



**AUDITOR
GENERAL**
of Newfoundland and Labrador



**Report to the House of Assembly on
Performance Audits of Departments
and Crown Agencies**

June 2019

Office of the Auditor General Newfoundland and Labrador



The Auditor General reports to the House of Assembly on significant matters which result from the examinations of Government, its departments and agencies of the Crown. The Auditor General is also the independent auditor of the Province's financial statements and the financial statements of many agencies of the Crown and, as such, expresses an opinion as to the fair presentation of their financial statements.

VISION

The Office of the Auditor General is an integral component of Government accountability.

Office Location

7 Pippy Place
St. John's
Newfoundland and Labrador
Canada
A1B 3X2

Mailing Address

P.O. Box 8700
St. John's
Newfoundland and Labrador
Canada
A1B 4J6
Telephone: (709) 729-2700
Email: oagmail@oag.nl.ca
Website: www.ag.gov.nl.ca/ag



**AUDITOR
GENERAL**
of Newfoundland and Labrador

June 2019

The Honourable Perry Trimper, M.H.A.
Speaker
House of Assembly

Dear Sir:

In compliance with the *Auditor General Act*, I have the honour to submit, for transmission to the House of Assembly, my Report on Performance Audits of Departments and Crown Agencies for 2019.

Respectfully submitted,

A handwritten signature in cursive script that reads "Julia Mullaley".

JULIA MULLALEY, CPA, CA
Auditor General

Table of Contents

Chapter		Part	Page
1	Comments of the Auditor General		1
2	Performance Audits of Departments and Crown Agencies		
	Healthy Eating in Schools	2.1	3
	<ul style="list-style-type: none">• Newfoundland and Labrador English School District• Department of Children, Seniors and Social Development		
	Oversight of Provincial Wellness Priorities	2.2	37
	<ul style="list-style-type: none">• Department of Children, Seniors and Social Development		
	Student Transportation	2.3	59
	<ul style="list-style-type: none">• Newfoundland and Labrador English School District• Department of Education and Early Childhood Development		

Table of Contents

CHAPTER 1

**COMMENTS OF THE
AUDITOR GENERAL**

The Office of the Auditor General is an independent, non-partisan office that reports to and serves the House of Assembly. The Office assists the House of Assembly in holding Government accountable for its management of public funds and programs and services.

We plan our work based on a risk assessment of various programs administered by Government departments and crown agencies. We also receive information and requests from individuals outside our office which we evaluate to determine whether we will undertake work in a particular area. This report provides recommendations resulting from our audit of the following three areas:

- Healthy Eating in Schools
- Oversight of Provincial Wellness Priorities
- Student Transportation

The information is provided to Members of the House of Assembly for their consideration. Recommendations contained in this report are intended to promote accountability and encourage positive change in the stewardship, management and use of public resources. I look forward to continued collaboration with the Public Accounts Committee as they consider the recommendations contained in this Report.

I wish to acknowledge the cooperation and assistance that my Office has received from Government departments and crown agencies during the conduct of our audits. I also wish to thank the staff of the Office of the Auditor General for their support, dedication and professionalism throughout the year.



JULIA MULLALEY, CPA, CA
Auditor General

CHAPTER 2

**PERFORMANCE AUDITS OF
DEPARTMENTS AND CROWN AGENCIES**

PART 2.1

HEALTHY EATING IN SCHOOLS

**NEWFOUNDLAND AND LABRADOR
ENGLISH SCHOOL DISTRICT**

**DEPARTMENT OF CHILDREN, SENIORS
AND SOCIAL DEVELOPMENT**

Conclusions

The Newfoundland and Labrador English School District (the District) was not adequately managing healthy eating in schools:

- Foods and beverages available to school-aged children were often not meeting the nutritional requirements of the School Food Guidelines (2009) (the Guidelines).

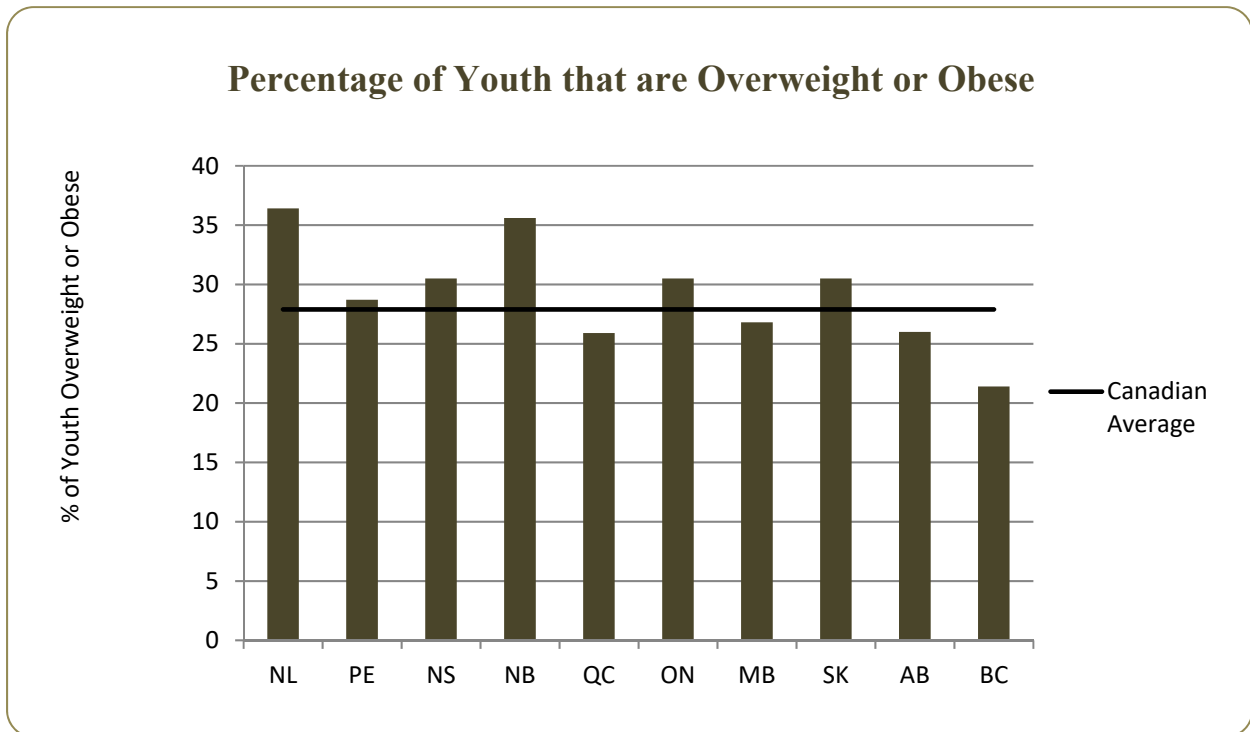
Food and beverage items on the lunch and canteen menus that met the Serve Most category of the Guidelines fell significantly short of the required minimum of 50 per cent, with an average of only 27 per cent and 30 per cent respectively. Food vending machines did not have any items from the Serve Most category. Further, there was a high percentage of items on the lunch menus, canteen menus and in food vending machines that were not permitted to be served in schools, with an average of 30 per cent, 34 per cent and 62 per cent respectively.

- There was no District-wide nutrition policy and there was a lack of understanding by schools of their roles and responsibilities regarding processes designed to ensure compliance with healthy eating policies. While schools in each region were expected to follow former regional school board policies in place prior to amalgamation, there were differences among these regional policies.
- There was often a lack of procedures performed by schools to verify compliance by school food providers with the Guidelines. There was often no evidence that schools had menus, and changes to menus, reviewed and approved by a regional nutritionist as required by policy. Further, schools were not always conducting a periodic physical check of the canteen, cafeteria and vending machines as required by policy to ensure foods and beverages served met the Guidelines.
- The District did not have processes to monitor schools' compliance with the District's nutrition policies and the Guidelines. The District also did not gather any statistics to assess whether the nutrition policies and Guidelines were contributing to better student eating behaviours.
- Nutritional information for the food and beverages served and/or sold in schools was not promoted or readily available to parents, guardians and students.

The Guidelines generally followed Health Canada's Eating Well with Canada's Food Guide (2007) (Canada's Food Guide, 2007) and followed the same fundamental principles as best practice in Canada during the period of our audit. However, certain nutritional criteria, including allowable amounts of sodium and trans fat, did not meet best practice.

Why this audit is important

Obesity rates among children and youth in Canada have nearly tripled in the last 30 years¹. Newfoundland and Labrador has the highest rate of overweight or obese youth when compared to other Canadian provinces. In 2017, 36 per cent of children aged 12-17 in Newfoundland and Labrador were overweight or obese, compared to the Canadian average of 28 per cent.



Source: Prepared by the Office of the Auditor General of Newfoundland and Labrador based upon data obtained from Statistics Canada, Table 13-10-0096-01 Health characteristics, annual estimates.

Childhood obesity is a precursor to adult health risks such as type 2 diabetes, high blood pressure and high cholesterol. Newfoundland and Labrador has some of the highest rates of chronic disease of all the Canadian provinces. Chronic disease impacts not only an individual's quality of health but the costs of chronic disease are a significant burden on the Province's health-care system.

¹ Government of Canada, 2019, Childhood obesity, <https://www.canada.ca/en/public-health/services/childhood-obesity/childhood-obesity.html>

Healthy Eating in Schools

Childhood obesity can be influenced by several important factors, including healthy eating within a school environment.²

There are more than 65,000 students in over 250 schools in Newfoundland and Labrador. The Guidelines were developed by the provincial government, in consultation with the school districts and the regional health authorities to help create healthy eating environments in schools. The Guidelines were implemented in 2006 and updated in 2009 to reflect new recommendations from the revised Canada's Food Guide, 2007.

Implementation of the Guidelines was one of the key Healthy Students Healthy Schools actions under the Province's Wellness Plan, which was aimed at improving the health of the provincial population. It is important that the District is ensuring that these Guidelines are operating effectively in schools.

² Public Health Agency of Canada, 2012, Curbing Childhood Obesity: A Federal, Provincial and Territorial Framework for Action to Promote Healthy Weights

Findings

District Management of Healthy Eating in Schools

Compliance with the School Food Guidelines (2009)

Overall, the lunch and canteen menus and vending machines we examined did not meet the requirements of the Guidelines, which were designed to help create healthy eating environments in schools.

The percentage of food and beverage items from the Serve Most category on the lunch and canteen menus averaged 27 per cent and 30 per cent, respectively – significantly short of the required minimum of 50 per cent. Food vending machines did not have any items from the Serve Most category. Beverages in vending machines had an average of 92 per cent from the Serve Most category as most beverage vending machines contained only water and fruit juice.

Further, while collectively, all items served and/or sold were required to come from the Serve Most and Serve Moderately categories, the percentage of items on the lunch and canteen menus that were in the Neither category averaged 30 per cent and 34 per cent, respectively. Overall, vending machines had an average of 28 per cent of items in the Neither category. Food vending machines had an average 62 per cent of items in the Neither category, while beverage vending machines had an average of seven per cent of items in the Neither category. These items were not allowed to be served and/or sold in schools as they have poor nutritional value.

Schools did not track the types of food and beverage items actually sold in schools. We reviewed food items sold over a four-month period at 25 schools for one school food provider. This review showed that only eight per cent of items sold were in the Serve Most category. Thirty-six per cent of items sold were not allowed to be sold in schools.

The Guidelines were based on Canada's Food Guide, 2007, and outlined the acceptable nutritional parameters for the food and beverages served and/or sold to students in schools. District policy required food and beverages served and/or sold in schools to meet or exceed the Guidelines.

The Guidelines categorized appropriate food and beverage choices into two categories: Serve Most and Serve Moderately. All foods and beverages served and/or sold in schools were required to come from these two categories. We have classified food and beverage items not included in these two categories as Neither.

Guideline Categories

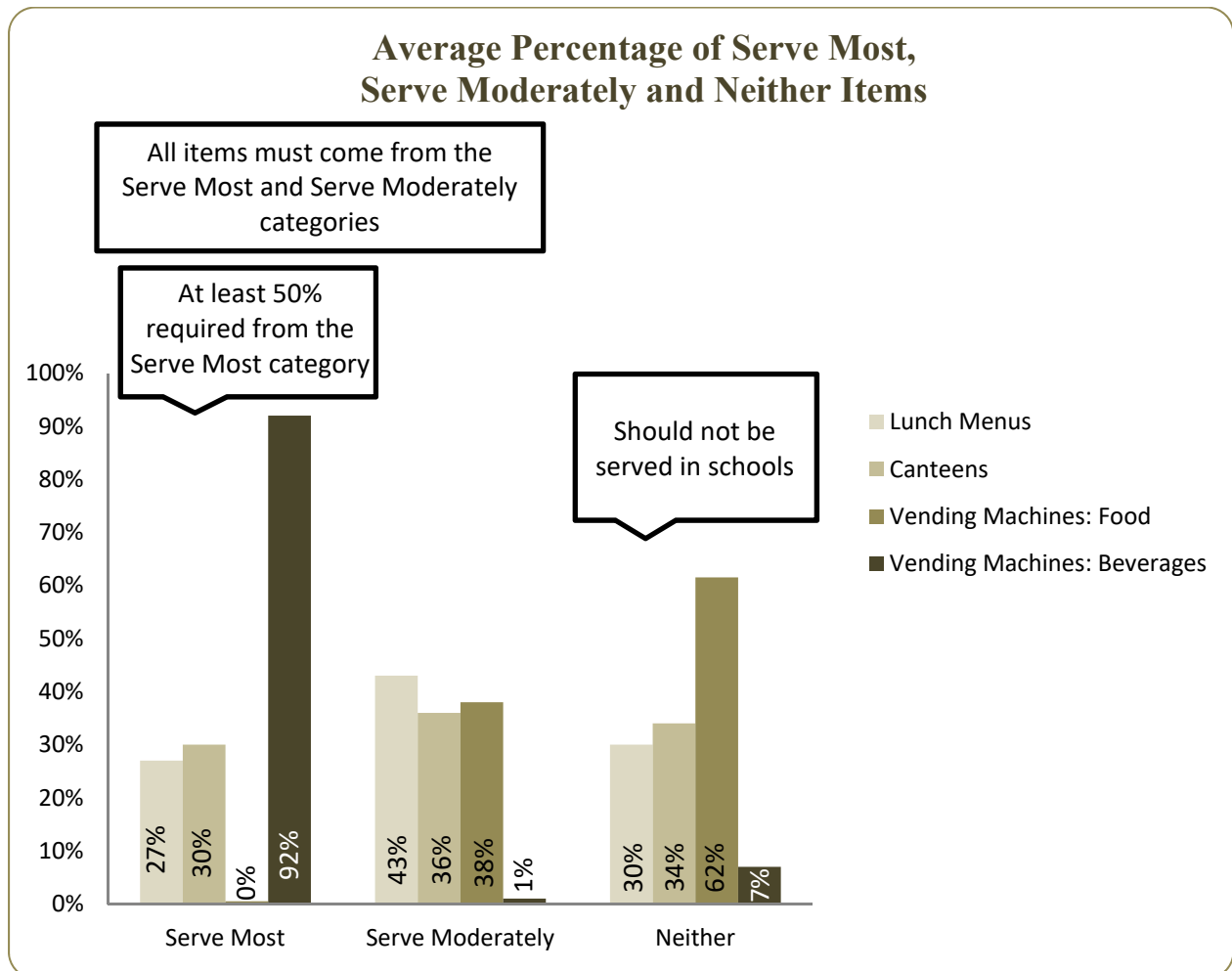
Serve Most	The majority (50 per cent or more) of food and beverages served and/or sold each day must be from this category	<ul style="list-style-type: none">• Included in one of the four food groups of Canada's Food Guide, 2007• Generally lower in added fat and/or sugar and/or salt• Sources of nutrients (e.g., vitamins, minerals, protein and fibre)
Serve Moderately	Less than 50 per cent of food and beverages served and/or sold each day may be from this category	<ul style="list-style-type: none">• Included in one of the four food groups of Canada's Food Guide, 2007• Sometimes lower in fibre and/or higher in fat, sugar, salt and/or calories, generally as a result of processing• Sources of nutrients (e.g., vitamins, minerals, protein but generally lower in fibre)
Neither	Food and beverages from this category should not be served and/or sold in schools	<ul style="list-style-type: none">• These foods are not found in Canada's Food Guide, 2007• Generally low in nutrients and may be high in fat, sugar, salt, caffeine and/or calories• Tend to be highly processed that are often deep fat fried, or are high in hydrogenated/trans fats or sodium

Source: Newfoundland and Labrador's School Food Guidelines (2009).

Food and Beverages Available to Students Not Meeting Guidelines

The lunch and canteen menus and vending machines we examined from 84 schools did not follow the Guidelines. While 50 per cent or more of the food and beverages served and/or sold in schools was required to come from the Serve Most category, our audit results showed that the average percentage of items on the lunch and canteen menus and food in vending machines was significantly lower than the 50 per cent requirement.

The average percentage of items from the Serve Most category on the lunch menus, canteen menus, food in vending machines and beverages in vending machines was 27 per cent, 30 per cent, zero per cent, and 92 per cent respectively. Further, while all items served and/or sold were required to come from the Serve Most and Serve Moderately category, the average percentage of items on the lunch and canteen menus that were in the Neither category was 30 per cent and 34 per cent respectively. Overall, vending machines had an average of 28 percent of items in the Neither category. Food vending machines had an average 62 per cent of items in the Neither category, while beverage vending machines had an average of seven per cent of items in the Neither category.



Source: Office of the Auditor General of Newfoundland and Labrador, sampling results.

Healthy Eating in Schools

For the 84 schools examined, we sampled 118 menus in use during our audit scope period - 55 lunch menus, 27 canteens and 36 vending machines.

	Student Population Coverage	# of Menus Sampled	Average %		
			Serve Most	Serve Moderately	Neither
Lunch Menus³					
School Food Provider #1	1,939	6	31%	43%	26%
School Food Provider #2	3,866	8	46%	41%	13%
School Food Provider #3	3,055	8	32%	40%	28%
School Food Provider #4	1,310	3	18%	48%	34%
Other School Food Providers	2,103	17	21%	44%	35%
Internal Resources	2,436	13	18%	39%	43%
Lunch Menus Total	14,709	55	27%	43%	30%
Canteens	2,806	27	30%	36%	34%
Vending Machines³					
Food Vending Machines	6,969	14	0%	38%	62%
Beverage Vending Machines		22	92%	1%	7%
Vending Machines Total	6,969	36	57%	15%	28%
Total	24,484	118	38%	31%	31%

Source: Office of the Auditor General of Newfoundland and Labrador, sampling results.

Lunch Menus

None of the 55 lunch menus we examined met the requirement of having all food and beverage items coming from the Serve Most and Serve Moderately categories and at least 50 per cent coming from the Serve Most category. The menus had many items that were not allowed to be sold in schools.

Overall, lunch menus had an average of only 27 per cent of items in the Serve Most category as compared to the required 50 per cent or more. Across school food providers, which includes external school food providers and internal resources (e.g. parent volunteer committee), the average percentage of Serve Most items on the lunch menus ranged from a low of 18 per cent to a high of 46 per cent. Of the 55 menus we examined, 52 (95 per cent) did not meet the requirement for the majority of items to come from the Serve Most category. Further, more than half of menus examined had less than 25 per cent of items in the Serve Most category.

³ The student population coverage for lunch menus and vending machines includes 1,857 students in schools where both lunch menus and vending machines were included in our audit sampling.

Lunch menus had an overall average of 30 per cent of items in the Neither category, when these items should not be served and/or sold in schools. Across food providers, the average percentage of Neither items on the lunch menus ranged from 13 per cent to 43 per cent. Of the 55 menus we examined, eight (15 per cent) had at least half of the items in the Neither category, with a range of 50 per cent to 78 per cent.

The most common lunch items in the Neither category were pizza, chicken nuggets, poutine and ice cream. Schools where food and beverage services were provided by internal resources tended to have a higher percentage of items in the Neither category.

Canteens

We examined 27 canteen menus comprised of 315 items. None of the 27 canteen menus met the requirement of having all food and beverage items coming from the Serve Most and Serve Moderately categories and at least 50 per cent coming from the Serve Most category. The menus had many items that were not allowed to be sold in schools.

Overall, canteen menus had an average of only 30 per cent of items in the Serve Most category as compared to the required 50 per cent or more. Of the 27 school canteen menus we examined, 24 (89 per cent) did not meet the requirement for the majority of items to come from the Serve Most category. Further, more than a third of menus examined had less than 25 per cent of items in the Serve Most category.

Canteen menus had an overall average of 34 per cent of items in the Neither category, when these items should not be served and/or sold in schools. Further, four of the 27 (15 per cent) canteen menus examined had at least half of items in the Neither category, with a range of 57 per cent to 100 per cent. The most common canteen items in this category were packaged cookies, ice cream, cheese puffs and potato chips.

Vending Machines

We examined a sample of 36 vending machines comprised of 231 items, which included 14 food vending machines and 22 beverage vending machines. None of the 14 food vending machines examined met the requirement of having all food and beverage items coming from the Serve Most and Serve Moderately categories and at least 50 per cent coming from the Serve Most category. Nineteen of the 22 beverage vending machines met this requirement, as many of them contained only water and fruit juice.

Overall, vending machines had an average of 57 per cent of items in the Serve Most category, which met the required 50 per cent or more. However, this requirement was met solely as a result of beverage vending machines, which had an average of 92 per cent of items from the Serve Most Category. Food vending machines contained no items from the Serve Most Category.

Vending machines had an overall average of 28 per cent of items in the Neither category, when these items should not be served in schools. For the 14 food vending machines examined, 62 per cent of items were from the Neither category. For the 22 beverage vending machines examined, seven per cent of items were from the Neither category. Further, 10 of the food vending machines and three of the beverage vending machines examined had at least half of items in the Neither category, with a range of 50 per cent to 79 per cent. The most common vending machine items in this category were potato chips, brownies, and sport drinks.

The picture below was one of the vending machines examined during the audit. The only items in this machine that fit within the Serve Most or Serve Moderately categories were the Bits and Bites, baked Ruffles chips, Nutrigrain bars and popcorn. Remaining items fell within the Neither category.

Avalon Region School Vending Machine

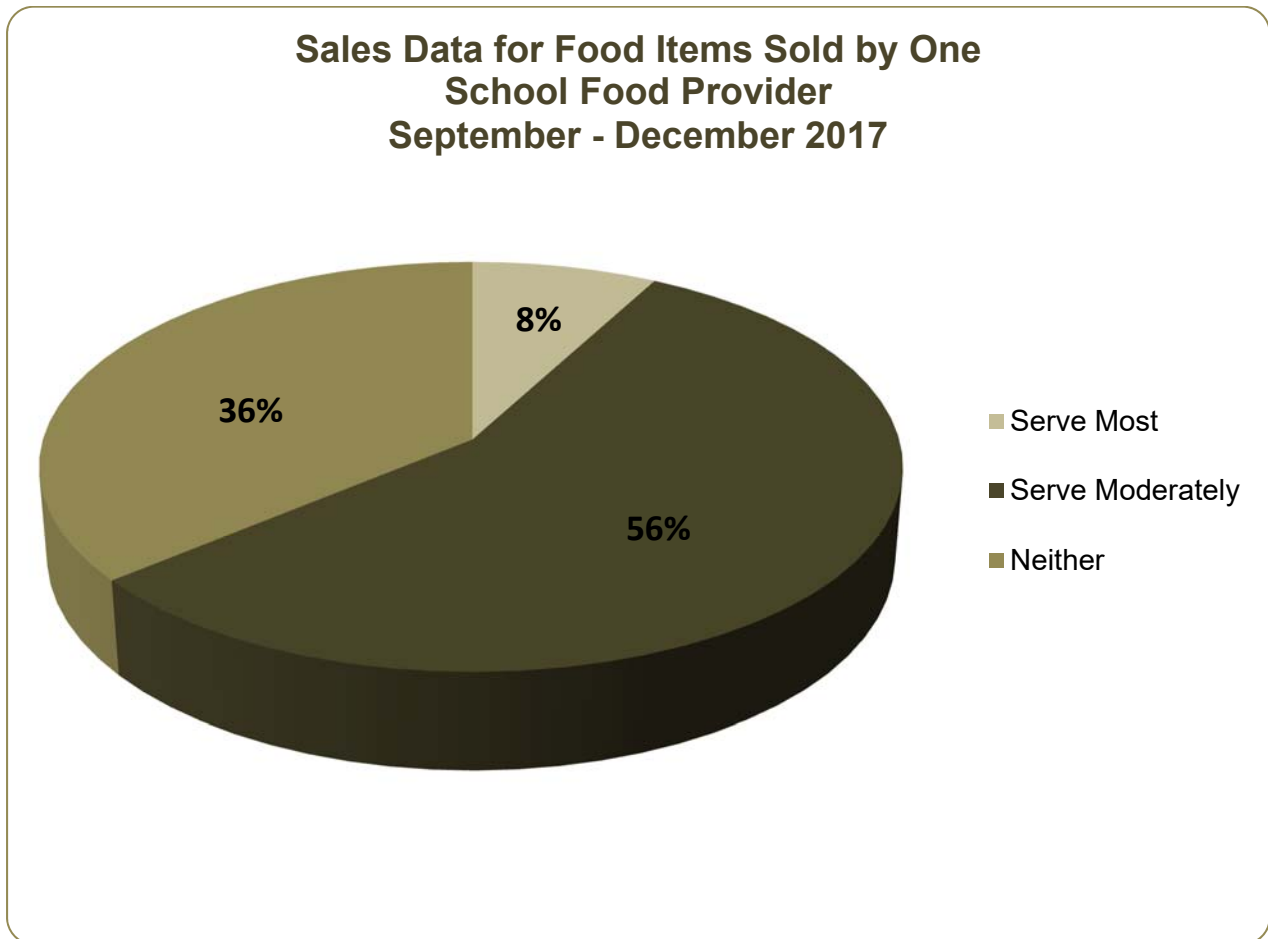


Source: Office of the Auditor General of Newfoundland and Labrador.

Types of Food and Beverages Sold in Schools Not Tracked

Schools did not track the types of food and beverage items actually sold in schools so we were unable to determine the categories of food and beverages actually purchased by students. However, through specific data that we requested the District to obtain, we were able to analyze sales data for food items sold by one school food provider in 25 schools for the period September to December 2017.

Our review of this data showed that only eight per cent of items purchased were from the Serve Most category. Thirty-six percent of items purchased were from the Neither category.



