

Annual Performance Report 2008-09

Office of the Chief Electoral Officer
Commissioner for Legislative Standards



Message from the Chief Electoral Officer/ Commissioner for Legislative Standards

I am pleased to present the Annual Performance Report of the Office of the Chief Electoral Officer (OCEO) and the Commissioner for Legislative Standards for the fiscal year ending March 31, 2009.

The Office strives to be an organization that inspires confidence in all those involved in the electoral process through impartiality, excellence, and professionalism. It is primarily responsible for exercising general direction and supervision over the administrative conduct of elections; ensuring that all election officials enforce fairness, impartiality, and compliance with the Act; preparing various reports to be tabled in the House of Assembly and to be made available to the general public; administering the election finance provisions of the legislation as they pertain to registered parties and candidates; and encouraging voter participation through various forms of communication and promotion.

The OCEO produced a Business Plan for 2008-2011 and this is a report of our progress and achievements for the fiscal year ending March 31, 2009.

This has been a particularly successful year for the OCEO. Many new plans and initiatives have been put in place and are already helping to increase efficiency. It is the hope of the Office that these plans and initiatives will also help to facilitate a smooth election process in 2011.

This report was prepared under my direction in accordance with the *Transparency and Accountability Act*. I am accountable for the results reported in this document.

Sincerely,



Paul Reynolds
Chief Electoral Officer
Commissioner for Legislative Standards

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Section A

**Office of the Chief Electoral Officer
(OCEO)**

Overview

The Chief Electoral Officer for Newfoundland and Labrador is Mr. Paul Reynolds.

The OCEO is responsible for the conduct of elections and for ensuring fairness, impartiality and compliance with all aspects of the *Elections Act, 1991*. In addition to responsibilities associated with provincial elections, the Office works co-operatively with federal, provincial and municipal governments in the sharing of information to maintain an accurate, comprehensive and up-to-date permanent list of electors for other electoral events.

For the fiscal year ending March 31, 2009, the operating budget for the office was \$1,373,700. It should be noted that funding was not provided in the original estimates for 2008-09 to cover the cost of two by-elections which took place in August 2008. Total costs directly attributable to these by-elections was approximately \$178,000. The OCEO was able to fund these costs without having to resort to special warrant funding requests due mostly to savings realized because a digitized mapping project planned for the 2008-09 year could not be completed as planned.

The OCEO currently employs 13 people. Of these 13, 10 are women and three are men.

The OCEO is located at 39 Hallett Crescent, St. John's, in the O'Leary Industrial Park. The telephone number is 729-0712 and the fax number is 729-0679. The Elections Newfoundland and Labrador website (www.elections.gov.nl.ca) contains information about the Chief Electoral Office and serves as an informational resource for the public. The current Business Plan, past election reports, financial reports, legislation, brochures and information about the election process are available online.

Lines of Business

The OCEO provides the following lines of business in carrying out its mandate.

Facilitate Electors' Right to Vote

Everyone in Newfoundland and Labrador who is over the age of 18 and is a resident of the province has a right to vote. The Chief Electoral Office facilitates this right by providing electors with everything they need to know in order to vote. This is done through proper election planning, effective communications strategies and well-trained and knowledgeable field staff.

Election Preparation

Election preparation is a continuous process and consists of a myriad of areas including ordering supplies for headquarters and field staff, manual preparation, training delivery, province wide ballot box distribution, and special ballot voting both at headquarters and at the district returning offices. Election preparation requires staff to have professional skills to provide a reliable and consistent service to those we serve. Election preparation involves providing electors with the information and mechanisms they require to participate in the electoral process.

Voter Registry including Boundary Issues

The Voter Registry Division was created and mandated partly because of legislative changes to the *Elections Act, 1991*, but also partly because of the need for voter data and geographic services to be in

constant readiness for elections, by-elections, plebiscites and/or boundary redistribution. The sharing of information with federal, provincial and municipal governments and the continuous updating of both voter and geographic data are very important functions of the Registry.

