



Nova Scotia

# **Office of the Ombudsman**

**Business Plan 2006 - 2007**

Final  
April 21, 2006



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Office of the Ombudsman

**Message from the Ombudsman**

This document has been prepared in keeping with our legislative mandate(s) and government priorities. It is designed to foster confidence in public administration and ensure our services are sensitive and responsive to citizens and government. This planning cycle will continue to see a greater focus and outreach in the areas of youth, seniors, diversity and community access. Systemic reviews are becoming more prevalent. We continue to work with government to improve our working relationship and also their relationship with the people they serve. 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 black ink, appearing to read "Dwight Bishop". The signature is written in a cursive style with a large initial "D" and a long, sweeping tail on the "p".

Dwight Bishop  
Ombudsman

## **A. Mission**

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



Our logo represents the arms of the public, the government, and the Office of the Ombudsman raised for fairness, integrity and good governance.

## **B. 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 restructured Office of the Ombudsman was implemented on April 1, 2005. During 2005-2006, the Office stabilized its workforce. All permanent staff were appointed under the authority of the Ombudsman Act. Training and education initiatives undertaken by staff have resulted in more effective administrative reviews and investigations. April 1, 2006 will mark the one year anniversary of the permanent status of staff. We are very pleased to have retained all staff hired under the new structure. The benefits of having permanent and experienced staff are being demonstrated through a more comprehensive understanding and application of the principles of the Ombudsman Act.

In September 2004, the mandate of the Office of the Ombudsman expanded to include responsibilities as set out in the *Regulations Respecting Civil Service Disclosure of Wrongdoing*. An Ombudsman Representative hired in July 2005 was designated primary responsibility for this area. He will be focusing on investigation and skill set training as well as education and training initiatives to increase awareness of the new regulations.

In 2004-2005, the Office of the Ombudsman addressed 1,115 administrative reviews and conducted 14 investigations of municipal or provincial governments. In addition, 673 non-jurisdictional inquiries were redirected to the proper authorities. Twenty-seven monthly reports were released to the Department of Justice and the Department of Community Services on custody and care issues. We expanded the youth complaints resolution process to youth in residential child caring facilities and continued to implement our outreach initiative to senior citizens.

During the first ten months of fiscal 2005-2006, the Office addressed 1006 administrative reviews, provided 357 referrals to non-jurisdictional inquiries and addressed 3 disclosure of wrongdoing inquiries. This demonstrates a continued increase in jurisdictional issues (73.8% ) being brought to our attention over non-jurisdictional issues (26.1%). We initiated the guideline of providing notification letters to provincial Deputy Ministers and municipal Chief Administrative Officers of administrative reviews which are active in excess of four weeks, and thereby migrating to investigation status. In the first ten months of this fiscal year, 36 investigations were initiated, six of which are systemic reviews. Twenty-two monthly reports were provided to the Department of Justice and the Department of Community Services on youth custody and care issues. We also initiated the complaints resolution process for residential child caring facilities. Ombudsman Representatives met with staff and/or residents in each residential child caring facility on at least two occasions in the majority of residences (exception - one facility received one visit) between April 1, 2005 and January 19, 2006.

In 2004-2005, 1710 individuals received information about the Office through presentations, site visits and information booths. During the first ten months of fiscal 2005-2006, Ombudsman Representatives conducted over 50 presentations, including attending the Senior's Expo reaching approximately 1225 individuals. We made 136 site visits, 59 of which were to the youth facilities, and conducted 221 information sessions to 228 youth in care or custody. Site visits were also made in connection with investigations throughout the province, as well as tours of adult correctional facilities, reaching an additional 131 individuals. (Total individuals reached exceeds 1650). From April 2005 - October 2005, our website received in excess of 22,000 visits.

We are continuing to expand our collaborative initiatives with government officials and community groups. This has resulted in a greater understanding of the role of the Office of the Ombudsman within government as well as an increased understanding among Ombudsman Representatives of the various roles, services, and challenges faced by government officials. This demonstrates that many government agencies recognize the need to monitor and improve the quality of their services. Progress was also made in the area of public education, particularly with the seniors community.

In 2005-2006, our office lease tender was completed. We temporarily relocated while renovations were conducted and we returned to Suite 700, 5670 Spring Garden Road in January 2006. The moves were disruptive, however, we were able to maintain regular office hours to ensure the public and government officials were not inconvenienced.

