



Nova Scotia

# Office of the Ombudsman

**Business Plan 2007 - 2008**

Final Report  
March 7, 2007



## TABLE OF CONTENTS

Message from the Ombudsman. ....	3
Mission. ....	4
Link to the Corporate Path. ....	4
Planning Context. ....	5
Strategic Goals, Core Business Areas, Priorities, and Performance Measures . . . . .	7
Human Resource Strategy . . . . .	14
Budget Context. . . . .	17

Office of the Ombudsman

**Message from the Ombudsman**

This document has been prepared in keeping with our legislative mandates and government priorities. This planning cycle will continue to see a greater focus and outreach in the areas of systemic reviews, youth, seniors, diversity, and community access. Activity within the Civil Service Disclosures of Wrongdoing area is becoming more prevalent. We continue to work with government officials to improve our working relationship and also government's relationship with the people it serves. Inherent in the plan is the importance of Human Resources and the value of public servants. The planning cycle will provide the basis for future evaluation targets.

A handwritten signature in cursive script that reads "Dwight Bishop". The signature is written in black ink and is positioned to the left of the typed name below.

Dwight Bishop  
Ombudsman

## Mission

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

## Link to the Corporate Path

The Corporate Path's Direction and Priorities  
 Vision: Building for Families, Building for the Future

<b>(1) Creating Winning Conditions</b>	<b>(2) Seizing New Economic Opportunities</b>	<b>(3) Building for Individuals, Families and Communities</b>
1.1 Globally Competitive Business Climate	2.1 Leader in Information Technology [as an enabler of innovation]	3.1 Healthy, Active Nova Scotians
1.2 Globally Competitive Workforce  <b>Priority 1 Complaint Investigation</b>  <b>Priority 3 Public Service Administration and Good Governance</b>	2.2 Leader in R&D and Innovation  <b>Priority 4 Complaint Prevention and Reduction</b>	3.2 Accessible Services  <b>Priority 1 Complaint Investigation</b>  <b>Priority 2 Education</b>
1.3 Globally Competitive Connections [infrastructure]	2.3 Leader in Clean & Green Economy	3.3 Safe Communities  3.4 Vibrant Communities

## **Planning Context**

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, referred to as an "Own Motion Investigation" or matters referred to it by a "committee of the House." The Ombudsman has focused responsibility with respect to youth, seniors, and disclosure of wrongdoing.

The Office of the Ombudsman has been operating under the restructured organization since April 1, 2005. Training and education initiatives undertaken by staff have resulted in more effective administrative reviews and investigations. The benefits of having permanent and experienced staff continues to be demonstrated through a more comprehensive understanding and application of the principles of the Ombudsman Act.

The Ombudsman Representative with primary responsibility for the Civil Service Disclosure of Wrongdoing Regulations is working with the Public Services Commission to increase awareness of the regulations among civil servants. Areas identified for further education are the obligations of the officials required to respond to allegations of wrongdoing, and investigation capabilities. The number of disclosure complaints and inquiries in 2005-2006 totaled six. We saw an increase in disclosure complaints and inquiries in 2006-2007 and anticipate that initiatives in this area will continue to increase the number and complexity of complaints.,

In 2005-2006, the Office of the Ombudsman addressed 944 administrative reviews (703 - Investigation and Complaint Services, 216 - Youth Services and 25 - Senior Services). 470 non-jurisdictional inquiries were redirected to the proper authorities. In addition, we met with 284 youth in care or custody of the provincial government, and conducted 36 investigations of municipal or provincial governments, six of which were own motion or systemic reviews. We also conducted two policy reviews at the request of government officials. We received six disclosure of wrongdoing inquiries. Fifteen reports were released to the Department of Justice, and another thirteen were released to the Department of Community Services on youth custody and care issues. Our roll out of the youth complaints resolution process to youth in residential child-caring facilities was well received. Progress was made with our seniors' outreach initiative. We piloted an evaluation survey project for youth at the Nova Scotia Youth Facility. We also piloted an out reach complaint resolution process at the Central Nova Scotia Correctional Facility, female unit. We anticipate increasing efforts in this area, pending adequate resources.