The Voter Registry Division provides a range of services including continuous voter registration services to Newfoundlanders and Labradorians (both during and in between electoral events). The Registry maintains voter and address data; implements voting area boundary adjustments; manages address resolution and collection; oversees information requests and responses; ensures safeguarding of data while providing the electorate with an accurate, comprehensive and up-to-date permanent list of electors.

Election Finance

Election Finance provides education, guidance and assistance to candidates and political parties about election finance with respect to meeting guidelines and disclosure according to the *Elections Act, 1991*.

Communications

The OCEO must communicate clear, strong messages to its primary clients and the general public. Various types of communications are used frequently to address issues and to inform the public of important dates and reminders. Public notices, advertising, press releases, media kits, and public service announcements are just a few of the methods that are used to inform the public of 'need to know' information. For example, the Special Ballot process was advertised in local papers, radio and television. Additionally, a news release was sent out to alert electors about Special Ballot general information and deadlines. All of this information was also readily available on the Elections Newfoundland and Labrador website.

Vision and Mission

Vision	Mission
<ul style="list-style-type: none"> • To be an effective and efficient organization with a professional and dedicated staff committed to (a) meeting our mandate, and (b) the integrity of the electoral process. • To be an organization that challenges and encourages staff to be creative in finding ways to improve service to those we serve. • To be an organization that, through impartiality, excellence, and professionalism, inspires confidence in all those involved in the electoral process. 	<p>By 2011, the Office of the Chief Electoral Officer will have implemented programs and services required to support the 2011 Provincial General Election.</p> <p>Measure: Implemented programs and services.</p> <p>Indicators:</p> <ul style="list-style-type: none"> • Implementation of Voter Information Cards • Initiated development of a Youth Awareness campaign • Increased effort put toward encouraging people to register to vote • Improvement to Election Official training

Highlights and Accomplishments

In the 2008-09 fiscal year, the OCEO gained three new permanent positions: an Administrative Assistant, a Business Analyst and a Communications and Training Officer. New staff members increase the office's efficiency and, thus, help to achieve goals and objectives.

Other notable highlights and accomplishments include:

- Visits to Elections British Columbia and Elections Alberta (to gather information for youth awareness initiative) and Elections Canada (to observe their training methodologies);
- Development and implementation of formalized planning process (specifically, a Planning Committee) for the 2011 Provincial General Election;
- Updated OCEO brand complete with graphic standards manual to ensure a consistent public image;
- Development of partnership with HRLE to explore the concept of an online voter registry;
- Assisting Municipalities with municipal elections in September 2009 (by providing the voters list), began in March 2008;
- Assisting School Boards with School Board elections in November 2009 (providing voters lists and poll worker contact information), began in March 2008.
- Creation of a bi-monthly newsletter – "The Writ" - to strengthen the relationship with temporary staff across the province and to inform House of Assembly staff and Members of the House of Assembly of OCEO activities and initiatives.

Results of Goals

Objective 1:

1) By March 31, 2009 the Office of the Chief Electoral Officer incorporated new voter data into the voter registry.

Measure: Incorporated new data

Indicator	Performance
New data now incorporated	The Voter Registry has been incorporating updates from federal, provincial, and municipal sources. The list is updated on a daily basis.

Plan for 2010:

Objective:

- 1) **By March 31, 2010**, the Office of the Chief Electoral Officer will have continued to incorporate multi-source data and explored additional sources.

Measure: Incorporated multi-source data and explored additional sources

Indicator: New data incorporated and efforts toward making new partnerships documented and explained

Objective 2:

1) By March 31, 2009 the Office of the Chief Electoral Officer identified opportunities to promote awareness among youth about the electoral process

