



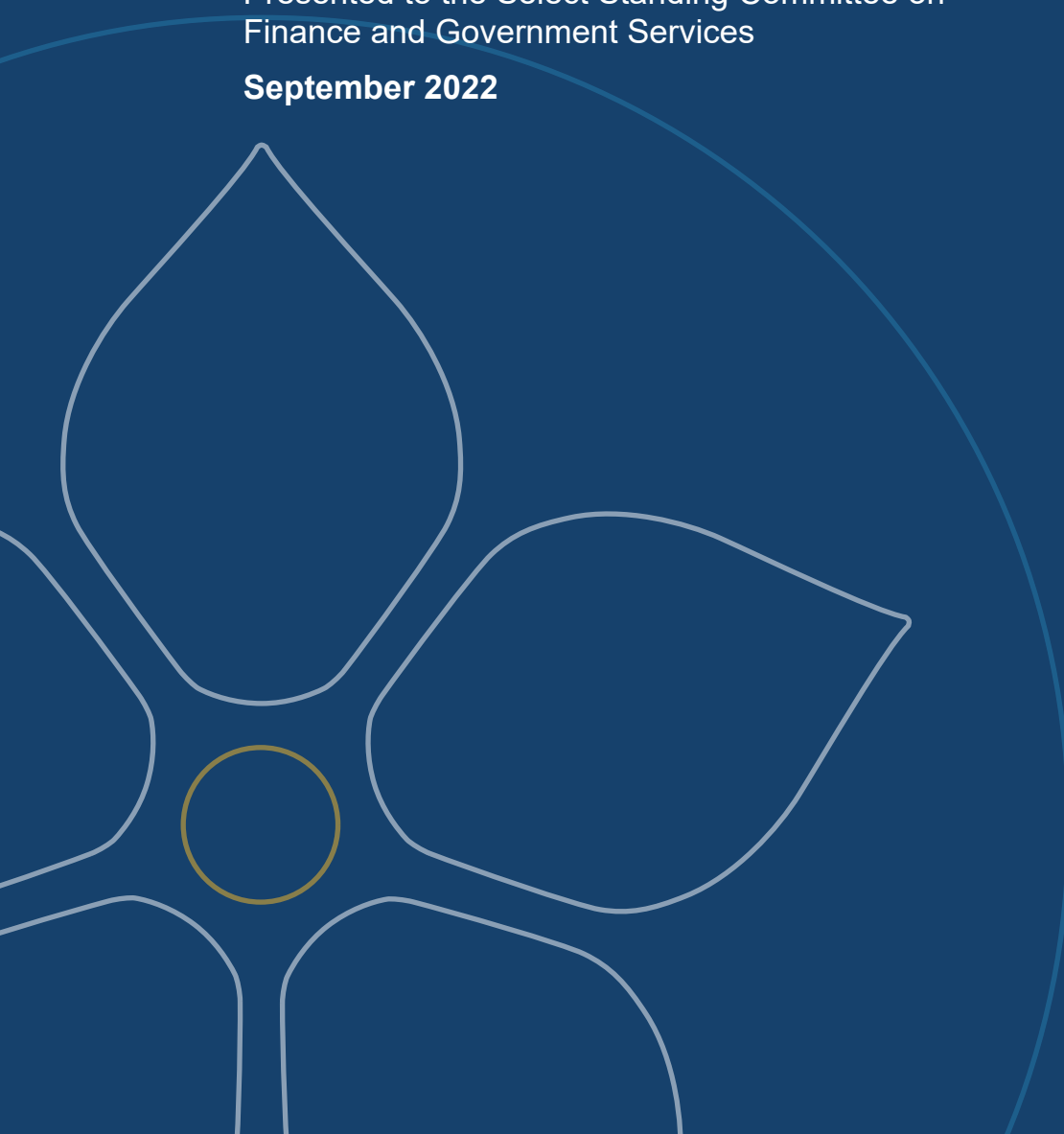
**OMBUDSPERSON**  
BRITISH COLUMBIA

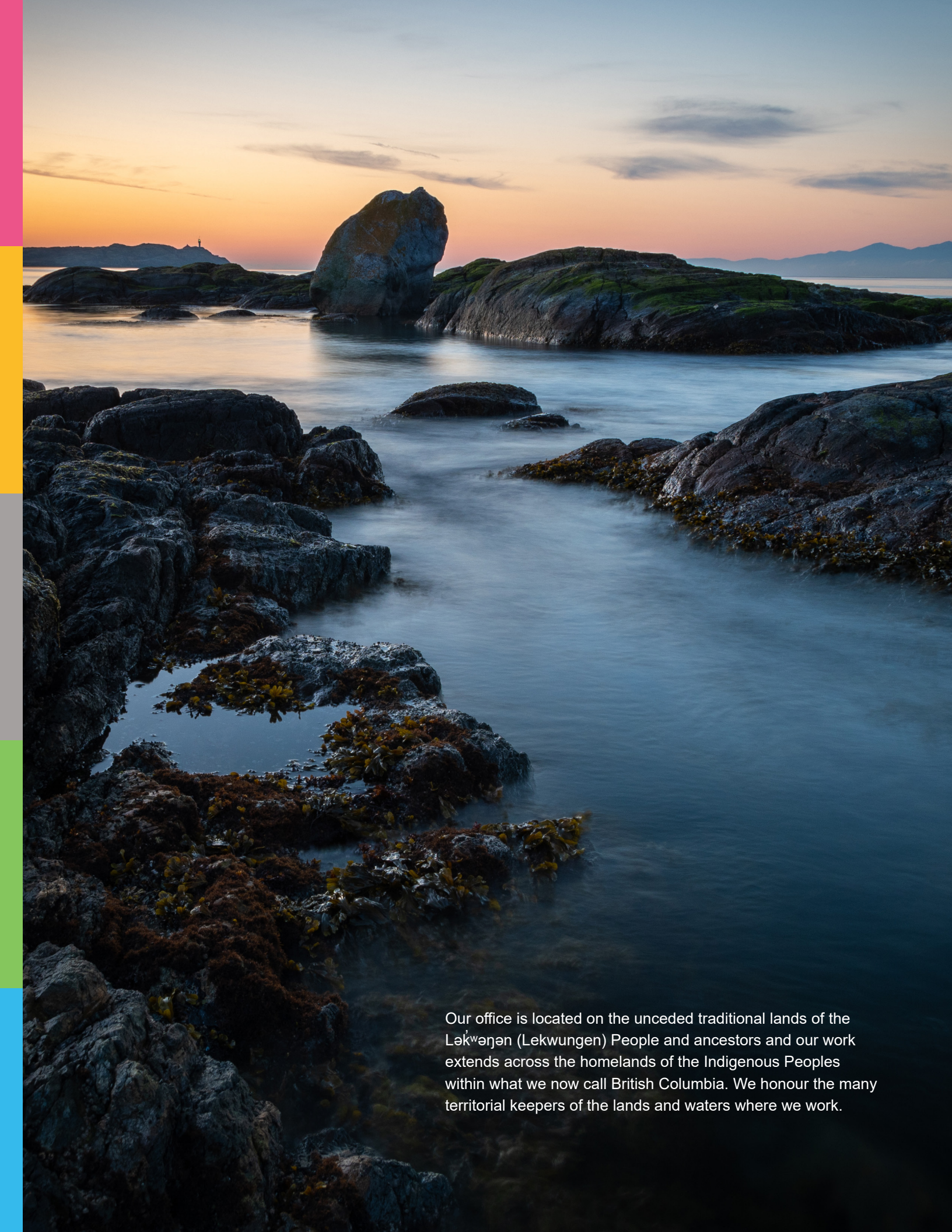
# BUDGET SUBMISSION

## 2023/24 • 2025/26

Presented to the Select Standing Committee on  
Finance and Government Services

**September 2022**





Our office is located on the unceded traditional lands of the Lək̓ʷəŋən (Lekwungen) People and ancestors and our work extends across the homelands of the Indigenous Peoples within what we now call British Columbia. We honour the many territorial keepers of the lands and waters where we work.

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# OVERVIEW OF OPERATIONS

The Office of the Ombudsperson has statutory duties under two main pieces of legislation, the *Ombudsperson Act* and the *Public Interest Disclosure Act*.

Under the *Ombudsperson Act*, the Office of the Ombudsperson was established in British Columbia in 1979. The Act mandates the Ombudsperson to investigate complaints about the actions, inactions, decisions, recommendations and procedures of government agencies in BC 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. Public reports of individual complaint investigations can be issued particularly where public authorities decline to address issues of unfairness identified by the Ombudsperson.

In addition to receiving and investigating individual concerns and complaints, the office delivers on its mandate by conducting in-depth systemic investigations.

These investigations are typically conducted by the Systemic Investigation Team and result in 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, the exercise of emergency powers, and the overuse of separate confinement in youth custody facilities.

The Public Authority Consultation and Training Team (PACT) applies the Ombudsperson's expertise in administrative fairness. They say PACT proactively assists authorities to design and operate processes in a fair and reasonable manner, thereby preventing problems from occurring in the first place. PACT also supports the roll-out of PIDA to new public authorities particularly through 2024/25.