Source: Prepared by the Office of the Auditor General of Newfoundland and Labrador based upon data from the Newfoundland and Labrador English School District.

Monitoring the Management of Healthy Eating in Schools

There was no District-wide nutrition policy for the promotion of healthy eating in schools. Rather, schools in each region were expected to follow former regional school board policies in place prior to amalgamation. While these regional policies had many common key elements, including compliance with the Guidelines, there were also some differences. Further, not all school principals we surveyed were aware of these policies. The lack of a current District-wide policy may result in decreased awareness of the District's healthy eating policies, including specific school accountabilities, and thus result in inconsistent processes and results for healthy eating amongst schools.

Schools were not performing the necessary procedures to ensure that food and beverages served and/or sold in schools comply with the Guidelines:

- More than 90 per cent of the 118 schools we audited had no evidence that, upon obtaining and renewing the services of a school food provider, the food and beverages menu was reviewed and approved by the regional nutritionist as required by District policy. Further, our survey of 36 principals indicated a lack of understanding of menu review requirements and the roles and responsibilities within that process.

For those menu reviews documented by the schools, there was no evaluation of the menu for the percentage split requirements within the Guidelines between Serve Most (i.e. 50 per cent or more) and Serve Moderately items (i.e. less than 50 per cent). Rather, the review was limited to determining whether there were any items that were in the Neither category. Where items from the Neither category were identified and alternatives suggested by the regional nutritionist, there was no evidence of follow-up by schools to ensure required changes to the menu were made by the school food provider.

- Although District policy also required changes to menus throughout the contract period to be approved by the school, there was no evidence that these changes were reviewed and approved. Out of 105 schools that offered lunch services through an external school food provider, only 34 schools were able to provide a copy of an original menu to compare to the current menu. For 31 of these menus, there were differences between the current and original menus and there was either no evidence that these changes had been reviewed by a regional nutritionist, or school officials indicated that no review had been completed. For those added items for which we were able to assess nutritional information, 21 per cent came from the Neither category.

- Schools were not always conducting a periodic physical check of the canteen, cafeteria, vending machines, and breakfast program to ensure compliance with the Guidelines as required by the school's nutrition policy. Fifteen (42 per cent) out of the 36 schools surveyed did not perform physical spot checks of items being sold compared to the approved menu on a periodic basis. Eight of these 15 schools were included in our menu testing and menus for all eight schools included items from the Neither category.
- Contracts with most external school food providers did not exist, could not be located, were unsigned or were expired. Of the 105 schools in the Avalon and Central regions that use an external school food provider, only four were able to provide a current signed contract with the external school food provider. The lack of a current and signed contract increases the risk of uncertainty regarding the external school food provider's requirement to follow the Guidelines and District nutrition policy, and their role and responsibility in processes designed to ensure compliance with policies.

The District did not have processes to monitor schools' compliance with the District's nutrition policies and to ensure that schools were serving and selling food and beverages that comply with the Guidelines. The District did not gather any statistics on food and beverages sold and/or served in schools or any other healthy eating initiatives. The District also did not gather or analyze statistics to assess whether the nutrition policies and Guidelines are contributing to better student eating behaviours.

To ensure the effective management of healthy eating in schools, including compliance with the District's healthy eating policies and the provincial government's Guidelines, we would expect the following:

- Comprehensive and clear policies communicated to schools, including expectations of their roles and responsibilities for healthy eating in schools.
- Procedures performed to verify compliance by food providers with the Guidelines.
- District processes that monitor overall compliance with, and effectiveness of, its healthy eating policy and the provincial government's Guidelines.

No District-wide Nutrition Policy

Prior to amalgamation of the four regional school boards to one English school district in 2013, each region had its own policies, including a nutrition policy that was based on the Guidelines. While the District continues work on developing unified policies for all areas since amalgamation, there is no District-wide nutrition policy. Until a District-wide policy is completed, regions continue to use former regional board policies.

The nutrition policy in each region outlined a commitment to providing a school environment that supports healthy eating. Some common key elements of each policy are as follows:

Healthy Eating in Schools

- Required schools to comply with the Guidelines.
- Applied to all food served and/or sold during the day, including school-sponsored events.
- Provided discretion to the school to permit food to be served and/or sold from outside the Serve Most and Serve Moderately categories of the Guidelines on special occasions (e.g. holiday celebrations).
- Outlined general role of schools in establishing processes that promotes healthy eating (e.g. promotional materials and activities in schools and newsletters, website, etc.; curriculum and school resource centres, working with partners like Kids Eat Smart Foundation, the School Milk Foundation, etc.).

There were also some differences amongst the nutrition policies of the four former regional boards including:

- The discretionary provision that allowed foods served and/or sold on special occasions to include options outside of the Serve Most or Serve Moderately categories is limited to an annual maximum of three occasions in Western and Central's policies. Central's policy further clarified that fundraising events do not qualify as a special occasion. There were no defined limits for the number of special occasions in the Eastern or Labrador policies.
- For special occasions, Eastern and Labrador's policies encouraged healthy food options, whereas the policies for Central and Western required foods within the Guidelines to also be offered so students could have a healthier option.
- The policies for Central, Western and Labrador stated that energy drinks were not permitted on school property, whereas the policy for Eastern strongly discouraged their presence on school property.
- Eastern, Central and Western's policies required the school to conduct a regular review of the canteen, cafeteria, vending machines, and breakfast program to ensure compliance with the nutrition policies. Central specifically required an annual review, with the annual review to include input from the school health promotion liaison consultant and regional nutritionist with the Central Regional Health Authority. Labrador's policy did not require a review to ensure compliance with policy.

Our survey of 36 principals asked whether there was a healthy eating policy in place at their school and if so, what the name of the policy was. Of the 36 principals:

- Twenty-one (58 per cent) were aware that there was a nutrition policy in place at their school.
- Eight (22 per cent) indicated there was a policy but referred to policies such as Safe and Caring Schools or referenced Canada's Food Guide, 2007, the contract with the school food provider or the Guidelines.
- Seven (20 per cent) indicated that there was no healthy eating policy in place in the school.

The lack of a current District-wide policy may result in decreased awareness of the District's nutrition policy, including specific school accountabilities. This in turn may result in inconsistent processes and results for healthy eating amongst schools.

The 2017 report resulting from the Premier's Task Force on Improving Educational Outcomes, *Now is the Time*, recommended school districts implement province-wide healthy eating and physical activity policies.

Lack of Procedures Performed to Verify Compliance by Food Providers with Guidelines

There are a number of procedures that can be performed by schools to meet their responsibility for ensuring that food and beverages served and/or sold in schools comply with the Guidelines. This would include:

- Reviewing and approving food provider menu plans and changes to menu plans.
- Performing periodic physical spot checks on food and beverages being served and/or sold compared to approved menus and/or the Guidelines.
- Having a current contract with the school food provider that clearly outlines their roles and responsibilities for complying with the Guidelines.

Menu Plans Not Reviewed

Upon obtaining and renewing the services of a food provider, the District required schools to have a regional nutritionist review and approve the food provider menu. This requirement was also included in the District's template to be used by schools when requesting proposals from school food providers. This review and approval process is intended to ensure the menu complies with the Guidelines.

One hundred and nine of the 118 schools (92 per cent) in the Avalon and Central regions that offered lunch service, either through an external school food provider or through internal resources, had no evidence that the required menu review had been performed.

The results of our survey of 36 principals indicated that a third of the principals were unaware of a menu review requirement for their school and more than half of principals did not have a clear understanding of roles and responsibilities within the process:

- 12 principals (33 per cent) were not aware of the requirement for a menu review or did not understand that the requirement applied to their school.
- 21 principals (59 per cent) were aware of the requirement for a menu review, but did not have the correct understanding of either who was required to be involved or the roles and responsibilities of those individuals.
- 3 principals (8 per cent) were aware of the requirement for a menu review and understood their role as the principal and the roles of the regional nutritionist and the school food provider.

For one of the largest school food providers, a District official indicated that they did not see a need to recommend a menu review, as the school food provider was quite aware of the Guidelines and they had no concern about whether the school food provider was adequately following the Guidelines. Our audit testing of this school food provider's menus, however, showed that the menus did not meet the Guidelines.

For the nine menu reviews that were documented, there was no evaluation of the menu against the percentage split requirements for Serve Most (i.e. 50 per cent or more) and Serve Moderately items (i.e. less than 50 per cent). Rather, the review was limited to determining whether there were any items that were in the Neither category. For eight of the nine menu reviews, if a Neither item was identified, the regional nutritionist suggested alternatives; however, there was no evidence of follow-up by the school to ensure the changes suggested by the regional nutritionist had been made by the school food provider. For the remaining menu review, items from the Neither category were identified; however, the regional nutritionist did not document any suggested alternatives on the menu review form.

If a menu review is not performed, the District does not know whether the proposed menu has lower nutritional value than required by the Guidelines. As previously outlined, our audit testing showed that many menus did not meet the nutritional requirements within the Guidelines.

Changes to Menu Plans Not Reviewed

The District also required that schools ensure a regional nutritionist reviews all menu changes prior to implementation. This requirement is intended to mitigate the risk of food items that do not follow the Guidelines being added to a previously approved menu.

One hundred and five of the 118 schools in the Avalon and Central regions offered lunch service through an external school food provider. To assess menu changes in these 105 schools, we requested a copy of the school food provider's original menu as well as a current menu. Out of the 105 schools, only 34 were able to provide us with the original menu. For 31 of these menus, there were differences between the current and original menus. Schools officials could not provide evidence of a review of the menu changes. More specifically:

- In 20 instances (65 per cent), the school officials either did not know whether a menu change review had been completed or they could not provide evidence that a review had been completed.
- In 10 instances (32 per cent), the school officials indicated that there were no reviews completed for menu changes.
- In one instance (3 per cent), there had not been a review because the school official was not aware that the menu had changed.

Based on the nutritional information available at the time of our audit, we were able to assess 691 of the 781 items (88 per cent) added to these lunch menus. Our audit results showed that 148 of the items (21 per cent) that we were able to assess came from the Neither category. Changes to one of the menus, for example, included over 20 additions compared to the original menu, including baked mozza sticks and ice cream, both of which come from the Neither category.

Periodic Physical Checks of Food Sold Not Performed

Eastern and Central's nutrition policies required the school to conduct a regular review of the canteen, cafeteria, vending machines, and breakfast program to ensure compliance with the policy, including meeting requirements of the Guidelines. We would expect such a review to include a periodic physical spot check of actual food and beverages being sold compared to the approved menu and/or the Guidelines.

Fifteen (42 per cent) out of the 36 schools surveyed in the Avalon and Central region indicated they did not perform periodic physical spot checks of items being sold compared to the approved menu. Eight of these 15 schools were included in our menu testing. The menus for all eight schools included items from the Neither category. These items include poutine, potato chips, brownies, candy, and ice cream.

Avalon Region School Cafeteria



Source: Office of the Auditor General of Newfoundland and Labrador.

Contracts Did Not Exist; Were Not Located, Unsigned or Expired

One hundred and eighteen schools in the Avalon and Central regions offered lunch service, 13 of which offered lunch services through internal resources. The 105 schools with an external school food provider were required by District policy to have a contract in place. The District considers an external school food provider's response to a request for proposal for food services to be the contract in place between a school and the school food provider for lunch services. Of the 105 schools who offered lunch services through an external school food provider, 29 schools (28 per cent) did not have a contract in place with the external school food provider and 43 schools (41 per cent) could not locate a copy of the contract to provide to our Office.

Of the 33 schools that provided contracts for our review, only four were able to provide a current signed contract with the external school food provider. Seventeen contracts (52 per cent) were not signed by the external school food provider and 12 contracts (36 per cent) were expired.

A District procurement official stated that it was the District's view that an external school food provider's response to a request for proposal for food services represents a binding legal contract. Written contracts would, however, more clearly and comprehensively define the rights and obligations of each party, including the following:

- Reference to the School Food Guidelines and any other requirements to be adhered to by the school food provider.
- Required procedures for food service inspection.
- Required processes regarding any menu changes proposed.
- Resolution processes and requirements regarding any service-related and/or food quality-related issues brought forward.

Written contracts would resolve any vague terms that may exist in the external school food provider's response to a request for proposal for food services. In the absence of a formal contract, the terms relied upon in a request for proposal may raise uncertainties and could expose the District to liability. A written contract would also reduce the risk of uncertainty regarding the external school food provider's compliance with District policies and the roles and responsibilities of the District, schools and external school food providers in processes designed to ensure compliance with policies.

Lack of District Processes for Monitoring Healthy Eating in Schools

The District did not have processes to monitor schools' compliance with the District's nutrition policies, including ensuring schools are serving food and beverages that comply with the Guidelines. The District indicated that it relied on schools to fulfill this responsibility. This included, for example, the responsibilities of schools to facilitate review and approval of food provider menus and menu changes by the regional nutritionist and to regularly review the cafeteria, canteen, vending machines, and breakfast program to ensure compliance with nutrition policies.

However, as outlined earlier, principals surveyed were often unaware of these responsibilities. Only three of the 36 principals surveyed (eight per cent) demonstrated awareness of the required review and approval of food provider menus and menu changes and understood the role and responsibilities of the individuals involved. Audit results also showed that the review and approval of a menu and any changes to a menu and the regular review of a school's canteen, cafeteria and vending machines for compliance with the nutrition policies were generally not being completed or there was no evidence they were being completed.

There was no requirement for periodic reporting by schools to the District to demonstrate how the schools were fulfilling their responsibilities to ensure compliance with nutrition policies and the Guidelines. The District did not gather any statistics on food and beverages served and/or sold in schools, nor did it gather or analyze any statistics to assess whether the nutrition policies and Guidelines were contributing to better student eating behaviours.

Twenty-eight out of 36 principals surveyed (78 per cent) indicated that they did not communicate with the District about food or beverages in their schools. One of the principals surveyed indicated they had never received a request for information from District officials about the food and beverages served and/or sold in their school during their 14 years in that role.

Without clear communication of District expectations to schools for monitoring and reporting on healthy eating in schools, the District did not know whether the objectives of the nutrition policy and Guidelines were being achieved.

Nutritional Information Not Readily Available

Nutritional information on food and beverages served and/or sold in schools was not promoted and readily available to parents, guardians, and students. None of the 118 schools within the Avalon and Central regions that provided lunch services to students had nutritional information readily available to parents, guardians, and students to assist in choosing food and beverages. As a result, less healthy options may be chosen.

A supplemental document to the Guidelines, Supporting School Food Guidelines: Information for Parents and Caregivers, outlined parent and caregiver roles, how to pack healthy lunches, and how to use Canada's Food Guide, 2007. However, none of the menus or school websites examined referenced this resource.

Parents, guardians and students are key partners in the school community. The nutrition policies of the Central, Western and Labrador regions note that schools should promote activities to positively influence nutrition knowledge, attitudes, skills and eating habits within the whole school community. Similarly, Eastern's nutrition policy indicates that schools are expected to promote good nutritional practices by communicating regularly with parents and the school community, to ensure that school programs provide students with the supportive environment and opportunity to develop skills that they need for lifelong, healthy eating behaviour.

One way of positively promoting nutrition knowledge and healthy eating choices is to ensure nutritional information for food and beverages served and/or sold in schools is readily available to parents, guardians and students. Our review of school and food provider websites and menus for all 118 schools within the Avalon and Central regions that provided lunch services to students indicated that such nutritional information was not readily available but only available upon specific request. One major school food provider had a space on their website to provide nutritional data, but that webpage simply said "We Follow Provincial Nutrition Guidelines" with an empty page beneath it.

A supplemental document to the Guidelines was developed called Supporting School Food Guidelines: Information for Parents and Caregivers. It outlined parent and caregiver roles, how to pack healthy lunches, and how to use Canada's Food Guide, 2007. None of the menus or websites examined during our testing referenced this resource.

Parents, guardians and students may not have the information they need to make informed decisions about healthy eating in school. They may be choosing less healthy options due to the lack of nutritional information regarding food and beverages served and/or sold in a school. Publishing this nutritional information would also increase food provider accountability to comply with the Guidelines.

The Guidelines Compared to Best Practice

The Guidelines were based on Canada's Food Guide, 2007, and followed the same fundamental principles as best practice in Canada during the period of our audit – considered to be the Provincial and Territorial Guidance Document for the Development of Nutrient Criteria for Foods and Beverages. There were, however, certain nutritional differences when compared to best practice and to other Canadian jurisdictions. Examples of nutritional differences included, for example, higher allowances in the Guidelines for sodium and trans fat content.

Consistent with Canada's Food Guide, 2007

Overall, at the time of their update in 2009, the Guidelines were consistent with Canada's Food Guide, 2007, which was best practice at that time. The Guidelines promoted the same key messages as Canada's Food Guide, 2007, of serving foods and beverages from the four food groups that are lower in fat, sugar, and sodium and higher in key nutrients such as calcium, fibre and iron.

Best Practice

The Provincial and Territorial Guidance Document for the Development of Nutrient Criteria for Foods and Beverages (PT Guidance Document) was considered best practice in Canada during the scope period of our audit. This technical document was intended to be a guide to support provinces and territories as they develop and revise the nutrient criteria for school food guidelines or policies. At the time of its development in October 2013, Provincial and Territorial Ministers of Health committed to "Encouraging the use of the 'P/T Guidance Document' as Provinces revise and Territories develop their school food guidelines".⁴ The Federal, Provincial, Territorial Nutrition Working Group on Improving the Consistency of School Food and Beverage Criteria published this guidance document in February 2014.

In March 2018, in preparation for a review and assessment of the Guidelines, the Department of Children, Seniors and Social Development engaged a non-profit organization to commence a key stakeholder consultation process to inform updating of the Guidelines.

Consistent with Fundamental Principles

The Guidelines followed the same fundamental principles as the PT Guidance Document. The Guidelines established nutritional criteria that promote food and beverages that are lower in fat, salt and sugar and higher in nutrients. They also encouraged schools to use fresh, whole foods and to read labels to choose the healthiest options.

Some key similarities between the Guidelines and the PT Guidance Document include:

- Specific nutritional criteria were set for different categories.
- Specified that schools should serve only Serve Most or Serve Moderately items.
- Whole grain was recommended as the first ingredient in Serve Most grain category items.
- Unflavored milk and fortified soy beverages were recommended.
- If making a meal from a recipe, specified that all ingredients must come from the Serve Most category in order for the meal to be classified as Serve Most.

⁴ Pan-Canadian Public Health Network, 2015, Towards a Healthier Canada, Compilation of Initiatives

Nutritional Differences

There were some nutritional differences between the Guidelines when compared to the PT Guidance Document and to other Canadian jurisdictions. Our comparison to other jurisdictions was limited to provinces that had revised their school food guidelines after the PT Guidance Document was published in February 2014. The Guidelines contained outdated nutrition criteria in a number of areas when compared to best practice, such as those used for sodium, fat, iron and fibre.

Sodium

The amount of sodium allowed in the food categories within the Guidelines was often higher than the PT Guidance Document and the guidance of other jurisdictions. One of the many categories of food and beverage items where allowable sodium was higher than best practice and the guidance of comparable jurisdictions was in the Vegetables and Fruit (Serve Moderately) category.

Source	Allowable Sodium (mg)
Best Practice ¹	≤ 200
Newfoundland and Labrador	≤ 480
Alberta	≤ 300
British Columbia	≤ 300
Manitoba	≤ 200

Sources: Provincial and Territorial Guidance Document for the Development of Nutrient Criteria for Foods and Beverages¹ (2013), Newfoundland and Labrador's School Food Guidelines (2009), Alberta's Nutrition Guidelines for Children and Youth (2014), British Columbia's Guidelines for Food & Beverage Sales in Schools (2015), Manitoba's Moving Forward with School Nutrition Guidelines (2014).

Excessive intake of sodium is one of the major contributors to high blood pressure, which is a risk factor for cardiovascular disease and stroke.⁵ These are the second and third leading causes of death in Canada.⁶

The Government of Canada's website states that high sodium intake in children has been associated with high blood pressure, a development of high blood pressure later in life, and a tendency to prefer foods with high salt content due to suppressed salt taste receptors.⁷

⁵ Health Canada, 2017, Sodium in Canada, <https://www.canada.ca/en/health-canada/services/food-nutrition/healthy-eating/sodium.html>

⁶ Statistics Canada. Table 13-10-0394-01. Leading causes of death, total population, by age group

⁷ Health Canada, March 2017, Sodium in Canada, <https://www.canada.ca/en/health-canada/services/food-nutrition/healthy-eating/sodium.html>

Healthy Eating in Schools

In 2017, more than 37 per cent of adults aged 50 to 64 in Newfoundland and Labrador had high blood pressure, compared to the Canadian average of 27 per cent.⁸

Trans fat

Trans fat thresholds in the Guidelines were higher than best practice in every category except meat and alternatives and mixed dishes. One of the many categories of food and beverage items where trans fats thresholds did not compare to best practice and the guidance of other Canadian jurisdictions was in the Grain (Serve Moderately) category.

Source	Allowable Trans Fat (mg)
Best Practice ¹	0
Newfoundland and Labrador	≤ 200
Alberta	0
British Columbia (note 1)	≤ 5% of total fat
Manitoba	0

Sources: Provincial and Territorial Guidance Document for the Development of Nutrient Criteria for Foods and Beverages¹ (2013), Newfoundland and Labrador's School Food Guidelines (2009), Alberta's Nutrition Guidelines for Children and Youth (2014), British Columbia's Guidelines for Food & Beverage Sales in Schools (2015), Manitoba's Moving Forward with School Nutrition Guidelines (2014).

Note 1: British Columbia's Guidelines based the nutrient criteria for trans fat as a percentage of total fat instead of setting a threshold as other provinces did.

Higher fat foods are often higher in both saturated and trans fats. The consumption of these types of fats is associated with a higher risk of cardiovascular disease.⁹

Iron

Unlike the Guidelines, the PT Guidance Document did not have a criterion for iron because of the concern that it could limit other nutritious foods.

Fibre

Unlike the Guidelines, the PT Guidance Document did not have a criterion for fibre because it focused on whole grains and naturally occurring fibre instead. Including a criterion for fibre could encourage the fortification of foods to meet the Guidelines.

⁸ Statistics Canada. Table 13-10-0096-01 Health characteristics, annual estimates
<https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=1310009601>

⁹ Provincial and Territorial Guidance Document for the Development of Nutrient Criteria for Foods and Beverages (2013)

Other Differences

Some other areas where the Guidelines did not align with the PT Guidance Document were:

- In the PT Guidance Document, serving fresh fruit and vegetables was encouraged instead of serving unsweetened vegetable and fruit juice. In the Guidelines, 100 per cent vegetable and fruit juice was in the Serve Most category and 100 per cent fruit juice was not limited to 200 ml per day.
- There were no caffeine limits.
- Beverages did not have their own nutritional criteria.
- Reference amounts in the Guidelines, which guide serving sizes, were often larger.
- There was no nutrition criteria set specifically for sauces, dips and condiments.
- There was no consideration of whether high school nutritional criteria should differ from schools with younger students.

Recommendations

1. The District should work with schools and school food providers to ensure that foods and beverages available to school-aged children are meeting the nutritional requirements of the School Food Guidelines.

District's Response:

The district will continue to support schools and school food providers in meeting the nutritional requirements of the School Food Guidelines. As in the past, through our Healthy Students Healthy Schools Initiative, schools can avail of the services of the Department of Health and Community Services, Regional Health Authorities, food service providers, and other community agencies. School Health Promotion Liaison Consultants (SHPLC) and Regional Nutritionists are available to assist schools.

SHPLC's are available to:

- Facilitate and support the development and implementation of Comprehensive School Health as part of the Healthy Students Healthy Schools (HSHS) initiative with a focus on the following priority areas: healthy eating, physical activity, tobacco-free living, positive mental health, sexual health and injury prevention.
- Identify resources in schools and communities to support healthy living in school communities.
- Determine unique school needs regarding the implementation of health-related policies.

Regional Nutritionists are available to:

- Collaborate with community groups/schools to coordinate, plan, implement and evaluate nutrition projects.
- Provide nutrition education and consultative services to community health staff, health professionals, educators and peer leaders.
- Provide nutrition education to the public.
- Participate in internal and external committees to plan nutrition promotions, develop resources and provide nutrition expertise.
- Participate in planning, implementing and/or evaluation of projects.

For schools to effectively operate with new food guidelines, substantial funding is required (For example in Avalon Region 2 Liaison Consultants and 1 Regional Nutritionist provide support to approximately 92 schools and more than 30,000 students poses significant challenges for support and monitoring).

2. The District should develop a nutrition policy which applies to all regions and communicate the policy to clarify roles and responsibilities of the District, schools and school food providers in the promotion of healthy eating in schools.

District's Response:

While provincial policy is being developed, NLESD regions/schools/administrators are expected to continue to follow policies and practices from the previous boards, and this includes monitoring. These policies can be found at <https://www.nlesd.ca/about/policies.jsp> (bottom of page - Policy Archive).

- In 2018, NLESD provided EECD with a draft Nutrition policy to share with CCSD and Health as this policy was highlighted in the Premier's Task Force Recommendations and Education Action Plan. This work will be coordinated as part of the government's response to the report.
- When a new provincial Nutrition Policy is implemented, NLESD will provide administrators with professional development opportunities to learn about the policy. In 2018-2019, virtual professional learning policy sessions have been available to all administrators on new policies that have been implemented provincially.

3. The District should work with schools to promote and make menu nutritional information readily available to parents, guardians, and students to assist in making healthy food choices.

District's Response:

A committee composed of School Health Promotion Consultants, Regional Nutritionists, and representatives from the Departments of Children, Seniors and Social Development and Education and Early Childhood Development has been formed.

- It is expected that draft "School Food Guidelines" will be developed by the committee during the summer 2019 and 10 NLESD schools will pilot the draft guidelines during the 2019-2020 school year.
- Funding has been provided by the Department of Children, Seniors and Social Development to promote and support pilot schools, guardians, and students.
- As in the past, our SHPLC's and Regional Nutritionists will continue to collaborate with schools to promote and make nutritional information readily available. Presently, our SHPLC's are presently working on a new Healthy Students Healthy Schools website, which can promote the new food guidelines and provide up to date information required by pilot schools, guardians, and students.

The Annual Planner for Administrators provides direction to administrators to share menu information with students and families.

4. The District should identify the information it needs from schools to assist the District in its ongoing oversight of healthy eating policies, including compliance with these policies and whether they are contributing to better student eating behaviours.

