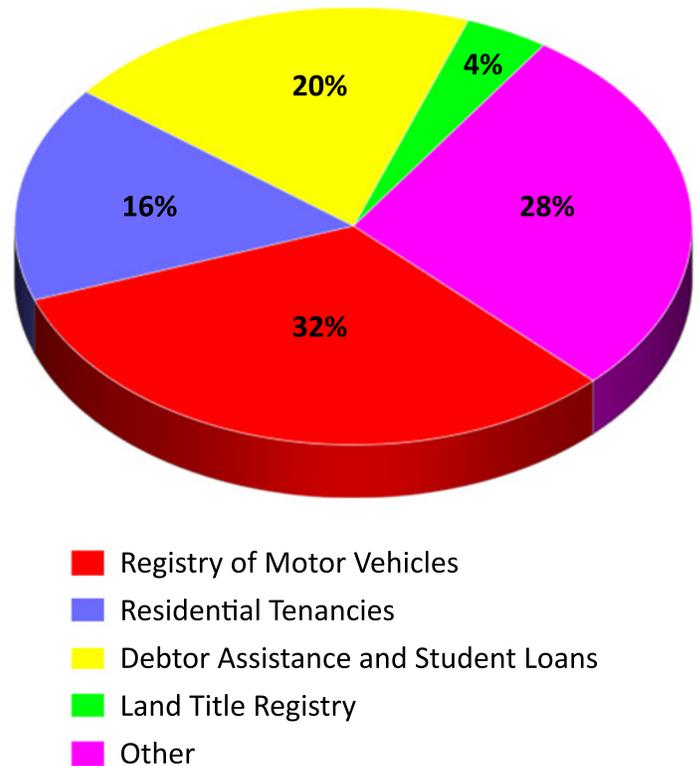


Figure 14

Service Nova Scotia

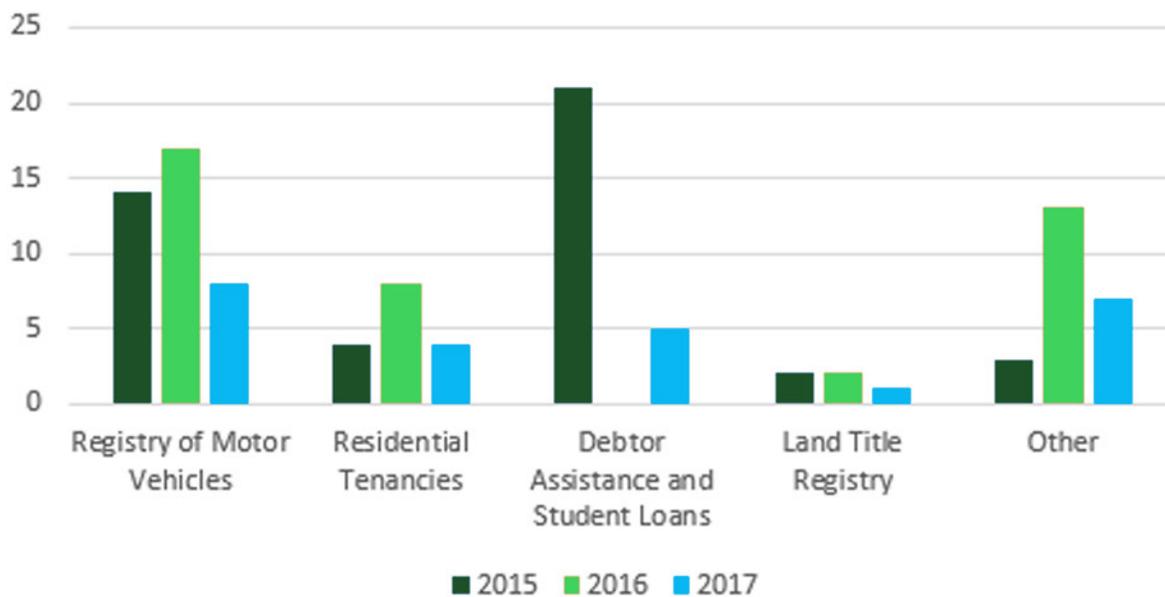


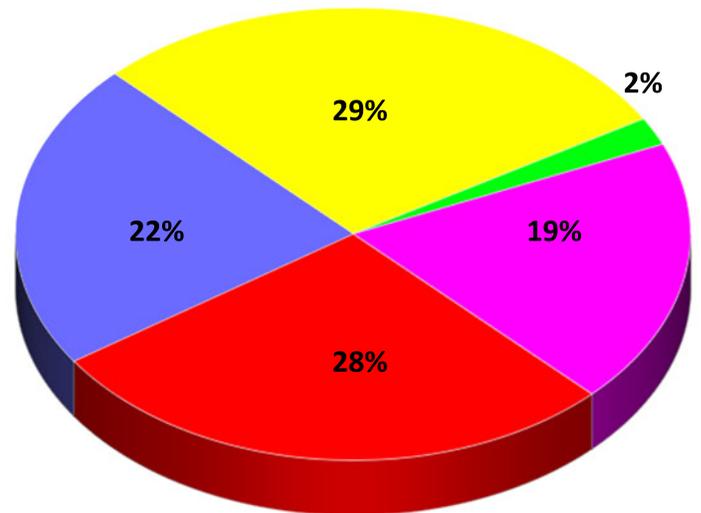
Figure 15

Department of Health and Wellness			
Year	2015/16	2016/17	2017/18
Offender Health	41	55	37
Continuing Care	29	46	29
Nova Scotia Health Authority	70*	27*	39*
Pharmacare	3	3	3
Other	24	29	26
Total	167	160	134

* excluding Offender Health

Figure 16

Health and Wellness Complaints by Category



- Offender Health
- Continuing Care
- Nova Scotia Health Authority
- Pharmacare
- Other

Figure 17

Department of Health and Wellness

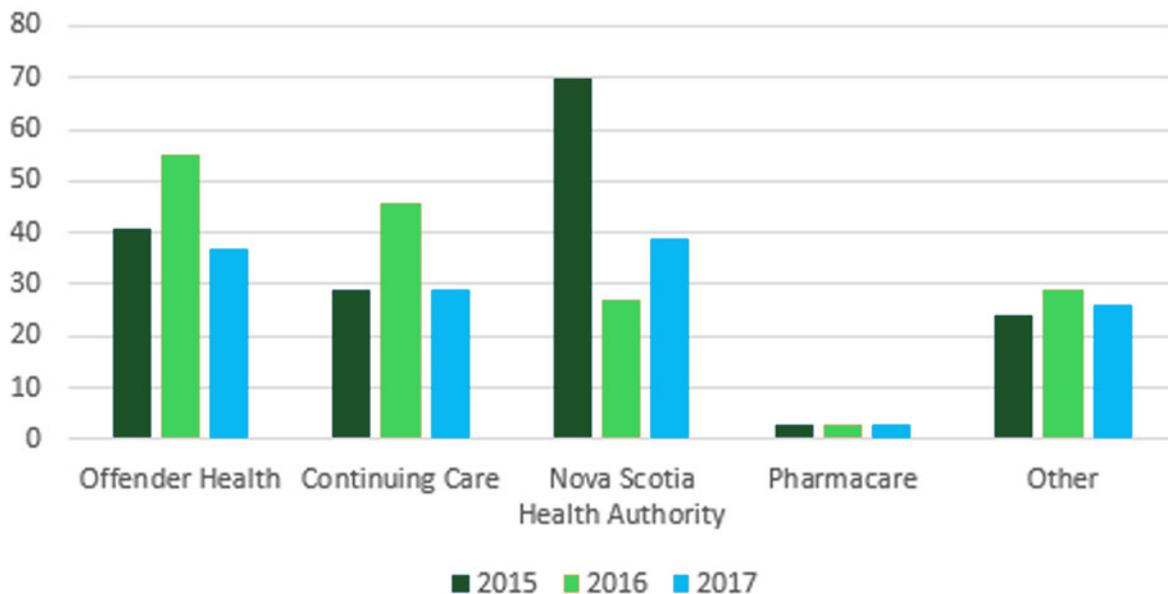


Figure 18

Halifax Regional Municipality			
Year	2015/16	2016/17	2017/18
Planning and Development Services	5	4	11
Regional Police	3	12	1
Transportation and Public Works	4	5	1
Other	25	22	33
Total	37	43	46

