



**Office of the Citizens'
Representative**

***2023-2026
Activity Plan***



Office of the Citizens' Representative

Province of Newfoundland and Labrador

4th Floor, Beothuck Building, 20 Crosbie Place, P.O. Box 8400, St. John's, NL A1B 3N7

Telephone: (709) 729-7647 Toll Free: 1-800-559-0079 Facsimile: (709) 729-7696

Email: citrep@gov.nl.ca Website: www.citizensrep.nl.ca

June 30, 2023

The Honourable Derek Bennett, MHA
Speaker
House of Assembly
Confederation Building, East Block
P.O. Box 8700
St. John's, NL A1B 4J6

Dear Speaker:

I am pleased to submit to you, for tabling in the House of Assembly, my Activity Plan for the fiscal years 2023-24 through 2025-26.

This Plan has been prepared as required by s.7 of the **Transparency and Accountability Act** ("the Act") for a Category 3 entity.

As the Citizens' Representative, I acknowledge my obligations under the Act. As per s. 7(4) I affirm that I am accountable for the preparation of the Plan, and for the achievement of the objectives contained herein.

Yours truly,

Bradley J. Moss
Citizens' Representative

TABLE OF CONTENTS

Overview	4
Mandate	5
Lines of Business	7
Values	8
Primary Clients	9
Vision	10
Issue	10
Activities	11

OVERVIEW

The Office of the Citizens' Representative is one of seven statutory Offices of the House of Assembly. The Office provides a province-wide Ombudsman service for citizens with respect to their interactions with the provincial public service, and in doing so, works to ensure that citizens of the province are treated fairly by acts and decisions of the departments, agencies, boards and commissions of the government scheduled to the **Citizens' Representative Act**. The Office is also responsible for investigating public interest disclosures under both the **House of Assembly Accountability, Integrity and Administration Act**, and the **Public Interest Disclosure and Whistleblower Protection Act**. In addition, the Office is responsible for investigations under the **Harassment-Free Workplace Policy Applicable to Complaints Against Members of the House of Assembly** effective April 1, 2020.

Bradley Moss is the Citizens' Representative and is responsible for the management of the Office and the prosecution of its mandate. The Office has a permanent staff of eight, including:

- an Assistant Citizens' Representative (female)
- two Senior Investigators (one female, one male)
- two Investigators (female)
- one Intake Officer / Investigator (female)
- an Office Administrator, (female) and
- an Executive Secretary (female)

To accomplish its work, pursuant to the 2023 – 2024 Estimates of the Program Expenditure and Revenue of the Consolidated Revenue Fund, the Office has a budget of \$1,062,600.00 for 2023 - 2024.

Salaries	\$830,200.00
Employee Benefits	7,000.00
Transportation and Communications	34,800.00
Supplies	5,000.00
Professional Services	69,600.00
Purchased Services	108,000.00
Property, Furnishings and Equipment	<u>8,000.00</u>
TOTAL	1,062,600.00

This Office can be contacted by:

Telephone: (709) 729-7647
(800) 559-0079

Address: 20 Crosbie Place
4th Floor Beothuck Building
P.O. Box 8400
St. John's, NL A1B 3N7

Email: citrep@gov.nl.ca

Website: www.citizensrep.nl.ca

MANDATE

The Office of the Citizens' Representative is established under the **Citizens' Representative Act**, (SNL2001 c. C-14.1), which outlines the role of the Citizens' Representative and establishes the various investigatory powers of the Office. The Office is designated as a Statutory Office of the House of Assembly in Section 2 (r)(v) of the **House of Assembly Accountability, Integrity and Administration Act**, (SNL2007 c. H-10.1). The Office is also granted certain powers of investigation under both the **House of Assembly Accountability, Integrity and Administration Act** and the **Public Interest Disclosure and Whistleblower Protection Act** SNL2014 c. P-37.2 with respect to protected disclosures of wrongdoing. On April 1, 2020 the Office also assumed responsibility for investigations under the **Harassment-Free Workplace Policy Applicable to Complaints Against Members of the House of Assembly**.