District's Response:

NLESD emphasizes the importance of data collection and analysis to evaluate outcomes and make predictions about future probabilities and trends.

- NLESD Healthy Students Healthy Schools teams collaborate with partners from the Departments of Children, Seniors and Social Development and Education and Early Childhood Development to focus on an effective evaluation strategy.
- As a first step, it is expected that 10 NLESD schools across the province will pilot the new "School Food Guidelines" draft during the 2019-2020 school year. This pilot program will support the pilot schools and school food providers in a variety of ways. This includes data collection to ensure compliance of the guidelines and to determine if they are contributing to better student eating behaviours.
- After the pilot, NLESD and their respective partners will continue to collaborate on effective ways to evaluate and improve upon the new food guidelines, nutritional policy, and ways to support our schools when full implementation is achieved.
- For schools to effectively operate with the new food guidelines, significant human resources are required (e.g. 2 Liaison consultants and 1 regional nutritionist in the Eastern region providing support to approximately 92 schools and more than 30,000 students pose challenges with respect to support and monitoring).
- School based strategic planning (known as School Development) helps schools focus on making evidence based decisions based on multiple sources of internal and external data. Wellness and Healthy Relationships is identified as determinant of Effective Schools. Once a school identifies its strategic issues, they develop a plan and works with partners to implement evidence based strategies and evaluate their effectiveness.

5. The Department of Children, Seniors and Social Development, in conjunction with other key stakeholder departments, should consider updating the School Food Guidelines to meet best practice.

Department of Children, Seniors and Social Development's Response:

The audit period covers September 1, 2017 to March 31, 2018. CSSD notes that commencing January 2018, work was underway to review and assess the current (2009) SFG with the intent to advance revisions to the School Food Guidelines (SFG). A number of key stakeholders have been engaged including EECD, NLESD, CSFP, RHAs and relevant community partners. Specifically, in March 2018, CSSD provided funding to Food First Newfoundland and Labrador (FFNL) to complete a key stakeholder assessment on the SFG. FFNL also completed a jurisdictional scan across Canada as part of this work. The purpose of these activities was to inform revisions to the SFG, which CSSD was considering, recognizing that Health Canada publicly announced the development of a new Canada's Food Guide. Recommendation #5 also recommends updating the SFG to meet best practice. In the AG report, best practice is referred to as aligning with the 2014 Provincial/Territorial Guidance Document. Since the January 2019 release of the new Canada's Food Guide by Health Canada, CSSD has been working with partners to utilize the new food guide as a basis for updating the School Food Guidelines.

Background

Shared Responsibilities for Healthy Eating in Schools

The responsibility for healthy eating in schools is shared among the Departments of Education and Early Childhood Development (EECD), Children, Seniors and Social Development (CSSD) and the school districts. The school districts are supported by regional nutritionists and the school health promotion liaison consultants of the regional health authorities.

The District was responsible for the management of healthy eating in schools, including implementing nutrition policies that adhere to the Guidelines.

The Department of CSSD was the owner of the Guidelines and had lead responsibility for their development and revision on an ongoing basis. The Department of EECD was a key contributor in the development of the Guidelines.

School Food Guidelines

The Guidelines outlined the acceptable nutritional parameters for the food and beverages served and/or sold to students in schools.

The Guidelines were released in 2006 and were used as a basis for the development of nutrition policies. In 2009, the Guidelines were updated to reflect new recommendations from the revised Canada's Food Guide, 2007. Nutrition criteria were also developed for fat, sodium, sugar, fibre, calcium, and iron.

School Health Promotion Liaison Consultants

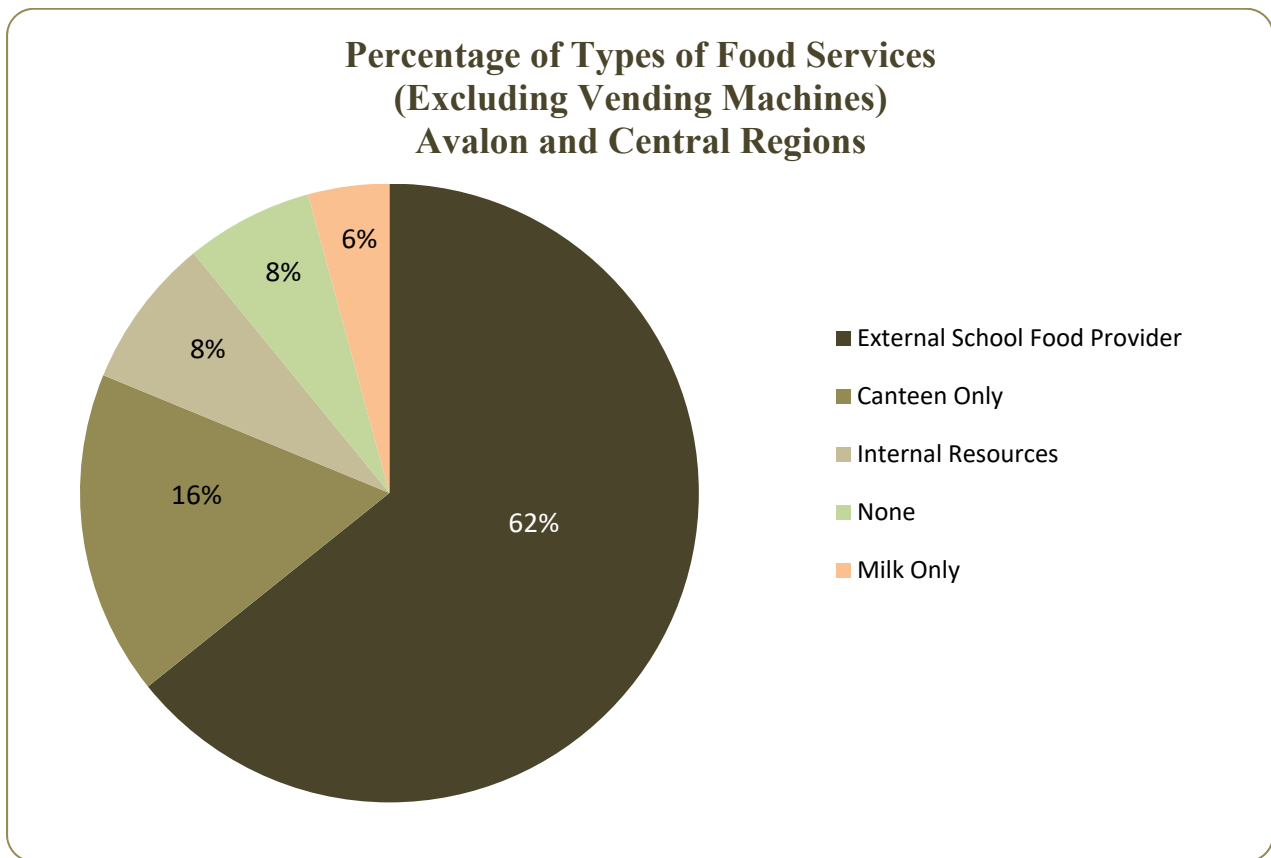
School health promotion liaison consultants (Liaisons) were Regional Health Authority employees who work with the District to promote and support healthy eating in schools. There were five Liaisons; two in the Avalon region and one in each of the other three regions of Central, Western and Labrador.

The Liaisons had a District-wide focus on policies and programs related to healthy living. They were also responsible for assisting with the implementation of the Guidelines. If they received a request from a school for a menu review, they would then connect with a regional nutritionist who would perform the assessment.

Food Services in Schools

Of the 170 schools in the Avalon and Central regions, many had food providers, canteens, and vending machines. Some had a combination of two or more of these services, while others had none. Of the 118 schools who offered lunch service, 105 used the services of an external school food provider. The remaining 13 schools offered lunch services through internal resources, such as parent volunteers.

For our audit purposes, a canteen was differentiated from internal resources depending on whether it sold snack items during recess (canteen only) or more substantial items like sandwiches and chicken strips during the lunch period (internal resources).



Source: Prepared by the Office of the Auditor General of Newfoundland and Labrador based upon data from the Newfoundland and Labrador English School District.

The 170 schools in the Avalon and Central Regions represented 66 per cent of schools in the Province. The 50,631 students in the 170 schools represented 78 per cent of the total provincial student population.

Objectives

The objectives of our audit were to determine whether:

1. The Newfoundland and Labrador English School District was adequately managing healthy eating in schools.
2. The Departments of Education and Early Childhood Development and Children, Seniors and Social Development had reflected best practice in the School Food Guidelines (2009).

Scope

Our audit covered the period September 1, 2017 to March 31, 2018. Our audit included the Department of EECD and the Department of CSSD's School Food Guidelines (2009) and the District's management of healthy eating in schools.

We examined food and beverages sold in the District's Avalon and Central regions, including cafeterias, canteens, and vending machines. Our audit did not include sampling of the District's Western or Labrador regions, breakfast programs, school sponsored events or other events in which food and beverages are served and/or sold to students.

As part of our audit work, we selected a sample of school food provider lunch and canteen menus in use in the Avalon and Central regions and analyzed whether they met the Guidelines. All school canteens and the lunch menus of internally-resourced cafeterias in the Avalon and Central regions were reviewed. We also selected a sample of vending machines and physically examined their contents and analyzed whether they met the Guidelines. A sample of principals were surveyed on certain aspects of healthy eating oversight in schools. We also examined all available contracts for school food providers in the Avalon and Central regions, some of which started prior to our audit scope period.

We did not audit whether there were food and beverages being served and/or sold in schools that were not on the menus.

We obtained confirmation from management at the District and the Departments of EECD and CSSD that all known information that had been requested, or that could affect the findings or audit conclusions, had been provided. Sample selections were non-statistical and were chosen from the District's Avalon and Central regions.

About the audit

This independent assurance report was prepared by the Office of the Auditor General of Newfoundland and Labrador on healthy eating in schools. Our responsibility was to independently audit certain aspects of healthy eating in schools to provide objective information and recommendations. Management at the District and the Departments of EECD and CSSD acknowledged their responsibility for healthy eating in schools.

Our audit was performed to a reasonable level of assurance in accordance with the Canadian Standard on Assurance Engagements (CSAE) 3001 – Direct Engagements set out by the Chartered Professional Accountants of Canada and under the authority of the Auditor General Act.

The Office applies Canadian Standard on Quality Control 1 and, accordingly, maintains a comprehensive system of quality control, including documented policies and procedures regarding ethical requirements, professional standards, and applicable legal and regulatory requirements.

In conducting the audit work, we have complied with the independence and other ethical requirements of the Rules of Professional Conduct of the Association of Chartered Professional Accountants of Newfoundland and Labrador.

We obtained sufficient and appropriate audit evidence on which to base our conclusions on June 20, 2019, in St. John's, Newfoundland and Labrador.

Use of expert

During our audit we used the services of an independent Registered Dietitian to provide advice on information on best practices, evaluation of the Guidelines against Canada's Food Guide, 2007 and best practice and assistance with technical aspects of our audit sampling work.

Subsequent events

On September 17, 2018, Health Canada banned the use of partially hydrogenated oils in foods, the main source of industrially produced trans fat. Health Canada intends that this initiative will help reduce trans fat in the food supply to the lowest level possible.¹⁰

¹⁰ Health Canada, 2019, Nutrients in food, Fats, <https://www.canada.ca/en/health-canada/services/nutrients/fats.html>

On January 22, 2019, Health Canada released an updated Canada's Food Guide, which replaced the previous Health Canada's Eating Well with Canada's Food Guide (2007). The healthy eating recommendations of the updated Canada's Food Guide did not have a significant impact on our audit results.

The Guidelines generally followed the healthy eating recommendations of the updated Canada's Food Guide, although there were some exceptions. The most significant exceptions were recommendations related to the consumption of food and drinks containing high amounts of free sugars, and guidance related to saturated fat.

- The updated Canada's Food Guide recommended that foods and drinks containing high amounts of free sugars should not be consumed regularly. Free sugars are added sugars and naturally occurring sugars in honey, syrups, fruit juices and fruit juice concentrate. The Guidelines allow 100 per cent fruit juice and vegetables and fruit that contain naturally occurring sugars in the Serve Most category. The Guidelines also allowed high amounts of sugar in the Milk and Alternative Serve Moderate category, which included sweetened milk and sweetened fortified soy beverages. The updated Canada's Food guide stated that water, unsweetened milk products and fortified plant based beverages should be offered instead.
- The updated Canada's Food Guide focused on limiting consumption of saturated fat, as opposed to total fat, in the diet.
- The updated Canada's Food Guide placed a higher emphasis on vegetables, fruits, whole grains and plant-based protein foods.

Subsequent to our audit period, the Department of CSSD, along with key stakeholder departments and entities, commenced a process to review and assess the School Food Guidelines, with an intention to advance revisions to the Guidelines, particularly with reference to the updated Canada's Food Guide. A number of key stakeholders have been engaged, including the Department of Education and Early Childhood Development, Newfoundland and Labrador English School District, conseil scolaire de francophone provincial de Terre-Neuve-et-Labrador, the regional health authorities and relevant community partners. A key stakeholder assessment and cross-Canada jurisdictional scan have been completed and meetings of a School Food Guidelines Working Group began on June 10, 2019.

Criteria

Criteria were developed specifically for this audit based upon relevant guidelines, legislation, District policies and procedures, our related work, reviews of literature including reports of other legislative auditors, and consultations with management and other Officials.

Healthy Eating in Schools

The criteria were accepted as suitable by the senior management of the Departments of EECD and CSSD, and the District.

We assessed whether the District was adequately managing healthy eating in schools against the following criteria:

1. The Newfoundland and Labrador English School District ensures that the School Food Guidelines (2009) are followed by Schools and School Food Providers.
2. The Newfoundland and Labrador English School District has a healthy eating policy that covers all regions and ensures that the policy is being followed.
3. The Newfoundland and Labrador English School District ensures that students, parents and guardians have access to the nutritional information for the food and beverages served and/or sold in schools.

We assessed whether the School Food Guidelines (2009) reflected best practice against the following criteria:

1. The Departments of Education and Early Child Development and Children, Seniors and Social Development's School Food Guidelines (2009) reflect best practice.

PART 2.2

**OVERSIGHT OF PROVINCIAL
WELLNESS PRIORITIES**

**DEPARTMENT OF CHILDREN, SENIORS
AND SOCIAL DEVELOPMENT**

Conclusions

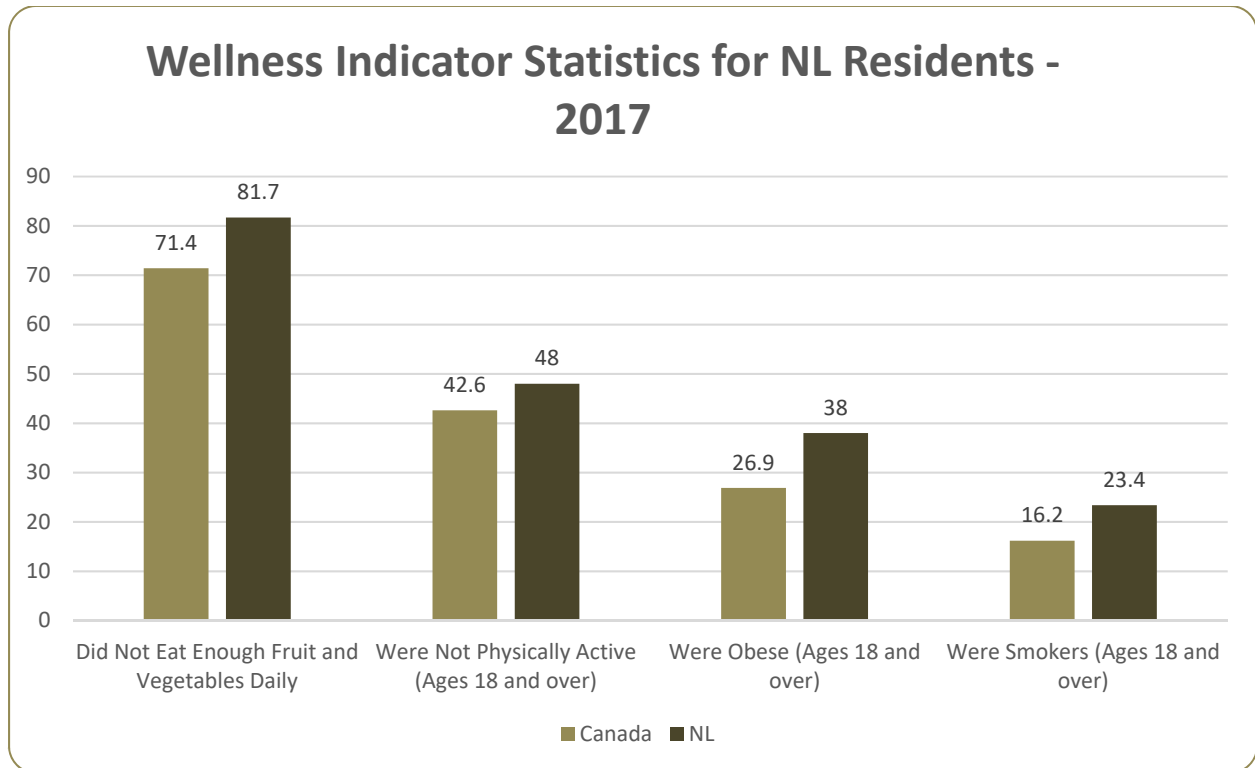
Numerous government programs and initiatives have supported established provincial wellness priorities. However, to support the achievement of Government's targets to improve health outcomes to be more in line with the Canadian average by 2025, improvements are needed in oversight processes to effectively coordinate, monitor, evaluate and report on the implementation of wellness priorities.

- There was no monitoring and evaluation framework, including measurable targets, developed for the Provincial Wellness Plan (the Wellness Plan). This limited the ability to complete system-wide assessments to determine whether wellness initiatives were meeting intended goals and objectives and contributing towards improved provincial health outcomes.
- In November 2016, Government established provincial performance indicators and measurable targets for key wellness priorities as outlined in *The Way Forward*. The Department of Children, Seniors and Social Development had committed to developing a Healthy Active Living Action Plan in 2017 to focus on actions to support achievement of these targets. Work on this Action Plan is still underway.
- Departments charged with oversight for the Wellness Plan had not monitored and reported publicly on the overall impact of wellness programming and whether progress was considered adequate.
 - There was no reporting framework established for the Wellness Plan to provide guidance to the partnering departments and entities on information it required to monitor and support on-going evaluation and reporting on overall provincial progress of wellness priorities.
 - Wellness Plan Report Cards, prepared between 2006 and 2013 for internal use, provided a listing of a wide variety of activities completed by departments and partnering entities related to wellness priorities. Further, partnering entities prepared various internal and public reports on progress of wellness initiatives. However, without a common set of performance indicators and established overall targets, the report cards could not report on whether overall progress on wellness priorities was adequate.
 - There were no Wellness Report Cards prepared after 2013 or any other report that evaluated and assessed progress of overall provincial wellness programming and the related impact on health outcomes.
- Opportunities were identified for improvement in communication and coordination between the Department of Children, Seniors and Social Development and the partnering departments and entities for the prioritization, alignment, implementation and ongoing monitoring and evaluation of wellness priorities.

Why this Audit is Important

The Province has some of the highest rates of chronic disease in Canada. Sixty-three percent of residents over the age of twelve have at least one chronic disease such as arthritis, chronic pain, diabetes, cancer, heart disease and lung disease.

These chronic diseases are linked by common risk factors that include unhealthy eating, physical inactivity, obesity and tobacco use. Newfoundlanders and Labradorians continue to report higher rates than the Canadian average in all of these areas.



Source: Statistics Canada, Canadian Community Health Survey (CCHS), Table 13-10-0096-01 Health characteristics, annual estimates

A collaborative focus on prevention, health promotion and healthy active living can mitigate these risks, reduce the overall level of associated chronic diseases, improve health outcomes and decrease the overall costs in the delivery of health care services in the Province.

It is, therefore, important that Government has effective oversight processes in place to coordinate, monitor, evaluate and report on the implementation of wellness priorities that support healthy living and chronic disease prevention.

Findings

Government Oversight of Provincial Wellness Initiatives

Oversight processes required to effectively coordinate, monitor, evaluate and report on the implementation of provincial wellness priorities would include:

- clear oversight and accountability structures;
- a monitoring and evaluation framework, including clearly defined and measurable goals, performance objectives, indicators and targets; and
- performance monitoring, evaluation and reporting processes.

Oversight and Accountability Structure

There were over 20 structured committees and work groups related to health promotion and wellness, with representation from the Department of Children, Seniors and Social Development, RHAs and other partnering departments and entities. This offered opportunities to share best practice research and discuss implementation of wellness priorities. Communication with partnering departments and entities also included formal and ad hoc meetings and ongoing informal discussions.

Opportunities were identified for improvement in communication and coordination between the Department of Children, Seniors and Social Development and the partnering departments and entities for the prioritization, alignment, implementation and ongoing monitoring and evaluation of wellness priorities.

The Provincial Wellness Advisory Council, whose purpose was to provide advice, guidance and leadership to government for wellness priorities, was dissolved in January 2017. At that time, the Department of Children, Seniors and Social Development committed to develop a proposal for a new governance model, which is still under development.

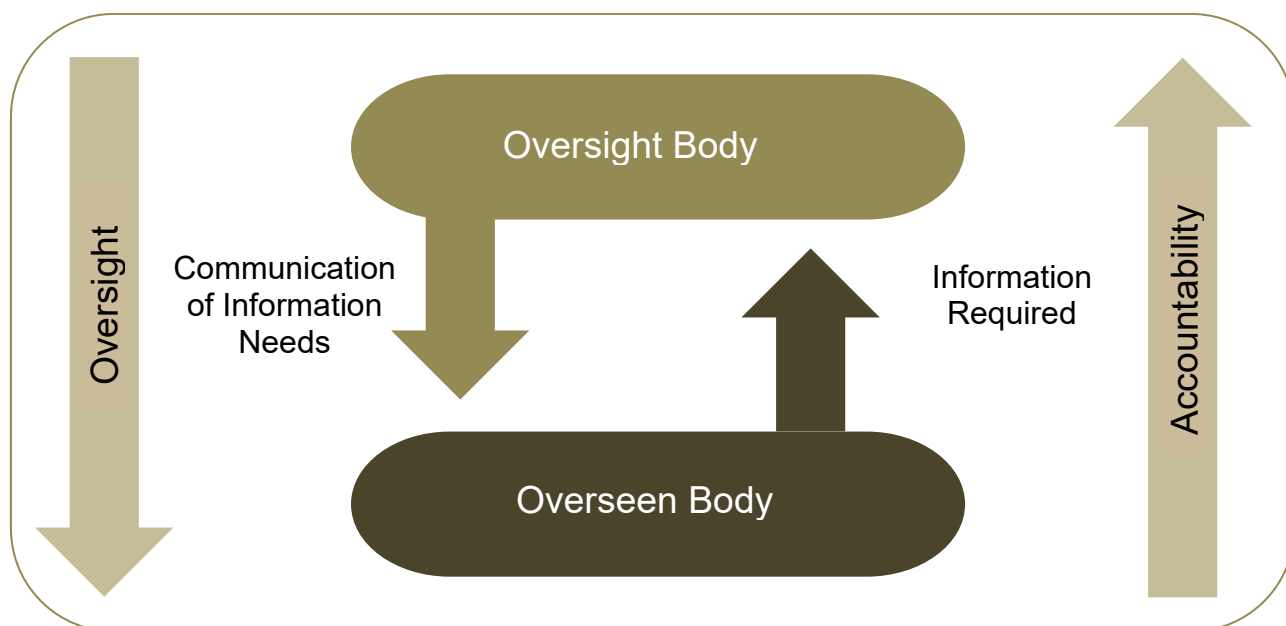
An accountability structure is the organizational framework that outlines the different groups within a partnership and the roles and responsibilities of each group, including the processes necessary to function effectively.

Provincial health promotion and wellness efforts are guided by the Achieving Health and Wellness: Provincial Wellness Plan (Wellness Plan). When the Wellness Plan was released in 2006, the responsibility for establishment and oversight of provincial health promotion and wellness priorities rested with the Division of Health Promotion and Wellness in the Department of Health and Community Services. Through government restructuring, this Division and related oversight responsibility for wellness was transferred to the former Department of Seniors, Wellness and Social Development in September 2014 and then, in August 2016, to the newly established Department of Children, Seniors and Social Development (the Department).

Oversight of Provincial Wellness Priorities

In addition to provincial wellness priorities, the Regional Health Authorities (RHAs) set other wellness priorities relevant to their regions. The Department, together with the partnering departments, RHAs, the school districts, regional Wellness Coalitions and a number of non-government organizations share responsibility for implementing and managing provincial health promotion and wellness initiatives, programs and action plans within their mandate areas. The mandate for public health, including mental health promotion, rests with the Department of Health and Community Services and was not included in this audit.

Within this accountability structure, it is important that in its oversight role, the Department charged with oversight for the Wellness Plan communicated its information needs to these groups within this partnership and that these partners provided the required information to the Department.



Source: Canadian Audit and Accountability Foundation Practice Guide to Auditing Oversight, 2013

Each Government department and entity that had a role in implementing the wellness priorities was responsible for establishing its own organizational structures and assigning staff responsibilities.

There were over 20 structured committees and work groups related to health promotion and wellness, with representation from the Department, RHAs and other partnering departments and entities. Each of these committees and work groups had an established terms of reference and varied meeting frequency. This offered opportunities to share best practice research and discuss implementation of wellness priorities. Communication with partnering departments and entities also included formal and ad hoc meetings and ongoing informal discussions.

Oversight of Provincial Wellness Priorities

Our interviews with staff of the RHAs highlighted some opportunities for improvement in communication and coordination with the Department. Examples of such opportunities included:

- A need for increased clarity on roles and responsibilities between the Department of Children, Seniors and Social Development, the Department of Health and Community Services and the RHAs related to health promotion/wellness priorities. For example, organizationally, the Prenatal program is a Department of Health and Community Services Public Health program. However, the responsibility for prenatal nutrition rests with healthy living consultants, who are employees of the Department of Children, Seniors and Social Development. This structure poses challenges to the delivery of the prenatal and other public health programs and services. Clarification of roles and responsibilities could reduce identified challenges.
- A need for increased clarity surrounding provincial wellness priorities and roles and responsibilities for implementation, particularly with respect to addressing targets outlined in The Way Forward, in order to incorporate them properly into regional planning.
- A need for increased clarity of the roles and responsibilities of the RHAs in their partnership with the Department and the school districts, particularly with respect to the Healthy Students Healthy Schools initiative.
- A need for more formalized meetings between the Department of Children, Senior and Social Development and RHAs for wellness programming. The Department holds meetings with various RHA consultants (front-line staff) in priority areas such as nutrition and tobacco reduction; however, RHA managers are not included in these meetings, which can cause communication challenges and inefficiencies.
- Improvements in the Department of Children, Senior and Social Development's identification and communication of its information needs and reporting requirements from the RHAs to monitor and support on-going evaluation and reporting on overall provincial progress of wellness priorities.