Figure 19

HRM Complaints by Category

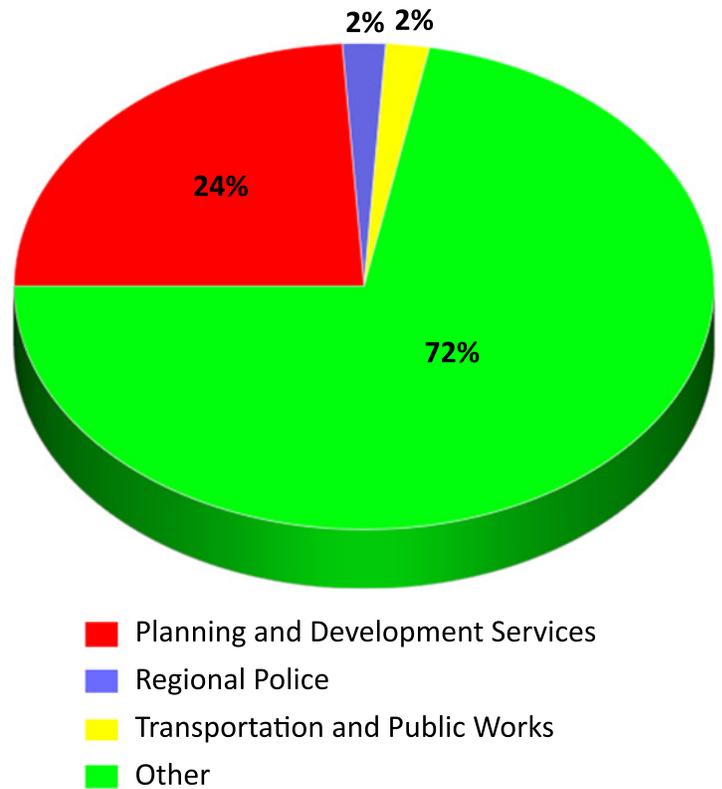
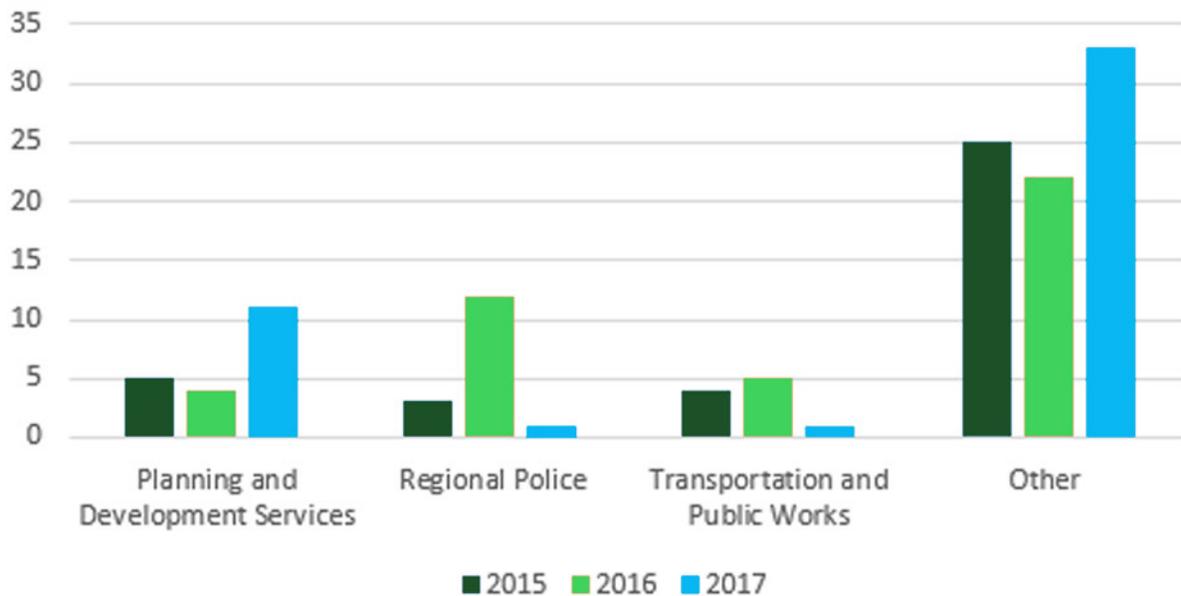


Figure 20

Halifax Regional Municipality



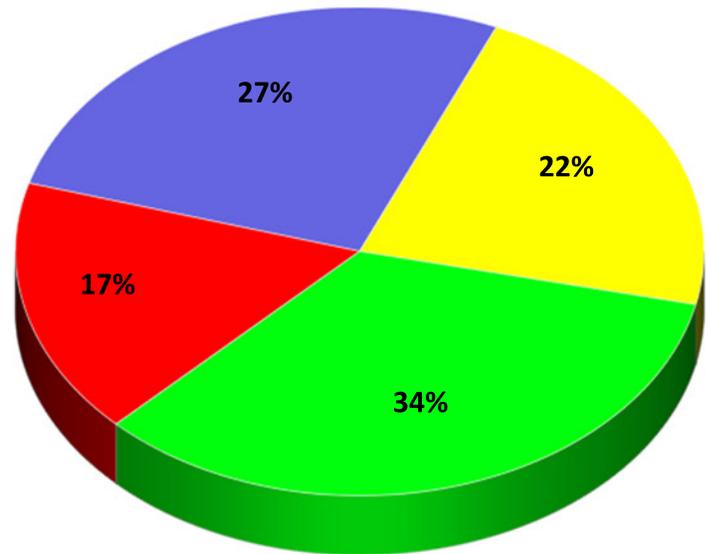
YEAR IN REVIEW

Figure 21

Workers' Compensation Board			
Year	2015/16	2016/17	2017/18
Administrative Service	3	1	7
Benefits	9	7	11
Claims Process	5	8	9
Other	12	6	14
Total	29	22	41