Accordingly, these statutes and policy give rise to the following mandates:

The mandate flowing from the **Citizens' Representative Act** includes:

- the receipt and independent investigation of complaints about administrative unfairness from citizens;

- by implication, the mediation of these complaints through early resolution or informal mediation;
- the investigation of matters referred to it by the Lieutenant Governor in Council, the House of Assembly, or matters that are otherwise independently determined by the Citizens' Representative of requiring investigation;
- reporting the results of the investigations to the parties to the complaint and recommending appropriate redress;
- follow-up with departments, public bodies, etc. to ensure the meaningful implementation of accepted recommendations; and,
- in certain circumstances, making public reports on matters considered by the Office.

The mandate flowing from the **House of Assembly Accountability, Integrity and Administration Act** includes:

- the receipt and impartial investigation of complaints relating to public interest disclosures (whistleblowing) from public employees against members and employees of the House of Assembly, its Statutory Officers, Speaker and Clerk.

The mandate flowing from the **Public Interest Disclosure and Whistleblower Protection Act** includes:

- the receipt and impartial investigation of complaints relating to public interest disclosures (whistleblowing) from public employees in all government departments, agencies, boards and commissions.

The mandate flowing from the **Harassment-Free Workplace Policy Applicable to Complaints Against Members of the House of Assembly** includes:

- the receipt of inquiries and of complaints by a Member of the House of Assembly, employees of the Legislative and Executive branches, and by-standers relating to complaints of harassment against Members of the House of Assembly;
- the coordination of informal resolution processes (facilitated discussions or mediations) or an independent investigation under the formal process as determined by the complainant.

LINES OF BUSINESS

The Office of the Citizens' Representative pursues the following lines of business.

1. Investigation and Mediation of Complaints

The Office of the Citizens' Representative ensures that citizens' complaints and matters referred to it by the Lieutenant Governor in Council, the House of Assembly, or on its own motion are:

- a. investigated and mediated in a timely, thorough, and objective manner;
- b. mediated to the satisfaction of all stakeholders if possible;
- c. reported upon in a concise and easily understood format;
- d. when appropriate, subject to recommendations which would ameliorate the cause of the complaint and/or improve the overall provision of public service by departments and agencies.

2. Investigation of Whistleblower Complaints

The Office of the Citizens' Representative accepts complaints of gross mismanagement from government employees under two statutory programs, and ensures that:

- a. subsequent investigations are carried out as expediently and informally as possible;
- b. all parties are treated with procedural fairness;
- c. investigations and subsequent reports are thorough, unbiased and fair.

3. Intake and Investigation of Harassment Complaints against MHAs

The Office of the Citizens' Representative provides independent confidential advice, and accepts complaints of harassment against Members of the House of Assembly from government employees and other Members of the House, ensuring that:

- a. employees are aware of and have access to the external Independent Support Advisor;
- b. employees are aware of and have access to the informal and formal resolution processes available;
- c. all parties are treated with procedural fairness;
- d. investigations are carried out in accordance with timelines established by the policy;
- e. investigations are thorough, unbiased and fair.

VALUES

The following values are fundamental to all interactions and communications between the Office of the Citizens' Representative, citizens, and public officials.

Value	Action Statement
Fairness	Each individual undertakes to perform his or her duties in an open, unbiased and independent manner.
Respect	Each individual considers, weighs and appreciates the circumstances and contributions of others and communicates in a manner that enhances the working environment.

Ingenuity	Each individual respects the importance of precedent and corporate history, but looks for new ways to enhance the Office's mandate. All suggestions are respected, considered, analyzed and discussed to ascertain their effectiveness in meeting stakeholders' needs.
Courage	While appreciating the vulnerability of citizens and the power of various government offices, each individual exercises his or her duties emboldened by the principle of truth to power and the recognition that ultimately everyone strives for, and benefits from, excellence in the public service.