These identified opportunities are generally consistent with findings from an external review of provincial wellness in 2014 and workshops held in 2016 to develop a new strategy that would build on the Wellness Plan including:

- Reported opportunities for better coordination of all the existing provincial and regional strategies and policies and a mechanism for better communication between key players.
- Lack of formal reporting structures and processes for collaboration within Government, structural variation among the RHAs, as well as variations in modes of wellness programming that made it difficult to effectively coordinate actions and measure progress.

The Provincial Wellness Advisory Council (the Council), originally established in 2002, was dissolved in January 2017. The purpose of the Council was to provide advice, guidance and leadership to government for wellness priorities within the Province. The 28-member Council covered regional and/or provincial mandates to bring a broad perspective covering all areas of the Province. The Council was key to the development of the Wellness Plan in 2006.

The Council's last annual report in 2016-17 indicated that, based on a review of provincial wellness in 2014, the structure of the council was being re-considered to be smaller and more governance focused in order to provide timely advice on health promotion matters. As such, it was mutually agreed that the work of the council, in its current form, would end, while the Department developed a proposal for a new governance model. A new governance model is still under development.

Monitoring and Evaluation Framework

There was no monitoring and evaluation framework developed for the Wellness Plan to measure and report the overall impact of wellness initiatives. While initial performance indicators were developed, there were no measurable targets established for the Wellness Plan to facilitate a system-wide assessment of how well provincial wellness initiatives were meeting their goals and objectives and contributing towards improved provincial health outcomes.

Since release of the Wellness Plan in 2006, a number of programs or initiatives have been developed or expanded that were related to one or more priorities established in the Wellness Plan. Many of these programs and initiatives had goals and objectives, and some also included output targets.

Since 2006, Government had also developed or expanded on a number of other action plans and frameworks that addressed the Wellness Plan priorities of healthy eating, physical activity and tobacco control. While some of these action plans and frameworks had performance indicators and/or measurable targets, there was no subsequent monitoring and reporting on progress towards achieving these targets or how they linked back to progress on the Wellness Plan.

In November 2016, Government established provincial performance indicators and measurable targets for a number of wellness priorities in its The Way Forward with the objective of improving health outcomes and bringing the provincial indicators more in line with the Canadian average by 2025. We noted:

- The Department of Children, Seniors, and Social Development had committed to developing a Healthy Active Living Action Plan in 2017 to focus on actions to achieve these provincial targets for established wellness priorities. Work on this Action Plan is still underway.

- There was no alignment of performance indicators and targets of Regional Health Authorities with the provincial targets established in The Way Forward for the 2017-18 year. The RHAs incorporated these targets in their regional plans commencing in 2018-19. The Way Forward identified targets for specific initiatives for school-aged children, including, for example, targeting 100 schools to action initiatives identified through use of the Healthy School Planner tool, which helps schools create healthier learning environments.
- The provincial and national rates used to establish the provincial 2025 target rates that were set out in The Way Forward were based on 2014 Canadian Community Health Survey (CCHS) data from Statistics Canada. However, the methodology and collection strategy used by Statistics Canada for CCHS data changed beginning in 2015. As a result, the provincial and national rates on the health performance indicators that will be reported by Statistics Canada for the years 2015, onward, will not be comparable to the provincial and national rates used as a basis in establishing the Way Forward targets. Therefore, to monitor progress towards the provincial targets, the Department will need to consider how to appropriately address this issue.

Development of a monitoring and evaluation framework in the planning phase of a program or initiative guides the evaluation of the program and facilitates an ongoing assessment of planned progress against desired outcomes to be achieved. Such a framework should include and link documented goals with specific objectives, measurable performance indicators, targets, outputs and outcomes. It should also include a process on how and what data should be collected and how results will be evaluated.

Performance indicators are measurable values that can be used to demonstrate how well a program or initiative is performing in relation to its goals and objectives. Targets for each performance indicator provide a planned level of result to be achieved within an established timeframe.

Provincial Wellness Plan

The Department of Health and Community Services did not establish a monitoring and evaluation framework in 2006 when the Wellness Plan was released, nor has such a framework since been established to facilitate a system-wide assessment of how well provincial wellness initiatives were meeting their goals and objectives and contributing towards improved provincial health outcomes. During reviews of the Wellness Plan, commissioned by the Department of Health and Community Services, the lack of an established monitoring and evaluation framework/plan and lack of province-wide agreed-upon indicators had been identified as an area that needed to be addressed.

The Wellness Plan identified some potential indicators and committed to the development of additional indicators moving forward. These performance indicators were outlined for three of the four priorities set out for Phase I of the Wellness Plan. However, there were no measurable targets or desired level of progress (i.e. “by how much”) established for any of these potential Wellness Plan performance indicators.

Oversight of Provincial Wellness Priorities

Wellness Plan Priority	Examples of Performance Indicator	Measurable Target
Healthy Eating	Increase in consumption of fruits and vegetables	None
Physical Activity	Increase in physical activity rates Increase in opportunities for physical activities	None
Tobacco Control	Decrease in smoking rates	None
Injury Prevention	None	None

Wellness Initiatives

Since release of the Wellness Plan in 2006, Government departments and entities developed or expanded on a number of programs or initiatives that were related to one or more priorities established in the Wellness Plan. These included, for example:

- Community Healthy Living Fund
- Regional Wellness Coalitions programs (eg. Ticker Tom)
- RHA Health Promotion Programs (eg. Veggie and Fruit Awareness Campaign)
- Provincial Smoking Cessation Program for Individuals with Low Income
- Carrot Rewards program
- Healthy School Planner tool

Many of these programs and initiatives, including those identified above, had goals and objectives, and some also included output targets, such as a target number of users of carrots reward program app (increase by 10,000 new users by March 2018) and a target number of individuals who avail of smoking cessation products through the program (7,037 individuals over three years).

Action Plans and Frameworks Since 2006

Since the release of the Wellness Plan in 2006, other action plans and frameworks have been developed that supported the Wellness Plan priorities of healthy eating, physical activity and tobacco control. Examples include: Eating Healthier in NL: Provincial Food and Nutrition Framework and Action Plan (released in 2006), a Provincial Healthy Aging Framework (released in 2007) and Active Healthy NL: A Recreation and Sport Strategy (released in 2007). The injury prevention priority was not addressed in any of these actions plans and frameworks or separately within its own strategy.

Most of these plans and frameworks did not have established performance indicators or targets. For the few action plans and frameworks that had established performance indicators and/or measurable targets, there was no subsequent monitoring and reporting on progress towards achieving these targets. Rather, the internal Wellness Report Cards

Oversight of Provincial Wellness Priorities

provided a listing of actions completed for wellness programming each year as well as a listing of next steps.

Phase II of the Wellness Plan was drafted to address additional wellness priorities; however, it was never finalized. The strategic plans and annual reports of the former Department of Seniors, Wellness and Social Development had committed to the development of a new provincial wellness plan by March 2016 to lead the way in more integrated, province-wide wellness efforts. The annual reports outlined activities and progress towards the development of a new plan; however, this plan was not completed as intended. This was generally due to restructuring of the Department of Seniors, Wellness and Social Development into the new Department of Children, Seniors and Social Development in the Summer of 2016 and to allow for any required adjustments as a result of establishment of performance indicators and measurable targets as outlined in The Way Forward in November 2016.

The Department of Children, Seniors and Social Development is in the process of developing a Healthy Active Living Action Plan in response to Government's The Way Forward. A Chronic Disease Action Plan, released by the Department of Health and Community Services in June 2017, complements the ongoing work in the areas of primary prevention, health promotion and healthy active living.

The Way Forward

The Way Forward established provincial performance indicators and measurable targets for a number of wellness priorities, with the objective of improving health outcomes and bringing the provincial indicators more in line with the Canadian average by 2025. These included targets for vegetable and fruit consumption, physical activity, obesity and smoking rates, which generally aligned with the Phase I Wellness Plan priorities of healthy eating, physical activity and tobacco control.

The Way Forward			
Performance Indicator	Provincial Rate (Note 1)	Provincial Target (by 2025)	National Rate (Note 1)
Vegetable and fruit consumption	25.7%	30.7% (Increase of 5%)	39.5%
Physical activity	48.3%	55.3% (Increase of 7%)	53.7%
Obesity	30.4%	25.4% (Decrease of 5%)	20.2%
Smoking	21.7%	17.7% (Decrease of 4%)	18.1%

Source: Prepared by the Office of the Auditor General from information provided in Government's The Way Forward.

Note 1: The provincial and national rates for obesity, smoking, physical activity and vegetable and fruit consumption were based on 2014 data from Statistics Canada.

Oversight of Provincial Wellness Priorities

The Way Forward also established a target to increase the breastfeeding initiation rate by seven per cent by 2025. The Way Forward did not include any targets related to injury prevention, which is an identified priority of the Wellness Plan.

Our review of The Way Forward performance indicators and targets identified that:

- The Department had committed to developing a Healthy Active Living Action Plan in 2017 to focus on actions to achieve these provincial targets. Work on this Action Plan is still underway and is expected to be completed in 2019.
- While the Department did communicate the targets to partnering entities, the Department did not provide guidance or clarity to the RHAs regarding expectations for incorporation of the performance indicators and targets established in The Way Forward into regional planning processes for 2017-18.
- The four RHAs established performance indicators and targets for regional wellness priorities for 2017-18; however, we noted the following:
 - Eastern and Labrador-Grenfell RHAs did not report any targets for the wellness indicators outlined in The Way Forward.
 - Western RHA did not have a target established for the obesity rate and it did not have targets comparable to The Way Forward for two of the other three wellness performance indicators.

In 2018-19, subsequent to our audit period, all four RHAs aligned targets in regional plans to those outlined in The Way Forward.

- The Way Forward identified targets for specific initiatives for school-aged children, including, for example, targeting 100 schools to action initiatives identified through use of the Healthy School Planner tool, which helps schools create healthier learning environments.
- The provincial and national rates used to establish the provincial 2025 target rates that were set out in The Way Forward were based on 2014 Canadian Community Health Survey (CCHS) data from Statistics Canada. However, the methodology and collection strategy used by Statistics Canada for CCHS data changed beginning in 2015. As a result, the provincial and national rates on the health performance indicators that will be reported by Statistics Canada for the years 2015, onward, will not be comparable to the provincial and national rates used as a basis in establishing the Way Forward targets. Therefore, to monitor progress towards the provincial targets, the Department will need to consider how to appropriately address this issue.

Monitoring, Reporting and Evaluating of Wellness Plan and Initiatives

The department charged with oversight for the Wellness Plan had not monitored, evaluated and reported publicly on the overall impact of wellness programming and whether progress was considered adequate.

- There was no reporting framework established for the Wellness Plan to provide guidance to the partnering departments and entities on information it required to monitor and support on-going evaluation and reporting on overall provincial progress of wellness priorities. While all entities that we examined had strategic plans and annual work plans in place, the results had not been linked back to the performance indicators in the Wellness Plan or The Way Forward. Further, only one of eight entities consistently addressed all four wellness priorities established in the Wellness Plan in their regional planning.
- Wellness Plan Report Cards, prepared for internal use only between 2006 and 2013, provided a listing of a wide variety of activities completed by departments and partnering entities related to wellness priorities. Further, partnering entities prepared various internal and public reports on progress of wellness initiatives. However, without a common set of performance indicators and established overall targets, the report cards could not report on whether overall progress on wellness priorities was adequate.
- There were no Wellness Report Cards prepared after 2013 or any other report that evaluated and assessed progress of overall provincial wellness programming and the related impact on health outcomes.

The monitoring and reporting of performance indicators and targets, to allow measurement of progress towards objectives and goals, should generally be completed on an annual basis. Periodic evaluations should also be completed to determine the effectiveness of ongoing wellness plans and programs to assess whether changes in strategy, goals or outcomes are required.

Monitoring and Reporting on the Wellness Plan

Between 2006 and 2013, there were six Wellness Plan Report Cards completed. These were internal departmental documents and not released publicly; however, the report cards were shared with the Provincial Wellness Advisory Council and the partnering departments and entities. The report cards provided a listing of a wide variety of various activities completed by departments and partnering entities for each of the four wellness priorities as well as initiatives that addressed more than one wellness priority. For example, under Healthy Eating, actions included consultation with key stakeholders on the identification and development of new initiatives to prevent obesity through an Obesity Expert Advisory Committee.

Oversight of Provincial Wellness Priorities

However, these report cards did not report on the status of performance indicators developed for the Wellness Plan such as, for example, whether there was an increase in physical activity rates or consumption of fruits and vegetables. Further, without a monitoring and evaluation framework, including performance targets, the report cards could not report on whether progress on wellness priorities was adequate. There were no Wellness Report Cards prepared after 2013 or any other report that assessed progress of overall provincial wellness programming and the related impact on health outcomes.

Monitoring and Reporting on Wellness Initiatives by Partnering Departments and Entities

The Department had not established a reporting framework to provide guidance to the partnering departments and entities on information it required to monitor and support on-going evaluation and reporting on overall provincial progress of Wellness Plan priorities.

The Department does require reporting for the limited number of initiatives for which they provide funding, including, for example, funds spent by the School District on the Healthy School Planner and Active Schools initiative, funds spent on the Veggie and Fruit Awareness campaign and work completed by the regional Wellness Coalitions. Further, following the release of the Way Forward, the Department reports progress on specific actions identified in the Way Forward which are the responsibility or shared responsibility of the Department, including, for example, progress on increasing the use of the Healthy School Planner by schools to help create healthy learning environments.

Partnering departments and entities reported annually on their wellness programs and initiatives to their respective senior executive. Additionally, partnering departments and entities had a variety of other reports related to health promotion and wellness they completed for their internal use. For example, the Western RHAs prepared divisional scorecards that documented the progress of their actual results compared to their established regional targets. The Eastern RHA prepared achievement reports on various wellness initiatives. The Department, however, generally did not request these types of reports for review and these reports were not used in any provincial reporting on overall progress of the Wellness Plan.

While all entities that we examined also had strategic plans and annual work plans in place, the results had not been linked back to the performance indicators in the Wellness Plan or The Way Forward. Further, only one of eight entities consistently addressed all four wellness priorities established in the Wellness Plan.

Evaluation of Wellness Outcomes

There were no evaluations of outcomes of wellness performance indicators completed since the establishment of the wellness priorities in 2006.

There were a number of evaluations and/or reviews related to provincial wellness programming commissioned by the department responsible for oversight of the Wellness Plan. Collectively, these reviews outlined the various wellness programming that has supported health promotion in the Province. However, none of these reports provided analysis or conclusions on the outcomes of the Phase I performance indicators of the Wellness Plan. These reports included:

- A 2008 report commissioned by the Department of Health and Community Services on an interim evaluation of the Provincial Wellness Plan. The focus of the evaluation was to document activities and assess outputs rather than longer-term wellness outcomes that were expected to occur as a result of the plan. It also included findings on what worked well in the initial years of the Wellness Plan and what adjustments could be considered moving forward. The report highlighted the need for indicators and benchmarks for tracking progress in the implementation of the Wellness Plan, the need to build resources for evaluation of specific initiatives funded by Wellness Grants program and the need for an accountability process for reporting the impact on the wellness focus of the Regional Health Authorities.
- A 2014 report completed by the Newfoundland and Labrador Centre for Health Information (NLCHI), with direction from the Department of Health and Community Services, on a review of systems that support health promotion and wellness program and service delivery in the Province, including challenges and accomplishments within this system. This review also noted challenges to evaluation including a lack of province-wide agreed upon indicators, a lack of resources/capacity and difficulty engaging communities in evaluation activities. NLCHI also completed a report that provided data on select performance indicators for the period 2005 to 2012. However, this report was not for the purpose of, and did not provide, analysis of the data, nor did it provide conclusions related to the Wellness Plan performance indicators.
- In 2015 and 2016, to build on the work of the Wellness Plan and develop a new wellness plan, the Department of Seniors, Wellness and Social Development held workshop sessions of internal and external stakeholders. The focus of the sessions was to gain perspectives on existing wellness activities and priorities, and discuss how to move forward for long-term integrated wellness planning. An external consultant analyzed the feedback and prepared a report of key findings and recommendations. The scope of this report did not include any evaluation of outcomes of wellness performance indicators. One of the recommendations was to develop an accountability and reporting framework for any future wellness planning to link indicators/outcomes to goals/actions and funding, and include common measures to support on-going evaluation with regular reporting on outcomes.

- In 2015, the School of Human Kinetics and Recreation at Memorial University, the Department of Seniors, Wellness and Social Development and Recreation Newfoundland and Labrador partnered to conduct an environmental scan to provide a better understanding of the landscape of healthy active living initiatives, programs, and activities across the island portion of the Province focused on children and youth. This research report indicated very little evaluation is happening to assess healthy active living programs in communities and noted the importance in the future to support communities and organizations to assess whether programming is meeting intended healthy active living goals.

Actual Results for Key Wellness Indicators

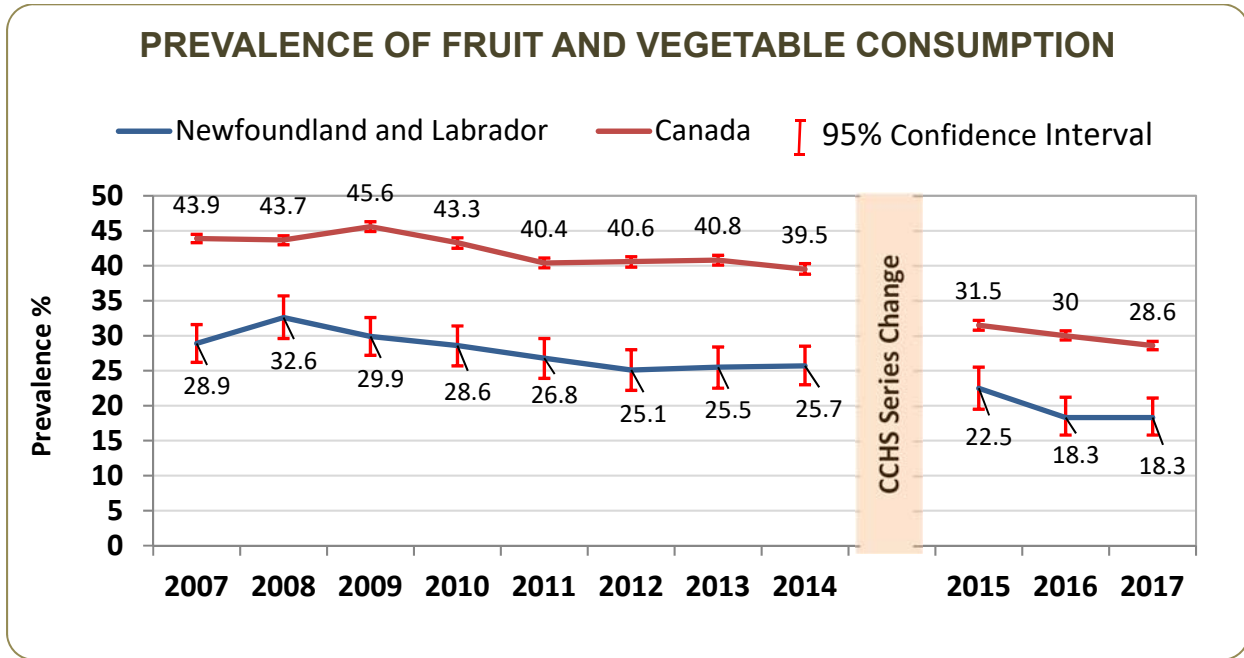
As part of our audit, for key indicators established in the Wellness Plan and subsequently referenced in The Way Forward, we compiled information on the Newfoundland and Labrador rates compared to the Canadian rates for the period 2007 to 2017.

While there has been some fluctuations since 2007 in these wellness indicators, there generally has been no significant marked improvement in vegetable and fruit consumption, physical activity rates and obesity rates. Although there appears to be some positive trending in smoking prevalence, overall there has been no significant marked improvement.

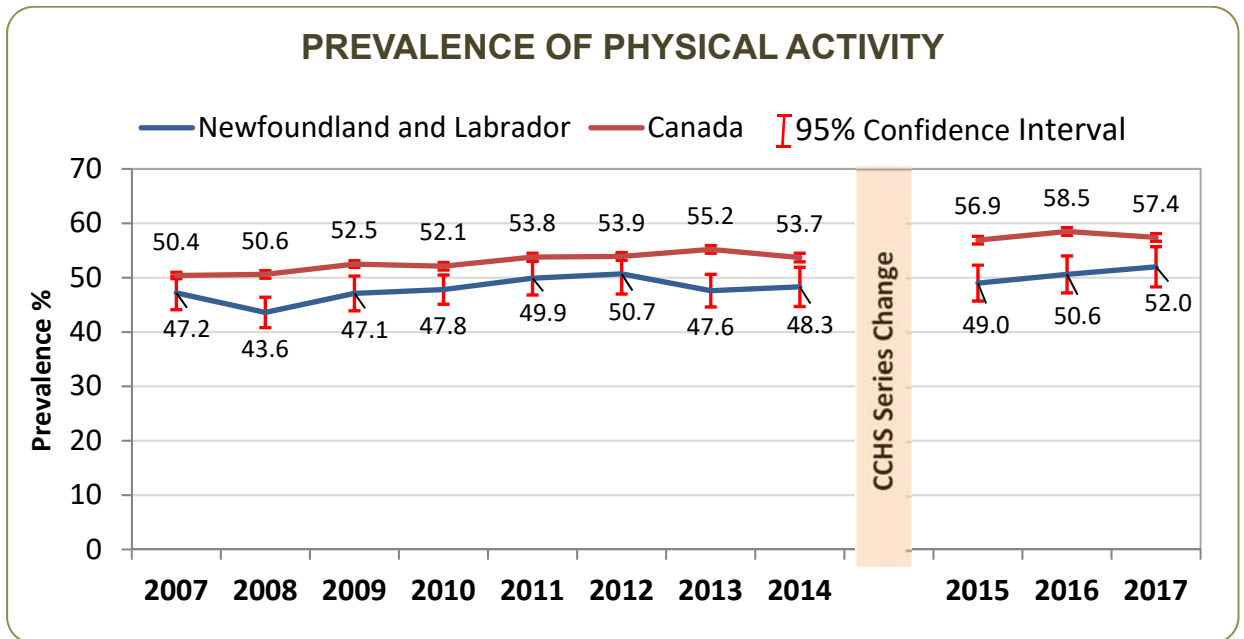
As outlined earlier in the report, provincial 2025 target rates that were set out in The Way Forward, released in November 2016, were based on 2014 Canadian Community Health Survey (CCHS) data from Statistics Canada. As the methodology and collection strategy used by Statistics Canada for CCHS data changed beginning in 2015, the data available for years 2015, onward, is not comparable to prior years' data reported. As a result, we were unable to compare the data for those years to the Way Forward targets.

The CCHS sample size for Newfoundland and Labrador is much smaller than for Canada which can contribute to larger variations around annual estimates as shown in the confidence interval. For example, a smaller sample size from one year to the next for Newfoundland and Labrador results in a larger confidence interval and these intervals should be considered in the interpretation of fluctuations in the estimates between years.

Oversight of Provincial Wellness Priorities

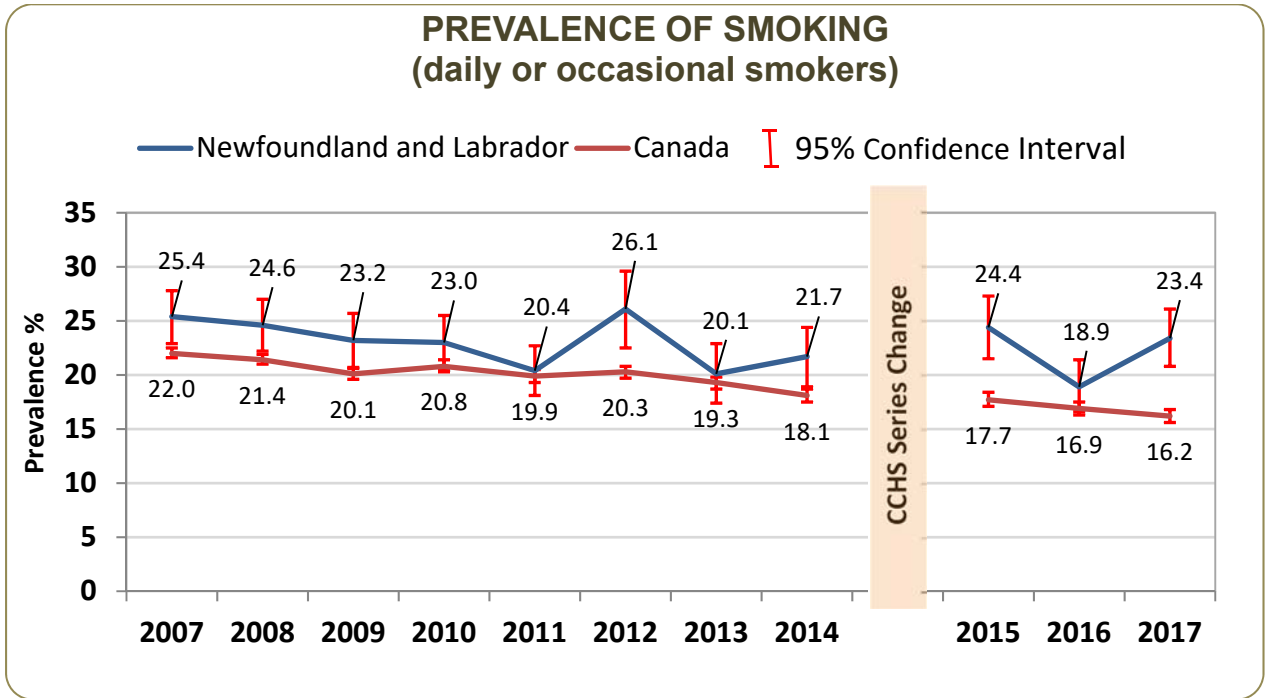


Source: Statistics Canada, Canadian Community Health Survey (CCHS), Table 13-10-0451-01 Health indicators, annual estimates, 2003 – 2014; Table 13-10-0096-01 Health characteristics, annual estimates. Note: Statistics Canada changed methodologies and collection strategy for the CCHS beginning in 2015. Fruit and Vegetable consumption content changed from asking about usual consumption to consumption in the past 30 days. Also the survey asked about specific vegetables up to 2014 and in 2015 changed to ask about classes of vegetables. These changes combined may account for variation in this indicator in the series 2007 to 2014 versus 2015 to 2017.