During the first ten months of this fiscal year, the Office addressed 942 administrative reviews, met with 242 youth in care and custody and provided 263 referrals to non-jurisdictional inquiries. This demonstrates a continued increase in jurisdictional issues (81.5%) being brought to our attention over non-jurisdictional issues (18.4%). (Disclosure of wrongdoing activity will be initially reported to the Public Service Commissioner). In the first ten months of this fiscal year,

15 investigations and five systems review were initiated. Eight monthly reports and two quarterly reports regarding youth custody issues were provided to the Department of Justice. One interim summary of youth evaluation interviews was also provided to the Department of Justice. Eight monthly reports and one consultative report regarding the Residential Child-Caring Facilities were provided to the Department of Community Services. We completed the third tour of all the residential child-caring facilities in which Ombudsman Representatives met with staff and/or residents in each residential child caring facility. Two reports outlining issues brought to our attention from adult female offenders were provided to the Department of Justice. The areas of adult male corrections was given greater attention.

In 2005-2006, 1,975 individuals received information about the Office through presentations, site visits and information booths. Our website received nearly 40,000 visits. During the first ten months of the 2006-2007 fiscal year, we conducted 233 presentations and site visits, including attending the Senior's 50+ Expo, reaching approximately 1900 individuals. Our presentations included students attending private career and community colleges policing and corrections foundations and youth care workers, and seniors continuing care programs. An additional 4 presentations made by the Ombudsman in his dual role (Ombudsman and FOIPOP Review Officer) reached approximately of 330 individuals, for a grand total of 2230.

The Ombudsman ceased performing the duties of the Nova Scotia Freedom of Information and Protection of Privacy (FOIPOP) Review Officer on February 5, 2007.

Our collaborative initiatives with government officials and community groups has resulted in a greater understanding of the role of the Office of the Ombudsman within government. It has also cultivated an increased understanding among Ombudsman Representatives of the various roles, services, and challenges faced by government officials. Many government agencies recognize the need to monitor and to look for ways to continually improve the quality of services. We will continue to work with government in this area.

## **Strategic Goals , Core Business Areas, Priorities, and Performance Measures**

In accomplishing its mission, the Office of the Ombudsman contributes to the Government's priority of providing responsible, accountable government. We investigate complaints relating to the administration of the laws of the provincial and municipal governments which may include issues relating to any of the priorities identified by Government. This provides an opportunity to make recommendations to Government on how to improve the delivery of services. Our responsibilities under the Civil Service Disclosure of Wrongdoing Regulations also provides us with a mechanism to improve the delivery of services.

In order to accomplish its mission, the goals of the Office of the Ombudsman in 2007-2008 are:

1. Quality complaint resolution process.

This goal is consistent with, and supports the Government's priority of improved governance and accountability of government in the delivery of programs and services.

2. Awareness, access and understanding of the Office of Ombudsman.

This goal is consistent with, and supports Government priorities by educating citizens and the Public Service on the principles of administrative fairness in the delivery of programs and services.

3. Fairness and accountability in public sector administration.

This goal is consistent with, and supports Government priorities by enhancing accountability in the delivery of programs and services. Our role with the Civil Service Disclosure of Wrongdoing regulations further enhances our ability to promote fairness and accountability.

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

This goal is consistent with, and supports Government priorities by increasing the knowledge of citizens and the Public Service and by reaching out to designated stakeholders (youth, seniors, families, and Nova Scotians in need).

## **Core Business Areas**

### **1. *Complaint Processing***

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

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

### **2. *Education***

Promote citizen and government awareness and understanding of the Office of the Ombudsman. Our communications strategy clarifies our role and mandate, and increases citizens' accessibility through:

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

### **3. *Public Service Administration and Good Governance***

Promote fairness and accountability in public sector administration through:

- identification of specific and systemic issues
- research and investigate systemic issues
- issuance of recommendations and monitoring compliance
- education/training
- providing a mechanism to address allegations of wrongdoing

### **4. *Complaint Prevention/Reduction***

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

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



## Priorities

### 1. *Complaint Processing*

Receive and investigate complaints filed by citizens against provincial and municipal government departments, agencies, boards, and commissions and work with departments and agencies to improve the delivery of services.

Our priorities for 2007-2008 are to continue to improve complaint resolution processes to identify methods to provide more timely and effective administrative reviews and investigations, to increase the number of settlements obtained using alternative dispute resolution processes, and to increase the number of systemic reviews.