Figure 22

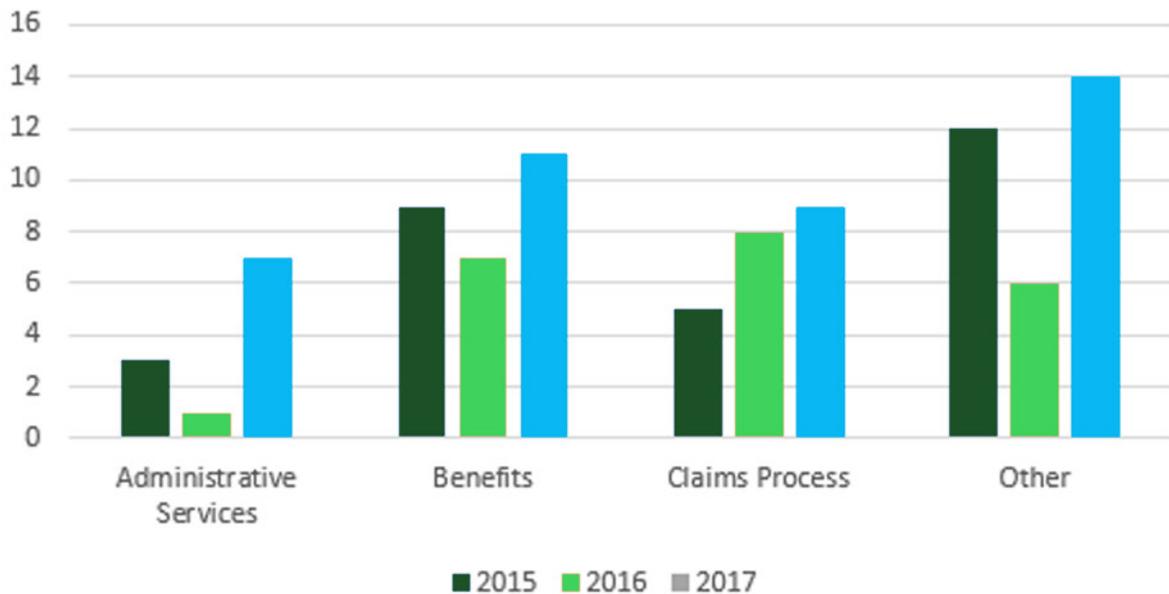
WCB Complaints by Category

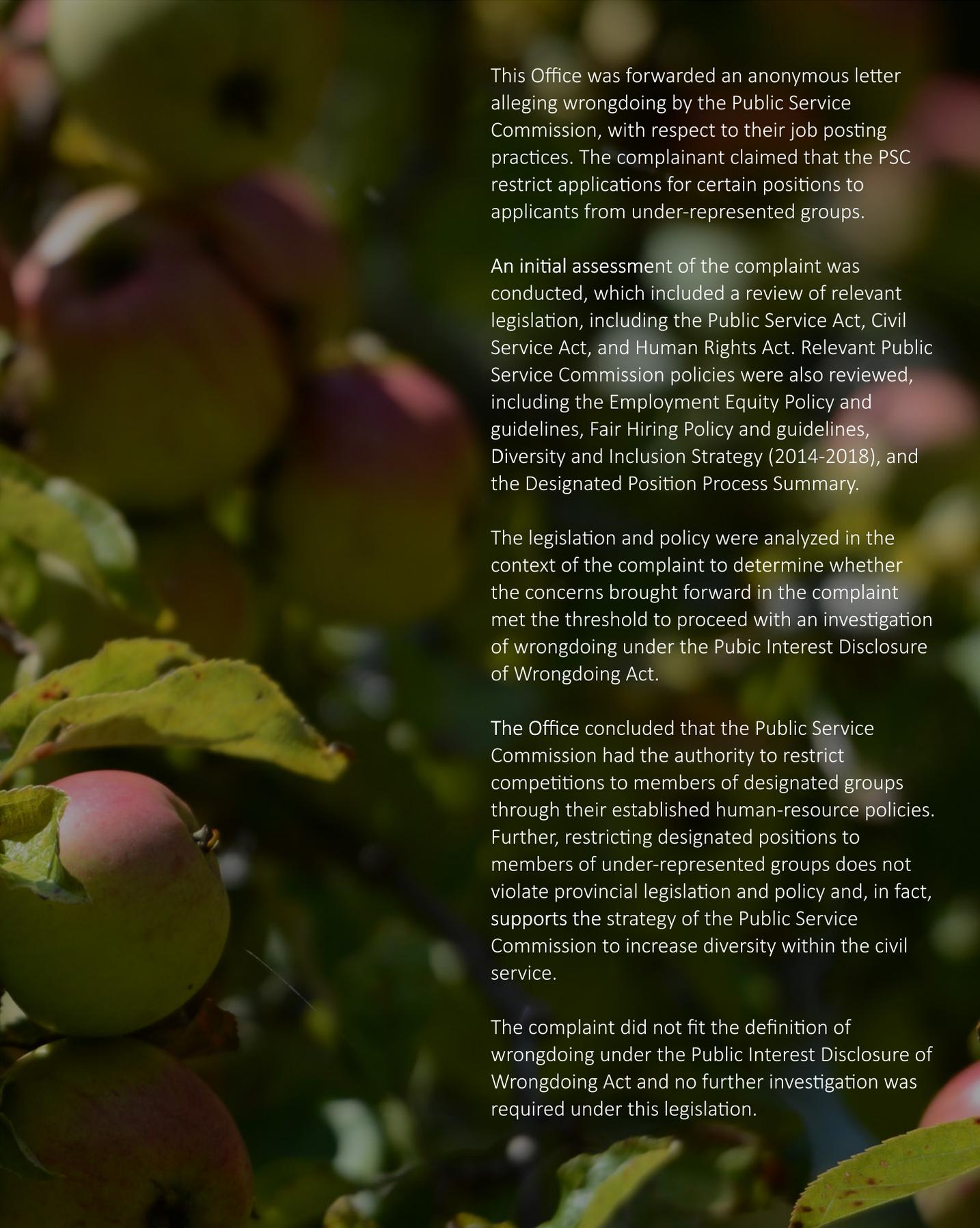


- Administrative Services
- Benefits
- Claims Process
- Other

Figure 23

Workers' Compensation Board





This Office was forwarded an anonymous letter alleging wrongdoing by the Public Service Commission, with respect to their job posting practices. The complainant claimed that the PSC restrict applications for certain positions to applicants from under-represented groups.

An initial assessment of the complaint was conducted, which included a review of relevant legislation, including the Public Service Act, Civil Service Act, and Human Rights Act. Relevant Public Service Commission policies were also reviewed, including the Employment Equity Policy and guidelines, Fair Hiring Policy and guidelines, Diversity and Inclusion Strategy (2014-2018), and the Designated Position Process Summary.

The legislation and policy were analyzed in the context of the complaint to determine whether the concerns brought forward in the complaint met the threshold to proceed with an investigation of wrongdoing under the Public Interest Disclosure of Wrongdoing Act.

The Office concluded that the Public Service Commission had the authority to restrict competitions to members of designated groups through their established human-resource policies. Further, restricting designated positions to members of under-represented groups does not violate provincial legislation and policy and, in fact, supports the strategy of the Public Service Commission to increase diversity within the civil service.

The complaint did not fit the definition of wrongdoing under the Public Interest Disclosure of Wrongdoing Act and no further investigation was required under this legislation.

YEAR IN REVIEW

Respondents to Complaints

The table below lists all public bodies that were the subject of complaints under the Ombudsman Act and the PIDWA for 2017-2018 fiscal year and their corresponding number of complaints. The respondent to a complaint is captured when the complaint is made, prior to any review or investigation taking place. Appearing on this list does not imply fault or mal-administration by the respondent.

Agriculture	1	Inverness (Municipality)	4	Office of the Ombudsman	2
Amherst (Town)	4	Internal Services	3	Pictou (Municipality)	1
Annapolis (Municipality)	2	IWK Health Centre	7	Property Valuation Services Corporation	2
Business	1	Justice	345	Public Prosecution Service	6
Cape Breton (Municipality)	12	Kentville (Town)	2	Public Service Commission	2
Chester (Municipality)	1	Kings (Municipality)	7	Queens (Municipality)	2
Chester (Village)	1	Labour and Advanced Education	17	Regional School Boards	13
Clare (Municipality)	3	Labour Board	1	Richmond (Municipality)	3
Colchester (Municipality)	3	Lunenburg (Municipality)	6	Seniors	1
Community Services	412	Lunenburg (Town)	1	Service Nova Scotia	25
Cumberland (Municipality)	8	Natural Resources	7	Shelburne (Municipality)	2
Digby (Municipality)	2	New Glasgow (Town)	2	St. Mary's (Municipality)	1
Digby (Town)	1	New Minas (Village)	1	Stellarton (Town)	1
East Hants (Municipality)	1	Nova Scotia Community College	2	Transportation and Infrastructure Renewal	27
Education and Early Childhood Development	13	Nova Scotia Farm Loan Board	2	Trenton (Town)	1
Elections Nova Scotia	2	Nova Scotia Health Authority	76	Truro (Town)	4
Emergency Management Office	1	Nova Scotia Legal Aid Commission	20	West Hants (Municipality)	5
Energy	1	Nova Scotia Liquor Corporation	2	Workers' Compensation Appeals Tribunal*	3
Environment	13	Nova Scotia Pension Services Corporation	2	Workers' Compensation Board	41
Finance and Treasury Board	1	Nova Scotia Police	3	Yarmouth (Municipality)	1
Fisheries and Aquaculture	1	Complaints Commission	3	No Respondent- includes most non-jurisdictional complaints, info requests, and inquiries	609
Guysborough (Municipality)	2	Nova Scotia Utility and Review Board	1	Total	1871
Halifax (Municipality)	45				
Halifax Harbour Bridges	1				
Halifax Regional Police*	1				
Health and Wellness	58				
Human Rights Commission	17				

Note: Asterisks (*) denote non-jurisdictional inquires and/or complaints that are referred to the appropriate oversight entities.

The Office of the Ombudsman was respondent for two matters: a request for information and a letter from a discontented member of the public regarding general government services.

Month at a Glance

This past year the Office received on average approximately 156 complaints and requests per month, excluding contacts with youth in care and custody. Consistent with previous years, approximately one third of complaints to the Office are non-jurisdictional and referred elsewhere. The following table (*figure 24*) breaks down the month of June 2017 and provides an example of the variety of complaints received in any given month. The information below includes the respondent to the complaint as well as the general nature of the issue. Ombudsman Representatives must maintain a broad knowledge of legislation, policy, and procedures and consider all types of administrative complaints, ranging from those regarding provincial acts to specific municipal by-laws and policies. The existence of a complaint in this table does not necessarily indicate fault. The respondent is captured when the complaint is received.