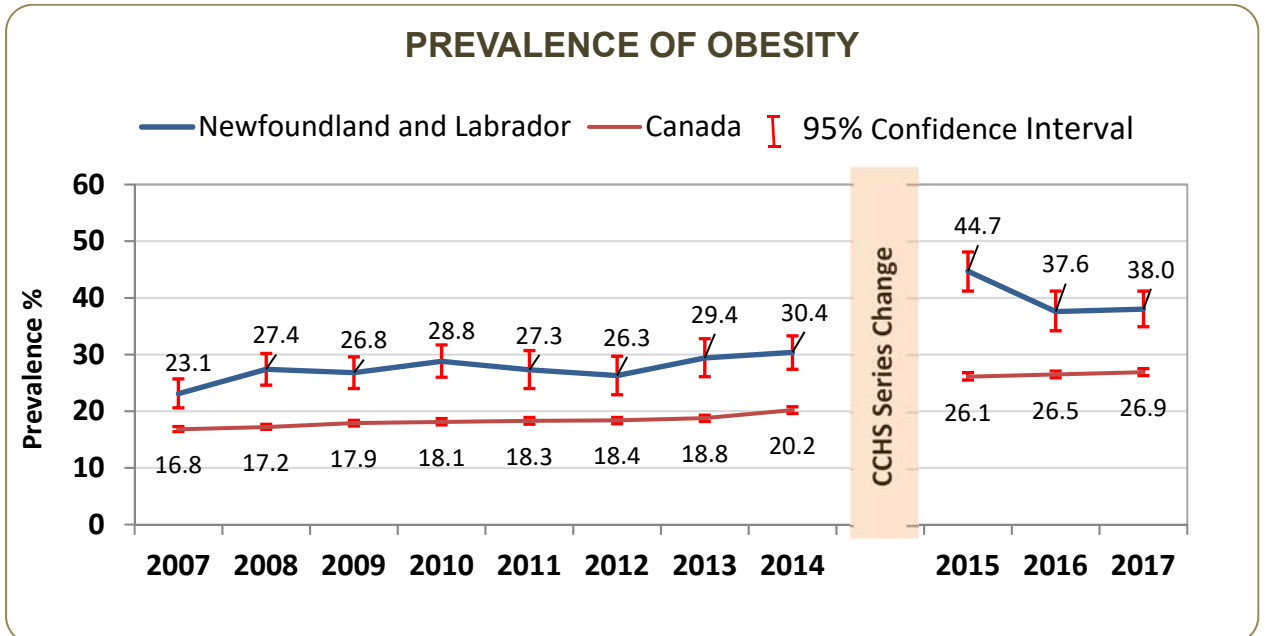


Source: Statistics Canada, Canadian Community Health Survey (CCHS), Table 13-10-0451-01 Health indicators, annual estimates, 2003 – 2014; Table 13-10-0096-01 Health characteristics, annual estimates. Note: Statistics Canada changed methodologies and collection strategy for the CCHS beginning in 2015. Physical activity changed from 3 months of activity patterns for those 12+ to 7 days activity patterns for those 18+ which may account for variation in this indicator in the series 2007 to 2014 versus 2015 to 2017.

Oversight of Provincial Wellness Priorities



Source: Statistics Canada, Canadian Community Health Survey (CCHS), Table 13-10-0451-01 Health indicators, annual estimates, 2013 – 2014; Table 13-10-0096-01, Health characteristics, annual estimates
 Note: Statistics Canada changed methodologies and collection strategy for the CCHS beginning in 2015 which may account for variation in this indicator in the series 2007 to 2014 versus 2015 to 2017.



Source: Statistics Canada, Canadian Community Health Survey (CCHS), Table 13-10-0451-01 Health indicators, annual estimates, 2003 – 2014; Table 13-10-0096-01 Health characteristics, annual estimates
 Note: Statistics Canada changed methodologies and collection strategy for the CCHS beginning in 2015 and obesity changed from reported BMI to adjusted BMI which may account for variation in this indicator in the series 2007 to 2014 versus 2015 to 2017.

Subsequent events

The Public Health Protection and Promotion Act received Royal Assent on December 5, 2018 and will be enacted on July 1, 2019. The Department of Health and Community Services reports this as a significant development, as it replaces much of the province's 50 year old public health legislation that focused on communicable disease prevention and modernizes public health by taking a broad approach to population health, including health promotion. This legislation outlines the roles and responsibilities of the Chief Medical Officer of Health with respect to the health of the population including health promotion of which wellness is an integral part.

A Public Health Governance Structure was created to improve on the structure and function of the public health system in Newfoundland and Labrador at the provincial level. The terms of reference for this structure were approved in March 2019. The steering committee consists of: representatives from each RHA responsible for public health, the departments responsible for public health program and services (Health and Community Services, Children, Seniors and Social Development and Service NL), the Chief Medical Officer of Health, the Deputy Minister of Nunatsiavut Government's Department of Health and Social Development and a representative for the provincial Government's Health in All Policies. Next steps include setting a vision and framework for the public health system in the province and the development of standards for core public health programs.

Recommendations

The Department of Children, Seniors and Social Development should:

1. Continue efforts, in consultation with partnering department and entities, to develop an action plan for healthy active living to support the achievement of Government's targets to improve health outcomes and bring health indicators more in line with the Canadian average by 2025.

Department's Response:

CSSD supports this recommendation. A great deal of consultation has occurred with partnering departments and entities on the action plan to date and some reporting procedures for the Way Forward targets and healthy living initiatives have been established. CSSD, in consultation with our partners, will finalize the action plan in 2019.

2. Develop a monitoring and evaluation framework to guide evaluation of overall healthy active living programming and the ongoing assessment of planned progress against established targets and desired outcomes. Such a framework should include and link documented goals with specific objectives and measurable performance indicators and targets. These goals, objectives, indicators and targets should be clearly communicated for incorporation into partnering department and entity plans as appropriate.

Department's Response:

The healthy active living action plan will include a monitoring and evaluation framework. CSSD will work with partners to establish the indicators and monitor progress. The requirements under the monitoring and evaluation framework will be communicated to partners, which will enable them to incorporate these into their internal planning and reporting processes. CSSD will clearly communicate to all partners that receive funding to deliver initiatives to support implementation of the action plan, their responsibilities and requirements for reporting.

3. Develop a reporting framework to provide clear guidance to the partnering departments and entities on information it requires to monitor and support on-going evaluation and reporting on overall provincial progress of healthy active living priorities.

Department's Response:

The Healthy Active Living Action Plan will include a reporting framework for all departments and entities to follow in reporting to CSSD on initiatives that support the Plan priorities. While initiatives will be broader than those funded by CSSD, reporting will be mandatory to receive funding for Plan priorities through CSSD. An interdepartmental, Director-level working group will be established under the action plan to establish and monitor performance indicators for progress on actions and achievement of targets. This working group will report to a CSSD led Deputy Minister executive oversight committee on healthy active living that includes the Deputy Ministers of Children, Seniors and Social Development, Health and Community Services and Education and Early Childhood Development. Reporting requirements will be communicated to partners, which will enable them to incorporate these into their internal planning and reporting processes. CSSD is also a member of the new Public Health Governance Structure, which includes a focus on Healthy Living/Healthy Communities. CSSD will explore opportunities to utilize this as an additional mechanism to support monitoring and reporting by Departments and entities to CSSD on the Healthy Active Living Action Plan priorities.

4. Work with partnering departments and entities to identify and implement opportunities to improve the effectiveness of oversight processes for the communication and coordination of provincial healthy active living priorities across partnering Government departments and entities.

Department's Response:

CSSD agrees with the recommendation and will develop communication and coordination processes for provincial healthy active living priorities. This work will be led by the Director-level working group referenced in the response to recommendation number 3 and be overseen by the Deputy Minister executive oversight committee.

Background

In March 2006, the Department of Health and Community Services released the *Achieving Health and Wellness: Wellness Plan for Newfoundland and Labrador* (the Wellness Plan). This plan was aimed at improving the health of the provincial population and helping all Newfoundlanders and Labradorians achieve their optimal state of wellness. Government continues to reference the Wellness Plan as the guide for health promotion and wellness efforts in the Province.

The Wellness Plan focused on a group of phase I priorities for 2006 to 2008 and referenced that a phase II would follow in 2008. The four phase I priorities of the Wellness Plan included: healthy eating, physical activity, tobacco control and injury prevention. Phase II of the Wellness Plan was to consider other wellness priority areas such as mental health promotion, child and youth development, environmental health and health protection; however, there were no further updates to the Wellness Plan. Rather, over the years, various action plans, frameworks and wellness initiatives were implemented that supported objectives of the Wellness Plan. In November 2016, Government's *The Way Forward* established provincial performance indicators and measurable targets for a number of wellness priorities.

In September 2014, the responsibility for the oversight of provincial wellness priorities was transferred from the Department of Health and Community Services to the former Department of Seniors, Wellness and Social Development. Through Government restructuring in 2016, the mandate for oversight of provincial wellness priorities transferred to the newly established Department of Children, Seniors and Social Development (the Department). The Department, together with partnering departments and entities share responsibility for implementing and managing provincial wellness initiatives, programs and action plans within their mandate areas.

About the Audit

This independent assurance report was prepared by the Office of the Auditor General of Newfoundland and Labrador on Government's oversight of provincial wellness priorities. Our responsibility was to independently audit Government's oversight of provincial wellness priorities to provide objective information and recommendations. Management at the Department acknowledged their responsibility for the oversight of provincial wellness priorities.

Our audit was performed to a reasonable level of assurance in accordance with the Canadian Standard on Assurance Engagements (CSAE) 3001 – Direct Engagements set out by the Chartered Professional Accountants of Canada and under the authority of the Auditor General Act.

The Office applies Canadian Standard on Quality Control 1 and, accordingly, maintains a comprehensive system of quality control, including documented policies and

procedures regarding ethical requirements, professional standards, and applicable legal and regulatory requirements.

In conducting the audit work, we have complied with the independence and other ethical requirements of the Rules of Professional Conduct of the Association of Chartered Professional Accountants of Newfoundland and Labrador.

We obtained sufficient and appropriate audit evidence on which to base our conclusions on June 25, 2019, in St. John's, Newfoundland and Labrador.

Objective

The objective of our audit was to determine whether Government, through oversight by the Department of Children, Seniors and Social Development, had processes in place to effectively implement and evaluate provincial wellness priorities.

Scope

Our audit primarily covered the period April 2016 to December 2017; however, our audit scope period extended back to March 2006 to obtain an understanding of the provincial wellness priorities and to assess the establishment of and monitoring against performance indicators and targets.

Our audit focused on oversight processes for the four Phase I provincial wellness priorities:

- Healthy Eating
- Physical Activity
- Tobacco Control
- Injury Prevention

Other identified wellness priorities such as mental health, child and youth development, environmental health and health protection were not included in our audit. The mandate for public health, including mental health promotion, rests with the Department of Health and Community Services and was not included in our audit.

Our audit focused on the Division of Healthy Living and Sports and Recreation which was responsible for the oversight of these four provincial wellness priorities. Our audit also required consultation with other Government departments and entities that collaborate with the Division to promote and support the provincial wellness priorities, including the:

- Department of Health and Community Services
- Eastern Regional Health Authority
- Central Regional Health Authority
- Western Regional Health Authority

Oversight of Provincial Wellness Priorities

- Labrador-Grenfell Regional Health Authority
- Department of Education and Early Childhood Development
- Newfoundland and Labrador English School District

Our audit did not include the Department of Municipal Affairs and Environment, Conseil scolaire francophone provincial de Terre-Neuve-et-Labrador (the French school district), municipalities and community-based organizations.

Our audit procedures included discussions with officials of the Department of Children, Seniors and Social Development and other collaborating departments and entities. We examined and assessed documentation such as minutes of meetings, committee structures, organizational charts, annual and strategic plans, periodic and annual performance reports, and evaluation reports.

Criteria

Criteria were developed specifically for this audit based upon the Wellness Plan, relevant legislation, departmental and entity policies and procedures, our related work, reviews of literature including reports of other legislative auditors, and consultations with management.

The criteria were accepted as suitable by the senior management of each department and entity included in our scope.

We assessed whether Government, through oversight by the Department of Children, Seniors and Social Development, had processes in place to effectively implement and evaluate provincial wellness priorities against the following criteria.

The Department of Children, Seniors and Social Development, in collaboration with partnering departments and entities:

1. Had an effective oversight and accountability structure for the implementation and evaluation of provincial wellness priorities.
2. Had clearly defined the performance objectives and targets for provincial wellness priorities and communicated these to partnering departments and entities.
3. Developed programs and actions to support the performance objectives for provincial wellness priorities and monitored the progress of these programs and actions.
4. Evaluated actual results against established performance objectives and targets, and determined required actions to address deficiencies.
5. Periodically reported to the Public on the overall progress and effectiveness of the implementation of provincial wellness priorities.

PART 2.3

STUDENT TRANSPORTATION

**NEWFOUNDLAND AND LABRADOR
ENGLISH SCHOOL DISTRICT**

**DEPARTMENT OF EDUCATION AND
EARLY CHILDHOOD DEVELOPMENT**

Conclusions

Better oversight and monitoring by the District is needed to ensure the safe transportation of students:

- District processes for monitoring inspections, designed to assess a vehicle's mechanical condition, need improvement.
- The District had no documented guidance for staff on how to assess a driver's abstract and police records check to ensure they meet District expectations for qualified drivers, including that they would not pose a risk to the safety and well-being of students.
- Drivers were not always completing the required training designed to properly prepare drivers for potential safety situations and reduce the risk of accidents in the transportation of students. Further, for mandatory CPR training, the District accepted CPR level A training which applies to emergency situations involving adults only. As a result, not all drivers may be fully prepared to handle certain emergencies involving the children they transport.

With the exception of mandatory CPR, Emergency First Aid and EpiPen training, District drivers and contract drivers received different types and amounts of training, which may lead to inconsistent driver qualifications. While the District established required training each year for all contracted drivers, there was no District-wide policy that outlines training requirements for drivers of District-owned buses.

- There were significant delays in the District's approval of contracted vehicles and drivers for the 2016-17 school year. For most of the school year, many vehicles and drivers used to transport students had not been approved by the District as required. The timeliness of the approval process for vehicles and drivers improved significantly for the 2017-18 school year.
- Schools did not fully comply with Departmental policy for bus safety training to students and there were inconsistencies amongst schools in the delivery of this training. Only about half of the principals surveyed indicated that they provided classroom instruction on bus safety to students and less than half performed school bus boarding and unloading drills even though these are explicit requirements of the Department policy. Further, the District did not require schools to report to it, nor did it monitor, on whether schools provided the required bus safety training to students.

Student Transportation

- The District had not fully implemented its risk management program, which includes developing and implementing responses to address the risks identified for the safe transportation of students.
- The District's records of complaints and accidents/incidents was not complete, the type of information recorded for such occurrences was not consistent and there were no established response-time targets for addressing occurrences. This reduces the usefulness of this information in identifying risks and trends, and monitoring whether issues have been resolved on a timely basis.
- The District did not conduct regular route audits, which are common in the industry, nor did it use GPS technology. Both of these practices can be used to monitor drivers' on-the-road performance and contractors' compliance with a number of key contract terms, including using only approved vehicles and drivers and using one driver on one particular route.

Almost all vehicles met the model age requirements of Department policy or guideline. Of the 1,051 vehicles in the District's records, 2 contracted buses and 18 private vehicles had been approved to transport students even though they were older than allowed.

Routing software, purchased in January 2017 and designed to achieve efficiencies in bus operations, had not been fully implemented. Until remaining implementation issues are addressed, the intended benefits of the new routing software will not be achieved.

The Department had not established any requirements for school districts to develop and report on key performance indicators (KPIs) and targets for student transportation safety and efficiency. This reduces the ability of the Department to provide oversight on the District's management of student transportation, including ensuring compliance with legislation and policies.

Why this audit is important

Every day, tens of thousands of children within our province, some as young as four years old, use school-provided transportation.

Research conducted by Transport Canada shows that school bus travel is one of the safest methods of transportation and students are about 80 times more likely to get to school safely on a school bus than by car.¹ Although school buses have an excellent safety record, it is essential that the District has adequate policies and processes in place to address key risks for the safe transportation of students. These key risks include vehicle condition, bus driver qualifications and student training in bus safety.

The cost to provide school-provided transportation to approximately 40,000 students is in excess of \$56 million. The most effective way to reduce busing costs is to reduce the number of buses used to transport students by optimizing bus routing efficiencies. Thus, it is important that the District has adequate processes to ensure the efficiency of student transportation routes.

¹ Government of Canada, 2019, About school bus safety in Canada, https://www.tc.gc.ca/en/services/road/school-bus-safety/about-school-bus-safety-canada.html#_Statistics

Findings

Student Transportation Safety Processes

Vehicle Condition

The Schools Act, 1997 requires the District to ensure that all vehicles used to transport students are in good mechanical condition. Our audit determined that District processes for monitoring inspections, designed to assess a vehicle's mechanical condition, need improvement.

- The District was missing 83 bus inspection certificates (19 per cent) of the required 429 certificates for our selected sample. The District did not monitor whether it had complete records of bus inspections and did not follow up with Service NL on any missing inspections to confirm that all required inspections were completed.
- We requested the 83 inspections missing from the District's files from Service NL:
 - 73 of the missing bus inspection certificates were provided to us by Service NL. Of these, three contracted buses had been placed in restricted/out of service for a period of time.
 - 2 inspection certificates for contracted buses had not been submitted to Service NL as required so the vehicle plates were suspended.
 - 1 inspection had not been completed by Service NL as required by legislation as the bus had not been appropriately classified as a school bus within their internal system.
 - 7 inspections were not required as the buses were not in service at the time the inspection would have been required.
- The District relied on Service NL's management of the inspection processes for buses and being informed of any related concerns by Service NL; however, there was no Memorandum of Understanding between the District and Service NL to facilitate the timely sharing of information related to these inspections. The District could not demonstrate that it had any knowledge of the results of the above missing 83 inspections. Further, there was no formal process that established what types of concerns Service NL should convey to the District, how they should be conveyed or timeframe to convey the concerns for follow-up by the District.

- The District did not comply with the Official Inspection Station Regulations and the Department guideline that requires private vehicles used to transport students be inspected at an Official Inspection Station within 30 days of the contract being signed and every six months thereafter (i.e. twice a year). District practice only required one inspection per year and this was the case for 29 (81 per cent) of the contracted private vehicles we sampled. For two samples, there were no inspection certificates on file.
- The Trip Inspection Report Regulations under the Highway Traffic Act require the completion of daily trip inspection reports for all school buses and outline specific documentation requirements. For example, where no defects are detected during an inspection, the person conducting the inspection shall record on the inspection report that no defects were detected. Our review of 30 District-owned buses in the Central region for a specific day selected indicated that seven (23 per cent) of these reports were incomplete. Other than the signature of the driver who completed the inspection, there were no notations on the detailed inspection form to confirm that the required bus systems and components listed on the form were examined. Further, the “No Defects” box was not checked off as required to confirm that no defects were found.
- For contracted buses, all daily trip inspection reports are required to be maintained on file by the contractor and are subject to audit by Service NL. Discussion with Service NL indicated that no school bus operators were selected for a facility audit during our audit period. Service NL did note that Daily Trip Inspections completed by drivers are included in the Service NL inspection process and any defects are noted on the bus inspection report. However, as previously noted, the District was not maintaining complete records of inspection reports and, therefore, may not have known the Service NL inspection results. A Memorandum of Understanding with Service NL outlining the information the District requires with respect to Service NL’s audits would improve the District’s ability to monitor contractors’ compliance with these regulations.
- The District introduced a proactive preventative maintenance inspection guideline for District-owned buses in March 2017. While these inspections were not yet mandatory, both the Central and Western regions performed preventative maintenance inspections, with the Western region performing these inspections on a more limited basis. Notwithstanding inspections completed by Service NL and Official Inspection Stations, the Labrador region did not perform other preventative maintenance inspections on their buses. The Eastern region did not have any District-owned buses.

A review of a sample of preventative maintenance inspections completed of District-owned buses in the Central region found that 14 buses (33 per cent) had not been inspected every three months as recommended. For 56 per cent of the preventative maintenance inspections that were performed, the inspection form was either incomplete and/or did not indicate whether the bus had passed or failed the inspection.

Almost all vehicles met the model age requirements of Department policy or guideline. Of the 1,051 vehicles in the District's records, 2 contracted buses and 18 private vehicles had been approved to transport students even though they were older than allowed.

The Schools Act, 1997 requires that the District ensure that all vehicles used to transport students are in good mechanical condition. While the District has not formally defined the term good mechanical condition, informally, the District considers good mechanical condition to mean that the vehicle meets all provincial and federal legislation and safety standards. These safety requirements would include adherence to the Motor Vehicle Safety Act, the Highway Traffic Act and for school buses, the Canadian Standards Association Standards D-250 and D-409.

Service NL is responsible for the management of the inspection processes that ensure commercial vehicles, including school buses, meet these safety requirements.

District Processes for Monitoring Bus Inspections Need Improvement

School buses are either owned and operated by the District (District-owned) or provided through contracted bus operators. School buses are required by legislation and policy to be inspected a minimum of three times a year – once by Service NL and twice by an Official Inspection Station. An Official Inspection Station is a business that is registered in accordance with the Official Inspection Station Regulations as a facility where inspections and tests on motor vehicles may be carried out. Inspections are designed to ensure buses meet all provincial and federal safety requirements.

Service NL Inspections - Mandatory inspection each fall. Additionally, beginning each January, 30 per cent of every operator's fleet is selected for another inspection by Service NL. The inspection places the bus in one of three categories:

Pass: Bus was found to be free of defects, or had minor defects that did not preclude the safe operation of the vehicle, either with or without passengers.

Restricted Service: Bus was found to have defects that would deem the vehicle unsafe to transport passengers; however, it could be driven to a place of repair. Examples of Restricted Service defects include inoperative stop arm, inoperative flashing warning lights and inoperative emergency exit.

Out of Service: Bus was found to have defects that would compromise the safe operation of the vehicle and could present a safety risk to the driver and/or other motorists. The bus must be repaired on site or moved to a place of repair by towing or float truck. Examples of Out of Service defects include failed brake test, fuel line leak and steering defects.

**Official Inspection
Station Inspections** -

Each year in July and December, all school buses must be inspected at an Official Inspection Station.

Issuance of a certificate certifies that the vehicle has passed the applicable inspection prescribed under the Official Inspection Station Regulations.

We selected a sample of 57 contracted buses and 42 District-owned buses to assess whether the District ensured all required bus inspections had been completed. We found that the District had significant gaps regarding inspection documentation for the samples of buses we examined. The District was missing 83 inspection certificates out of a minimum of 429 for our sample as follows:

- 76 (33 per cent) of 229 inspections related to 46 contracted buses.
- 7 (4 per cent) of the 200 inspections related to 7 District-owned buses.

Student Transportation

The District did not monitor whether it had complete records of bus inspections and did not follow up with Service NL on any missing inspections to confirm that all required inspections were completed and buses were in good mechanical condition. Furthermore, while contractors are required to provide a copy of the Service NL inspections to the District upon request, the District generally did not request any such inspection reports. Rather, the District relies on Service NL's management of inspection processes for buses and being informed of any related concerns by Service NL. However, there is no Memorandum of Understanding between the District and Service NL to facilitate the timely sharing of information related to these inspections.

We asked Service NL for copies of the 83 inspections that were missing from the District's files.

For the 76 missing inspections for contracted buses:

- 66 of these inspections were provided to us by Service NL. Three of these inspections showed that the buses had been placed in restricted service or out of service.
- 2 inspections had never been submitted to Service NL and the buses had their plates suspended.
- 1 inspection had not been completed by Service NL as the bus had not been appropriately classified as a school bus within their internal system.
- 7 inspections were not required as the buses were not in service at the time the inspection would have been required.

All seven missing inspections for District-owned buses were provided to us by Service NL. None of these inspections indicated any significant issues with those buses.

The District could not demonstrate that it had any knowledge of the results of the above missing 83 inspections. Further, there was no formal process that established what types of concerns Service NL should convey to the District, how they should be conveyed or timeframe to convey the concerns for follow-up by the District. While results of Service NL inspections are posted online twice a year for public information, this process would not provide results of inspections on a timely basis to the District for monitoring purposes. A Memorandum of Understanding would clearly outline the information the District requires from Service NL to assist the District in discharging its responsibility for ensuring that all vehicles used in transporting students are in good mechanical condition.

Legislation and Guidelines for Private Vehicle Inspections Not Being Followed

The Department of Education and Early Childhood Development (the Department) permits school districts to contract the use of private vehicles to transport students to and from school when the District has concluded that a school bus is not suitable for the specific needs of the student (e.g. medical needs).

Department guidelines, consistent with the Official Inspection Station Regulations under the Highway Traffic Act, requires private vehicles used to transport students to be inspected at an Official Inspection Station within 30 days of the contract being signed and every six months thereafter (i.e. twice a year). District guidelines do not permit contracted private vehicles to have a seating capacity for students of more than six. As a result, unlike buses, which are classified as commercial vehicles, contracted private vehicles are not subject to inspection by Service NL.

Contractors are required to submit official documentation certifying completion of the inspections to the District. The District relies on inspections as the only mechanism by which to assess mechanical condition of contracted private vehicles used to transport students.

The District did not comply with the Department guidelines and the Official Inspection Station Regulations as District practice only required contractors of private vehicles to submit one inspection each year instead of two.

We selected a sample of 43 private vehicles to assess whether the District ensured all required inspections had been completed. The District could not provide 32 (33 per cent) of the required 97 inspection certificates for our sample. Of the 36 private vehicles that required two inspection certificates, 29 (81 per cent) only had one inspection certificate on file and two had no inspection certificates on file.

There is no requirement under the Official Inspection Station Regulations for a contracted private vehicle owner to provide Service NL a copy of the vehicle inspection certificate. Thus, while we could request Service NL to provide us a copy of bus inspections missing from the District's files, this was not the case for contracted private vehicles.

