

2021/22 • 2023/24
**BUDGET
SUBMISSION**



OMBUDSPERSON
BRITISH COLUMBIA

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OVERVIEW OF OPERATIONS

The Office of the Ombudsperson was established in British Columbia in 1979. The *Ombudsperson Act* mandates the Ombudsperson to investigate complaints about the actions, inactions, decisions, policies and procedures of government agencies in British Columbia including ministries, provincial boards and commissions, Crown corporations, health authorities, local governments, school boards, colleges, universities and governing bodies of various regulated professions and occupations.

The operational work of the office arising from the *Ombudsperson Act* can be divided into three main areas: intake and early resolution; individual investigations; and systemic investigations. Each of these areas also contributes to the office's ongoing education and outreach initiatives.

The Intake and Early Resolution Team responds to enquiries and complaints and provides information, assistance and referral services to complainants. Team members also deal with complaints that can be resolved quickly under our Early Resolution Program.

If a complaint cannot be resolved by the Intake and Early Resolution Team and, following further assessment, it is assigned to an Ombudsperson Officer on one of the three individual investigation teams – the Health and Local Services Team, the Regulatory Programs Team or the Social Programs Team. The role of the Ombudsperson Officer is to impartially investigate and, where an administrative unfairness is identified, to work to achieve a fair resolution.

In addition to investigating concerns of unfair government action and, where warranted, seeking redress of those concerns, the work done by the Intake and

Early Resolution Team and the three complaint investigation teams contributes to decisions about where a systemic approach would be appropriate and likely to produce useful and positive outcomes.

In addition to receiving and investigating individual concerns and complaints, the Office of the Ombudsperson also delivers on its mandate to oversee the fairness of administrative actions of government authorities by conducting in-depth systemic investigations. These investigations are typically conducted by the Systemic Investigation Team and are reported in our published reports.

Recent systemic reports have addressed a range of issues related to fairness in public administration including openness and transparency in local government, inadequacies in private career training oversight, best practices in bylaw enforcement, inspection of correctional facilities, issues in Crown land allocation, lengthy wait times in income assistance call centres, grade 12 exam mark tabulation and the exercise of emergency powers.

The Public Authorities Consultation and Training Team applies the Ombudsperson's expertise in administrative fairness to proactively assist authorities to design and operate processes in a fair and reasonable manner, thereby preventing problems from occurring in the first place.

Under the *Public Interest Disclosure Act (PIDA)* the Ombudsperson is responsible for providing advice to prospective disclosers of wrongdoing, investigating disclosures of wrongdoing and investigating allegations of reprisal.

The first phase of *PIDA* came into force on December 1, 2019. In the first phase of implementation *PIDA* applies to employees

and former employees of ministries, ministerial staff and Independent Offices of the Legislature. It is anticipated that the Act will apply to the broader provincial and local

public sector in phases over the next five years.

BUDGET REQUEST

The Office of the Ombudsperson prepared this budget using a bottom-up approach. Any operational or capital funds unexpended in a fiscal year are returned to the Consolidated Revenue Fund.

The Office of the Ombudsperson budget is divided into two parts: Core Ombudsperson Operations and Corporate Shared Services:

- **Core Ombudsperson Operations** includes *Ombudsperson Act* and the *Public Interest Disclosure Act* activities relating to the office's intake, early resolution, investigative, systemic, consultation, advisory and training roles.
- **Corporate Shared Services** includes activities relating to finance, administration, building operations, human resources and information technology. These corporate shared services are provided by Ombudsperson employees not only to the Office of the Ombudsperson but also to three other co-located Officers of the Legislature. The costs of these services are allocated on a proportional basis between the four supported offices. The contribution of the other supported offices to these costs are reflected under STOB 88 Internal Recoveries in the Statement of Operations tables in this submission.

Budget Request for 2021/22

The 2021/22 budget request provides for the continuation of existing services as well as broadened coverage of the *Public Interest Disclosure Act (PIDA)*, interim staffing arising from motor vehicle insurance reform, Indigenous Engagement and legacy information technology replacement.

There is also a minor increase requested in this budget to cover known inflationary costs of wages and facilities.