Measure: Identified opportunities

Indicator	Performance
<ul style="list-style-type: none"> • Review of practices by other provincial elections offices • Input from regional staff • Exploratory work toward creating training manuals 	<p>Regional meetings were held with field staff to debrief after the 2007 Provincial General Election. These meetings took place from January 2008 - June 2008 at different locations around the province. Field staff were asked for input on a youth awareness strategy and everyone was unanimously agreed that such a project would be invaluable.</p> <p>Other provincial elections offices were contacted, enquiring about their youth initiatives (if applicable). They were asked to send what materials they had for OCEO to review. These materials were received and were reviewed by OCEO staff. OCEO also partnered with officials from the Department of Education to get their professional opinion on which of the educational programs were best suited to the youth of Newfoundland and Labrador.</p> <p>Of the provincial materials collected, two provinces' youth programs were deemed particularly outstanding – Elections British Columbia and Elections Alberta.</p> <p>Meetings were then held in Victoria, B.C. with Elections BC officials and Edmonton, Alberta with Elections AB officials. Two staff members from OCEO attended, along with a representative from the Department of Education. OCEO was briefed on how these projects were planned and executed, and even had the opportunity to meet with outside consultants who created the projects.</p> <p>Afterwards, meetings were conducted with Department of Education officials on the best format for such a project for the youth of Newfoundland and Labrador. These meetings resulted in OCEO being advised to produce a curriculum-based, in-school project, to target grades three, nine, and eleven. This would guarantee the use of the materials produced. If they fit with school curricula, then teachers would want to use the materials.</p> <p>The training manuals were meant to be created to train the Returning Officers in how to make presentations about elections to youth in the schools around the province. However, these training manuals were not further explored as this project was halted due to budgetary constraints.</p>

Plan for 2010:**Objective:**

1) By March 31, 2010, the Office of the Chief Electoral Officer will have designed and implemented Voter Information Cards.

Measure: Voter Information Cards designed and implemented

Indicator: Voter Information Cards designed and approved by election field staff (will be distributed for the October 11, 2011 General Election)

Objective 3:

1) By March 31, 2009 the Office of the Chief Electoral Officer made contact with Elections Canada and other provincial election offices country-wide to begin planning new training methods.

Measure: Contacted Elections Canada and other election offices country-wide

Indicator	Performance
Initiated research pertaining to Election Official training	<p>All provincial elections offices were contacted and were asked to send what training materials they had to the office for review.</p> <p>Elections Canada was also contacted and sent OCEO some training materials (including a training CD/ DVD). They also invited OCEO to travel to Ottawa to observe their Returning Officer training in April. Two staff members attended the week-long training and gained significant knowledge about the election training process.</p>

Plan for 2010:**Objective:**

1) By March 31, 2010, the Office of the Chief Electoral Officer will have initiated work in improving training materials.

Measure: Work initiated on improving training materials

Indicator: Other provincial elections offices forwarded their training materials to OCEO for review; OCEO's election field staff contacted for suggestions; changes initiated to improve OCEO's field staff training materials (training for Returning Officers, Election Clerks and Special Ballot Officers).

Opportunities and Challenges

The fact that the next Provincial General Election will take place just two years from now presents an opportunity to the Office of the Chief Electoral Officer. This will allow the Office enough time to continue working toward goals and new projects in time for the election. The OCEO's planning committee is now hard at work reviewing and revising processes and plans from the 2007 General Election.

As always, the challenge that this Office faces is that by-elections can arise at any time. The Office must be in a state of constant readiness and this can lead to problems in implementing forward-thinking plans.

Section B

Commissioner for Legislative Standards

Overview

Mr. Paul Reynolds is the Commissioner for Legislative Standards.

The Commissioner for Legislative Standards is assigned responsibility for investigating and conducting inquiries, if necessary, to determine whether a Member has failed to fulfill any obligation under the code of conduct and to report to the House with recommendations as to appropriate sanctions similar to the ones that are available for breached conflict of interest duties in Part II of the *House of Assembly Act*.

The Commissioner is located at 39 Hallett Crescent, St. John's, NL, A1B 4C4. The telephone number is 729-0712 and the fax number is 729-0679.

Vision

The vision of the office of the Commissioner for Legislative Standards is to maintain an environment where the highest ethical standards are in place for the House of Assembly.

Mission

By 2011, the Commissioner for Legislative Standards will have made an effort to increase communications with Members regarding timeliness of disclosure statement filing.

Measure: Increased communication with Members

Indicators: Increased number of information materials provided
Increased number of Members filing within required timelines

Role and Mandate

The Commissioner is an officer of the House of Assembly and reports annually upon the affairs of the office to the Speaker of the Assembly, who then presents the report to the House of Assembly.