Inadequate monitoring of the inspection process by the District increases the risk of safety concerns in the transportation of students in contracted private vehicles.

Daily Trip Inspection Forms for District-Owned Buses Not Always Complete

The Trip Inspection Report Regulations under the Highway Traffic Act requires the completion of daily trip inspection reports for all school buses and outlines specific documentation requirements. For example, where no defects are detected during an inspection, the person conducting the inspection shall record on the inspection report that no defects were detected. These inspections are designed to ensure early identification of vehicle defects and promote an improved level of safety. The Regulations require

these inspection reports to be retained for six months from the date of the inspection and made available upon request to Service NL inspectors.

We requested the daily trip inspection reports for a select day in 2017-18 for a sample of 35 District-owned buses in the Central region. Of these 35 buses, 30 were in operation for the day selected. The District provided all of the daily trip inspections we requested. However, 7 (23 per cent) of the daily trip inspection reports we reviewed were incomplete. Other than the signature of the driver who completed the inspection, there were no notations on the detailed inspection form to confirm that the required bus systems and components listed on the form were examined. Further, the “No Defects” box was not checked off as required to confirm that no defects were found.

District Not Always Aware of Daily Trip Inspection Results of Contracted Buses

Our audit testing did not include a review of daily trip inspections for contracted buses as the contractors retain these records. While all daily trip inspection reports are subject to audit by Service NL, we did not examine Service NL processes.

Discussion with Service NL indicated that no school bus operators were selected for a facility audit during our audit period. Service NL did note that Daily Trip Inspections completed by drivers are included in the Service NL inspection process and any defects are noted on the bus inspection report. However, as previously noted, the District was not maintaining complete records of inspection reports and, therefore, may not have known the Service NL inspection results. A Memorandum of Understanding with Service NL outlining the information the District requires with respect to Service NL’s audits would improve the District’s ability to monitor contractors’ compliance with these regulations.

Preventative Maintenance Inspections of District-Owned Buses Not Always Completed as Recommended

To supplement inspections completed by Service NL and Official Inspection Stations, the District introduced a proactive preventative maintenance inspection guideline for District-owned buses in March 2017. The District advised these inspections, performed by staff, are not yet mandatory. Preventative maintenance is maintenance that is routinely completed on a bus to prevent unexpected breakdowns and maintain the bus in good mechanical condition.

The intention of the guideline is to ensure that District-owned buses are inspected at least once every three months or 90 days, which the District considers to include inspections completed by Service NL and Official Inspection Stations. The District does not require preventative maintenance inspections of contracted buses and private vehicles used to transport students.

While not yet mandatory, both the Central and Western regions had previously performed, and continued to perform, preventative maintenance inspections, with the Western region performing these inspections on a more limited basis.

Student Transportation

Notwithstanding inspections completed by Service NL and Official Inspection Stations, the Labrador region did not perform other preventative maintenance inspections on their buses. The Eastern region did not have any District-owned buses.

For our sample of 42 District-owned buses within the Central region, 14 (33 per cent) buses had not been inspected every three months as recommended. For the 42 buses, there were 68 preventative maintenance inspections completed. We found:

- 30 of the 68 inspections (44 per cent) did not indicate whether the bus had passed or failed the inspection. For 20 (67 per cent) of these 30 inspections, not all detailed sections of the inspection form were completed. Further, eight (27 per cent) of these 30 inspections contained conflicting information, i.e. both pass and fail ticked in certain areas of the form.
- 8 of the 68 inspections (12 per cent) indicated that the bus had passed or failed the inspection; however, not all detailed sections were fully completed.
- The District's position is that if a mechanic signs the form, this represents confirmation that any defects identified had been corrected and the bus had passed inspection; however, without a clear policy that communicates this position to staff performing these inspections, there is a risk for inspectors to interpret requirements inconsistently.

For any defects noted on the preventative maintenance inspections, our audit indicated that there were work orders related to the preventative maintenance inspections for these specific buses.

Almost All Vehicles Met Age Requirements

Department policy requires that buses are less than 12 model years of age and a Department guideline requires that private vehicles are to be less than nine model years of age by the first day of September of the school year in order to transport students.

During our audit period, considering the addition and removal of buses, overall, there were 874 contracted buses, 373 District-owned buses and 254 contracted private vehicles in the District's records approved to transport students throughout the province - a total of 1,501 vehicles. We found:

- 2 contracted buses had been approved to transport students even though both were 13 years of age.
- 18 contracted private vehicles had been approved to transport students even though they were older than permitted. All were 10 or 11 years of age.

- The age of 24 contracted buses, 4 contracted private vehicles and 7 District-owned buses had been incorrectly recorded in the District's information system. This was often the result of District staff using incorrect documentation to record model year. When we calculated the correct ages, these vehicles met the age requirements.

Driver Qualifications

The District did not have a formalized policy that outlined specific driver qualification requirements. Also, the District had no documented guidance for staff on how to assess the driver's abstract and police records check documents to ensure they meet District expectations for qualified drivers, including that they would not pose a risk to the safety and wellbeing of students.

For our sample of 92 contracted and district drivers, there were 40 drivers with driving infractions (driver abstracts contain information for the past five years) and 18 drivers with criminal or regulatory convictions (almost all of which were older than 20 years). In the absence of District guidance pertaining to the assessment of driver's abstracts and police records checks and lack of documentation regarding the assessment, we could not determine how the District assessed these drivers against the District's own expectations for qualified drivers. Such policies and guidance would also minimize the subjectivity in the assessment of driver qualifications to ensure the use of drivers that are safe and reliable.

Drivers were not always completing the required training designed to properly prepare drivers for potential safety situations and reduce the risk of accidents in the transportation of students.

With the exception of mandatory CPR, Emergency First Aid and EpiPen training, District drivers and contract drivers received different types and amounts of training which may lead to inconsistent driver qualifications. While the District established required training each year for all contracted drivers, there was no District-wide policy that outlined training requirements for drivers of District-owned buses. Rather, each region was responsible for deciding what training was offered to District drivers.

The District had purchased licences in 2015 to initially provide online training resources to contracted drivers but to also allow District drivers to avail of the same online training. District officials maintain that District drivers were encouraged to complete the online training; however, it was not required, and, generally, they did not complete this online training.

For mandatory CPR training, the District accepted CPR level A training which applies to emergency situations involving adults only. For our sample of 92 drivers, 24 drivers (26 per cent) held CPR level A. As a result, not all drivers may be fully prepared to handle certain emergencies involving the children they transport.

For mandatory Emergency First Aid and EpiPen training, of our sample of 92 drivers, the District could not provide evidence that four drivers completed any training in this area and 13 drivers did not complete this training until six to 15 months after commencement of the 2016-17 school year.

Lack of Clear Guidance to Assess Driver Qualifications

The District did not have a formalized policy that outlines specific driver qualification requirements. Rather, the District indicated that driver qualifications are outlined in the contracts for contracted bus services and private vehicles used to transport students. The District indicated that the same qualifications applied to drivers of District-owned buses.

Contracts require the contractor to provide duly qualified and competent drivers. The contract further stipulates that drivers must, as determined by the District, be of good character, capable, sober and reliable and they must hold a valid driver's licence, which has not expired or been suspended or cancelled.

The contractor must also provide a current Motor Registration Division driver's abstract and police records check, with vulnerable sector check, for assessment by the District. District policy defines a satisfactory police records check for contractors who provide transportation services as a certificate of conduct indicating no past conviction or charge for an offence that is related to the employment of the person or would pose a risk in an educational environment to students or staff. Further, contracts prohibit contractors from using drivers who have been charged with, found guilty of, or convicted of an offence, the nature of which may be construed as jeopardizing the safety or wellbeing of students.

Our audit of this area noted the following:

- The District had no documented guidance for staff on how to assess the driver's abstract and police records check documents to ensure they meet District expectations for qualified drivers, including that they would not pose a risk to the safety and wellbeing of students.
- The District indicated that the staff have the discretion to make the final decision on whether to hire/approve drivers with driving infractions and/or criminal or regulatory convictions. They indicated that staff sometimes consulted with District human resource staff when making the final decision. For our sample of drivers, the District could not demonstrate, where applicable, how or whether driving infractions or criminal or regulatory convictions had been considered in the hire/approve decision or that human resource staff had been consulted.

Student Transportation

- In 2012, the former Eastern School District developed a draft Driver Documentation Protocol to provide further guidance in the assessment of driver qualifications. This included, for example, the types of offences that would prohibit a person from being approved as a qualified bus driver. Other examples included requiring a minimum timeframe for having no offences and maximum acceptable demerit points. This draft protocol was never finalized. The District indicated that, subsequent to our audit period, this draft protocol is currently being updated with the objective of being implemented in the near future.

This draft protocol is similar to Ontario's requirements. For example, in order to obtain a bus driver licence, Ontario requires that the driver must have fewer than six demerit points on their driving record and pass a criminal record check which defines the unacceptable offences and the minimum timeframe for having no such offences.

We also examined driver's abstracts and police records checks, including the vulnerable sector check, for a sample of 92 drivers - 49 contracted drivers and 43 District drivers.

Driver abstracts contain information for the past five years. For this sample of 92 drivers, we noted a total of 74 driving infractions related to 40 drivers (43 per cent). There were several instances where drivers had a number of infractions on their driver's abstracts. In one instance, for example, a driver had multiple speeding offences, a failure to stop at a stop sign and a failure to present a vehicle licence all within the past 5 years.

Driving Infractions	Number of Instances		
	Contracted Drivers	District Drivers	Total
Speeding	23	8	31
Driving without a vehicle or driver's licence, insurance or registration	16	-	16
Failure to obey road signs/lights	11	1	12
Negligent driving	4	-	4
Vehicle not in safe driving condition	3	-	3
Failure to notify driver/owner of collision with unattended vehicle	1	-	1
Failure to stop at the request of enforcement	1	-	1
Operating vehicle without child properly secured	1	-	1
Other	4	1	5
Total Infractions	64	10	74
Total Number of Drivers	49	43	92
Total Number of Drivers with Infractions	31 (63%)	9 (21%)	40 (43%)

Source: Office of the Auditor General of Newfoundland and Labrador, sampling results.

For our sample of 92 drivers, there were also 76 related criminal and regulatory convictions related to 18 drivers (20 per cent). Almost all of these convictions are over 20 years old, including those related to impaired driving, providing liquor to a minor and refusal to provide a breath or blood sample. Other examples of convictions included making false/misleading statements and possessing property obtained by crime.

In the absence of District guidance pertaining to the assessment of driver's abstracts and police records checks and lack of documentation regarding the assessment, we could not determine how the District assessed these drivers against the District's own expectations for qualified drivers. Such policies and guidance would also minimize the subjectivity in the assessment of driver qualifications to ensure the use of drivers that are safe and reliable.

Drivers Not Always Completing Required Safety Training

Driver safety training is intended to properly prepare drivers for potential safety situations and reduce the risk of accidents in the transportation of students. A review of complaint and accident/incident data that had been recorded by the District during our audit period found that 78 (31 per cent) of these related to alleged driver misconduct. It is important that the District has processes in place to deliver appropriate safety training to all drivers and ensure that drivers have completed the required training.

Our audit found that drivers are not always completing required training. Further, District drivers and contracted drivers received different types and amounts of training which may lead to inconsistent driver qualifications.

We also noted that while drivers required CPR training, the District accepted CPR level A training which applies to emergency situations involving adults only. As a result, not all drivers may be fully prepared to handle certain emergencies involving the children they transport.

Drivers for Contracted Services

Contracts for student transportation require that all contracted drivers complete at least seven hours of online safety training on or before November 30 of each school year or within 90 days of start of service. Each year, the District outlines the specific course modules that are required to be completed by contracted drivers. These modules can vary from year to year and are available online. If a driver completes all the modules in less than seven hours, no additional training is required for that year. Contract provisions also encourage contractors to collaborate with drivers to develop an individual learning plan that will have the greatest benefit for each driver.

We reviewed documentation for the online training for the 2016-17 school year for a sample of 40 contracted drivers and found that as at November 30, 2016:

Student Transportation

- 7 drivers (18 per cent) had not completed any safety training.
- 5 drivers (12 per cent) had only partially completed the safety training.
- 26 drivers (65 per cent) had completed either the seven hours of training or all training modules by November 30.
- 2 drivers (5 per cent) were not required to complete any safety training as they had been hired under the pre-2015 contracts which did not require drivers to complete annual safety training. One of these two drivers had partially completed the safety training.

District officials indicated that they did not enforce this contractual requirement for the 2016-17 school year as it was the first year using the online training and they were working through transitional issues with the online module quizzes.

As the District did not enforce the training requirements for the 2016-17 school year, it adjusted the module requirements for the 2017-18 school year. The District offered the same modules from 2016-17 plus one additional module for 2017-18. Those who had completed the modules in the prior year were not expected to complete them again. For our sample of 40 drivers for 2017-18 we found:

- 5 drivers (13 per cent) had not completed any of the safety training.
- 16 drivers (40 per cent) had only partially completed the safety training.
- 15 drivers (37 per cent) had completed either the seven hours of training or all training modules.
- 4 drivers (10 per cent) were not required to complete any safety training as they had been hired under the pre-2015 contracts which did not require drivers to complete annual safety training. All of these drivers had partially completed the safety training.

Overall, for the 2017-18 school year, 21 of our sample of 36 contracted drivers (58 per cent) who were required to complete safety training had not received the required amount of training, even by the extended deadline of January 8, 2018.

Drivers for District-Owned Bus Services

With the exception of mandatory CPR, Emergency First Aid and EpiPen training, there was no District-wide policy that outlined driver training requirements for new drivers or the annual requirements for current drivers of District-owned buses. Instead, each region was responsible for deciding what training was offered to drivers. Further, while the District encouraged contractors to develop individual learning plans for its drivers, the District had not developed such learning plans for drivers of District-owned buses.

Student Transportation

The District generally provided up to two days annually for training of District drivers. These two days were used first for mandatory Emergency First Aid training, and, in cases where drivers were already certified in Emergency First Aid, they were required to attend other training that was provided by the District.

Our audit testing of courses offered to drivers of District-owned buses was limited to the Central region. For the 2016-17 school year, in addition to the Emergency First Aid training, training was provided in Record of Duty Status and Student Transportation Procedures. We found:

- 33 per cent attended Emergency First Aid training on a day that did not overlap with other training offered, however, the drivers did not attend the other training.
- 11 per cent attended the other training offered.
- 39 per cent did not attend the other training and were regular full time employees.
- 17 per cent did not attend the other training but were spare drivers and this training was optional.

For the 2017-18 school year up to the end of our audit period, in addition to the Emergency First Aid training, training was provided in Autism Awareness and Defensive Driving. We found:

- 24 per cent attended Emergency First Aid training.
- 61 per cent attended the other training offered.
- 5 per cent did not attend the other training and were regular full time employees.
- 10 per cent did not attend the other training but were spare drivers and this training was optional.

Although some elements of the Defensive Driving course were available to contracted drivers through online modules, the extent was not as comprehensive in scope and duration as offered to the District drivers. For example, such individual courses for District drivers could be as long as 7 hours, which is the total of all required modules for contracted drivers. The Autism Awareness course was not offered to contracted drivers.

Of our sample of 43 District drivers, there were three new drivers. The Central region uses a School Bus Driver Orientation Checklist to document and guide training provided to new District drivers. It includes requirements, for example, to review District policies, watch training videos for emergency evacuations and review how to report mechanical problems. The District could not provide a completed checklist for two of the three new drivers to indicate that the appropriate orientation training had been completed.

Student Transportation

Further, in August 2015, the District purchased 3,000 licences for a five-year term at a cost of \$218,400 to initially provide training resources to contracted drivers but to also allow District drivers to avail of the same online training as contracted drivers. Of our sample of 43 District drivers, 41 had not completed any of the available online training during our audit period. District officials maintain that District drivers were encouraged to complete the online training; however, it was not required.

CPR, Emergency First Aid and EpiPen Training

Requirements for drivers of both contracted services and District-owned busing required that drivers hold valid certifications in CPR, Emergency First Aid and the administration of the EpiPen (Emergency First Aid Certificate). Certifications were to be submitted by November 30 each year or within 90 days of beginning to drive for contracted drivers and for District drivers at the earliest scheduled time after hire. Our audit found:

- Contracted Drivers - All 49 contracted drivers sampled for the 2016-17 and 2017-18 school years held a valid Emergency First Aid Certificate. However, for the 2016-17 school year, seven contracted drivers did not complete the training until March 2017, approximately six months after the school year started and three months after the certification was required to be submitted.
- District Drivers – For our sample of 43 District drivers, sampled for the 2016-17 and 2017-18 school years, the District could not provide evidence that four drivers held a valid Emergency First Aid Certificate. Further, six drivers who drove for both school years did not complete the training until two to three months after the 2017-18 school year started.
- CPR Levels - While drivers are required to hold valid certifications in CPR, the District did not dictate what CPR level was required to be completed. CPR level A teaches responses for emergency situations involving adults only while CPR level B and C teaches responses for emergency situations involving children and infants.

We found that 24 (26 per cent) of our 92 drivers (35 per cent of our sample of District drivers and 18 per cent of our sample of contracted drivers) held CPR level A (adults only) while the remaining held CPR level B or C. Drivers who have only completed CPR level A training may not be fully prepared to handle emergency situations involving the children they transport.

Timeliness of Approval Process for Contracted Vehicles and Drivers

There were significant delays in the District's approval of contracted vehicles and drivers for the 2016/17 school year.

Although contractors were required to submit specific driver and vehicle documentation for assessment by the District in August 2016, this was not enforced by the District. Contractors were not notified of missing documentation by the District until February 2017 - approximately six months after the start of the school year.

During the 2016-17 school year, 288 buses (55 per cent), 113 private vehicles (74 per cent) and 278 drivers (41 per cent), from approximately 78 contractors (82%), had been used to transport students for most of the school year even though they were not approved by the District.

The timeliness of the approval process for vehicles and drivers improved significantly for the 2017-18 school year.

For a sample of 100 contracted vehicles and 49 contracted drivers that had been approved by the District to transport students, we found that not all required documentation was in the District's files.

Approvals of Drivers and Vehicles to Transport Students Not Timely

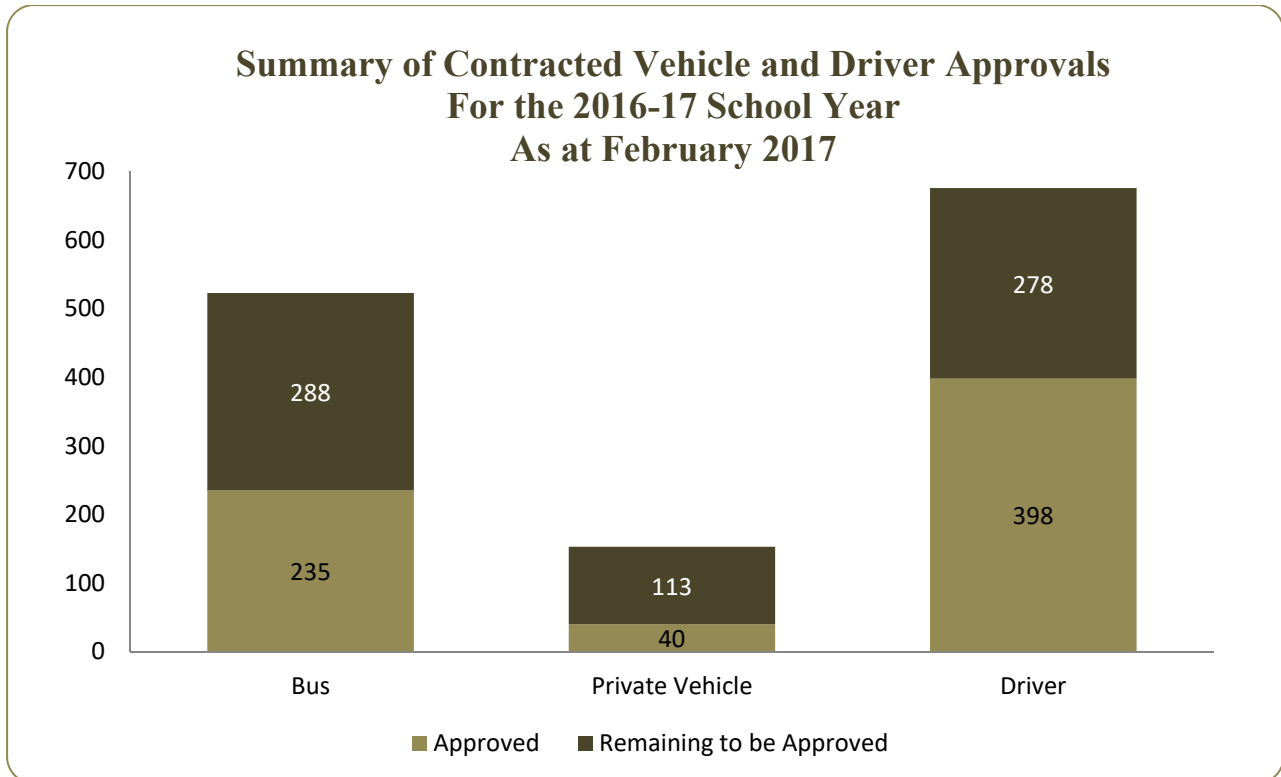
Contracts for student transportation require contractors to provide certain documentation to the District for both vehicles and drivers being requested to be used to transport students. For buses and private vehicles, this documentation includes the fall inspection certificate, annual vehicle registration, and proof of insurance. For drivers, it includes a valid driver's licence, a current driver's abstract and police record/vulnerable sector check, Emergency First Aid certificate and signed confidentiality agreement.

This documentation is critical in the District's assessment process for ensuring that contracted drivers and vehicles meet legal requirements and District expectation for the safe transportation of students. All contracted vehicles and drivers must be approved by the District.

There were significant delays in the District's approval of contracted vehicles and drivers for the 2016/17 school year. Although contractors were required to submit specific driver and vehicle documentation for assessment by the District in August 2016, this was not enforced by the District. Contractors were not notified of missing documentation by the District until February 2017 - approximately six months after the start of the school year.

Student Transportation

As a result of the delays in receiving required documentation from contractors, during the 2016-17 school year, 288 buses (55 per cent), 113 private vehicles (74 per cent) and 278 drivers (41 per cent), from approximately 78 contractors (82%), had been used to transport students for most of the school year even though they were not approved by the District. This increases safety risks in the transportation of students.



Source: Prepared by the Office of the Auditor General of Newfoundland and Labrador based upon data obtained from Newfoundland and Labrador English School District

Note: The above information does not include those documents for contractors that were suspended before February 2017.

The timeliness of the approval process for vehicles and drivers improved significantly for the 2017-18 school year. Contracted operators were notified of missing documentation in November 2017, approximately two months after the start of the school year. At that time, there were 7 buses (1%), 14 private vehicles (9%) and 18 Drivers (3%) with outstanding documentation. This represented 17 (18%) of the contractors.

Not All Required Documentation For Approved Vehicles and Drivers on File

For vehicles and drivers approved by the District to transport students, we would expect required documentation used in the approval process to be in the District's files. For a sample of 100 contracted vehicles and 49 contracted drivers, we found that not all required documentation was in the District's files. In these cases, the District could not demonstrate that all required information had been received for use in the assessment process of vehicles and drivers.

Student Transportation

Vehicles

For our sample of 100 approved contracted vehicles - 57 contracted buses and 43 private vehicles, we found:

- 3 instances where the District could not provide the annual vehicle registration.
- 23 instances where the annual vehicle registration did not cover our entire audit period and there was no evidence that the District followed up on this issue until we brought it to their attention.
- 2 instances where the District could not provide any proof of insurance for a particular year. Further, for 26 instances, insurance documentation was provided but it did not cover our full audit period.

Drivers

For our sample of 49 contracted drivers, we found:

- 2 instances where the District could not provide current drivers' abstracts.
- 34 of the 78 drivers' abstracts for 2016-17 and 2017-18 school years were dated later than the required deadline of August 15.
- 35 of the 55 police record/vulnerable sector checks for 2016-17 and 2017-18 school years were dated later than the required deadline of August 15.

In addition to contracted drivers, we also examined the documentation for a sample of 43 District drivers and noted the following:

- 3 instances where the District could not provide current drivers' abstracts.
- 12 of the 71 driver abstracts for 2016-17 and 2017-18 school years were dated later than the beginning of September.
- 4 instances where the District could not provide required police record/vulnerable sector checks.
- 18 of the 70 police record/vulnerable sector checks for 2016-17 and 2017-18 school years were dated later than the beginning of September.

Bus Safety Training to Students

Of a sample of 35 schools we surveyed throughout the Province, many schools did not fully comply with Departmental policy for bus safety training to students and there were inconsistencies amongst schools in the delivery of this training. Only about half of the principals surveyed indicated that they provided classroom instruction on bus safety to students and less than half performed school bus boarding and unloading drills even though these are explicit requirements of the Department policy.

The District did not require schools to report to it, nor did it monitor, on whether schools provided the required bus safety training to students.

Schools Not Always Providing Required Bus Safety Training to Students

In addition to vehicle condition and driver competence, another key risk factor for the safe transportation of students is student behaviour while the bus is moving and student knowledge of how to safely board, disembark and, in the case of an emergency, evacuate the bus.

The Schools Act, 1997 requires the District to offer an appropriate bus safety program to students who use buses. Department policy requires this program to include, but not be limited to:

- classroom instruction related to school bus safety,
- school bus boarding and unloading drills, and
- supervision, through the use of students, of loading and unloading school buses.

The District provided a number of sources of information related to student transportation safety on their website, such as a bus safety tips brochure, student expectations, a busing safety video and evacuation drill information. In addition, the District had a number of separate safety guidance documents, including transportation safety handbooks, policy statements and related procedures. These procedures outline the responsibilities of all parties including students, parents, bus contractors and drivers and principals.