<b>Strategic Goal: quality complaint resolution process</b>					
<b>OUTCOME (immediate or inter-mediate)</b>	<b>MEASURE</b>	<b>DATA</b>	<b>TARGET</b>	<b>TARGET YEAR 2010-2011</b>	<b>strategic Actions to achieve target</b>
An efficient and effective complaint resolution process	Timely completion of administrative reviews	2005-2006 (Base Year) 1-7 days 55.9% 8 days - 4 wks 14.8% 4 weeks + 29.2%	2007-2008 - 1-7 days 40 % 8 days - 4 wks 25% 4 weeks + 35%	2010-2011 1-7 days 30 % 8 days - 4 wks 40% 4 weeks + 30%	Update performance appraisals, work plans, education, and training initiatives. Continue to decrease non-jurisdictional matters being brought to our attention
	Timely completion of investigations & systemic reviews	2005-2006 (Base Year) Complete majority of investigations and systemic reviews within 12 months (from date moved from administrative review)	2007-2008 - Maintain time frame of completing majority of investigations and systemic reviews within 12 months	2010-2011 All investigations and systemic reviews completed within 12 months	Review quality assurance process and monitor progress. Conduct regular management meetings focusing on files in excess of 3 months.

<b>Strategic Goal: quality complaint resolution process</b>					
<b>OUTCOME (immediate or inter- mediate)</b>	<b>MEASURE</b>	<b>DATA</b>	<b>TARGET</b>	<b>TARGET 2010-2011</b>	<b>Strategic Actions to achieve target</b>
<p>Increased awareness of the role and mandate of the Office</p> <p>Increased awareness of Regulations Respecting Civil Service Disclosure of Wrongdoing</p> <p>Increased public confidence and accountability of government</p>	<p>Maintain low ratio of investigations as compared to administrative reviews</p>	<p>2003-2004 - 30 (3%) (Base Year)</p> <p>2004-2005 -14 (1%)*</p> <p>2005-2006 - 36 (3.6%)</p>	<p>2007-2008 maintain a ratio of less than 5%</p>	<p>2010-2011 a ratio of less than 4%</p>	<p>Educate government officials and public servants on the role and mandate of the Office of the Ombudsman.</p> <p>Educate government officials and civil servants about the Regulations Respecting Civil Service Disclosure of Wrongdoing</p> <p>Increase use of Alternative Dispute Resolution processes</p>

\* The number of investigations was lower than the norm as the Office was revising investigation procedures.

## 2. Education

Advise citizens of their right to access internal departmental and external complaint mechanisms, and of their right to access the Office of the Ombudsman and the Civil Service Disclosure of Wrongdoing complaint mechanism.

One of our priorities in 2007-2008 is to increase awareness of citizens, officials, and employees of the Public Service of the role of the Ombudsman. A second priority is to increase awareness of the availability of our independent, objective review/complaint resolution mechanisms which are based on the principles of administrative fairness and good governance.

<b>Strategic Goal: Awareness, access and understanding of the Office of Ombudsman</b>					
<b>OUTCOME (immediate or inter-mediate)</b>	<b>MEASURE</b>	<b>DATA</b>	<b>TARGET</b>	<b>TARGET 2010-2011</b>	<b>Strategic Actions to achieve target</b>
Increased awareness of the principles of administrative fairness	The number of individuals receiving information on the role of the Office	individuals reached 2001-2002 - 485 (Base Year) 2002-2003 - 448 2003-2004 - 381 2004-2005 - 1710 2005-2006 - 1975  Disclosure Statistics will be reported in greater detail in the 2006-2007 Accountability Report	2007-2008 10% increase in number of individuals reached	2010-2011 individuals reached 2500	Enhance our communication strategy by targeting government officials, seniors, youth, and other designated groups.  Distribute revised brochures with information regarding the Regulations Respecting Civil Service Disclosure of Wrongdoing  Distribute communication materials in French  Distribute pins depicting our logo Monitor visits to the web site

### 3. *Public Service Administration and Good Governance*

Recommend and monitor amendments to policies, procedures, and legislation arising from investigations and reviews. Through the recommending and monitoring component, the Office of the Ombudsman advises and educates citizens, elected officials, and government employees about the principles of administrative fairness and good governance.

A priority in 2007-2008 is to build on the successes of 2005-2006 regarding the development of mutual relationships of trust and respect with government authorities to ensure implementation of recommendations. These improved relationships are resulting in more timely and effective administrative reviews with the resolution of concerns being obtained by Ombudsman Representatives and the staff of municipal and provincial governments. We will also increase the number of investigations of systemic issues impacting on the delivery of government services.