Mr. Reynolds is responsible for the enforcement of the conflict of interest provisions of the *House of Assembly (Amendment) Act*.

As well as the responsibilities under the House of Assembly Act, the Commissioner is also responsible for hearing appeals of public office holders under the *Conflict of Interest Act, 1995*.

It is the mandate of the Commissioner for Legislative Standards to ensure that the conflict of interest legislation is followed by all members.

Lines of Business

The Commissioner for Legislative Standards provides the following lines of business in carrying out his mandate.

Inquiries

The Commissioner for Legislative Standards will conduct inquiries into Member's conduct and will make recommendations based on his findings.

Disclosure Statements

After each Provincial General Election and on April 1 of each year thereafter, the Commissioner is required to acquire Disclosure Statements from the Members of the House of Assembly. Once they are approved, they are made available to the public for review.

Annual Reporting

The Commissioner is responsible for preparing an Annual Report on the progress that is made.

Values

The primary value for the Commissioner for Legislative Standards is Integrity. The Commissioner aims to protect the integrity of Members by ensuring that there is no conflict between them and Government practices.

Results of Goals

Goal 1:

1) By March 31, 2009 the Commissioner for Legislative Standards initiated the development of an informational pamphlet regarding Members responsibilities and Legislative guidelines.

Measure: Initiated the development of informational materials for Members

<i>Indicator</i>	<i>Performance</i>
<ul style="list-style-type: none"> • Information and resources have been gathered • Draft version of informational material has been developed 	<p>The Commissioner has met with the appropriate staff members to discuss the information to include in these information pamphlets. Legislation has been referenced, but a draft has yet to be created. With such a small staff at OCEO and with an even more limited staff who have involvement with the Commissioner's work, it was a challenge to get the pamphlet completed by March 31, 2009. However, the pamphlet is currently in the works and should be finalized and sent to Members of the House of Assembly by December 2009.</p>

Appendix A

Financial Statements

Please note that although these statements are labeled "Office of the Chief Electoral Officer" and includes the financial information for the Commissioner for Legislative Standards.

Expenditure and revenue figures included in this document are based on public information provided in the Report on the Program Expenditures and Revenues of the Consolidated Revenue Fund for Fiscal Year Ended March 2009 (unaudited).

*Expenditures and Revenues of the Consolidated Revenue Fund for
Fiscal Year Ended March 2008 (unaudited).*

	<u>Actual</u>	<u>Estimates</u>	
	\$	<u>Amended</u>	<u>Original</u>
		\$	\$
OFFICE OF THE CHIEF ELECTORAL OFFICER			
OFFICE OF THE CHIEF ELECTORAL OFFICER			
<i>CURRENT</i>			
3.1.01. OFFICE OF THE CHIEF ELECTORAL OFFICER			
01. Salaries	746,974	772,400	695,800
02. Employee Benefits	2,578	4,200	4,200
03. Transportation and Communications	66,128	88,800	88,800
04. Supplies	20,770	22,100	20,100
05. Professional Services	59,225	171,000	208,000
06. Purchased Services	214,779	221,000	200,000
07. Property, Furnishings and Equipment	25,172	25,200	16,800
10. Grants and Subsidies	153,389	154,000	140,000
	<u>1,289,015</u>	<u>1,458,700</u>	<u>1,373,700</u>
02. Revenue - Provincial	<u>(17,996)</u>	-	-
Total: Office of the Chief Electoral Officer	<u>1,271,019</u>	<u>1,458,700</u>	<u>1,373,700</u>
TOTAL: OFFICE OF THE CHIEF ELECTORAL OFFICER	<u>1,271,019</u>	<u>1,458,700</u>	<u>1,373,700</u>
TOTAL: OFFICE OF THE CHIEF ELECTORAL OFFICER	<u>1,271,019</u>	<u>1,458,700</u>	<u>1,373,700</u>

Audited financial information will be included in the Annual Report of the House of Assembly Management Commission to be tabled by the Speaker during the next sitting of the House. The Office of the Chief Electoral Officer does not have a requirement for a separate, individual audited financial statement.