Student Transportation

We surveyed a sample of 35 school principals throughout the four regions of the Province and found while all principals indicated that some form of transportation safety training was provided to students, there were inconsistencies in what was being done. We found:

- 17 of the 35 principals (48 per cent) surveyed indicated that they provided classroom instruction. Instruction methods included, for example, having students watch the District's busing safety video and presenting bus safety rules.
- 9 of the 35 principals (26 per cent) surveyed indicated that they did not provide classroom instruction.
- 9 of the 35 principals (26 per cent) surveyed indicated that, while they did not provide classroom instruction, they provided some form of instruction, such as a presentation in an assembly.
- 21 of the 35 principals (60 per cent) surveyed indicated that they did not perform school bus boarding and unloading drills.
- All but one principal indicated that they provided supervision for the loading and unloading of buses.
- Although not specified in policy, 5 of the 23 principals (22 per cent) that had kindergarten students at their schools, indicated that they conduct bus practice runs with kindergarteners.
- Approximately one-third of the principals indicated that they meet with contractors and drivers at the beginning of year to discuss expectations and policies.
- The majority (66 per cent) of the principals indicated that they had completed school bus emergency evacuation drills. These drills were not mandatory until the 2018-19 school year, which was outside our audit period. Boarding and unloading drills noted above are separate and distinct from emergency evacuation drills.

The above results indicate that, of the schools surveyed, only about one-half indicated that they provided classroom instruction on bus safety to students and less than half performed school bus boarding and unloading drills even though these are explicit requirements of the Department policy. While an additional 26 per cent conveyed the safety rules in broader forums such as school assemblies, 26 per cent did not provide any in-school instruction on bus safety to students.

District Not Monitoring School Bus Safety Training Provided to Students

In its oversight role for school bus safety, we would expect the District to outline the information it requires from schools to ensure schools are providing required school bus safety training to students.

During our audit period, the District did not require schools to report to it, nor did it monitor, on whether schools provided the required bus safety training to students. Commencing in 2018-19, which was subsequent to our audit period, schools are required to provide the District with a copy of an annual completed record of the school bus emergency evacuation drill.

Student Transportation Safety Risk Management

The District had not fully implemented its risk management program even though the Board issued a risk management policy in June 2016. As such, the risks related to student transportation had not been fully addressed, as the District had not formally approved and communicated priority risks to the student transportation division, finalized a risk register or developed and implemented a response to address the priority risks.

The District did take steps, however, to mitigate the key risk presented to the Board with regard to student transportation. This priority risk related to the need to improve the timeliness in receiving the necessary documentation from the contractors in order for the District to approve vehicles and drivers to transport students. While there were significant delays in the District's approval of contracted vehicles and drivers for the 2016-17 school year, the timeliness of the approval process for vehicles and drivers improved significantly for the 2017-18 school year.

The District had also commenced development of a District-wide transportation policy, as the lack of provincial policies and procedures (specifically a District Student Transportation Handbook) was also identified as a risk in its draft risk register. In the absence of a District-wide transportation policy, the District had encouraged all regions to use the former Eastern Region Student Transportation Handbook in the interim. The Labrador region had, however, continued to use their own student transportation policies. The District expects that the District-wide policy will include the policies covered in the former Eastern Region Student Transportation Handbook and consolidate all safety-related District policies/protocols that have been adopted since amalgamation. The new District-wide policy will also enhance and clarify the responsibilities of all parties including schools, students, parents, bus contractors and drivers.

The District's records of complaints and accidents/incidents was not complete and the type of information recorded for such occurrences was not consistent. There was no formal policy or guidance for District staff when recording such occurrences. The District had not defined the categories of occurrences or what particular information has to be captured about each occurrence and there was no requirement to enter information about how or when the occurrence was resolved. Further, there were no established response-time targets for addressing occurrences. Incomplete and inconsistent information on complaints and accidents/incidents reduces the usefulness of this information in identifying risks and trends, and monitoring whether issues have been resolved on a timely basis.

The District did not conduct regular route audits, which are common in the industry, nor did it use GPS technology. Both of these practices are designed to monitor drivers' on-the-road performance and contractors' compliance with a number of key contract terms. Such terms include, for example, that the driver and vehicle being used were approved by the District and the specific driver for that specific route were consistent with the One Driver, One Route listing provided to the District. Rather, the District investigated driver performance and contract non-compliance issues when apprised of complaints or accidents/incidents.

Risk Management Program Not Fully Implemented

It is important that the District has processes to ensure risks related to student transportation safety are identified, evaluated, monitored and mitigated in a timely manner.

In June 2016, the Board of Trustees of the District issued a risk management policy requiring the implementation of a risk management program for all areas of the organization. This was intended to identify and address issues that pose a risk to the District at a governance and/or operational level and would include risks to the safe transportation of students.

By early 2017, each branch of the District had identified and assessed risks in a draft risk register. With regard to student transportation, there were 20 risks identified and 18 (90%) of them related to safety. Safety-related risks included, for example, delays in collecting and reviewing information from contractors related to drivers and vehicles; failure of contractors to comply with terms of contracts; and the lack of a District protocol related to the efficient collection, reporting and management of accident, incident and complaint information and documentation.

In the fall of 2017, senior management reported draft priority risks for each division to the Board. While the District continued development of the risk management program, at the end of our audit period, it had not yet received approval of priority risks from the Board, communicated the approved risks to each division, finalized a risk register or developed and implemented a response to address the priority risks.

The District had, however, taken initial steps to mitigate the key risk presented to the Board with regard to student transportation. This priority risk related to the need to improve the timeliness in receiving the necessary documentation from the contractors in order for the District to approve vehicles and drivers to transport students on a more timely basis. Late in the 2016-17 school year, the District, for the first time ever, commenced withholding payments from contractors who had not submitted this required documentation. The notices to 11 contractors for the withholding of payments were not sent out, however, until March 2017, more than six months after the start of the school year. These contractors had drivers and vehicles that were still not approved by the end of March.

Further, in May 2017, the District provided a memo to contractors to clearly outline all documentation requirements and associated deadlines for submission of documentation. For the 2017-18 school year, the timeliness in receiving the necessary documentation from the contractors improved significantly.

The District had also commenced development of a District-wide transportation policy, as the lack of provincial policies and procedures (specifically a District Student Transportation Handbook) was also identified as a risk in its draft risk register. In the absence of a District-wide transportation policy, the District had encouraged all regions to use the former Eastern Region Student Transportation Handbook in the interim. The Labrador region had, however, continued to use their own student transportation policies. The District expects that the District-wide policy will include the policies covered in the former Eastern Region Student Transportation Handbook and consolidate all safety-related District policies/protocols that have been adopted since amalgamation. The new District-wide policy will also enhance and clarify the responsibilities of all parties including schools, students, parents, bus and private vehicle contractors and drivers.

Information Used to Monitor Safety Risks Not Complete or Consistent

The District uses information on complaints and accident/incidents to identify and manage risks associated with the safe transportation of students.

The District has two sources of data where complaints and accidents/incidents are recorded. One source is a spreadsheet maintained by District staff called the "Occurrence Tracker". In June 2016, District staff commenced recording information in this spreadsheet on complaints and accidents/incidents received by the District from schools, the public, contractors and drivers. A second source of tracking complaints from the public is the online Public Inquiry form, which was launched by the District in September 2017. This online form was launched in the Eastern region first with implementation in the remaining regions occurring in March 2018, which was subsequent to our audit period. Our audit did not include a review of information in the system, as implementation of the system commenced near the end of our audit period.

Our review of the District's Occurrence Tracker spreadsheet indicated many instances where the data was incomplete:

- Of the 271 occurrences recorded during the audit period, we found:
 - 79 occurrences where the resolution section was blank.
 - 37 occurrences where there was no indication whether any action had been taken with regard to the occurrence.
 - 139 occurrences where the conclusion date section was blank and thus, we were unable to determine the time taken to resolve the occurrences.

- We also found several instances of an occurrence not recorded in the Occurrence Tracker spreadsheet. For example, to understand District processes for addressing contractor service concerns, we were provided with several sample letters that the District had sent to contractors outlining service concerns. We noted several of the occurrences outlined in the letters were not recorded in the Occurrence Tracker. In addition, in reviewing some sample emails from the District to the Department regarding notification of an accident, we noted two separate bus accidents that had been outlined in the emails to the Department; however, we could not find these occurrences in the Occurrence Tracker.
- District staff from the Labrador region indicated that they had not recorded any complaints, incidents or accidents from their region in the spreadsheet for the duration of our audit period. While the Central region maintains its own separate listing of occurrences, these were not all recorded in the Occurrence Tracker spreadsheet.

Further, while the District has started to collect complaint and incident/accident data, there was no formal policy or guidance for District staff when recording occurrences in the Occurrence Tracker. The District had not defined the categories of occurrences or what particular information had to be captured about each occurrence. In addition, there was no requirement to enter information about how or when the occurrence was resolved, nor were there any established response-time targets for addressing occurrences.

Overall, the information being gathered about occurrences is incomplete and inconsistent. This reduces the usefulness of this information in identifying risks and trends, and monitoring whether issues have been resolved on a timely basis.

The District did provide some examples to demonstrate how they used the Occurrence Tracker to address specific contractor service/compliance issues. For example, the District identified a contractor that had 11 service delay occurrences reported in the Occurrence Tracker within a two-month period during 2016-17 and eight service delay occurrences within a three-month period in early 2017-18 as a result of using one bus for multiple runs or not being able to provide bus service for that day. However, we noted that in November 2017, the District indicated that the contractor's correction plan was satisfactory even though it did not result in the contractor having the required number of vehicles to fulfill its contract. In December 2017, there was another service delay involving this contractor. The District did not provide any evidence of any further communication with this contractor.

Regular Route Audits Not Completed and GPS Technology Not Used

In addition to contract requirements regarding vehicle condition (e.g. inspections, maximum age of vehicle) and driver qualifications (e.g. valid driver licence, training, background checks), contracts contain numerous other provisions that relate to the safe and timely transportation of students. Some of these key requirements include:

Student Transportation

- Contractors must use only drivers and vehicles that have been approved by the District to transport students.
- Drivers are required to follow the approved planned route, stop only at assigned stops, only transport students approved to ride the bus and perform duties safely and in compliance with legislation and policies (e.g. obey speed limits, use front crossing arm and flashing lights when stopped).
- Contractors must comply with the One Driver, One Route provision. Contractors are required to provide the District with a listing of the specific driver assigned for each specific route. If there are any changes to the driver for that route for more than two weeks, the contractor must notify the District. The objective of the One Driver, One Route provision is to enhance safety by having a consistent driver with knowledge of the approved route, approved stops, and students using the bus service.

Many such contract terms can be monitored proactively through route audits, which are a common practice in the industry, or use of a global positioning system (GPS) technology. A combination of route audits and/or use of GPS technology could give the District assurance that service is being provided in accordance with the contract, legislation and District policies.

Route audits involve either physically accompanying the driver on the bus or following the bus to observe the driver's on-the-road performance. This would encompass, for example, whether bus drivers are following the planned route, stopping at all assigned stops and performing duties safely, including obeying speed limits. It can also include identifying the specific bus/driver servicing the route to cross-reference to the District's list of approved vehicles/drivers. Random route audits should be conducted regularly and are most effective when the drivers are unaware that they are occurring. Similarly, GPS technology can be installed on buses and monitored from any location. This technology can also monitor the specific bus used, the bus route followed, location of stops, duration of bus runs and whether certain safety features, such as the bus arm, were deployed.

Our review of this area indicated:

- Route Audits: The District generally did not perform route audits. The Manager, Training and Safety Standards position, was responsible for route audits from the beginning of our audit period, July 2016, until May 2017. During that period, there were no route audits performed.

The position was changed to a unionized position – Safety and Compliance Officer (Student Transportation). While District-wide route audits were a responsibility of the new position, consistent with the previous position, many of the other responsibilities were reduced from a Province-wide responsibility to an Eastern region responsibility. This Safety and Compliance Officer position was vacant for five of the last seven months of our audit period. The District could only provide evidence of route audits

for two schools that had been completed in December 2017, which was after we commenced our audit work. Further, there were no set policies and procedures outlining what a route audit should include, including the frequency of the audits and how to select and prioritize which audits to complete using a risk-based approach.

In the absence of regular route audits, in April 2017, the District requested school principals to record, for one particular day, the names of bus drivers servicing the runs that day and plate numbers of the vehicles. The District intended to cross-reference this information to the District's records of approved drivers and vehicles. However, the District did not receive information from all principals, there was no follow-up for missing information and there was no evidence that the information was cross-referenced to the District's records of approved drivers and vehicles.

- GPS Technology: While this technology was not in use during our audit period, in June 2018, two different GPS technologies were piloted on a limited number of District-owned buses for further evaluation.
- One Driver, One Route: We selected a sample of 57 contracted buses to assess whether contractors had provided the District with the required listing outlining the assignment of the specific driver for the specific route. For the 2016-17 school year, the District only had the required documentation for 26 per cent of our sample. This improved to 79 per cent for the 2017-18 school year. Without this information, the District would not be able to proactively assess, including through route audits, whether contractors are complying with the One Driver, One Route provision.

Overall, the District did not proactively monitor these key contract requirements, including the driver's on-the-road performance. Rather, the District investigated driver performance and contract non-compliance issues when apprised of complaints or accidents/incidents.

Student Transportation Efficiency Processes

District Route Efficiency Processes

Routing software, purchased in January 2017, at a cost of \$201,675, had not been fully implemented. A number of issues, such as incomplete student addresses and mapping information, have required extensive manual intervention. Until remaining implementation issues are addressed, the intended benefits of the new routing software to attain efficiencies will not be achieved.

The District was not always complying with Departmental policy for student transportation eligibility. This resulted in the provision of inconsistent bus services to students throughout the Province.

The most effective way to reduce busing costs is to reduce the number of buses used to transport students.² The District indicated that it continues ongoing efforts to improve efficiencies for busing, with particular focus in recent years on the staggering of bell times. For the 2016-17 school year, the District indicated 26 additional schools implemented staggered bell times, resulting in 37 less buses needed to service the overall student population.

Routing Software Not Fully Implemented

Leading practice within the industry for identifying busing efficiencies is to use routing software.³ Routing software allows route planners to optimize routes by finding the shortest route and employing routing tools such as the better pairing of vehicle size to routes.²

Routing software also facilitates evidence-based decision-making through its ability to perform trend analysis and run “what if” scenarios from centralized student and route data. For example, routing software can help with cost-benefit analysis regarding locations for new schools, increasing busing eligibility zones overall or, for certain age groups, and optimizing staggered bell times.²

The purchase and implementation of routing software was a recommendation of an external student transportation review, commissioned by the Department and completed in August 2013. The District subsequently purchased routing software in January 2017 at an initial cost of \$201,675 and an on-going average annual cost of \$53,000.

² Deloitte, 2013, GNL Student transportation considerations

³ Deloitte, 2015, Student Transportation Effectiveness & Efficiency Review Leading Practices Guide

Implementation of the routing software initiative began in late 2016 and was still in progress at the end of our audit. The District indicated implementation had been slow due to a number of issues such as incomplete student addresses and incomplete mapping information within the software such as missing streets and road numbers. These issues have required extensive manual intervention to make the system usable.

The District had identified a number of benefits of the new routing software compared to the previous route planning software. These included, for example, automatic updating of student addresses from school information systems and a software interface that is more user-friendly and performs functions more quickly. However, until remaining implementation issues are addressed, the intended benefits of the new routing software to attain cost efficiencies and facilitate evidence-based decision-making in student transportation routing decisions will not be achieved.

Student Transportation Eligibility Not Consistently Followed

Department policy for student transportation eligibility states that:

- Students who live within 1.6 kilometers or greater from their zoned school are eligible for student transportation.
- French Immersion students who are attending a school other than their zoned school are not eligible for school-provided transportation.
- The Labrador region can transport all students, regardless of eligibility, from the 15th day of November to the 15th day of April for the communities of Labrador City, Wabush and Upper Lake Melville.

We noted the following:

- A number of schools in the Central region provided transportation to students regardless of whether or not they resided within 1.6 kilometers of their zoned schools.
- Transportation was provided to all French immersion students in Corner Brook even though they may not be zoned for that school.
- Every student in the Labrador region had the option to be transported to school, regardless of eligibility, for the entire school year.

As a result, the District did not comply with Departmental policy, which resulted in the provision of inconsistent bus services to students throughout the Province.

After our audit period, in September 2018, the Department revised its policy to allow for a courtesy stop on an existing bus run within the 1.6 kilometers eligibility zone subject to availability of seating on the bus.

Departmental Oversight

Monitoring Student Transportation Outcomes

The Department had established a number of policies and guidelines to be followed by the Newfoundland and Labrador English School District and the conseil scolaire francophone provincial de Terre-Neuve-et-Labrador (the districts) for the safe and efficient delivery of student transportation.

The Department had not established any requirements for the districts to report to it on student transportation safety and efficiency outcomes to demonstrate that the districts were ensuring compliance with legislation and policies.

The absence of any requirement for districts to establish and report on key performance indicators (KPIs) and targets for student transportation safety and efficiency reduces the ability of the Department to provide oversight on the districts' management of student transportation.

The Department is responsible for the kindergarten to grade 12 school system. The Schools Act, 1997 allows for the establishment of policy directives by the Department regarding the transportation of students to and from schools.

Key Performance Indicators Not Established and Monitored

The Department had established a number of policies and guidelines to be followed by the districts for the safe and efficient delivery of student transportation. These include, for example, School Bus Transportation Policies, Guidelines for Usage of Private Vehicles for Student Transportation and Courtesy Seating on Buses, Alternate Transportation Policy and Guidelines for Development and Planning of Bus Routes.

These policies and guidelines include reference to legislative requirements for school transportation and other safety compliance policies (e.g. maximum model age of bus, components of bus safety training program for students). They also include setting the conditions under which funding is provided to the districts for transportation and requiring efficiency considerations such as staggering opening and closing times of schools, operating buses at full capacity and transporting only those students who live greater than 1.6 kilometers from their zoned school.

The Department approves and monitors the grants provided to districts for bus operations; however, the Department has not established any requirements for the districts to report to it on student transportation safety and efficiency outcomes to demonstrate that the districts were ensuring compliance with legislation and policies.

Student Transportation

This could include requiring the districts to establish and report on KPIs and targets for student transportation safety and efficiency. Examples of safety KPIs include: driver training completion rates; vehicle inspection pass rates; student bus safety training completion rates; response times to address accidents, incidents and complaints compared to a target; number of preventable accidents and incidents; and percentage of vehicles and drivers approved to transport students by an established target date. Efficiency KPIs could include cost per student, cost per kilometer and cost per route per day.

Requiring districts to establish and report on key performance indicators and targets would assist the Department in meeting its oversight responsibilities for the safe and efficient transportation of students.

Recommendations

1. The District should improve its monitoring of the inspection processes designed to assess a vehicles mechanical condition. This could include, for example:
 - Development of a Memorandum of Understanding between the District and Service NL to facilitate the timely sharing of relevant information related to the various inspection processes required by legislation.
 - Requiring contractors to provide copies of all inspections completed to the District, for both buses and private vehicles.
 - Providing further guidance to District drivers on documentation requirements for completing daily trip inspection reports to improve the completeness of these reports.
 - Improving monitoring of preventative maintenance inspections on District-owned buses as they are fully implemented.

District's Response:

The District has always prided itself on providing a safe transportation service for its students, and appreciates the audit and subsequent report provided by the Office of the Auditor General. Our actions over the last few years, and details included in our management responses, clearly indicate the District has been very serious about ensuring a safe service. The District strives to be an industry leader and expects contracted service providers to follow. We believe overall improved inspection pass rates in the last couple of years is, in some part, directly related to the action we have taken, and are taking, to ensure everyone is accountable for providing safe buses and qualified drivers.

The District is a government agency and operates under provincial legislation and policy, as well as a certain fiscal reality. Despite this, with the support of the Department of Education and Early Childhood Development (EECD), it has continued to make significant improvements and investments in student transportation over the last few years.

The District has made significant strides in this area since the period covered by the audit.

Contracted School Buses

The District was aware of the vehicle documentation requirements outlined in the Department of EECD Student Transportation contract template and was making every effort to enforce them within its means.

Student Transportation

While the report details the legislative requirements around inspections, the EECD contract template does not require every Highway Enforcement Inspection Report (HEIRs) to be submitted to the District. It rather states that HEIRs be made available upon request by the District. It is the District's understanding that a large portion of the 83 inspections that this report refers to on page 4 are HEIRs.

Service NL has a Carrier Safety Rating program that regulates all commercial carriers in Newfoundland and Labrador, including school bus carriers. Service NL assigns every carrier a rating based on the carrier's compliance record, which includes convictions under the HTA and associated regulations, at fault collisions, and the HEIR inspection results. Service NL uses avenues such as compliance reviews, facility audits and hearings in its application and enforcement of this program to ensure all commercial vehicles, including school buses, are road safe.

Therefore, in addition to the submission of the semi-annual CMVIs, the District relies on Service NL's expertise and processes (HEIRs and the Carrier Safety Rating program) to further monitor and regulate the mechanical condition of contracted school buses.

Private Vehicle Inspections (Only applies to contracted services)

In the winter of 2018, it was identified that the requirement for a private vehicle inspection every six (6) months was not being enforced. Rather it was being required annually. Once identified, the District immediately addressed it with applicable contractors to ensure they provided a record of private vehicle inspection by an Official Inspection Station dated within six months.

Private Vehicle Age (18 instances referenced in report on page 11)

In February 2018, it was identified that the EECD requirement for a private vehicle to be no more than nine (9) model years in age was not being strictly enforced. Once identified, the District immediately addressed it with the applicable contractors to ensure only private vehicles less than nine model years in age were approved to be used to transport students.

District-operated School Buses

All 10 District school bus depots are registered Official Inspection Stations and the District thus completes CMVIs for its own fleet of approximately 340 school buses. The District follows all HTA legislation related to school bus preventative maintenance.

For perspective on the quality of the mechanical condition of the school buses owned by the District, the following are the "Out of Service" rates from the HEIRs of District-owned school buses over the last few years:

- 2016-2017 School Year (Fall & Spring) - 4.1%
- 2017-2018 School Year (Fall & Spring) - 1.6%
- 2018-2019 School Year (Fall) - 2.0%

Student Transportation

In comparison, Service NL provided the District with the following “Out of Service” rates for all HEIRs for all school buses in the province:

- Fall 2018 - 3.6%
- Spring 2018 - 3.6%
- Spring 2019 - 4.9%

This demonstrates that the pass rate for District-owned buses is currently significantly higher than the industry, which directly speaks to the high level of mechanical condition of District-owned school buses.

During the 2016-17 school year, the District determined it would strive to exceed the already high maintenance standards for school buses established under legislation. Therefore, in the Winter of 2017, the District developed a standard that exceeds inspection legislation. The District developed a set of Preventative Maintenance (PM) Guidelines that essentially includes the provision of an additional school bus inspection each year for a minimum total of four (4) annual inspections (two CMVI’ as per legislation, minimum one HEIR as per Service NL practice and an additional District inspection). It would not be practical to expect to implement such guidelines to the District’s entire fleet of approximately 340 school buses at the same time. The District therefore proceeded to implement this set of PM Guidelines at each of its 10 depots over the course of the next 12-18 months. The District is proud to say all depots are currently following the District’s PM Guidelines, which goes beyond current legislation requirements.

Student Transportation Documentation Management System (STDMS)

The District has also been working on an internal Student Transportation Documentation Management System (STDMS) that allows Contractors to log in, enter and upload their vehicle (and driver) documentation (and training information). The District can then review and approve/decline the data entered/uploaded into the system. The system will automatically notify the contractor of any upcoming expiries and submission requirements. The system will also improve the District’s documentation filing/storage processes, as they will all be retained electronically within the system. The system is scheduled to start being implemented during the 2019-20 school year.

It should be noted that this system will also reject any vehicle that has a model year that does not align with EECD’s guidelines.

The District has significantly improved its relationship and information sharing with Service NL since the 2015-16 school year. The District will engage Service NL in discussions regarding a Memorandum of Understanding (MOU) for the sharing of information pertaining to school bus inspections and carrier status to formalize the communication expectations.

Student Transportation

The District required contractors to provide the two (2) CMVIs as required under the EECD contract template. The District will include the possibility of a notification process in its MOU discussions with Service NL regarding any concerning HEIR results by a carrier under contract with the District. Note that all HEIR results are posted on Service NL's website for public viewing.

The District has implemented a District-wide Orientation Checklist procedure for training a new District-operated bus driver. It began being implemented in the 2014-15 school year (Western Region) and it has been implemented across all District regions as of September 2018. Included in this procedure is a section on the proper completion of Daily Trip Inspections as per legislative requirements.

The District added five (5) training videos on Daily Trip Inspection Procedures to its online Safe Pupil driver training system. These videos were made mandatory to be completed by all drivers (both District-operated and contracted drivers) in the 2018-19 school year.

The District has scheduled this topic as a training topic for regular District-operated drivers for the Fall of 2019 as well as to be placed into the District's list of toolbox talk topics. The District will also reiterate this topic in its Beginning of Year memo to all District-operated staff and contractors in August 2019.

Depot forepersons have always been required to ensure all Daily Trip Inspection Reports have been provided and accounted for. However, effective the 2019-20 school year, the forepersons will also be required to review and sign off on all daily trip inspection reports for its fleet to confirm form completeness as per HTA legislation.

As previously indicated, in March 2017 the District developed a set of PM guidelines that exceeds legislative inspection requirements. At the time of the audit scope, the District had not officially implemented this set of guidelines, but rather looked to begin incorporating it into its operation. The extra inspection to be completed under the guidelines began being completed for some school buses in the Winter/Spring of 2017 with nine out of the 10 depots fully adopting these guidelines for the 2017-18 school year. The District will be updating the PM inspection form over the summer of 2019. The District will also be providing additional training on these guidelines and proper completion of the form in its July 2019 mechanic training. Given these guidelines exceed legislative requirements, they are only expected to be completed where operationally feasible - i.e., they are not required in cases where there are staff shortages or extenuating circumstances.

This District-operated PM Inspection will also be incorporated into the District's STDMS in order to improve quality control on inspection completion and document storage.

Student Transportation

2. The District should develop documented guidance for staff on how to assess a driver's abstract and police records check to ensure they meet District expectations for qualified drivers, including that they would not pose a risk to the safety and well-being of students.

District's Response:

Regulatory and Criminal Convictions

- To provide context, the 76 convictions report do not necessarily translate to 76 separate incidents - i.e., a single incident resulting in multiple convictions, for example:
 - Same day/incident in 1985: a driver was convicted of impaired driving & impaired driving by exceeding 80 mg. (two convictions for the single incident)
- Only a small number of the incidents occurred within the last 20 years
- None of the incidents within the last 20 years relate to impaired driving or failure to provide a breath sample
- 44 of the 76 convictions relate to two drivers (58% of the total convictions)

Driver Abstract Infractions

The District has no knowledge indicating any of these infractions occurred during the time the individuals were transporting students for the District.