Public Interest Disclosure

Implementation of *PIDA* represents the most substantial change to the statutory mandate of the Ombudsperson in its nearly 40 year history. *PIDA* imposed new obligations on the Ombudsperson as part of the new statutory scheme to encourage ethical conduct and allow for safe conduits for the disclosure of possible wrongdoing by public bodies in the province. The Ombudsperson has mandatory duties with respect to providing advice to prospective disclosers of wrongdoing, receiving and fairly investigating disclosures to determine whether allegations of wrongdoing are substantiated and investigating allegations that persons who disclose wrongdoing or cooperate with an investigation are the subject of reprisal.

In 2019/20 an initial *PIDA* investigation team was funded and established. This team is responsible for carrying out the statutory advice-provision and investigation functions under the Act.

Funding allocated to date for the investigation team was based on workload estimates arising from the first phase of implementation (ministries and independent offices). Government has indicated that the next implementation phase will be taking place during 2021/22. This expansion will result in an increased investigatory workload. Given government's expressed intention to complete broader provincial and local public sector roll out within five years it is anticipated that 2021/22 expansion will impact workload within the year. Start dates will be staggered to mitigate year one costs.

Indigenous Community Engagement

Improving service to underserved communities is a strategic priority set out in our 2016-2021 Strategic Plan. Addressing service to Indigenous people is the most significant and pressing matter to address under this strategic priority.

In 2020/21, with the establishment of an Indigenous Liaison Officer the Ombudsperson commenced the development of an Indigenous Community Service Plan. The plan will be provided as part of the 2022/23 Budget Submission. Consultations to support the development of the plan are currently underway, although the timing, sequence and method of consultations have been affected by the pandemic. As a result, it is anticipated that much of the consultation will take place in 2021/22. For that reason, consultation expenditures are back-end loaded so that the plan can be completed on the timeline planned before the pandemic.

Motor Vehicle Accident Compensation Reform

On May 1, 2021 British Columbia's system for motor vehicle accident compensation will change from a tort system where disputes are decided in court (outside the Ombudsperson's jurisdiction) to an enhanced care system in which disputes will be decided by various means (ICBC staff, Fairness Commissioner, Civil Resolution

Tribunal) all of which are under Ombudsperson jurisdiction. The workload impacts on the Ombudsperson will not be fully known for a few years given that the accident date will govern whether the tort or enhanced care regime applies. One investigator position is requested for the next two years to support timely investigation of those complaints. A report on the deployment of the short term resource and the ongoing impact of the motor vehicle accident compensation cases will be included in the 2023/24 Budget Submission.

Summary

The 2021/22 operating budget request is for \$10,802,000, which represents an increase of \$1,436,000 as follows:

• Inflation	\$389,000
• Case Tracker Replacement*	\$441,000
• Public Interest Disclosure	\$327,000
• Indigenous Community Engagement**	\$150,000
• Motor Vehicle Accident Compensation Reform***	\$129,000

* partially reversed in 22/23 and 23/24

** wholly reversed in 22/23

*** wholly reversed in 23/24

STATEMENT OF OPERATIONS

Fiscal Years 2019/20 and 2020/21

		Fiscal 2019/20 (previous)		Fiscal 2020/21 (current)
		Budget	Actual	Budget
Funding				
Voted Appropriation		8,873,000	8,852,356	9,366,000
	Total	8,873,000	8,852,356	9,366,000
Expenses				
Salaries		6,031,000	6,217,131	6,748,000
Employee Benefits		1,501,000	1,550,329	1,672,000
Travel		94,000	76,504	91,000
Professional Services		320,000	216,122	35,000
Information Systems		271,000	400,736	356,000
Office and Business Expenses		308,000	307,917	320,000
Informational Advertising and Publications		106,000	26,659	34,000
Statutory Advertising and Publications		33,000	4,716	20,000
Utilities, Materials and Supplies		50,000	42,970	50,000
Amortization		134,000	103,066	114,000
Building Occupancy		986,000	920,919	953,000
Other		-	-	-
Internal Recoveries		(896,000)	(920,176)	(962,000)
External Recoveries		(65,000)	(94,537)	(65,000)
	Total Expenses	8,873,000	8,852,356	9,366,000
Capital Budget				
Information Systems, Furniture & Equipment		138,000	135,422	72,000
	Total Capital	138,000	135,422	72,000