On January 24, 2006, the Ombudsman assumed the duties of the Nova Scotia Freedom of Information and Protection of Privacy (FOIPOP) Review Officer on an interim basis.

## **C. Strategic Goals**

In accomplishing its mission, the Office of the Ombudsman contributes to the Government's priority of fulfilling its role 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. We have also acquired responsibilities under the Civil Service Disclosure of Wrongdoing Regulations.

In order to accomplish its mission, the goals of the Office of the Ombudsman 2006-2007 are:

### 1. Quality complaint resolution process.

This goal is consistent with, and supports Government priorities by increasing public confidence 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.

### 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).

## **D. 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

## **E. Priorities**

The priorities set out in this business plan were developed based on a budget allocation of \$1,384,000 (see schedule 1).

### **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 administrative services.

Our priorities for 2006-2007 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.

### **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 to access the Civil Service Disclosure of Wrongdoing complaint mechanism.

One of our priorities in 2006-2007 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, including the Regulations Respecting Civil Service Disclosure of Wrongdoing, both of which are based on the principles of administrative fairness and good governance.

### **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 2006-2007 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.

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

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

Our priority in 2006-2007 is to increase requests from government officials to review proposed and existing legislation, regulations, policies, and procedures. We will continue to make recommendations which improve and clarify existing legislation, regulations, policies, and procedures.

#### **5. Human Resource Strategy**

##### Office Demographics

As of March 1, 2006, the Office of the Ombudsman had 13 permanent full time employees, 3 casual employees, and 2 student placements. The average age of permanent staff is 45.3, with the casual staff and students included the average is 43.5. Of the permanent employees, 61.5% are female and 38.4 % are male. The total office is comprised of 55.5 % females and 44.4 % males. The percentage of self-identified Affirmative Action (permanent) employees is 23% (3 individuals).

One staff member is on short-term secondment to the FOIPOP Office. The competition to convert one of the Office of the Ombudsman's positions from casual to permanent status is also underway.

The Office has not reported 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 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 critiquing government entities in these areas, we strive to ensure our internal policies, procedures, and practices incorporate these objectives.

An internal employee survey was conducted in this fiscal year. Thirteen surveys were distributed and 11 were returned. Overall the results were very positive. Our objective is to conduct an employee survey annually. This will enable the Office of the Ombudsman to identify and celebrate our strengths as well as identify and address any areas requiring improvement.

The Office is completing performance appraisals for all permanent staff. Our objectives include completing the appraisals in a more timely fashion, i.e., self assessment questionnaire and targets completed within the first 3 months of each fiscal year. A second objective is to augment the appraisals with office and individual work plans in 2006-2007.

## 2. To be a Preferred Employer

The Office of the Ombudsman has developed 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 is also provided to all staff. The binder is updated on a regular basis.

An objective for 2006-2007 is to provide an orientation seminar to staff hired for the Intake Officer/Administrative Support casual roster.

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 (Community Colleges and Dalhousie Law School). In 2004-2005, four students had placements with this Office. This fiscal year we had six student placements. 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.

This Office will be developing an office emergency contingency plan in consultation with the Emergency Management Office.

#### 4. To be a diverse workforce

Twenty-three percent, or three employees, within the Office of the Ombudsman have self-identified as Affirmative Action and Diversity employees). An 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.

The majority of staff have taken the Affirmative Action and Employment Equity training and 50% have taken the Aboriginal Perceptions course. An objective for 2006-2007 is to have a minimum of 90% of permanent and casual staff attend these programs.

The Office of the Ombudsman is working towards having all communications material available in both official languages. Currently, the Youth Services poster *We Have to Talk* is available in English, French and Mi'kmaq. A French version of the brochure *Do You Have Concerns About Provincial or Municipal Government Services* was published in February 2006. 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.

Objectives for 2006-2007 include French versions of the brochure *We Have to Talk* and the 2004-2005 Annual Report.

#### 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 leadership development training. An ongoing objective is to increase the number of employees participating in leadership development training. An objective for 2006-2007 is for the Executive Director to participate in the leadership training for executive directors.