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 in December 2019. As of that date, PIDA applied to employees and former employees of ministries, ministerial staff and Independent Offices of the Legislature. In 2021, the Attorney General announced that PIDA will apply to the broader provincial public sector in phases over the upcoming three fiscal years. In accordance with that plan, PIDA was extended to over 30 tribunals and agencies in April 2022. Further expansion will take place starting with the expansion to 26 Crown Corporations by December 2022 and by December 2024, the Act will apply to all agencies, boards, tribunals, health authorities, crown corporations, post secondary institutions, and the K-12 public education sector.

# BUDGET REQUEST

## 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:

1. 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.
2. 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 Independent Officers of the Legislature. The costs of these services are allocated on a proportional basis between the four supported offices. The contributions from the other supported offices to these costs are reflected under STOB 88 Internal Recoveries in the Statement of Operations in the following tables.

## Budget Request for 2023/24

The 2023/24 budget request provides for the continuation of existing services, further expanded coverage of the *Public Interest Disclosure Act* (PIDA) to health authorities and school districts, incorporation of the internal aspects of the Indigenous Communities Services Plan and implementation of a strategic Outreach Plan to address low public awareness of the office. There is also a minor increase requested in this budget reduction to cover annualization of prior year approvals and two minor reductions are deferred by one year.

Decreases related to case management system replacement and consultation partially offset expenditure increases.

## Expansion of *Public Interest Disclosure Act* to Health Authorities and School Districts

Implementation of PIDA represents the most substantial change to the statutory mandate of the Ombudsperson in its 40+ year history. PIDA imposed new obligations on the Ombudsperson as part of the new statutory scheme to encourage ethical conduct and provide safe conduits for the disclosure by public employees 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, which applied exclusively to core ministries and independent offices. In July 2021, government announced that the next two implementation phases would take place effective April and December 2022. This included the following 63 additional public bodies:

## April 2022

### Agencies, boards, and commissions (Group 1)

- BC Games Society
- BC Oil and Gas Commission
- British Columbia Safety Authority (conducting business as Technical Safety BC)
- Public Guardian and Trustee
- Real Estate Foundation of BC

### Tribunals

- Agricultural Land Commission
- BC Review Board
- BC Utilities Commission
- Building Code Appeal Board
- Community Care and Assisted Living Appeal Board
- Civil Resolution Tribunal
- Employment and Assistance Appeal Tribunal
- Employment Standards Tribunal
- Environmental Appeal Board
- Farm Industry Review Board
- Financial Services Tribunal
- Forest Appeals Commission
- Forest Practices Board
- Hospital Appeal Board
- Health Professions Review Board
- Human Rights Tribunal
- Industry Training Appeal Board
- Labour Relations Board
- Mental Health Review Board
- Oil and Gas Appeal Tribunal
- Passenger Transportation Board
- Property Assessment Appeal Board
- Safety Standards Appeal Board

- Surface Rights Board
- Workers' Compensation Appeal Tribunal

## December 2022

### Agencies, Boards and Commissions (Group 2)

- BC Ferry Authority
- BC Financial Services Authority
- BC Securities Commission
- Creative BC
- Haida Gwaii Management Council
- Island Coast Economic Trust, Northern Development Initiative Trust, Southern Development Initiative Trust
- Office of the British Columbia Trucking Commissioner

### Crown Corporations

- BC Assessment
- BC Council for International Education
- BC Family Maintenance Agency
- BC Housing
- BC Hydro
- BC Infrastructure Benefits
- BC Investment Corporation
- BC Lottery Corporation
- BC Pavilion Corporation
- BC Railway Company, BCR Properties Ltd. and holding companies
- Columbia Basin Trust
- BC Transit and the Victoria Regional Transit Commission
- Columbia Power Corporation
- Community Living BC
- Destination BC
- First Peoples Cultural Council
- Forestry Innovation Investment Ltd.
- Industry Training Authority

- Innovate BC
- Insurance Corporation of British Columbia
- Insurance Council of BC
- Knowledge Network
- Legal Aid BC
- Partnerships British Columbia Inc.
- Royal British Columbia Museum
- Transportation Investment Corporation

Following the December 2022 expansion some 60,000 public employees will have rights to make disclosures under PIDA.

In 2023/24 the largest single year expansion of the Act will take place as PIDA will be extended to:

## June 2023

### Health (group 1)

- Fraser Health Authority
- Interior Health Authority
- Northern Health Authority
- Providence Health Care
- Provincial Health Services Authority
- Vancouver Coastal Health Authority
- Vancouver Island Health Authority

## December 2023

### Education (K-12)

- Public K-12

This will add approximately xxxx public authorities increasing the coverage of the Act by XX% compared to the coverage through 2022/23.

Further phases will take place in 2024/25 including post-secondary institutions, additional agencies, boards and commissions including WorkSafeBC. This expansion will result in an increased investigatory workload. The full schedule is set out in the Appendix to the Service Plan.