BUDGET REQUEST BY STOB

Fiscal Years 2021/22 - 2023/24

STOB	Expense Type	2020/21 (current) Approved Budget	2021/22 Proposed Estimates	Change From Previous Year	Fiscal 2022/23 Planned	Fiscal 2023/24 Planned
50	Salaries	6,357,000	7,182,000	825,000	7,057,000	6,805,000
51	Supplemental Salary	87,000	87,000	-	87,000	87,000
52	Employee Benefits	1,672,000	1,953,000	281,000	1,902,000	1,838,000
54	Officer of the Leg. Salary	304,000	317,000	13,000	323,000	323,000
57	Travel	91,000	91,000	-	91,000	91,000
60	Professional Services	35,000	45,000	10,000	35,000	35,000
63	Information Systems	356,000	599,000	243,000	524,000	509,000
65	Office and Business Expenses	320,000	406,000	86,000	342,000	328,000
67	Info., Advertising & Publications	34,000	114,000	80,000	34,000	34,000
68	Statutory Adv. & Publications	20,000	20,000	-	20,000	20,000
69	Utilities, Materials and Supplies	50,000	50,000	-	50,000	50,000
73	Amortization Expense	114,000	146,000	32,000	179,000	179,000
75	Building Occupancy	953,000	972,000	19,000	972,000	972,000
85	Other	-	-	-	-	-
88	Internal Recoveries	(962,000)	(1,115,000)	(153,000)	(1,115,000)	(1,000,000)
90	External Recoveries	(65,000)	(65,000)	-	(65,000)	(65,000)
Total		9,366,000	10,802,000	1,436,000	10,436,000	10,206,000