The Office of the Ombudsman encourages and accommodates staff who enroll in university programs. We also are represented on the GoverNext committee. The Supervisor, Youth and Senior Services is currently on secondment. This has created a learning opportunity for this individual as well as for Ombudsman Representatives to act in a supervisory position.

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 Ombudmanship throughout the provincial and municipal government entities within Nova Scotia.

**A. Budget Context**

(see attached schedule 1)

**B. Performance Measures**

(see attached template)

## Schedule 1

<b>Office of the Ombudsman Estimated Budget Expenditures</b>	
Core Business	2005-2006 Actual
	\$ Thousands
Gross Expenses	\$1,152,000.00
Net Program Expenses	\$1,152,000.00
Salaries and Benefits	\$929,200.00
Funded Staff (FTE's)	14

<b>Office of the Ombudsman Estimated Budget Expenditures</b>	
Core Business	2006-2007
	\$ Thousands
Gross Expenses	\$1,384,000.00
Net Program Expenses	\$1,384,000.00
Salaries and Benefits	\$1,090,000.00
Funded Staff (FTE's)	16 *

\* One position to be filled on a full time basis for a one year term (Central Registry set-up)

## Performance Measures

<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>Strategic Actions to achieve target</b>
An efficient and effective complaint resolution process	Timely completion of administrative reviews	2004-2005 - establish time frame under reorganized structure	2005-2006 - Maintain time frame	Build upon stabilized workforce. Continue to implement and revise performance appraisals, work plans, education and training initiatives initiated in 2005-2006  Implement guideline of notifying Deputy Ministers and municipal CAO's of reviews in excess of 4 weeks with issues that warrant investigations
	Timely completion of investigations & systemic reviews	2004-2005 - establish time frame under reorganized structure	2005-2006 - Maintain time frame	Build upon stabilized workforce. Continue to implement and revise performance appraisals, work plans, education and training initiatives initiated in 2005-2006

<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>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> <hr/> <p>Increase usage of Alternate Dispute Resolution processes</p>	<p>2003-2004 - 30 (3%)</p> <p>2004-2005 - 14 (1%)</p>	<p>2005-2006 - maintain a ratio between 5-7%</p> <p>2006-2007 - maintain a ratio between 5-7%</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>

**Strategic Goal: Awareness, access and understanding of the Office of Ombudsman**

<b>OUTCOME (immediate or inter- mediate)</b>	<b>MEASURE</b>	<b>DATA</b>	<b>TARGET</b>	<b>Strategic Actions to achieve target</b>
Increased awareness of the principles of administrative fairness	Increase in the number of individuals receiving information on the role of the Office	2001-2002 - 485 individuals reached 2002-2003 - 448 individuals reached 2003-2004 - 381 individuals reached 2004-2005 - 1710 individuals reached	2005-2006 maintain the number of individuals reached in 2004-2005 2006-2007 - 10% increase in number of individuals reached	Enhance our communication strategy by targeting government officials, seniors, youth, and other designated groups Distribute revised brochures, which incorporate 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

<b>Strategic Goal: Fairness and accountability in public sector administration</b>				
<b>OUTCOME (immediate or intermediate)</b>	<b>MEASURE</b>	<b>DATA</b>	<b>TARGET</b>	<b>Strategic Actions to achieve target</b>
Accountability in the delivery of government programs and services	Number/percentage of recommendations accepted	2001-2002* 2002-2003* 2003-2004 - 64 2004-2005 - 43**	2005-2006 - maintain current percentage  2006-2007 - 100% acceptance of recommendations	Enhance relationship with government and increase awareness of the role of the Office  Participate in consultation with government relating to the delivery of programs and services provided

\* Data was not tracked for 2001- 2002 or 2002-2003

\*\* 43 refers to recommendations associated with investigations. In 2005-2006, recommendations associated with administrative reviews will also be tracked.

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

<b>OUTCOME (immediate or inter- mediate)</b>	<b>MEASURE</b>	<b>DATA</b>	<b>TARGET</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 - maintain number of reviews in 2004-2005  2006-2007 - increase number of reviews of legislation, regulations and policies to 8	Communicate to government officials our willingness to participate in this process
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	Increase the number of site visits by 10% *	Develop a strategy to increase presence and provide accessibility to group homes, seniors, youth, and other designated groups

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