The expansion in June and December 2023 will impact workload. A need for further investigators is anticipated in 2023/24. Staffing dates will be staggered to match anticipated workload and mitigate year one costs.

A straight-line increased factor arising from the number of public employees covered would yield an ask of over a dozen incremental investigators. However, as experience has been gained under the act, some efficiencies are being realized. Furthermore, given the large size of the health authorities there may be some reduced number of disclosures on a per capita basis. However, on the other hand, there have been a number of health authority employees seeking to make disclosures “early” before the Act applies to them, many of whom have indicated will return when the Act is expanded in June, 2023. While there is some uncertain risk, the 2023/24 budget request is for three investigators starting April 1; and two investigators starting October 1, 2023.

During the pandemic, incremental PIDA staffing in 2021/22 and 2022/23 did not include requests for office space. With the return to office operations, space is required for PIDA staff even with the utilization of a hybrid work approach. An allocation of \$130,000 will allow for space for all PIDA staffing, adding over four fiscal years from 2021/22 to 2024/24.

## Supporting the Indigenous Communities Services Plan

Supporting Reconciliation through improving service to Indigenous people is identified in the Ombudsperson’s 2021/26 Strategic Plan.

In 2020/21, with the establishment of an Indigenous Liaison Officer, the Ombudsperson commenced the development of an Indigenous Communities Services Plan (ICSP). The original intent was to provide the full plan as part of the 2022/23 Budget Submission. However, two factors – the pandemic and the revelations



of the unmarked graves at former residential schools – impacted the timing of consultation. While much was learned from the nine virtual consultations that have taken place to date, additional consultations are required before the full plan is developed. As a result, a phased approach was adopted starting in 2022/23. Phase One provided for contracts for five part time regional liaisons and a temporary policy analyst.

Consultations with Indigenous communities early in 2022 emphasized the need for the Ombudsperson to adopt an intake and investigatory approach that is welcoming, patient and trauma-informed. In short, in order to build trust, Ombudsperson staff need to take more time listening and understanding rather than focusing solely on collecting information.

In addition, the implementation of Ombudsperson Pathfinders in 2022/23 reinforced the need for internal support by establishing key contacts for each Pathfinder. This resulted in a need for three additional staff - two Early Resolution Officers and one Ombudsperson Officer.

## Addressing Public Awareness Challenges Through Strategic Outreach

Data indicating the low public awareness of the Ombudsperson was reported to the Select Standing Committee on Finance and Government Services in the spring of 2022. Addressing this low level of awareness will require incremental dedicated resources and a clear vision and plan. The plan is set out in a separate companion document “Strategic Outreach Plan 2023/26”. The plan has three aspects:

1. General increase in public awareness activities
2. Six demographic priorities identified for focused attention
3. Compliance with new accessibility legislation that will apply to the Ombudsperson in 2023

This will result in two FTEs and minor amounts for contracted resources.

## Summary

The 2023/24 operating budget request is for \$13,427,200, which represents a net increase of \$1,847,000 as follows:

PIDA Expansion	\$482,000
Indigenous Communities Services Plan	\$457,000
Strategic Outreach Plan 2026/26	\$215,000
Inflation/annualization and CTS reduction	\$693,000
<b>Total incremental request</b>	<b>\$1,847,000</b>

# STATEMENT OF OPERATIONS

## STATEMENT OF OPERATIONS

Fiscal Years 2021/22 and 2022/23

	Fiscal 2021/22 (previous)		Fiscal 2022/23 (current)
	Budget	Actual	Budget
<b>Funding</b>			
Voted Appropriation	10,802,000	10,152,058	11,580,000
<b>Total</b>	<b>10,802,000</b>	<b>10,152,058</b>	<b>11,580,000</b>
<b>Expenses</b>			
Salaries	7,586,000	7,397,900	8,363,000
Employee Benefits	1,953,000	1,896,206	2,157,000
Travel	-	12,225	30,000
Professional Services	91,000	4,728	91,000
Information Systems	45,000	197,512	308,000
Office and Business Expenses	599,000	555,760	561,000
Informational Advertising and Publications	406,000	225,402	366,000
Statutory Advertising and Publications	114,000	34,146	34,000
Utilities, Materials and Supplies	20,000	5,400	15,000
Amortization	50,000	36,351	42,000
Building Occupancy	146,000	128,616	178,000
Other	972,000	958,699	972,000
Internal Recoveries	-	40,358	-
External Recoveries	(1,115,000)	(1,281,797)	(1,482,000)
<b>Total Expenses</b>	<b>(65,000)</b>	<b>(59,448)</b>	<b>(55,000)</b>
	<b>10,802,000</b>	<b>10,152,058</b>	<b>11,580,000</b>
<b>Capital Budget</b>			
Information Systems, Furniture & Equipment	402,000	395,396	102,000
<b>Total Capital</b>	<b>402,000</b>	<b>395,396</b>	<b>102,000</b>