Capital Budget

Info. Systems, Furniture & Equipment

	72,000	402,000	330,000	57,000	57,000
Total	72,000	402,000	330,000	57,000	57,000

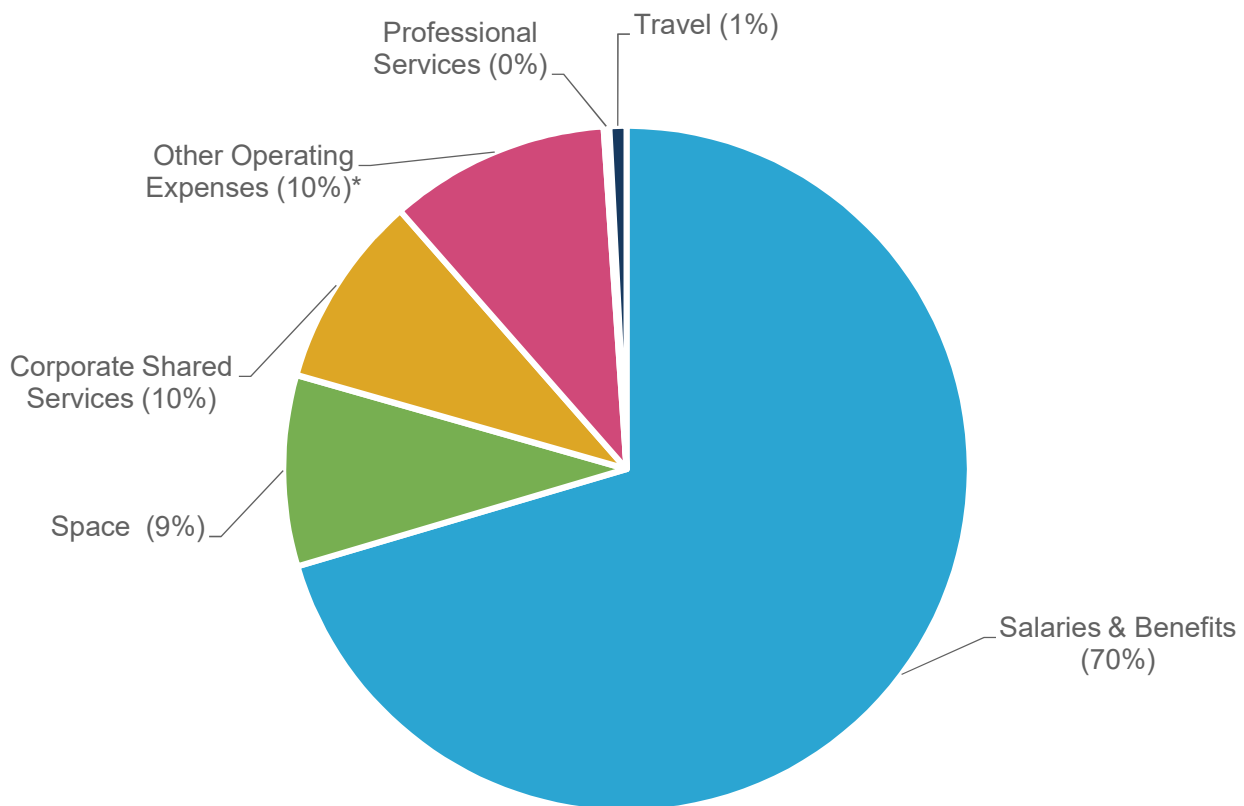
BUDGET REQUEST BY OMBUDSPERSON OPERATIONS AND CORPORATE SHARED SERVICES

Fiscal Years 2020/21 and 2021/22

STOB		Ombudsperson Operations			Corporate Shared Services			Total		
		Fiscal 2020/21 Budget (Current Year)	Fiscal 2021/22 Budget Request	Change	Fiscal 2020/21 Budget (Current Year)	Fiscal 2021/22 Budget Request	Change	Fiscal 2020/21 Budget (Current Year)	Fiscal 2021/22 Budget Request	Change
50	Salaries	5,071,000	5,638,000	567,000	1,286,000	1,544,000	258,000	6,357,000	7,182,000	825,000
51	Supplemental Salary	87,000	87,000	-	-	-	-	87,000	87,000	-
52	Benefits	1,351,000	1,565,000	214,000	321,000	388,000	67,000	1,672,000	1,953,000	281,000
54	Officer Salary	304,000	317,000	13,000	-	-	-	304,000	317,000	13,000
57	Travel	87,000	87,000	-	4,000	4,000	-	91,000	91,000	-
60	Professional Serv.	19,000	29,000	10,000	16,000	16,000	-	35,000	45,000	10,000
63	Info. Systems	264,000	507,000	243,000	92,000	92,000	-	356,000	599,000	243,000
65	Office & Business	274,000	352,000	78,000	46,000	54,000	8,000	320,000	406,000	86,000
67	Info, Adv.& Public's	34,000	114,000	80,000	-	-	-	34,000	114,000	80,000
68	Statutory Public	20,000	20,000	-	-	-	-	20,000	20,000	-
69	Utilities, Materials	48,000	48,000	-	2,000	2,000	-	50,000	50,000	-
73	Amortization	114,000	146,000	32,000	-	-	-	114,000	146,000	32,000
75	Building Occupancy	953,000	972,000	19,000	-	-	-	953,000	972,000	19,000
85	Other	-	-	-	-	-	-	-	-	-
	Subtotal	8,626,000	9,882,000	1,256,000	1,767,000	2,100,000	333,000	10,393,000	11,982,000	1,589,000
88	Internal Recoveries	-	-	-	(962,000)	(1,115,000)	(153,000)	(962,000)	(1,115,000)	(153,000)
90	External Recoveries	(65,000)	(65,000)	-	-	-	-	(65,000)	(65,000)	-
	Total	8,561,000	9,817,000	1,256,000	805,000	985,000	180,000	9,366,000	10,802,000	1,436,000