Driver Qualifications/Approval Policy

The District has been developing a Driver Standards document (referred to as "the former Eastern School District Draft Driver Documentation Protocol" in the report) since the 2017-18 school year. This draft Driver Standards document applies to both District-operated and contracted drivers. It outlines the type of documentation and minimum training required in order to be approved to transport students, as well as the frequency of documentation/training renewal. It also provides guidance on how to assess the list of criminal convictions and abstract infractions (if present) to determine suitability. Although this draft Driver Standards document has only recently been finalized (due to the extensive vetting process, the various stakeholders involved, and the sensitivity of the content), the District had been using its essential elements as a guide for some time.

Although the District did not have a written protocol or an approval form to approve drivers, the District's practice has been for Student Transportation Division management to consult with Human Resources Division management if they encountered a driver document(s) that were concerning from a student safety or driver suitability perspective. This was the process for both District-operated and contracted drivers. Regardless, the District will be implementing a formal approval process (includes a form) that will require the Regional Manager of Student Transportation and a Regional Manager of Human Resources to review and approve/deny a driver for any driver records that may be concerning.

Student Transportation

Furthermore, the STDMS will require an appropriate Student Transportation representative to approve every driver abstract and police records check/list of convictions. The system will retain the record of who approved each document and when they approved it. Only authorized employees will have approval administration rights within the system.

3. The District should improve its monitoring and enforcement of driver training.

District's Response:

District-operated Driver Training

District priority has always been to provide First Aid, CPR and Epipen training. When this training was complete, District Regional Managers would provide supplemental training. Some examples of types of training are as follows:

- Nationally Certified Professional Driver Improvement Course and Defensive Driver Course
- Student Transportation Procedures (HTA and/or District requirements)
- Autism Awareness
- WHMIS
- Emergency School Bus Evacuation Drills
- Respectful Workplace
- Presentations from Law Enforcement (RNC or RCMP)

In fact, in August of 2017 the District took the initiative to have two Student Transportation employees receive training by Safety Services NL to become certified to deliver the nationally certified Professional Driver Improvement Course and Defensive Driver Course (Canada Safety Council). In the Fall of 2017 alone, 214 District-operated drivers completed these courses (over 50%). In 2018-19, the District had an additional three (for a total of five) Student Transportation employees trained to become certified to deliver these courses. It is the District's intention to have all District operated drivers receive this training.

It is also important to note that District-operated driver training was restricted during the some of the report's audit scope period due to the action the District took against four contractors by suspending (and in three of the cases, terminating) their contracts. As a result of this necessary action to ensure student safety, it required District-operated buses, drivers, forepersons, mechanics and managers to come into Metro St. John's from the Central Region to ensure continuity of service for those schools impacted by the suspensions/terminations. These extenuating circumstances affected the Central Region Student Transportation team's ability to arrange and deliver the optimal driver training. Providing safe service was the top priority of the District and its transportation team during this period.

Contracted Driver Training

Prior to 2015, no training whatsoever was required for contracted drivers as per the former EECD contract template. In 2015, EECD in consultation with the District updated the contract template to require First Aid, CPR and Epipen training. In anticipation of acquiring, an online training system in the future the contract template also included a requirement for up to seven hours of online training to be fulfilled once the system was implemented. It is important to note that even though a new contract template was finalized in 2015, this did not mean all transportation service fell under the new template. Most student transportation contracts are multi-year contracts, and many are executed for five years with an option to renew for an additional five years. Therefore, this 2015 contract template training requirements would not apply to contractors/drivers who were providing service under a former contract template. This made these training requirements quite complicated to enforce, given the 80 or so contractors could have any combination of drivers (over 1,000 in total) providing service under any combination of types of contracts (previous template versus 2015 template). Subcontracting agreements also further complicates the enforcement of the requirements.

Any remaining “former” template contracts that did not contain the training requirements are set to expire in June 2019.

For perspective, according to the District’s records, as of September 2016 (the beginning of the audit scope period) 35% of contracted routes were serviced under the former contract template and thus the First Aid, CPR, Epipen and seven hours of online training was not enforceable for the drivers providing service on those routes.

Safe Pupil Training

During the 2015-16 school year, the District procured an online driver training solution called Safe Pupil as a result of the new online training requirements outlined in the 2015 contract template.

Given the District had already been providing a variety of training to its District-operated drivers, and there was no known training provided for contracted drivers (aside from some specific contractors who were providing additional training), the District identified the bigger risk area to be contracted drivers’ overall training level. Therefore, from a risk management perspective, for the 2016-17 school year, the District focused on establishing online training requirements for contracted drivers. These requirements were initially made mandatory, but they were scaled back to optional after some issues were noted within the testing component of the system (issues were fixed for the 2017-2018 school year). This training was thus not enforced in the 2016-17 school year, the period for which this report has provided statistics.

Due to the prevalence of contractor non-compliance with documentation and training requirements, for the first time beginning in the 2016-17 school year, the District took the initiative to withhold payment to contractors if they did not have the minimum number of drivers or vehicles under their contract(s) approved by the District - minimum number of drivers/vehicles meaning a 1:1 ratio of drivers/vehicles to routes under the contractor’s

Student Transportation

contract(s). District approval requires written approval from the District after it has received and reviewed all required documentation for a particular driver as well them having completed First Aid, CPR and Epipen training. Approval did not include the online training requirement in 2016-17 for reasons stated above; however, it was required for approval for the 2017-18 school year onward. The unprecedented action of withholding payment significantly improved contractor compliance with documentation and training requirements. The District has continued this practice and has had limited driver training non-compliance issues since. This action clearly shows the importance the District places on training and documentation.

Although District-operated drivers were receiving a variety of classroom training, in February 2018 the District also made the Safe Pupil training assigned to contracted drivers since implementation mandatory for District-operated drivers to complete by a targeted date of December 2018. Annual Safe Pupil training requirements are now included in the final draft of the District's Driver Standards document awaiting executive approval.

The District continues to add modules to its Safe Pupil training program each year as required.

The District has also engaged EECD to discuss possible enhancements to the 2015 contract template, including enhancements to the training requirements.

4. The District should develop a District-wide policy that outlines training requirements for drivers of District-owned buses, including consideration of the development of an individual learning plan that will have the greatest benefit for each driver.

District's Response:

The District's draft Driver Standards document outlines the minimum training requirements for drivers. The District is also looking at a training model for District-operated drivers to identify training requirements to be completed over a multi-year period.

5. The District should ensure the approval process for contracted vehicles and drivers occurs on a timely basis, prior to the start of the school year.

District's Response:

The District has taken significant steps in improving contractor compliance with driver and vehicle documentation and training requirements. For the 2017-18 school year, the District was able to process documents it was in receipt of and identify what documentation was insufficient by the end of October (compared to February in the previous school year). For the 2018-19 school year, the District was able to get to the

Student Transportation

same point a full month earlier by October 1. The District's STDMS is also anticipated to speed up the approval process even more once it is fully implemented and contractors are sufficiently trained on how to use the system.

In addition, for contracts starting in September 2017, the District updated the general provisions of its student transportation tenders to require vehicle documentation by July 20 for the first year of any newly executed contracts. This has helped reduce approval processing timing as well.

However, even with these approval efficiencies, without improved contractor compliance with the August 15 deadline, and in the absence of additional resources to review/approve/process the over 12,000 documents, it is not feasible to approve all drivers and vehicles before the start of the school year. It is important to note that the majority of drivers are returning drivers from the previous year who would have been approved the previous year. Without some form of a contract performance management system embedded in the procurement of Student Transportation service and in the contract template itself (as well as resources to administer it) the District is limited in its ability to strictly enforce the August 15 deadline. Further, prior to the start of the school year the District has no payments for which to withhold to force the issue nor is it practical, or legally advisable, to terminate contracts so close to September.

6. The District should review its practice of accepting CPR Level A (adults only) as appropriate training for drivers used in student transportation.

District's Response:

The District has included the requirement of Level B or C CPR training in its draft Driver Standards document.

Subsequent to the audit period, in 2018, the District included the requirement of Level C CPR in its public tender and subsequent contract for First Aid, CPR and Epipen training. Therefore, all District-operated drivers will have Level C by the end of the 2020-21 school year onward. The District will communicate this to contracted drivers, however it cannot be made a requirement, as it is not included in the Student Transportation contract template/language. The District will engage EECD to revise the contract template to state the requirement of Level B or C CPR for contracted drivers for any new tenders and contracts entered into.

Additionally, effective the 2018-19 school year, the District requires any newly hired District-operated drivers to obtain First Aid, CPR Level C and Epipen training prior to transporting students for the District.

Student Transportation

7. The District should reiterate its expectations of schools to provide the required components of bus safety training to students and require confirmation to the District that this required training was provided.

District's Response:

Prior to amalgamation of four School Districts to form NLESD in 2013, a number of former School Boards/Districts had developed a brochure on school bus safety for schools, students and parents. These brochures would have been sent to schools to distribute to parents. Upon amalgamation in September 2013, the District developed its own School Bus Safety Tips brochure. This brochure can be found on the District's website and the link would commonly be sent to schools requesting them to communicate it to students and parents.

During the 2014-15 school year, the District created a professional 15-minute Bus Safety video designed for students to view to help them understand bus safety procedures.

For the beginning of the 2017-18 school year, the District developed a Student Expectations on the Bus document that was distributed to all contractors and District-operated staff. This document was to be posted in all school buses transporting students. Schools and contractors were encouraged to use this document as a tool to discuss the rules of the bus with students. Also in October 2017, the District introduced Emergency School Bus Evacuation Drills to schools. Although many schools receiving transportation service from District-operated schools had been completing these drills on a regular basis for years, this was new to many schools and contractors. As part of this introduction, the District notified schools and contractors that this would be a mandatory requirement for all schools who have access to school busing (morning/afternoon service or field trips) and be applicable to all students (not just the students availing of morning and afternoon service) beginning in the 2018-19 school year. At the beginning of the 2018-19 school year, the District also distributed an Emergency School Bus Evacuation Drill Protocol. This provided added guidance of what should be encompassed in the drills. By its very nature, this Emergency Evacuation Drill procedure includes components of the unloading of students (unloading drills). This Protocol includes the requirement for the school to complete a form to document the completion of these drills. A total of 216 of the applicable 226 schools (96%) completed these Emergency Evacuation Drills in 2018-19.

In August 2018, the District issued a memo to school administrators, a section of which outlined the following materials for schools to review with students, and share with parents, in relation to classroom instruction:

- Loading/Unloading Drills
- NLESD Bus Safety Video
- Student Expectations on the Bus
- Bus Safety Tips Brochure

Student Transportation

This will continue to be communicated annually to School Administrators. The District will also adjust its Emergency School Bus Evacuation Drill Protocol to include loading drills.

Beginning in the 2019-20 school year, the District will look to implement a process (considering an electronic/online survey) so schools can confirm that they have facilitated all of the classroom instruction noted above.

Also, at a recent June 8, 2019 Board meeting our trustees passed a motion requesting District staff work with its transportation partners (government, SNL, police authorities, etc.) to launch a school bus safety media campaign in the Fall of 2019.

8. The District should continue efforts to fully implement its risk management program, which includes developing and implementing responses to address the risks identified related to the safe transportation of students.

District's Response:

Although the District's Board of Trustees had not "approved" the Student Transportation Division's Risk Register at the time of the audit scope, the Student Transportation Division had been using this list of risks as its blueprint for improving its processes, procedures in mitigating student and employee safety risk. The Student Transportation Division also developed a risk mitigation strategy to address the risks noted in the Risk Register. Almost every initiative undertaken by the District in relation to school bus safety since the development of the Risk Register can relate back to one of the risks identified there. The implementation of the District's Risk Management Program continues and a Risk Matrix has been completed for operational areas, including the Student Transportation Division, which guides the establishment of the mitigation strategies.

9. The District should continue efforts to improve the completeness of its complaints and accident/incident Occurrence Tracker and provide guidance on: how to categorize these occurrences consistently; what particular information should be recorded about each incident; and the establishment of response-time targets for addressing occurrences. This will improve the usefulness of this information in identifying risks and trends, and monitoring whether issues have been resolved on a timely basis.

District's Response:

Post audit period, February 2018, the District established an Incident Tracking Protocol to guide expectations on the recording and response to accidents and incidents. It includes a definition of an "incident"; how to document and file incident information, and who is responsible to ensure the protocol is followed properly. To accompany this protocol, a spreadsheet database was created for each District region and one for contracted incidents. These databases outline a set of required information to record,

Student Transportation

such as incident number, date, school, driver, contractor (if applicable), sub-contractor (if applicable), school administrator and complainant, if applicable. It also includes a dropdown menu to categorize the incident, specifics regarding the incident, what the resolution was, who the investigator was, and if the file is open or closed. The District also developed a Student Transportation Incident Checklist to capture the various steps that may be involved with handling an incident.

During the 2019-20 school year, the District will update its Incident Tracking Protocol to include language that incorporates the database information that is required to be collected as well as the Incident Checklist usage.

10. The District should conduct regular route audits and evaluate the findings from the pilot of the GPS technologies that was conducted by the District subsequent to our audit period.

District's Response:

GPS Technology

During the 2018-19 school year, based on the analysis obtained from its pilot, the District submitted a proposal to EECD for funding for GPS technology for its District-operated fleet. EECD approved this proposal in the Winter of 2019. The District is now in the process of planning the procurement of this technology and anticipates beginning implementing it on its District-operated fleet during the 2019-20 school year.

The District and EECD are scheduled to discuss options to incorporate GPS technology into contracted service in the future. This process is more complicated given existing contract language and the fact the District does not own contracted school buses. However, the District anticipates contractor cooperation with this initiative given the improved safety and operational effectiveness it will yield.

Route Audits

As the District is scheduled to have GPS technology installed on its District-operated fleet during the 2019-20 school year, conducting regular formal route audits to monitor and evaluate District-operated drivers' compliance with student transportation procedures is not an effective use of resources. The District can also rely on its District-operated supervisors to monitor these activities. The District will look to enhance contracted route audit procedures where feasible in areas where Student Transportation staff are located. However, over 75% of the District's contracted routes are located in the Avalon Region (approximately 550 of its 720 contracted routes). Although the District has a student transportation enforcement position located in Avalon Region (role includes the task of conducting route audits), it has experienced retention issues with this position since its inception a number of years ago. This has limited the District's ability to conduct regular proactive route audits. It is worth noting that even if this position's sole duty was to conduct route audits, it would realistically take an estimated five years at least to conduct an audit of every route in the Avalon Region and address any identified non-compliances.

Student Transportation

11. The District should continue efforts to fully implement the routing software to achieve the intended efficiencies and facilitate evidence-based decision-making in student transportation routing decisions.

District's Response:

During the 2017-18 school year, through the use of its Bus Planner routing software, the District identified 18 District-operated buses/routes it could eliminate from service (6% of routes). These efficiencies were implemented in the 2018-19 school year.

The delay in fully implementing this routing software is due to the limited road network and student address data available in Newfoundland and Labrador. The District has therefore had to manually create road maps for many rural communities. This task is very labour-intensive. To assist in the completion of this work, the District hired two GIS work term students in 2018-19 to assist the District's lone GIS Specialist in the routing software implementation process. All of the District's bus routes and bus stops are scheduled to be entered into the routing software for the beginning of the 2019-20 school year. The District is also scheduled to implement its professional portal (application for schools) for the majority of schools, which will allow them to access relevant transportation information contained in the routing software. This will improve the efficiency and effectiveness of operations. In 2019-20, the District will also explore the implementation of the "Operator Notification" feature to improve route change communication efficiency. The District's GIS Specialist is scheduled to travel to Ontario to complete Advanced Bus Planner Optimization courses in the Fall of 2019.

The District will explore the feasibility of recording school-approved courtesy seating students into Bus Planner to improve student safety and the effectiveness of the system; however, without additional GIS human resources this is unlikely to be possible in the near term.

Although there is still a considerable amount of manual intervention required, the District's goal is to begin to use the optimization functionality within Bus Planner for the 2020-21 school year. In future years, the District will also explore the feasibility of implementing the Public Portal module and Parent Portal module. The Public Portal is a feature which allows the public to enter an address and the routing software will inform the individual if that address is eligible for transportation for a particular school or not. The Parent Portal is a feature where parents can log in and view their child's transportation information including bus route, stop and route schedule.

As indicated in response #10, the District has recently been approved funding by EECD for the acquisition of GPS technology for its District-operated fleet. Integration between this GPS technology and the routing software will facilitate the ability for a real-time school bus locator application for the public in the future.

12. The District should ensure schools are complying with Department policy for student transportation eligibility.

District's Response:

The District has made tremendous efforts to ensure alignment with EECD eligibility policy. As indicated in response #9, through the use of the District's Bus Planner routing software, the District conducted a student eligibility and route efficiency analysis of its District-operated routes during the 2017-18 school year and identified 18 buses it could remove from the system. These buses were removed for the beginning of the 2018-19 school year. However, there are sometimes District/EECD decisions can give rise to a need to divert from policy, either temporarily or on a more permanent basis. These situations are entered into with full knowledge of both the District and EECD.

In a further effort to align District operations with EECD policy, despite some resistance from the public, in September 2018 the District eliminated all stops that were previously located within the 1.6 km Family Responsibility Zone (FRZ). The EECD subsequently changed its policy and mandated the District to establish one stop per bus run within the FRZ for all bus runs across the District. The District implemented this initiative during the 2018-19 school year.

13. The Department should require the districts to establish and report on key performance indicators and targets for student transportation safety and efficiency.

Department's Response:

The Department of Education and Early Childhood Development recognizes the importance of safety and efficiency in student transportation and is committed to working with the province's school districts to address the recommendation.

Background

Department of Education and Early Childhood Development

The Department of Education and Early Childhood Development (the Department) is responsible for the K-12 school system. Two school districts administer the daily operations of the K-12 schools: the Newfoundland and Labrador English School District and the Conseil scolaire francophone provincial de Terre-Neuve-et-Labrador.

The Schools Act, 1997 governs the school system. The Department provides for the delivery and administration of student transportation throughout the province, including funding and policy direction. Policy directives from the Department include requirements related to the safe and efficient transportation of students.

The School Districts

The Schools Act, 1997 provides for school districts to arrange for a system of transportation of students to and from school. Costs incurred to transport students for the year ended June 30, 2018 totaled more than \$56 million.

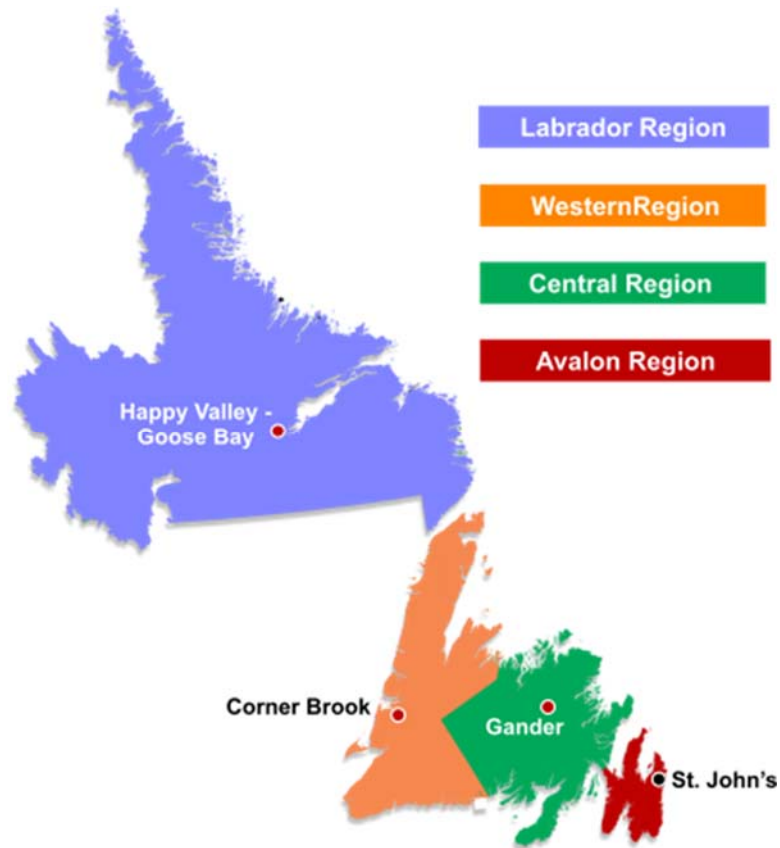
Type of Cost	NL English School District	Conseil scolaire francophone provincial de Terre-Neuve-et-Labrador	Total	# of Students
District-owned buses	\$17,749,126	\$ -	\$17,749,126	9,600
Contracted buses and private vehicles	37,055,751	1,456,749	38,512,500	30,542
Administration	230,851	-	230,851	NA
Total	\$55,035,728	\$1,456,749	\$56,492,477	40,142

Source: Prepared by the Office of the Auditor General of Newfoundland and Labrador based upon data from the Department of Education and Early Childhood Development, the Newfoundland and Labrador English School District and the Conseil scolaire francophone provincial de Terre-Neuve-et-Labrador (unaudited)

Newfoundland and Labrador English School District

The Newfoundland and Labrador English School District (the District) represents all English-speaking students and schools in the province. The District spent approximately \$55 million on student transportation during 2018. Of the 65,000 students attending school, transportation was provided to approximately 40,000 students in 226 schools throughout the four regions of the Province.

Student Transportation



The District uses buses and other contracted private vehicles to transport students. Buses are either District-owned and operated or provided through contracted bus operators.

Conseil scolaire francophone provincial de Terre-Neuve-et-Labrador

The Conseil scolaire francophone provincial de Terre-Neuve-et-Labrador (CSFP) is responsible for French first-language instruction. The CSFP operated six schools (four on the island and two in Labrador) and spent approximately \$1.5 million to transport 342 students in 2018.

The CSFP uses contracted buses and other contracted private vehicles to transport students. It has no district-owned buses. The Newfoundland and Labrador English School District provided transportation to the students who were bused in the CSFP's Labrador schools.

Objectives

1. The Newfoundland and Labrador English School District had adequate processes and procedures to ensure the safe transportation of students.
2. The Department of Education and Early Childhood Development and the Newfoundland and Labrador English School District had processes to ensure the efficiency of student transportation routes.
3. The Department of Education and Early Childhood Development provided effective oversight of the school districts' responsibilities to ensure the safe transportation of students.

Scope

Our audit covered the period July 1, 2016 to December 31, 2017.

We examined the student transportation safety processes and procedures in place at the Newfoundland and Labrador English School District (the District). We examined the Department of Education and Early Childhood Development's (the Department) oversight of and the District's processes that ensure the efficiency of student transportation routes. We also examined the Department's oversight of student transportation safety for both the District and the Conseil scolaire francophone provincial de Terre-Neuve-et-Labrador.

Our audit included District-owned buses, contracted buses and other contracted private vehicles and their drivers.

All regions of the District were included in the scope of our audit, however, for detailed testing purposes of student transportation safety, we limited our sample of District-owned buses and drivers to the Central region and our sample of contracted buses and drivers and contracted vehicles and drivers to the Eastern region. We selected a sample of schools from the entire province in relation to bus safety training provided to students.

Our audit included an examination of required documentation for both District-owned and contracted buses, other contracted private vehicles and the drivers of those vehicles. It also included an examination of any relevant contracts, policies and procedures, reports, meeting minutes and correspondence related to student transportation safety, route efficiency and Department oversight.

While we obtained some inspection documentation from Service NL that was not available from the District and held discussions with certain Service NL officials, our audit did not include a review of Service NL's inspections processes.

We held discussions with various Departmental and district staff and surveyed a selection of school principals.

We obtained confirmation from management at the District, the Department and the CSFP that all known information that had been requested, or that could affect the findings or audit conclusions, had been provided. Sample selections were non-statistical and were chosen from the District's Avalon and Central regions.

About the audit

This independent assurance report was prepared by the Office of the Auditor General of Newfoundland and Labrador on student transportation. Our responsibility was to independently audit student transportation to provide objective information and recommendations. Management at the District and the Department acknowledged their responsibility for student transportation.

Our audit was performed to a reasonable level of assurance in accordance with the Canadian Standard on Assurance Engagements (CSAE) 3001 – *Direct Engagements* set out by the Chartered Professional Accountants of Canada and under the authority of the Auditor General Act.

The Office applies Canadian Standard on Quality Control 1 and, accordingly, maintains a comprehensive system of quality control, including documented policies and procedures regarding ethical requirements, professional standards, and applicable legal and regulatory requirements.

In conducting the audit work, we have complied with the independence and other ethical requirements of the Rules of Professional Conduct of the Association of Chartered Professional Accountants of Newfoundland and Labrador.

We obtained sufficient and appropriate audit evidence on which to base our conclusions on June 24, 2019, in St. John's, Newfoundland and Labrador.

Criteria

Criteria were developed specifically for this audit based upon relevant legislation, Department and District policies and procedures, our related work, reviews of literature including reports of other legislative auditors, and consultations with management.

The criteria were accepted as suitable by the senior management of Department of Education and Early Childhood Development and the Newfoundland and Labrador English School District.

Student Transportation

We assessed whether the Newfoundland and Labrador English School District had adequate processes and procedures to ensure the safe transportation of students against the following criteria:

1. The District had a process to ensure that vehicles used to transport students were in good mechanical condition.
2. The District had a process to ensure that only qualified drivers operated vehicles used to transport students.
3. The District had established an appropriate student transportation safety program and ensured that it was offered to students who use student transportation.
4. The District had a process to ensure risks related to student transportation safety were identified, monitored and mitigated in a timely manner.
5. The District had a monitoring process to ensure compliance with contracts and with District and Departmental policies.
6. The District had a process to monitor student transportation safety complaints and incidents and ensure they were addressed in a timely manner.

We assessed whether the Department of Education and Early Childhood Development and the Newfoundland and Labrador English School District had processes to ensure the efficiency of student transportation routes against the following criteria:

1. The Department had established and communicated policies that required the District to ensure student transportation routes were efficient.
2. The Department conducted regular monitoring and evaluation of the District's route efficiency.
3. The District had processes that ensured student transportation routes were efficient.

We assessed whether the Department of Education and Early Childhood Development provided effective oversight of the school districts' responsibilities to ensure the safe transportation of students against the following criteria:

1. The Department had established and communicated to the districts clearly defined accountabilities including legislative and other compliance requirements and monitoring and reporting requirements.
2. The Department conducted regular monitoring and evaluation of the districts' compliance with established accountabilities.