## BUDGET REQUEST BY STOB

Fiscal Years 2023/24 – 2025/26

STOB	Expense Type	2022/23 (current) Approved Budget	2023/24 Proposed Estimates	Change From Previous Year	Fiscal 2024/25 Planned	Fiscal 2025/26 Planned
50	Salaries	7,952,000	9,292,000	1,340,000	9,175,000	9,175,000
51	Supplemental Salary	87,000	87,000	-	87,000	87,000
52	Employee Benefits	2,157,000	2,502,000	345,000	2,473,000	2,473,000
54	Officer of the Leg. Salary	324,000	324,000	-	324,000	324,000
55	Boards and Commissions	30,000	30,000	-	-	-
57	Travel	91,000	91,000	-	91,000	91,000
60	Professional Services	308,000	308,000	-	308,000	308,000
63	Information Systems	561,000	603,000	42,000	596,000	596,000
65	Office and Business Expenses	366,000	394,000	28,000	388,000	388,000
67	Info., Advertising & Publications	34,000	69,000	35,000	69,000	69,000
68	Statutory Adv. & Publications	15,000	15,000	-	15,000	15,000
69	Utilities, Materials and Supplies	42,000	42,000	-	42,000	42,000
73	Amortization Expense	178,000	178,000	-	178,000	178,000
75	Building Occupancy	972,000	1,138,000	166,000	1,138,000	1,138,000
85	Other	-	-	-	-	-
88	Internal Recoveries	(1,482,000)	(1,626,000)	(144,000)	(1,530,000)	(1,530,000)
90	External Recoveries	(55,000)	(20,000)	35,000	-	-
	<b>Total</b>	<b>11,580,000</b>	<b>13,427,000</b>	<b>1,847,000</b>	<b>13,354,000</b>	<b>13,354,000</b>

### Capital Budget

Info. Systems, Furniture & Equipment	102,000	94,000	(8,000)	93,000	160,000
<b>Total</b>	<b>102,000</b>	<b>94,000</b>	<b>(8,000)</b>	<b>93,000</b>	<b>160,000</b>