<b>Strategic Goal: Fairness and accountability in public sector administration</b>					
<b>OUTCOME (immediate or inter-mediate)</b>	<b>MEASURE</b>	<b>DATA</b>	<b>TARGET</b>	<b>TARGET 2010-2011</b>	<b>Strategic Actions to achieve target</b>
Accountability in the delivery of government programs and services	Number of administrative reviews and investigations with positive outcomes	2005-2006 Administrative Reviews outcomes: Assistance rendered to the complainant 460 Resolved in favour of the complainant 135 Resolved in favour of the public body 90 Resolved between the parties 18 Total with positive outcomes 703 Discontinued/withdrawn (Negative outcomes) 180 ratio 80% positive outcomes 2005-2006 investigations and systems reviews outcomes: Resolved in favour of the complainant -5 (changes to policies and procedures 5) Assistance rendered to the complainant -5 (changes to policies and procedures 3) Resolved in favour of the public body -10 (changes to policies and procedures-2)	2007-2008 maintain ratio of administrative reviews, with positive outcomes 2007-2008 increase number of changes to policies and procedures to 12-14	2010-2011 Increase ratio of administrative , investigations with positive outcomes to 85% 2010-2011 number of changes to policies and procedures 16	Enhance relationship with government. Increase public awareness of the role of the Office Participate in consultation with government relating to the delivery of programs and services provided

#### 4. *Complaint Prevention/Reduction*

Provide a service that promotes early intervention while maintaining independence from government.

Our priority in 2007-2008 is to increase requests from government officials to review proposed and existing legislation, regulations, polices, and procedures. We will continue to make recommendations which improve and clarify existing legislation, regulations, polices, and procedures.

<b>Strategic Goal: Promote initiatives such as government policy development and review, as well as initiatives focusing on youth, seniors and cultural diversity</b>					
<b>OUTCOME (immediate or inter-mediate)</b>	<b>MEASURE</b>	<b>DATA</b>	<b>TARGET</b>	<b>TARGET 2010-2011</b>	<b>Strategic Actions to achieve target</b>
Increase the number of requests for reviews of legislation, regulations and policies	Number of requests received by government	2003-2004 - 4 2004-2005 - 6 2005-2006 - 2	2007-2008 conduct 2-4 reviews	2010-2011 conduct 5-7 reviews	Communicate to government officials our willingness to participate in this process
Conduct reviews of legislation, regulations and policies associated with investigations	systemic reviews & own motion investigations	2005-2006 -6	2007-2008 conduct 4-6 systemic reviews & own motion investigation	2010-2011 conduct 6-8 systemic reviews & own motion investigations	Establish mechanism to identify opportunities for such reviews
Increase presence in areas of government, citizens, and areas relating to youth, seniors, cultural diversity	Number of site visits conducted*	2003-2004 - 25 2004- 2005 -39 2005-2006* 89 Youth 3 Seniors 7 adult offenders total - 99	2007-2008- increase number of site visits to 110	2010-2011 increase number of site visits to 130	Increase presence and provide accessibility to group homes, seniors, youth, and other designated groups through site visits and education initiatives

\* In 2005-2006 site visits tracking expanded to include adult correctional facilities and visits associated with reviews and investigations

## **Human Resource Strategy**

### Office Demographics

As of February 1, 2007, the Office of the Ombudsman had 14 permanent full time employees, four casual employees, one student placement and one person hired through the Career Starts Internship Program. The average age of permanent staff is 44. Of the permanent employees, 71% are female and 29. % are male. The total office is comprised of 60. % females and 40.0 % males. The percentage of self-identified Affirmative Action (permanent) employees is 28.5% (4 individuals).

An Ombudsman Representative, Youth and Senior Services, began a secondment with the Youth Secretariat in November 2006.

The Office has no reports of occupational health and safety incidents in the past fiscal year.

The Office of the Ombudsman has, or will, take the following steps to reach the goals contained in Nova Scotia's Corporate Human Resources Plan:

1. To make a difference through a skilled, committed, and accountable public service.

The Corporate Plan's objectives include:

- fairness and access
- service excellence
- public opinion
- consistent policy application

The Office of the Ombudsman strives to promote these objectives. Our role is to promote accountability and fairness in the way municipal and provincial governments services are delivered to the public. These objectives are evident in our logo which represents the arms of the public, the government, and the Office of the Ombudsman raised for fairness, integrity and good governance. Given that our role includes reviewing government entities in these areas, we strive to ensure our internal policies, procedures, and practices incorporate these objectives.

A second internal employee survey was conducted this fiscal year. Sixteen out of eighteen were returned. Overall the results were very positive, similar to last year. The feedback received enables the Office of the Ombudsman to identify and celebrate our strengths as well as identify and address any areas requiring improvement.

