

**Office of the
Citizens' Representative**

***2007-2008
ANNUAL PERFORMANCE
REPORT***

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September 30, 2008

Message from the Citizens' Representative

I am pleased to present the Office of the Citizens' Representative Annual Performance Report for 2007/08. It reflects the Office's efforts to achieve its mandate as expressed in the 2007/08 Business Plan.

For the purposes of this Annual Performance Report the Office of the Citizens' Representative has been categorized as a Category Two entity pursuant to the *Transparency and Accountability Act*. As Citizens' Representative I am responsible for the results reported herein and any variances from the goals outlined in the 2007/08 Business Plan.

Barry Fleming, Q.C.
Citizens' Representative

OVERVIEW

The Office of the Citizens' Representative provides a province wide Ombuds services for citizens with respect to their dealings with the provincial public service. It also investigates public interest disclosure complaints (whistleblowing) as mandated by the *House of Assembly Accountability Integrity and Administration Act*. Barry Fleming is the Citizens' Representative and is responsible for the management of the Office and coordinating its work. The Office has a staff of seven including:

- an Assistant Citizens' Representative
- one Senior Investigator (vacant)
- three Investigators
- one Office Administrator, and
- Executive Secretary (vacant)

In 2007/08, the Office of the Citizens' Representative received 248 complaints/inquiries. It closed 280 complaint/inquiry files. The Citizens' Representative made 8 recommendations to Government.

The vision, mission and lines of business of the Office of the Citizens' Representative are:

Vision:

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

Mission:

By March 31, 2011 the Office of the Citizens' Representative will have implemented effective procedures to ensure consistent, timely and effective responses to citizens' and employees' complaints.

Measure: *By 2011 the Office of the Citizens' Representative will have improved capacity to support fair, timely and effective investigations.*

Indicators:

- Increased human resource expertise in conducting investigations.
- Enhanced investigative planning, execution and reporting.

Lines of Business:

1. Investigation and Mediation of complaints

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

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

2. Promoting Good Governance

The Office of the Citizens' Representative identifies systematic issues within the public administration which may have an impact on a large number of citizens and:

- a. Concisely articulates a concern which may warrant public comment;
- b. Develops and conducts investigations into these concerns, and
- c. Reports upon the result of the investigation with an overall goal of alleviating citizens' concerns and improving the delivery of government programs.

To accomplish its work, the Office has a budget of \$566,400 for 2007/08.

This Office can be contacted by:

Telephone: (709) 729-7647
(800) 559-0079
Address: 20 Crosbie Place
4th Floor Beothuck Building
P.O. Box 8400
St. John's, NL A1B 3N7
mail: citrep@gov.nl.ca
Website: www.citizensrep.nl.ca

HIGHLIGHTS AND ACCOMPLISHMENTS

The Office of the Citizens' Representative will release its Citizens' Representative Digest 2007/08 in October, 2008. The document will more fully outline the highlights and accomplishments of the Office as well as provide case summaries, and statistics which illustrate the broad range of work undertaken by staff.

The key highlights and accomplishments of the Office of the Citizens' Representative during the reporting period include:

- Continued reduction in the timeframes required to address citizens' complaints;
- The release of its first special report entitled *Alone Among the Few; a Report on Facilities and Supports for Female Prisoners in Labrador*;
- The appointment as lead investigator for investigating public interest disclosure complaints pursuant to the *House of Assembly Accountability Integrity and Administration Act*;
- Monitoring, in consultation with the Ombudsman offices of Nova Scotia and New Brunswick, the ongoing efforts of the Atlantic Lottery Corporation to address the disproportionate wins by lottery retailers;
- Hosting, in conjunction with the Forum of Canadian Ombudsman, a conference held in St. John's from November 25-27, 2007 titled "Working Behind Prison Walls".

GOALS

The activities of the Office of the Citizens' Representative to reach the stated goals contained in the 2007/08 Activity Plans are listed below:

Goal 1) By March 31, 2008 the Office of the Citizens' Representative has increased its capacity to inform citizens about its work.

Measure: Increased communication.

Indicators:

- Website has been updated

- Brochures have been developed and distributed

Activities:

- Staff conducted an extensive review of website material from other Ombudsman websites.

- Developed original user friendly material.

- Brain storming sessions developed the Office's slogan ".....seeking fairness, finding solutions".

- A stylized "OCR" was developed as the Office's logo.

- Because of unforeseen licensing factors and the Office's operational demands, the official launch of the Website was delayed until May 28, 2008.

- The following brochures have been developed and made available to the public.
 - Speak Out for Yourself; Steps to Being an Effective Self Advocate

- Frequently Asked Questions; Public Interest Disclosure-
*House of Assembly
Accountability Integrity
and Administration Act*
- Frequently Asked Questions; The Office of the Citizens' Representative
- Preparing to Complete a Complaint Form
- Tips for Completing a Complaint Form.

Goal 2) By March 31, 2008 the Office of the Citizens' Representative will have identified benchmarks to assess efficient and effective Ombuds investigations.

Measure: Identification and Implementation

Indicators:

- Research average timeframes for conducting investigations in other jurisdictions
- Ascertain the average timeframe for the Office of the Citizens' Representative to complete investigations
- Developed realistic average timeframes for the Office of the Citizens' Representative to complete investigations

Activities:

- Contacted other jurisdictions to ascertain timeframes for completing investigations.
- Researched the average timeframe for the Office to close files during the reporting period.
- While acknowledging that complex investigations cannot be slaves to bureaucratic time lines, established benchmarks that the majority of complaints should be conducted within six months of receipt of the complaint.

OPPORTUNITIES AND CHALLENGES AHEAD

The opportunities available to, and the challenges confronting the Office of the Citizens' Representative will be more fully discussed in the Office of the Citizens' Representative Digest 2007/08. The following opportunities and challenges have been identified:

- The opportunity to share best practices with Ombudsmen for other jurisdictions when the Office of the Citizens' Representative hosts the Annual Meeting of the Canadian Council of Parliamentary Ombudsmen in St. John's from June 11-13, 2008;
- The opportunity to provide a mechanism to employees of government who are aware of gross mismanagement within the House of Assembly to have their complaints investigated;
- The challenge of informing employees of government about their right to avail of complaint procedures in the *House of Assembly Accountability Integrity and Administration Act*.

FINANCIAL STATEMENTS

Expenditure and revenue figures included in this document are based on public information provided in the Report on the Program Expenditures and Revenues of the Consolidated Revenue Fund for Fiscal Year Ended 31 March 2008 (unaudited).

OFFICE OF THE CITIZENS' REPRESENTATIVE

		<u>Estimates</u>	
	<u>Actual</u>	<u>Amended</u>	<u>Original</u>
OFFICE OF THE CITIZENS' REPRESENTATIVE			
Salaries	365,245	369,200	369,200
Employee benefits	185	2,000	2,000
Transportation and communications	28,038	64,200	64,200
Supplies	2,836	10,000	10,000
Professional services	-	10,000	10,000
Purchased services	87,437	106,000	106,000
Property, furnishings and equipment	4,481	5,000	5,000
Total: Office of the Citizens' Representative	488,222	566,400	566,400

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