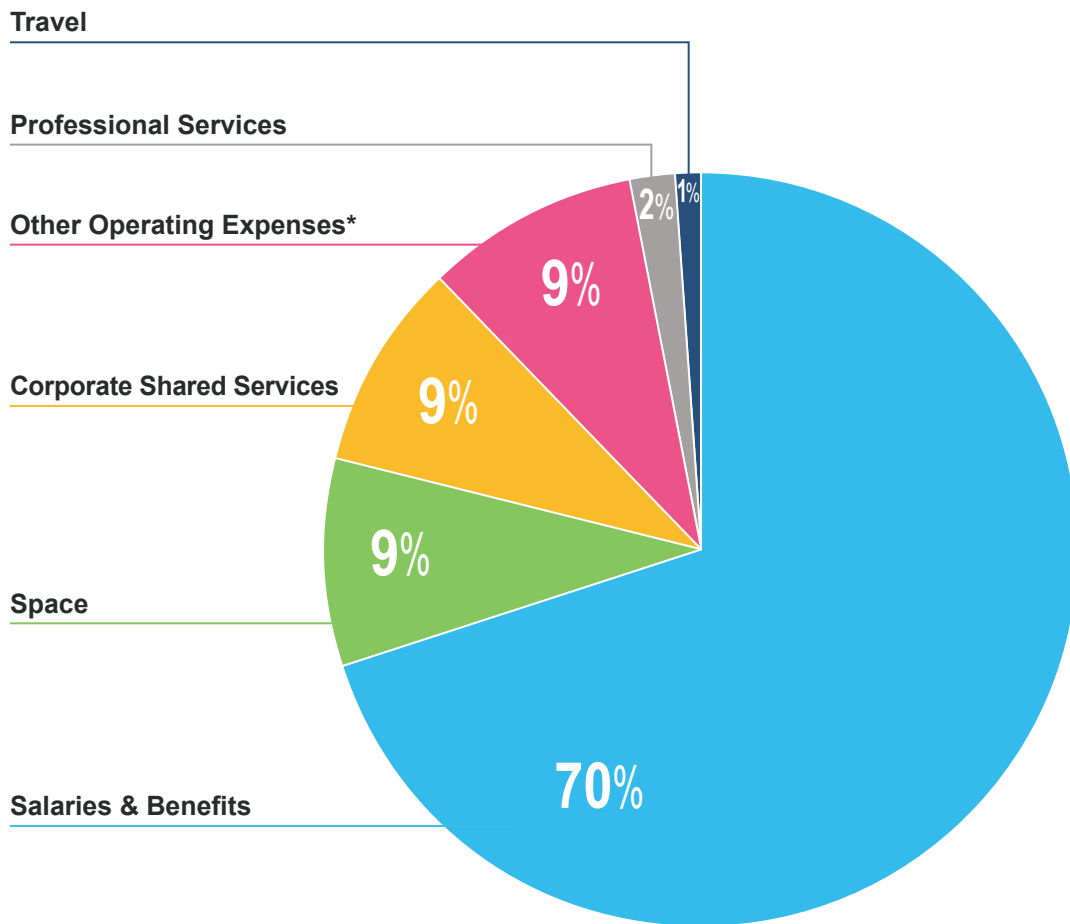
# BUDGET REQUEST BY OMBUDSPERSON OPERATIONS & CORPORATE SHARED SERVICES

## Fiscal Years 2023/24 – 2025/26

STOB Expense Type	Ombudsperson Operations			Corporate Shared Services			Total		
	Fiscal 2022/23 Budget (Current Year)	Fiscal 2023/24 Budget Request	Change	Fiscal 2022/23 Budget (Current Year)	Fiscal 2023/24 Budget Request	Change	Fiscal 2022/23 Budget (Current Year)	Fiscal 2023/24 Budget Request	Change
50 Salaries	6,008,000	7,051,000	1,043,000	1,944,000	2,241,000	297,000	7,952,000	9,292,000	1,340,000
51 Supplemental Salary	87,000	87,000	-	-	-	-	87,000	87,000	-
52 Benefits	1,663,000	1,934,000	271,000	494,000	568,000	74,000	2,157,000	2,502,000	345,000
54 Officer Salary	324,000	324,000	-	-	-	-	324,000	324,000	-
55 Boards and Commissions	30,000	30,000	-	-	-	-	30,000	30,000	-
57 Travel	87,000	87,000	-	4,000	4,000	-	91,000	91,000	-
60 Professional Serv.	292,000	292,000	-	16,000	16,000	-	308,000	308,000	-
63 Info. Systems	469,000	511,000	42,000	92,000	92,000	-	561,000	603,000	42,000
65 Office & Business	312,000	340,000	28,000	54,000	54,000	-	366,000	394,000	28,000
67 Info, Adv.& Publications	34,000	69,000	35,000	-	-	-	34,000	69,000	35,000
68 Statutory Public	15,000	15,000	-	-	-	-	15,000	15,000	-
69 Utilities, Materials	40,000	40,000	-	2,000	2,000	-	42,000	42,000	-
73 Amortization	178,000	178,000	-	-	-	-	178,000	178,000	-
75 Building Occupancy	972,000	1,138,000	166,000	-	-	-	972,000	1,138,000	166,000
85 Other	-	-	-	-	-	-	-	-	-
<b>Subtotal</b>	10,511,000	12,096,000	1,585,000	2,606,000	2,977,000	371,000	13,117,000	15,073,000	1,956,000
88 Internal Recoveries	-	-	-	(1,482,000)	(1,626,000)	(144,000)	(1,482,000)	(1,626,000)	(144,000)
90 External Recoveries	(55,000)	(20,000)	35,000	-	-	-	(55,000)	(20,000)	35,000
<b>Total</b>	10,456,000	12,076,000	1,620,000	1,124,000	1,351,000	227,000	11,580,000	13,427,000	1,847,000