BUDGET REQUEST BY EXPENDITURE TYPE

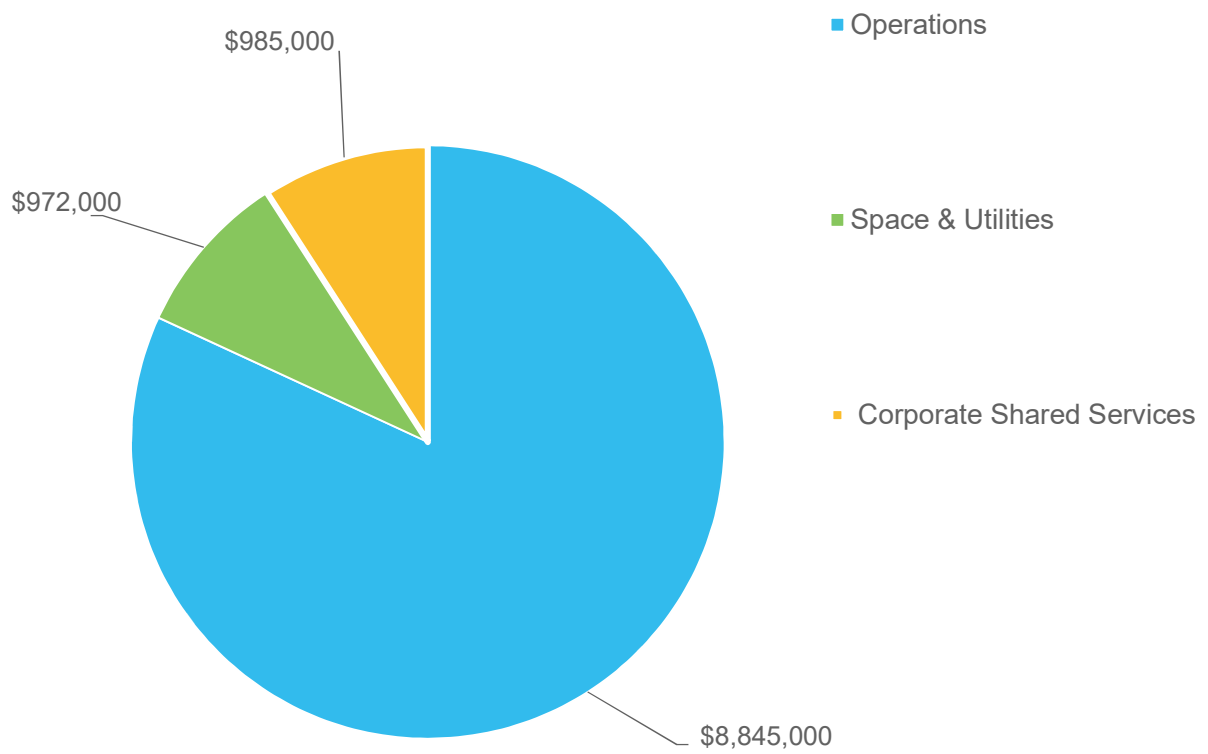
Fiscal Year 2021/22



* Other Operating STOBs includes information Systems (63), Office Expenses (65), reporting (67 and 68), amortization (73) and recoveries (90)

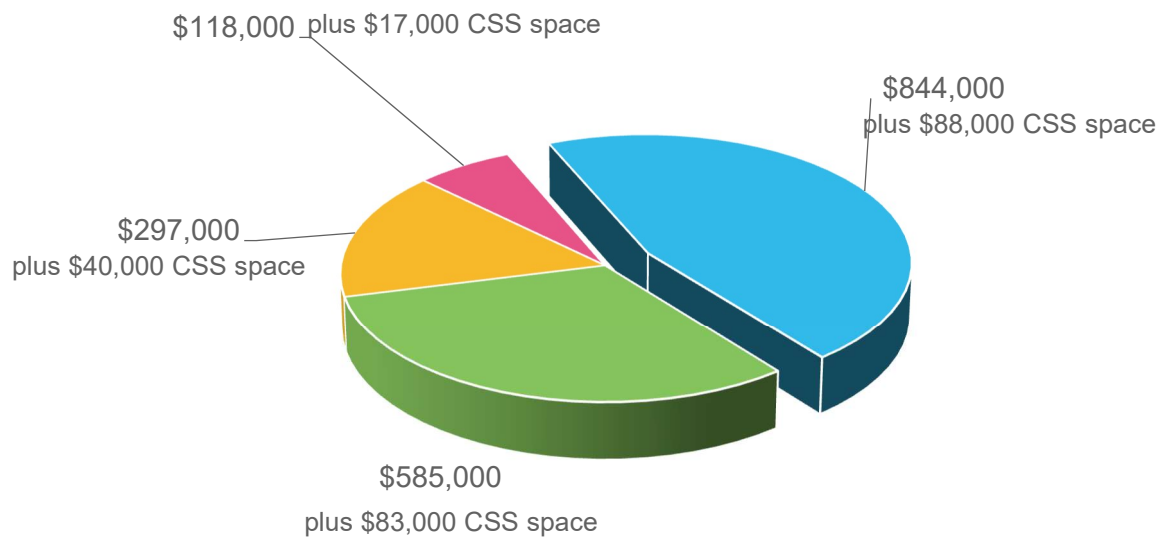
BUDGET REQUEST BY EXPENDITURE AREA

Fiscal Year 2021/22



CORPORATE SHARED SERVICES ALLOCATED BUDGET REQUEST

Fiscal Year 2021/22



- Ombudsperson
- Information and Privacy Commissioner
- Police Complaint Commissioner
- Merit Commissioner

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