



**Office of the
Citizens' Representative**

***2008-2009
ANNUAL PERFORMANCE
REPORT***

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September 30, 2009

Message from the Citizens' Representative

I am pleased to present the Office of the Citizens' Representative Annual Performance Report for 2008/09. It reflects the Office's efforts to achieve its mandate as expressed in the 2008-2011 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 accountable for the results reported herein and any variances from the goals outlined in the 2008-2011 Business Plan.

A handwritten signature in black ink, appearing to read "Barry Fleming". The signature is written in a cursive style with a large initial "B" and a long, sweeping underline.

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 (male)
- one Senior Investigator (female)
- three Investigators (2 male, 1 female)
- one Office Manager (female), and
- Executive Secretary (female)

In 2008/09, the Office of the Citizens' Representative received 380 complaints/inquiries. It closed 231 complaint/inquiry files. The Citizens' Representative made 6 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 \$710,400 for 2008/09.

This Office can be contacted by:

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Website: www.citizensrep.nl.ca

HIGHLIGHTS AND ACCOMPLISHMENTS

The Office of the Citizens' Representative will release its Citizens' Representative Digest 2008/09 in October, 2009. 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:

- Hosting the Annual Conference of the Canadian Council of Parliamentary Ombudsmen in June 2008;
- Conducting targeted orientation programs for disadvantaged or vulnerable groups including prisoners, the disabled and seniors;
- Providing information sessions on the Public Interest Disclosure Program for all employees of the House of Assembly and its Statutory Offices;
- Completing the first investigation under the Public Interest Disclosure provisions of the *House of Assembly Accountability, Integrity and Administration Act*.
- Drafting and distributing new brochures which explain the services offered to citizens by the Office of the Citizens' Representative.

GOALS

In order to realize the full potential of the Office of the Citizens' Representative it is critically important that all citizens clearly understand the mandate of the Office. Similarly, in an effort to enhance the performance of the public service all public employees should appreciate the role of the Office. The following goal furthers these imperatives.

The activities of the Office of the Citizens' Representative to reach the stated goals for 2008/09 as contained in the 2008/11 Business Plan are listed below:

Goal 1) By March 31, 2009 the Office of the Citizens' Representative will have increased communication with citizens and government employees about its role and mandate.

Measure: *Increased communication of the role and mandate of the Office of the Citizens' Representative with citizens and government employees.*

Indicators:

- Increase number of targeted presentations to interest groups and opinion leaders

Activities:

- Consultations and meetings with the:
 - John Howard Society
 - Community Living and Support Services – Eastern Health
 - Rotary Club of Clarendville
 - Marystown Lions Club
 - Grand Falls-Windsor Lions Club
 - Canadian Mental Health Association (St. John's)
 - Seniors Resource Centre (St. John's)
 - Seniors Resource Centre Peer Advocates (Grand Falls-Windsor)
 - Independent Living Resource Centre (St. John's)

- Coalition of Persons With Disabilities (St. John's)
 - Monthly meeting of Deputy Ministers of line Departments (St. John's)
 - CEO and Senior Management of Western Health (Corner Brook)
- Initiated a strategy to disseminate print material to vulnerable groups which need an enhanced communication effort.
 - Developed and distributed brochures for inmates in Provincial Correctional Facilities.
 - Developed a poster for Provincial Correctional Facilities.
 - Developed a poster for seniors residing in long term care homes.

Goal 2) By March 31, 2010 the Office of the Citizens' Representative will have consulted with its clients and determined whether its governing legislation facilitates its mandate.

Measure: Consultation and Assessment.

Indicators:

- Draft a background paper that summarizes the perceived strengths and weaknesses of the *Citizens' Representative Act* and Part VI of the *House of Assembly Accountability, Integrity and Administration Act*;
- Disseminate the draft paper and solicits responses;
- Assess the responses to the draft paper and formulates a position on possible legislative changes.

Goal 3) By March 31, 2011 the Office of the Citizens' Representative will, after explaining its role to citizens (2009) and assessing its legislation (2010), undertake a review of its investigative techniques and professional undertakings.

OPPORTUNITIES AND CHALLENGES AHEAD

The opportunities available to, and the challenges confronting the Office of the Citizens' Representative in 2009/10 are:

- The opportunity to consult with government departments and agencies about the legislation governing the programs offered by the Office of the Citizens' Representative;
- The opportunity to meet and consult with opinion leaders, interest groups and the general public about the legislation governing the programs offered by the Office of the Citizens' Representative;
- The challenge of assimilating the information gathered through these consultations and articulating a proposal for legislative changes.

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 2009 (unaudited).

OFFICE OF THE CITIZENS' REPRESENTATIVE

	<u>Estimates</u>		
	<u>Actual</u>	<u>Amended</u>	<u>Original</u>
OFFICE OF THE CITIZENS' REPRESENTATIVE			
Salaries	422,104	514,200	464,200
Employee benefits	2,407	2,500	2,000
Transportation and communications	28,428	64,200	64,200
Supplies	4,568	10,000	10,000
Professional services	6,344	10,000	10,000
Purchased services	78,292	102,600	105,000
Property, furnishings and equipment	6,858	6,900	5,000
Total: Office of the Citizens' Representative	549,001	710,400	660,400

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.