# PROPOSED OPERATING BUDGET BY EXPENDITURE TYPE

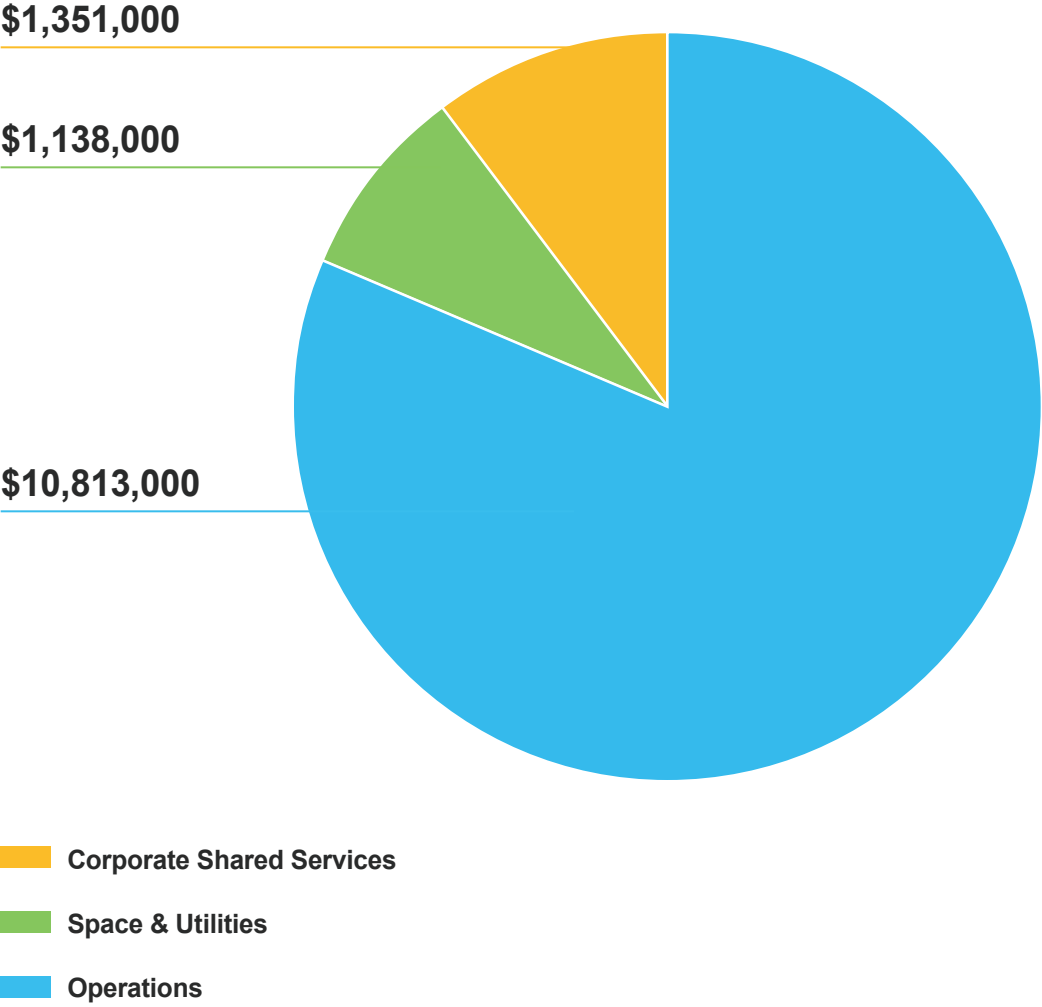
Fiscal Year 2024



\*Other Operating Expenses includes information Systems (63), Office Expenses (65), Reporting (67 and 68), Amortization (73) and Recoveries (90)