The Office completed performance appraisals for all permanent MCP staff and will continue to conduct these annually. Our objectives include completing the appraisals within the first 3 months of each fiscal year. A second objective is to augment the appraisals with office and individual work plans for all staff in the upcoming years.

## 2. To be a Preferred Employer

The Office of the Ombudsman has a staff training/orientation program for all permanent and casual staff. Each new placement receives an orientation program which includes an introduction to the Office of the Ombudsman outlining our services, role, and mandate as well as presentations and job shadowing with Ombudsman staff. A staff training/orientation binder is also provided to all staff. The binder is updated on a regular basis. In 2005-2006, we provided an orientation session to the individuals on our Administrative Support/Intake Officer Casual Roster. Orientation sessions for the Ombudsman Representative, Casual Roster will also be provided.

The Office hires students on a regular basis through the Career Starts (diversity, mentorship and co-op programs), and provides students with experience through work placements. In 2005-2006, six students had placements with this Office. This fiscal year we had nine student placements and one intern. These placements provide an excellent opportunity for students to gain a better understanding of the functions of government and to acquire valuable work experience. They also provide Ombudsman Representatives with opportunities to gain supervisory and mentoring skills.

## 3. To be a safe and supportive workplace

The Office has an OH&S representative over the last number of years and in February 2006, an OH&S committee was formed. The formulation of this committee surpasses the OH&S regulations because our staff complement is below the twenty employees required to establish a committee. This committee is also responsible for encouraging and implementing healthy workplace initiatives.

The Office developed a draft business continuity plan. The Emergency Management Office approved the plan, with a few suggested revisions.

## 4. To be a diverse workforce

Twenty- eight percent, or four employees, within the Office of the Ombudsman have self-identified as Affirmative Action and Diversity employees. Our continued objective is to increase this percentage to a minimum of 30% by 2007-2008.

All job postings include the following statement:

Note: The Office of the Ombudsman values diversity in the workplace and encourages applications from African Nova Scotians and other members of the visible minority community, Aboriginal peoples, persons with disabilities and women. Applicants from these designated groups wishing to self-identify may do so in their cover letter.

We also send notification of any positions posted on the Nova Scotia Employment Opportunities website to Diversity organizations.

Last year we reported that the majority of staff have taken the Affirmative Action and Employment Equity training and 50% have taken the Aboriginal Perceptions course. This year, four additional staff

members attended Aboriginal Perceptions ( 2 permanent, one student and one intern). Two individuals took Diversity and Employment Equity and five attended Respectful Workplace.

The Office of the Ombudsman's annual report and information brochures are available in both official languages. The Youth Services poster *We Have to Talk* is available in English, French and Mi'kmaw. Business cards for all staff have information in braille. This Office has arranged interpretive services through the Metropolitan Immigration Settlement Association and the Office of Acadian Affairs.

#### 5. To be a learning organization

The Office of the Ombudsman believes strongly in creating opportunities for staff development. All staff have prepared individual training plans in order to address specific training requirements. The areas identified as important for the Office Training and Development Plan include investigation techniques, interviewing skills, administrative justice and ethics, report writing and analysis, and presentation skills and leadership development. A number of staff have taken, or continue to take, leadership development training. An ongoing objective is to increase the number of employees participating in leadership development training. The Executive Director is currently on a wait list to participate in the leadership training for executive directors, provided by the PSC.

The Office of the Ombudsman encourages and accommodates staff who enroll in university programs. We are also represented on the GoverNEXT committee. The Supervisor, Youth and Senior Services completed a secondment. An Ombudsman Representative was seconded to the Youth Secretariat in November 2006.

The Office of the Ombudsman is a unique working environment which allows staff to become very knowledgeable of legislation and regulations, government policies, and procedures. The nature of the work requires staff to continually be aware of and to assist the implementation of best practices. The Office has attracted high quality employees from within and outside of government. An objective is to increase the number of high caliber employees employed with this Office and in turn to prepare these employees for high ranking positions within government as part of their career development. This exchange of employees will also increase the awareness and implementation of the principles of Ombudsmanship throughout the provincial and municipal government entities within Nova Scotia.



## Budget Context

<b>Office of the Ombudsman</b>		
<b>Estimated Budget Expenditures</b>		
	2006/07 Forecast	2007/08 Forecast
	(\$ Thousands)	(\$ Thousands)
Gross Expenses	\$1,384	\$1,445
Net Program Expenses	\$1,384	\$1,445
Salaries and Benefits	\$1,090	\$1,190
Funded Staff (FTE's)	16	16