Figure 24

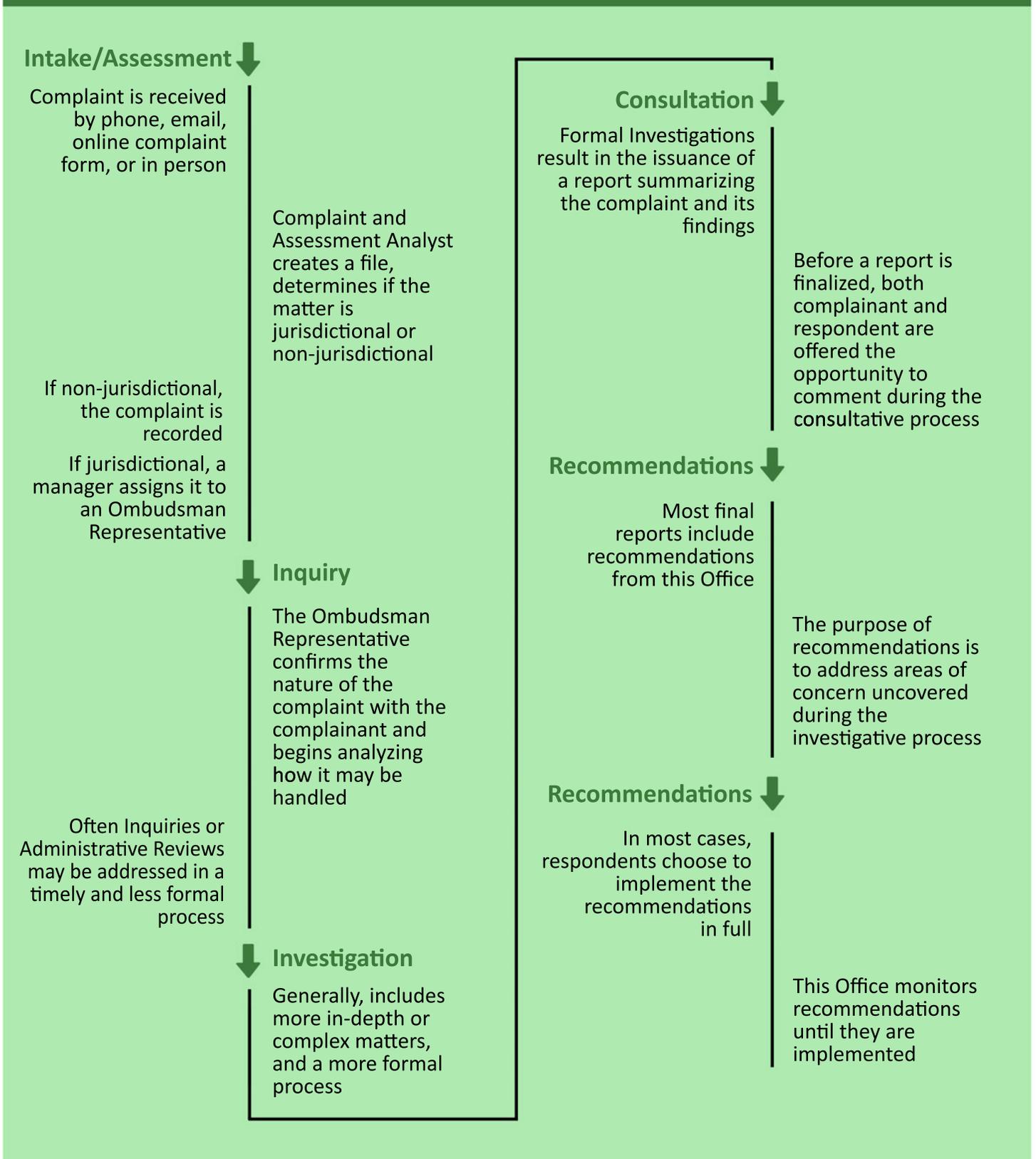
June 2017 - 134 Complaints

<p>Department of Community Services</p> <ul style="list-style-type: none"> • Children, Youth and Family Services (24) • Disability Support Program (1) • Housing Nova Scotia (2) • Income Assistance (9) • Administrative (1) <p>Department of Education and Early Childhood Development</p> <ul style="list-style-type: none"> • Public School Policy (1) <p>Department of Environment</p> <ul style="list-style-type: none"> • Conservation Policy (1) <p>Department of Health and Wellness</p> <ul style="list-style-type: none"> • Continuing Care (4) • Family Physicians (1) <p>Department of Internal Services</p> <ul style="list-style-type: none"> • Human Resource Policy (1) <p>Department of Justice</p> <ul style="list-style-type: none"> • Adult Corrections (22) • Legal Services (1) • Maintenance Enforcement Program (2) • Youth Corrections (3) <p>Department of Labour and Advanced Education</p> <ul style="list-style-type: none"> • Occupational Health and Safety Investigation (1) <p>Department of Transportation and Infrastructure Renewal</p> <ul style="list-style-type: none"> • Highways (2) • Public Works (2) <p>Elections Nova Scotia</p> <ul style="list-style-type: none"> • Election Results (1) 	<p>Municipality of the County of Annapolis</p> <ul style="list-style-type: none"> • Development (1) <p>Municipality of the County of Cumberland</p> <ul style="list-style-type: none"> • Fire Services (1) <p>Municipality of the County of Kings</p> <ul style="list-style-type: none"> • Public Works (1) • By-law Enforcement (1) <p>Municipality of the District of Lunenburg</p> <ul style="list-style-type: none"> • Municipal Policy (1) <p>Halifax Regional Municipality</p> <ul style="list-style-type: none"> • Animal Control (1) • Halifax Transit (1) • Solid Waste (1) <p>Nova Scotia Health Authority</p> <ul style="list-style-type: none"> • Eastern Zone (2) • Offender Health (2) • Western Zone (1) • Wood Street Centre Nursing Care (1) <p>Nova Scotia Human Rights Commission</p> <ul style="list-style-type: none"> • Accommodations (1) <p>Property Valuation Services Corporation</p> <ul style="list-style-type: none"> • Capped Assessment Program (1) <p>Service Nova Scotia</p> <ul style="list-style-type: none"> • Access Nova Scotia (1) <p>Town of Stellarton</p> <ul style="list-style-type: none"> • Municipal Water (1) <p>Workers' Compensation Board</p> <ul style="list-style-type: none"> • Administrative (3) • Benefits (1) <p>Other</p> <ul style="list-style-type: none"> • Non-Jurisdictional/No Respondent (33)
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COMPLAINT RESOLUTION

COMPLAINT RESOLUTION

Ways in which complaints are handled by Office of the Ombudsman Staff



Did You Know?

In accordance with the Ombudsman Act, all Office of the Ombudsman staff swear to, or affirm, an oath of confidentiality in the administration of their duties and provide appropriate background checks.

In contemplation of the Ombudsman Act and the PIDWA, documents and information provided to the Office of the Ombudsman are kept confidential, which is an essential component to maintaining the integrity of the investigative process and mandate of the Office.

Our records are not subject to Freedom of Information and Protection of Privacy (FOIPOP) requests and are inadmissible in court.

Most of the investigations undertaken by this Office begin as complaints or concerns brought to our attention by a member of the public. While our initial approach is to resolve matters as informally and efficiently as possible, sometimes the seriousness or complexity of an issue requires a more formal approach.

These types of investigations can involve extensive research, review of documentation, and interviews with relevant parties, among other methods of accurately determining what took place. In some cases, the need for a formal investigation is derived from recurring issues and others may have broader systemic implications beyond the initial concern or complaint.

Through monitoring trends in complaints, Ombudsman Representatives may identify potential systemic issues in policy or process. Pursuant to the Ombudsman Act, the Ombudsman has the authority to initiate an investigation of their own volition.

These “Own Motion” investigations usually, but not always, pertain to a systemic issue observed within a government agency or department. This type of investigation enables the Ombudsman to pursue issues and matters that may not necessarily be complainant driven, that require an in-depth review.

This year three in-depth investigations were conducted. Two investigations were based on general complaints and one was a Policy Review.

The Office also received one disclosure of wrongdoing under the Public Interest Disclosure of Wrongdoing Act (PIDWA), however that complaint was investigated under the Ombudsman Act. No allegations of wrongdoing led to formal investigations under the PIDWA, thus there are no findings of wrongdoing to report, nor recommendations under the PIDWA.

COMPLAINT RESOLUTION

Ombudsman Act Investigations

A large proportion of complaints received by the Office are addressed by Investigation and Complaint Services. These complaints are either handled by the Complaint and Assessment Analyst during intake and assessment or are referred to Ombudsman Representatives as Administrative Reviews. Many of these complaints involve departments and municipalities that have their own internal complaint resolution process or avenue of appeal available. In those instances, we ensure the complainant has exhausted these processes before this Office becomes involved. If an Ombudsman Representative determines a complainant may require additional assistance, they may help them to navigate the complaint process or provide general procedure related direction. If a complaint is a part of an active process that appears to have become off track, informal intervention by Ombudsman Representatives may help to get it back on track. Ombudsman staff are impartial and do not provide legal advice or serve as advocates to a complainant or respondent – rather, they advocate for the process.

When a complaint is within the jurisdiction of the Office, and avenues of appeal have been exhausted, the first step after the initial Intake Assessment is an Administrative Review. An Ombudsman Representative is assigned to review the complaint and will work with the complainant and responding government officials to address the issue. General assistance may be provided by opening lines of communication, offering suggestions based on best practices, or by guiding either party to an unaddressed or overlooked step in policy or procedures. If a resolution cannot be achieved informally, a more formal investigation may be initiated. Formal investigations rely on more in-depth research, interviews, and other reference material(s); and may lead to recommendations being issued.

Figure 24

Complaint	Recommendation
<p>This Office of the Ombudsman was contacted by a property owner who had concerns about a dilapidated wharf on inland waters. The state of the wharf was causing safety concerns. An Ombudsman Representative found neither Nova Scotia Environment (NSE) nor the Department of Natural Resources (DNR) were taking responsibility for the wharf. Both departments were contacted, and both eventually sent inspectors to the site. Eventually Natural Resources agreed to remove the wharf.</p>	<p>The following recommendations have been accepted and are being monitored for implementation:</p> <ol style="list-style-type: none">1. Provide clarity regarding DNR’s authority and procedures undertaken should a permit for a wharf be cancelled or revoked.2. Develop policy and/or procedures that provides guidance to DNR staff on processes to address issues involving wharves in existence prior to 2002 (or incorporate into current policy).3. Develop a process to address public complaints involving wharves and where appropriate, in consultation with NSE.
Respondents	
<p>Department of Natural Resources (DNR) Nova Scotia Environment (NSE)</p>	

Own Motion Investigations and Policy Reviews

The Office of the Ombudsman may investigate government activities, practices, and policies under its own initiative and are categorized as Own Motion investigations. Policy reviews may be undertaken at the request of a government department, agency, board, or commission, or the Ombudsman may determine that a specific policy warrants review. These reviews and investigations frequently address concerns which may be systemic in nature. In the year under review, this Office conducted eight Own Motion Investigations and Policy Reviews.