PRIMARY CLIENTS

The primary clients of the Office of the Citizens' Representative are:

1. citizens who allege they have been treated unfairly when pursuing or receiving access to public services;
2. whistleblowers who allege gross mismanagement that is contrary to the public interest;
3. Members of the House of Assembly, Legislative and Executive branch employees who allege harassment by Members of the House of Assembly.

Secondary clients include:

1. the House of Assembly;
2. the Lieutenant Governor in Council;
3. the Public Service.

VISION

A citizenry confident in a public service that is fair and grounded in integrity and good governance.

ISSUE

The Office of the Citizens' Representative is a statutory office of the House of Assembly. As an Ombudsman office promoting principles of administrative fairness, we strive to ensure that all citizens of Newfoundland and Labrador are aware of the services available in relation to access to provincial government programs and services. This includes ensuring the most accurate understanding of the mandate as prescribed by the **Citizens' Representative Act** and the foundational principles of the institution of Ombudsman nationally and internationally.

The following issue, goal and objectives reflect intended results in the interest of ensuring that our Office and its services are known and accessible to the greater citizenry of the Province of Newfoundland and Labrador in a manner that is meaningful and reflective of the both the breadth and the limitations of an effective Ombudsman service.

Issue 1: **Increasing the awareness, understanding and access of our services for citizens when they are experiencing difficulty accessing provincial government services.**

ACTIVITIES

Since opening in 2002, the Office of the Citizens' Representative has prioritized efforts to reach all citizens in our province and to provide them with information of how and when an Ombudsman service may be an appropriate avenue of support when accessing provincial government programs and services.

Since opening in 2002, the Office has created publicly available brochures, pamphlets and posters. These documents provide information to respond to frequently asked questions specific to our role and mandate, our internal processes of receiving and responding to complaints, how to complete a complaint form, and flow charts for citizens to support navigation of a complaint when accessing provincial government systems. It has also created publicly available brochures to support public servants relating to navigating public complaints and whistleblower complaints.

The Office of the Citizens' Representative has completed numerous presentations about the role and mandate of the Office in many areas of the province. In-person, public access has been available in rural areas of the province, in addition to targeted outreach to specific population groups, such as citizens in correctional facilities, older adults, and students, most often with the support of public bodies and community organizations alike. Since the impact of the global pandemic in March 2020, outreach efforts have been challenged and there has been a need to alter our traditional methods of promoting our services. The ability to be creative in this milieu and explore alternate ways of sharing created a confidence in our ability to complete outreach in ways that could offer greater efficacy by reaching more citizens. Continued improvement of our efforts to ensure citizens are aware of our service is fundamental.

It is acknowledged that as societal issues and methods of engagement change, it is imperative to adapt our organizational processes to meet the changes in our environment. The services offered by our Office have also changed to include system navigation, self-advocacy and a referral function. To provide the most effective service, it is necessary to embrace the change while continuing to provide education and services to citizens equitably and accurately.

During this planning cycle, the Office will pursue the following goal.

Goal 1: By March 31, 2026, the Office of the Citizens' Representative will have undertaken measures to accurately reflect its role and mandate and to identify efforts to engage in meaningful outreach activities to increase awareness, understanding and access to our services to citizens of our province.

Objectives Pursuant to Goal 1:

Objective 1: By March 31, 2024, the Office of the Citizens' Representative will have reviewed and analyzed processes and publicly available resources to ensure the accurate reflection of the values and the mission under its mandate.

Indicator: Consulted with staff and designates on methods to improve educational resources to most accurately reflect information relevant to OCR services and processes.

Indicator: Planned with the Economic and Statistics Branch of the Department of Finance to administer a survey of a sample of the population of Newfoundland and Labrador to understand the familiarity and perception of OCR services.

Objective 2: By March 31, 2025, the Office of the Citizens' Representative will have undertaken a survey of a representative sample of the citizens of the province to inform the most efficient efforts for outreach and education to ensure equitable access to the services of the Office.

Objective 3: By March 31, 2026, the Office of the Citizens' Representative will have analyzed the results of the survey undertaken and with updated public educational information, develop a more effective plan for outreach with efficient outcomes.