Figure 25

Complaint

The Office of the Ombudsman was contacted by a complainant who wanted to challenge the municipal tax exemption status of a new private health center in their municipality. The matter was reviewed, and recommendations issued.

Respondents

Municipality of the District of Chester

Recommendation

The following recommendations have been accepted and are being monitored for implementation:

1. At the conclusion of the 2017-2018 and 2018-2019 fiscal years respectively, the Municipality assess, and where possible quantify, the charitable benefit to the community of OHC's tax exemption status.
2. Information gleaned from the fiscal year reviews be reported to Council to inform any decisions regarding the continuation or otherwise of the tax-exempt status.
3. Information relied upon to support continuation or otherwise of the tax exemption status be made publicly available through the Municipality's established communication channels, including its web services.

Figure 26

Complaint

This Office was contacted by a complainant who alleged they were negatively impacted by a road ownership and maintenance dispute involving the Department of Transportation and Infrastructure Renewal and another resident on the road.

Respondents

Department of Transportation and Infrastructural Renewal (TIR)

Recommendation

The following recommendations have been accepted and are being monitored for implementation:

1. The Department of Transportation and Infrastructure Renewal engage with the Complainant for the purposes of negotiating a mutually satisfactory settlement agreement.

COMPLAINT RESOLUTION

Public Interest Disclosure of Wrongdoing Act (PIDWA) Investigations

The Public Interest Disclosure of Wrongdoing Act (PIDWA) provides public servants and members of the public with a clear and accessible method to disclose allegations of wrongdoing regarding provincial government.

While the PIDWA covers provincial government employees only, disclosures regarding municipal government may be reviewed and addressed under the Ombudsman Act. Public employees making disclosures may contact the Designated Officer in their department or their supervisor/manager, or they may contact the Office of the Ombudsman directly. Concerns that are more appropriately addressed through an established grievance mechanism, such as an employment matter, are generally not investigated through the PIDWA and are referred to an organization such as a union.

All matters received are subject to an assessment, and where appropriate, a referral. For instance, if a public employee were to bring an allegation of discrimination to this Office, Ombudsman Representatives might refer that person to the Human Rights Commission. This past year, three complaints were investigated under the PIDWA.

Figure 27

Complaint

The Office was contacted by a parent whose child was bitten by a dog during a family outing. The parent was dissatisfied with how the municipal by-law enforcement staff handled the case, with reference to the municipal dog by-law.

After reviewing the case and how it was handled, this Office provided the municipality with preliminary recommendations for their consideration.

Respondents

Municipality of the County of Cumberland

Recommendation

Recommendations one, two, and three have been accepted. Recommendation four is covered by an existing policy.

1. The Municipality of the County of Cumberland review, and where appropriate amend, its existing Dog Bylaw to ensure it is meeting the operational and administrative needs of the Municipality in handling animal control cases.

2. The Municipality of the County of Cumberland conduct a training needs assessment of Bylaw Officers to ensure staff receive training and have a thorough comprehension of policies, procedures, and their responsibility under the Dog Bylaw.

3. The Municipality of the County of Cumberland develop and implement standards for handling animal control cases; including investigative and documentation standards, and communication protocols with affected parties.

4. The Municipality of the County of Cumberland develop and implement a conflict of interest policy, ensuring staff receive training and have a thorough comprehension of policy and procedures, and their responsibility for compliance.

Youth Investigations

Complaints that are submitted to the Office by children and youth in care or custody of the Province are categorized under Youth & Senior Services. These complaints are handled similarly to all others, but special attention is given to the needs of youth, both in terms of conveying information in an age-appropriate way, and in terms of ensuring their safety and security at all points of the complaint and investigation process. Many complaints are first heard by Ombudsman Representatives during visits to Residential Child Caring Facilities and the Nova Scotia Youth Centre. These visits help ensure that youth are aware of the Office's role, and are able to present complaints in as easy a manner as possible for them.

Figure 28

Complaint

Parents contacted the Office regarding their concerns involving the cessation of service to the regular school bus stop for their child. The parents had gone through the complaint processes available to them at the Strait Regional School Board (SRSB) level and were not satisfied with the outcome.

An investigation by this Office found that the suspension of service to the school bus stop occurred outside of policy, there was a lack of documentation around this decision, and greater clarity was required respecting school board policy in the areas of establishing bus stops, and communicating bus stop safety issues, and monitoring of road conditions.

Further, issues were identified with the administration of the complaint protocol that could be improved

Respondents

Strait Regional School Board (SRSB)

Recommendation

The following recommendations have been accepted and are being monitored for implementation:

1. The Strait Regional School Board (SRSB) develop policy and procedure regarding:
 - a. the establishment of school bus stops within the district, including clarifying who has the authority to establish or change bus stops;
 - b. documentation supporting the establishment of a bus stop;
 - c. process for drivers to communicate bus stop safety issues, including documentation of these issues;
 - d. monitoring of road conditions, including frequency, and documentation of same in circumstances where bus service has been cancelled.
2. The SRSB ensure that bus drivers, in addition to being provided the School Bus Driver Handbook, are aware of and have school board policies related to student transportation, including procedures to communicate unsafe road conditions to appropriate staff within the SRSB, readily accessible.
3. The SRSB review the Parent Concern Protocol to ensure clarity on when the Protocol is initiated, communication of the requirements of the Protocol to parents/guardians, and to determine if timeframes for certain steps in the process are achievable and establish a process to ensure compliance with policy timeframes.

COMPLAINT RESOLUTION

Investigation Outcomes (Recommendations)

The Ombudsman Act provides the authority to make recommendations to provincial government departments, agencies, boards, commissions, and municipalities. The Public Interest Disclosure of Wrongdoing Act provides the authority to issue recommendations to provincial public bodies. Recommendations are generally the result of in-depth, usually formal, investigations conducted by the Office. The authority to issue recommendations is how this Office informs and enhances government public policy, procedures, and service delivery.

For every recommendation issued, the public body involved is required to report back to this Office on their plans to give effect to and implement the recommendation within a prescribed time frame. The public body may choose to accept and implement the recommendations, implement them in part, or refuse to accept them. That said, most government departments choose to accept and implement the recommendations in full. There are several reasons why a party responding to a recommendation may choose to implement in full, including a genuine desire by public officials to improve public policy and procedures, and concerns about how failure to do so may be perceived by the public.

Figures 24-29 describe the recommendations issued in 2017-2018. The table also describes the public body involved as the respondent, as well as the nature of the complaint. There were 16 formal recommendations issued. Not all recommendations stem from new matters addressed in the year under review, some examples are derived from investigations initiated in the previous fiscal year that were concluded in 2017-2018. Of these 16 recommendations, 14 have been accepted and are being monitored for implementation, 1 was rejected, and 1 was covered by another policy.

Figure 29

Complaint

The Office was contacted by a recipient of court ordered maintenance payments, over the handling and enforcement of the enforcement order by the Maintenance Enforcement Program (MEP).

Respondents

Maintenance Enforcement Program (MEP)

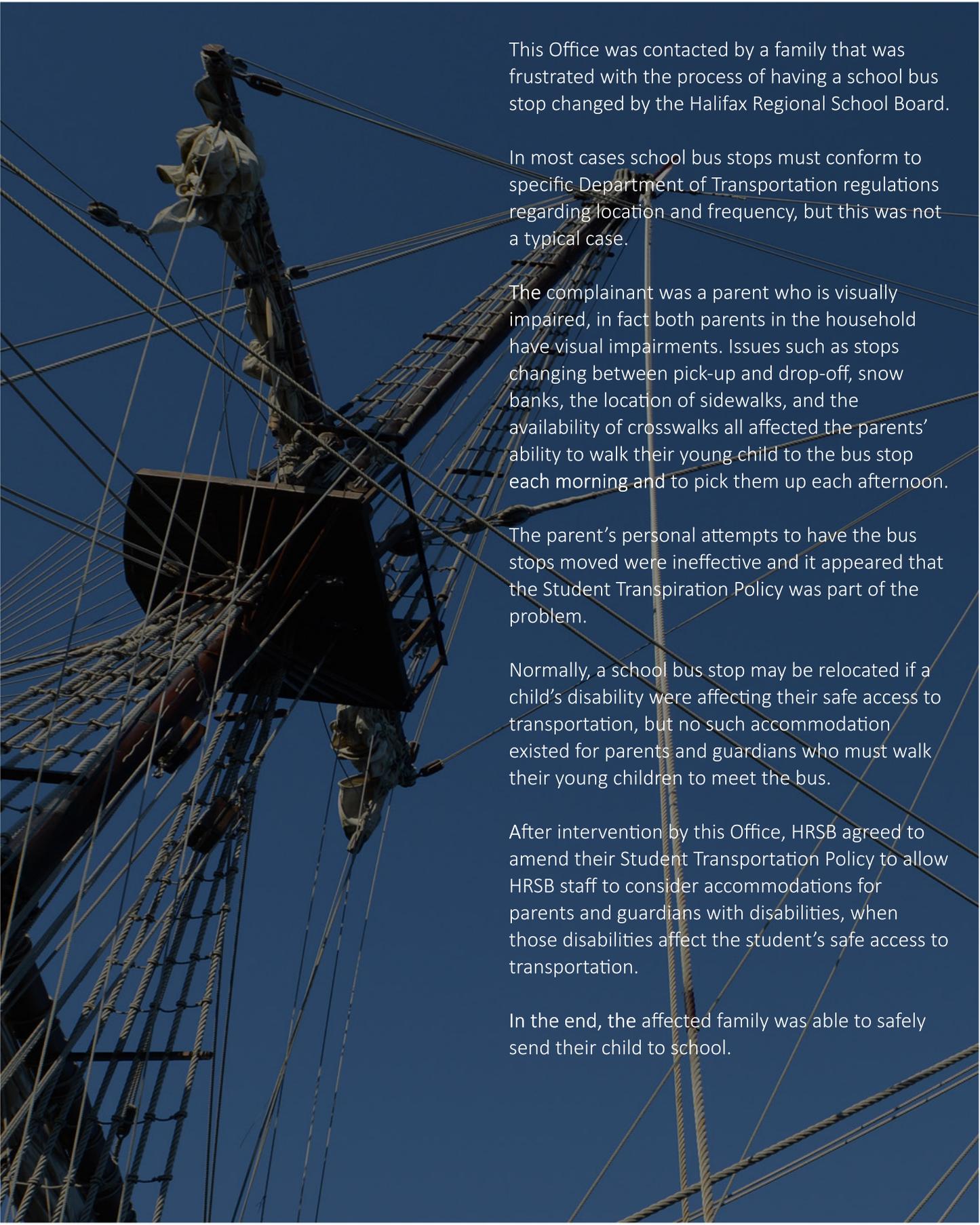
Recommendation

Recommendation one has been accepted and is being monitored for implementation.

Recommendation two was not accepted by MEP.

1. The MEP review, and where appropriate amend, its existing policies and procedure with respect to the administration of the Maintenance Enforcement Act (MEA) and the application of Section 28(4).

2. The MEP reconsider its discretionary decision not to issue a Court Order for the seizure and sale of the [redacted] property. Further, that the MEP reconsider its decision not to seek direction and /or clarification from the Court in this instance with respect to any potential legal quagmires and implications to the affected parties regarding the seizure and sale of real property under Section 28(4).



This Office was contacted by a family that was frustrated with the process of having a school bus stop changed by the Halifax Regional School Board.

In most cases school bus stops must conform to specific Department of Transportation regulations regarding location and frequency, but this was not a typical case.

The complainant was a parent who is visually impaired, in fact both parents in the household have visual impairments. Issues such as stops changing between pick-up and drop-off, snow banks, the location of sidewalks, and the availability of crosswalks all affected the parents' ability to walk their young child to the bus stop each morning and to pick them up each afternoon.

The parent's personal attempts to have the bus stops moved were ineffective and it appeared that the Student Transportation Policy was part of the problem.

Normally, a school bus stop may be relocated if a child's disability were affecting their safe access to transportation, but no such accommodation existed for parents and guardians who must walk their young children to meet the bus.

After intervention by this Office, HRSB agreed to amend their Student Transportation Policy to allow HRSB staff to consider accommodations for parents and guardians with disabilities, when those disabilities affect the student's safe access to transportation.

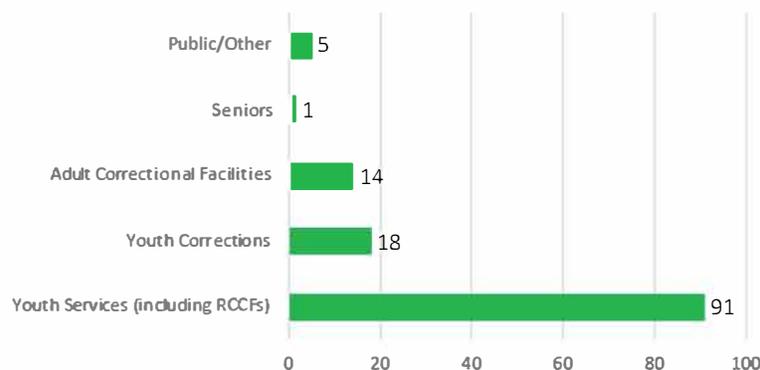
In the end, the affected family was able to safely send their child to school.

OUTREACH

A significant portion of the work undertaken by Ombudsman Representatives is through outreach. Outreach can take many forms, from working a booth at a seniors' expo, to visiting youth in care, or providing formal presentations to government employees. There are three major areas that receive regular outreach attention: adults in Long-Term Care (LTC) facilities, youth in Residential Child-Caring Facilities (RCCFs), and persons (including young persons) incarcerated in correctional facilities. Ombudsman Representatives engage children, youth, seniors, and inmates by offering to speak with them in private or with their peers. Representatives also collect data, dispense educational materials, listen to concerns or complaints, familiarize themselves with a facility through site-visits, and build a rapport with staff. Site-visits are scheduled on a regular and as needed basis. For example, adult correctional facilities and RCCFs are visited quarterly, whereas Wood Street Centre, the Nova Scotia Youth Centre, and the IWK Secure Care Unit are visited monthly. Ombudsman Representatives also prepare written reports detailing their visit, regardless of whether a complaint is filed by someone in attendance.

In addition to regular site-visits, Ombudsman Representatives attend special public events and one-offs that allow them to engage with new groups and individuals. For example, this year Ombudsman Representatives participated in the two-day long Passport 2 Youth XPO where Ombudsman Representatives were able to engage with approximately 2500 secondary school youth. During the event youth asked questions, learned about our role, and took Ombudsman information pamphlets for themselves or to share with friends and family.

Figure 30
Outreach Sessions



In recent years, our outreach strategy has included a jurisdictional scan and research to identify organized groups, clubs, or associations representing various diverse groups. There was a particular focus on the LGBTQI community, the Indigenous Community, African Nova Scotians, and new Canadians, among others. We continue to develop this approach as we reach out to groups offering presentations and roundtable discussions.

Ombudsman Representatives sit on the board of the Nova Scotia Council for the Family, the Council's Youth in Care Committee, the Canadian Council of Child and Youth Advocates, the Canadian Council of Parliamentary Ombudsman, and the Forum of Canadian Ombudsman.

The Office continued to participate in the annual Public Service Commission United Way fundraising campaign and coordinated our efforts through the Public Service United Way Steering Committee.

Correctional Services

In Nova Scotia, there are four Adult Correctional Facilities holding both sentenced inmates as well as those remanded to custody pending trial. These facilities are Central Nova Scotia Correctional Facility (CNSCF), the Southwest Nova Scotia Correctional Facility (SNSCF), the Northeast Nova Scotia Correctional Facility (NNSCF), and the Cape Breton Correctional Facility (CBCF). These correctional facilities are visited by Ombudsman Representatives on a quarterly basis. During visits, Ombudsman Representatives may receive complaints, provide information or referrals, and promote the resolution of complaints through the Correctional Services’ internal complaint process.

Ombudsman Representatives and the Complaint and Assessment Analyst educate inmates on the correctional services internal complaint process and encourage them to exhaust all avenues of appeal prior to making a complaint with the Office. This approach has reduced the total number of complaints involving correctional services. Fewer complaints of this nature enable Ombudsman staff more time to address complex or systematic issues.

Figure 31

CORRECTIONAL SERVICES COMPLAINTS

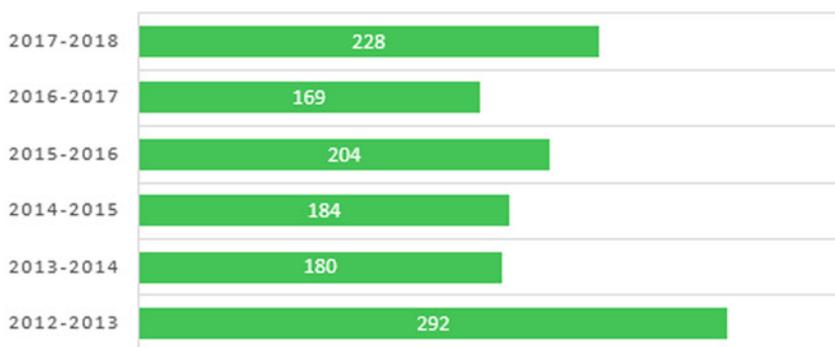


Figure 31 illustrates the number of adult Correctional Services complaints by inmates annually. The graph does not include complaints by inmates outside of correctional services, such as complaints about the Offender Health services provided by the Nova Scotia Health Authority. For a total of all inmate and public complaints about correctional services as well as complaints by inmates about other services see figure 11. In 2017-2018 there were 228 new complaints by inmates about Correctional Services, several of those complaints were referred to the internal complaint process.

Case Study

An individual contacted the Office of the Ombudsman regarding monies removed from his account when he transferred between correctional facilities.

He was reportedly advised by the correctional facility that he had been fined for alleged damage to a sprinkler.

The individual insisted that he had not broken a sprinkler and therefore did not owe the money. He advised that there had been a restitution order against him at one facility which he had paid.

As this individual had been transferred between two provincial correctional facilities, the Ombudsman Representative contacted both to determine the reason for the removal of funds from the individual’s account.

A representative from one of the facilities advised they believed the damage occurred at another facility and that was the reason for the monies being removed from the account.

The facility where the damage was alleged to have occurred reviewed their files and determined that the individual was found not to have damaged the sprinkler. The individual was reimbursed for the charges.

Youth and Seniors Services

Youth and Seniors, including those in care and custody, are some of the most vulnerable people in our society. In some instances, adverse interactions with government are the byproduct of increased reliance, and even dependence, on government services.

For instance, youth who reside in Residential Child-Caring Facilities (RCCFs) or who are in custody at the Nova Scotia Youth Centre, have far more interaction and are far more dependent on the services and care provided by government than many other young people in Nova Scotia. Ombudsman Representatives confidentially review and investigate the concerns of children, youth, and seniors related to government services.

These vulnerable groups receive particular attention when it comes to our referral services. While acknowledging potential vulnerabilities, sometimes it is appropriate for Ombudsman Representatives to help guide a person through a process rather than simply directing them elsewhere, and Ombudsman Representatives are continually educating themselves on ways to better address issues relating to youth and seniors.

The general oversight function and mandate for children and youth is not rooted in a specific piece of legislation, but in the findings of a provincial government audit which took place in 1995, and the Stratton Report which addressed allegations of abuse at provincial youth facilities. At that time government recognized independent oversight was a necessary component in helping to keep youth in care and custody safe from harm.

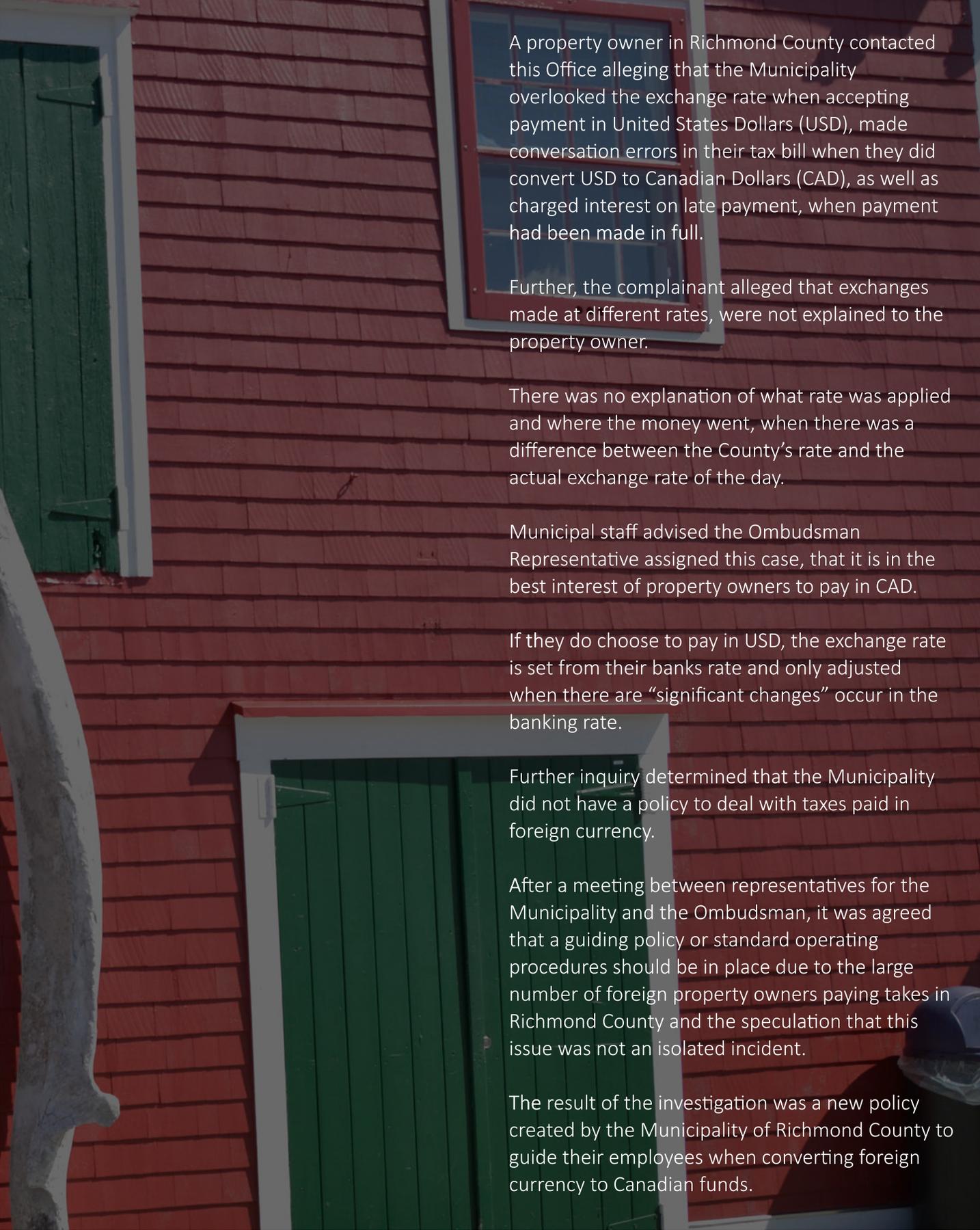
This recognition has since led to regularly scheduled visits to youth residential, care and custodial facilities by Ombudsman Representatives. For more information on site-visits, you may wish to review the outreach section of this report.

Keeping informed on the policy, procedures, and operational protocols for these sites helps to resolve issues quickly. Ombudsman Representatives strive to make both youth and staff at provincial facilities comfortable with bringing forward issues and complaints, including allegations of abuse and wrongdoing.

While Ombudsman Representatives encourage young people to address basic concerns with staff first and to take advantage of internal complaint resolution processes, Representatives do not hesitate to investigate allegations of mistreatment or abuse.

Did You Know?

Over the past year, the Office of the Ombudsman has transitioned from a paper-based recordkeeping system to a primarily digital-based one. The impetus for this change was a concern for the environment, a desire for fiscal responsibility in all areas of operation, and an inclination toward making our current systems more efficient and effective for our staff. Digital files like emails and PDFs are now stored electronically, securely, and with automatic backups, in a manner that reflects the traditional storage of hard copy documents. The electronic system reflects the physical system in terms of arrangement, labelling, and tracking. No changes were made to the Office's records retention and disposition schedules.



A property owner in Richmond County contacted this Office alleging that the Municipality overlooked the exchange rate when accepting payment in United States Dollars (USD), made conversion errors in their tax bill when they did convert USD to Canadian Dollars (CAD), as well as charged interest on late payment, when payment had been made in full.

Further, the complainant alleged that exchanges made at different rates, were not explained to the property owner.

There was no explanation of what rate was applied and where the money went, when there was a difference between the County's rate and the actual exchange rate of the day.

Municipal staff advised the Ombudsman Representative assigned this case, that it is in the best interest of property owners to pay in CAD.

If they do choose to pay in USD, the exchange rate is set from their banks rate and only adjusted when there are "significant changes" occur in the banking rate.

Further inquiry determined that the Municipality did not have a policy to deal with taxes paid in foreign currency.

After a meeting between representatives for the Municipality and the Ombudsman, it was agreed that a guiding policy or standard operating procedures should be in place due to the large number of foreign property owners paying takes in Richmond County and the speculation that this issue was not an isolated incident.

The result of the investigation was a new policy created by the Municipality of Richmond County to guide their employees when converting foreign currency to Canadian funds.

OMBUDSMAN YOUTH SUMMIT

In October 2017 the Office of the Ombudsman hosted its first ever Youth Summit with over 40 diverse youth participants, including representation from children in care and custody and from schools and organizations across the province.

Designed to amplify youth voices on issues that matter to them, the summit was an engaging day of learning and sharing led by a team of youth hosts. Youth gained knowledge about the Office of the Ombudsman and children's rights, in addition to sharing their thoughts and ideas.

Participants were given opportunities to engage and discuss their response to these questions:

- “What are the biggest issues facing youth?”
- “How can adults make a difference supporting young people?”

The primary issue identified by youth participants was mental health and limited supports and services. Youth also noted concerns regarding stigma related to mental health, learning disabilities, loneliness, body image, stereotypes, substance abuse, homophobia, racism, and gender roles.

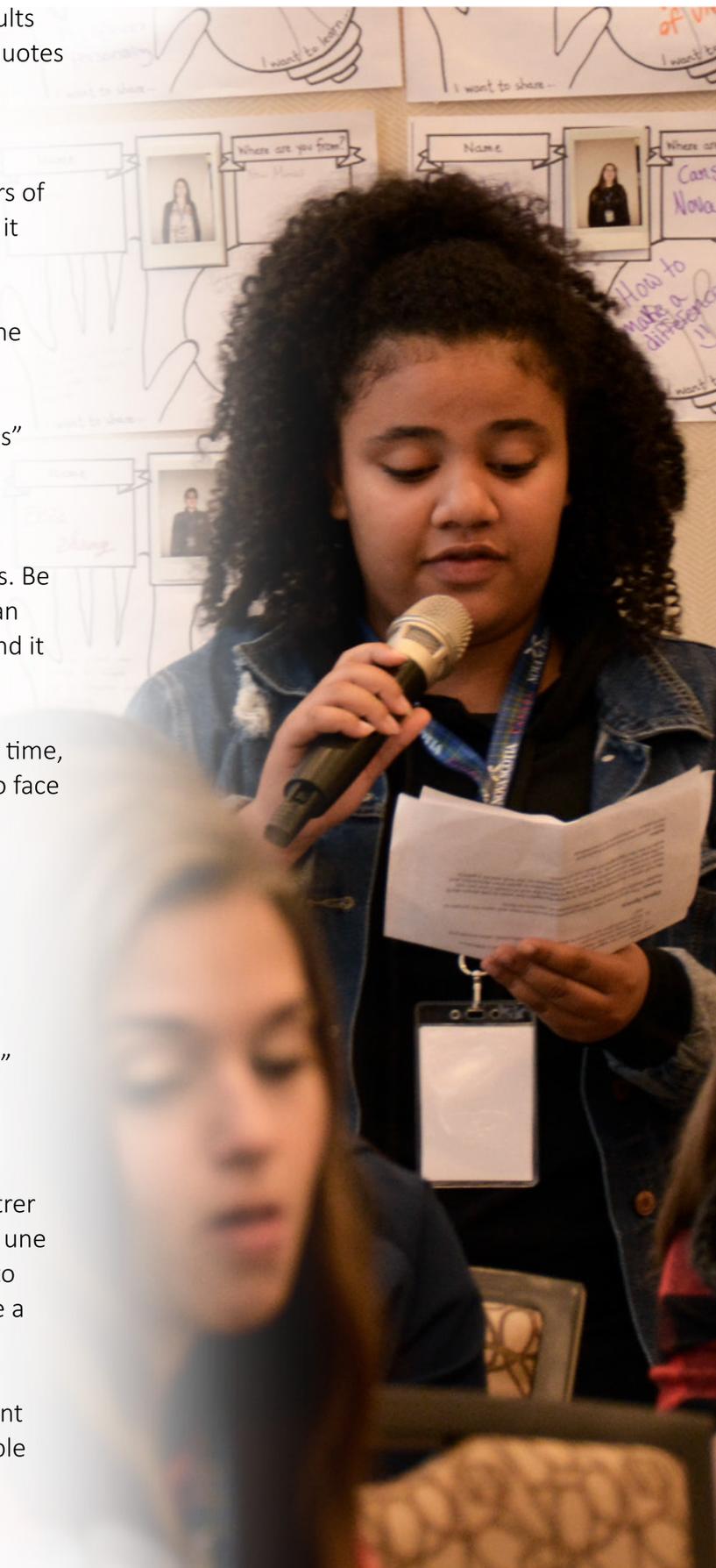
Other issues raised included: education, the role of culture in families, poverty (homelessness, poverty, abuse, family issues), overuse of technology leading to disconnection, bullying, social media (cyberbullying, constant stress or anxiety with no escape) and insecurities, anxiety, not feeling comfortable, talking to someone or not feeling they have someone to talk to.



OMBUDSMAN: YOUTH SUMMIT

Youth participants had a lot to say about how adults can best support them. The following are a few quotes outlining the feedback received:

- “Give us a chance and listen to us! We have perspectives and good ideas. We are the leaders of TODAY, and we can be the generation that gets it right!”
- “Take our mental health seriously and get us the support we need”
- “Ombudsman to be more active in communities”
- “Listen to youth and help us, don’t judge us”
- “It may be hard to understand/connect at times. Be patient. Issues that affect youth may not have an easy solution, but may need to be addressed and it will make a difference in the lives of youth.”
- “Just because youth are on their phones all the time, doesn’t mean they don’t need someone face to face to talk to. GO over and ask them.”
- “Better confidentiality and accessibility”
- “More opportunities in rural areas (sports, education, health, programs, free spaces)”
- “See more schools helping with troubled youth”
- “Teaching acceptance and more safe spaces”
- « Donner des opportunités aux jeunes de montrer leurs idées pour inspirer d’autres jeunes à faire une différence » (“Provide opportunities for youth to show their ideas to inspire other youth to make a difference”)
- « Ouvrir des ressources pour les gens qui veulent parler le français » (“Expand resources for people who want to speak French”)
- “Education about stigma”



OMBUDSMAN YOUTH SUMMIT

Post Summit Youth Engagement:

Following the energy and enthusiasm of the Youth Summit, the Office of the Ombudsman engaged the youth participants in the creation of a radio segment for the National Day of Broadcast to highlight children's rights and the UN International Day of the Child.

Our Office also sponsored a youth participant and staff member to participate in a National Summit in Ottawa where children and youth from across the country collaboratively developed a draft Children's Charter. Additionally, we also recommended and supported one of the Indigenous Youth Summit participants with Mi'kmaq, Blackfoot, and Metis heritage, and experience living in care, to attend the emergency meetings in Ottawa (January 2018) to discuss the crisis of Indigenous Child and Family Services.

The majority of Youth Summit participants expressed interest in ongoing involvement with the Office such as through a Ombudsman Youth Council. We are currently in the process of refining how that engagement will take shape.



OMBUDSMAN YOUTH SUMMIT



"I learned about other youth ideas, stories, problems and the Office of the Ombudsman."

"I liked the conversations and the opportunity for everyone to have a voice and speak up. Everyone felt safe to share. It was a great atmosphere."

"I learned new solutions to problems I've had for years. Also, I learned I can be heard by government."

"It was a fantastic experience overall. The food was great. The community was very welcoming and open minded."



LOOKING AHEAD

Looking ahead, the Office of the Ombudsman is seeking to leverage the success of the Ombudsman Youth Summit to support youth initiatives in the province and to encourage young people to get involved with government. One way this will be achieved is through the establishment of an Ombudsman Youth Council. This Council will be supported by the Office of the Ombudsman but will ultimately be a “for youth by youth” organization. Recruitment for the first official meeting of the Council will begin in the fall of 2018.

While it has taken time, in keeping with the recommendations from our Child Death Review report, and Government’s commitment to the safety, well-being, and development of children and families in Nova Scotia, the Departments of Justice, Health and Wellness, and Community Services have been working collaboratively in response to the recommendations. They are undertaking policy and legal analysis on the establishment of a Child Death Review Committee in Nova Scotia. Through this analysis, it has been determined that amendments to the Fatality Investigations Act are required. We look forward to the implementation of a Child Death Review Committee in 2019. Once established, this provincial inter-agency team will review the circumstances surrounding child deaths and later will incorporate reviews of critical injuries.

A pressing issue for all of government in 2019 is the aging Nova Scotia population. As more adults enter their senior years, government services will be challenged in providing high quality service delivery, especially in areas such as primary health care and continuing care. The 2018-19 fiscal year will include increased outreach by our Ombudsman Representatives to Long Term Care (LTC) Facilities around the province. Introducing residents, staff, family, and volunteers to the role of the Office will be an integral part of our growing role in supporting seniors who make use of government services. In addition to that outreach, the Office is exploring the idea of hosting a Seniors Summit in 2019.

We are also looking forward to the resolution of an application to the Nova Scotia Court of Appeal under Section 11(3) of the Ombudsman Act for a determination of the question of jurisdiction involving the Department of Health and Wellness (DHW), Adult Protection Services (APS). The matter stems from an own-motion investigation regarding the handling of complaints or referrals made to APS regarding the safety and well-being of a vulnerable person. Regrettably, the DHW refuses to fully co-operate with the investigation broadly citing privacy legislation and lack of jurisdiction for the Ombudsman to investigate. While such an application is rare, this Office believes it is necessary based on the circumstances in this instance, as well as in the public interest.

Finally, the Office continues to educate public servants about our role pursuant to the Public Interest Disclosure of Wrongdoing (PIDWA) Act. PIDWA awareness increases the likelihood of a mismanagement being reported and handled in an appropriate manner. Regular information sessions will keep public servants aware of their role and responsibilities when it comes to this important “whistleblower” legislation.

Ombudsman Representatives are available to meet with groups or organizations to discuss the services the Office provides.

The Office also has communication materials to distribute such as brochures and posters. Additional reference documents supplementing the Annual Report may be found on our website or by contacting the Office.

There are several ways to contact the Office of the Ombudsman:

Telephone:

Public Inquiries / Complaints: 1-902-424-6780 or Toll Free: 1-800-670-1111

Youth Inquires / Complaints: 1-902-424-6780 or Toll Free: 1-800-670-1111

Disclosure of Wrongdoing Inquiries / Complaints: Toll Free: 1-877-670-1100

Fax: 1-902- 424-6675

In person:

5670 Spring Garden Road, Suite 700

Halifax, Nova Scotia B3J 1H6

Mail:

PO Box 2152

Halifax, Nova Scotia B3J 3B7

Online:

Website: <https://novascotia.ca/ombu/>

E-mail: ombudsman@novascotia.ca



Facebook: Nova Scotia Ombudsman



Twitter: @NS_Ombudsman