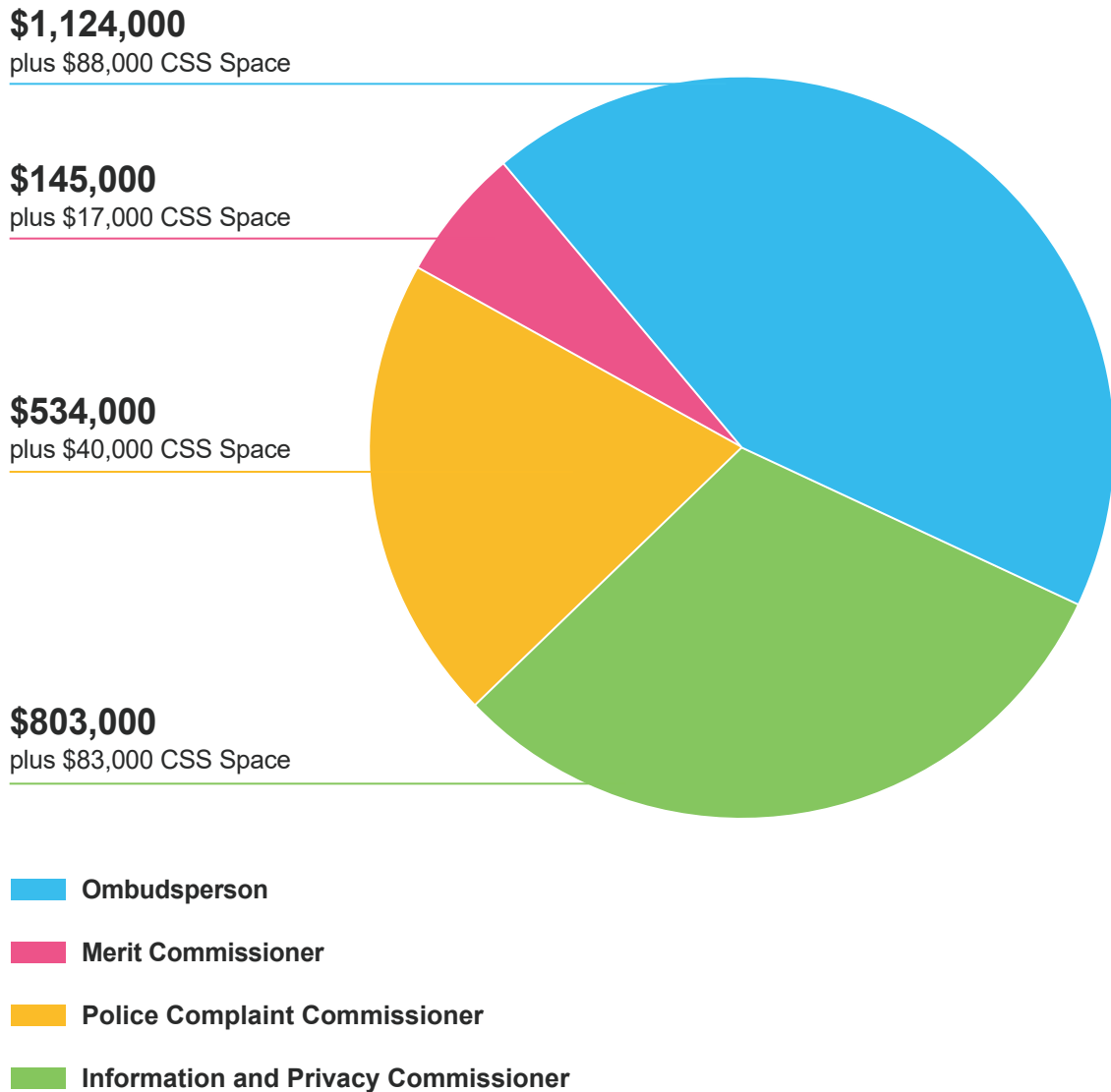
# OPERATING BUDGET REQUEST

Fiscal Year 2024



# CORPORATE SHARED SERVICES BUDGET ALL OFFICES

Fiscal Year 2023



# APPENDIX

## Select Standing Committee on Finance and Government Services Statutory Officer Cover Memo to Summarize Potential Efficiencies and Savings

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### Summary

The invitation to provide our budget submission included a request to identify potential efficiencies and savings.

Our office has identified the following:

1. Use of a Shared service model where costs are split between four offices.
  - a. Shared use of corporate support staff – this includes in only paying a portion of staffing costs needed to support the business operations, resulting in significant cost savings as required key personnel (such as Chief Financial Officer) is shared between the four offices.
  - b. Shared common building space – results in access to boardroom and video conference facility as a shared cost versus a full cost.
  - c. IT infrastructure shared cost – networks and equipment are shared at a portion of the cost.
  - d. Capacity for backing up of services – when one resource is lost, there are typically others who can provide support on a short-term basis.
2. Remote work arrangements have allowed for a reduction in reliance on building occupancy costs, in turn resulting in reduced budget requests as new positions are added to meet legislated obligations.
3. Inflation to cover salary increments – only known increments are requested in the budget submission and not projected, as excluded staff increments are typically not known until the first quarter of each fiscal year. Increments that occur after budget submission are dealt with internally and, where possible, covered by recruitment lag.
4. Detailed tracking of expenditures at the employee level is done to identify recruitment lag and applying that funding to internal pressures, reducing the need to request additional funding.
5. A review of prior years' budget projections and expenditures to identify areas of savings or reduced requirements. Savings are used to reduce budget requests made in our presentation.
6. Utilizing our office's case tracking system, Resolve, the Correspondence Clerk has fewer records to process and, generally, staff then have fewer steps to take to record and file their work, and to find information in our database.
7. Further, Resolve has allowed our staff to quickly find, identify, and/or process files, track emerging issues, look for common themes in complaints, and find efficiencies in our investigative efforts and approaches by using our complaint data to inform our work.
8. Our website's Complaint Checker allows the public to review their complaints online to determine how to proceed without having to wait to contact us or to make a complaint.
9. Our office has been able to provide more information up-front to the public to assist them in filing a complaint with our office – or in seeking resolution through another complaint mechanism – through the Complaint Checker, our enhanced website information and infographics, and our written correspondence to complainants.



10. Our office has implemented a new email auto response as well as revised correspondence processing procedures, formalized in our new Correspondence Processing Policy, which provides for greater efficiency (and transparency) in the handling of complaints. This also reduces the duplication of files in our queue.
11. By introducing a Complaints Analyst model, whereby two staff members are dedicated to the phone lines, we've allowed for our Early Resolution Officers to focus on responding to more complex files and seek resolution to complaints.
12. We have introduced an Intake Team Lead role to assist the manager in training and orientating new staff. This will allow for more files to move through the Early Resolution process at an increased rate, bringing about resolution to complaints more quickly while also preventing files from getting stalled in the manager review/approval process. As the intake team has grown significantly over the past several years, the introduction of the Intake Team Lead role (currently posted as an internal opportunity) will help bring some efficiencies to the intake team.
13. Our office has put more emphasis on training investigative staff on case management practices and finding efficiency (and sufficiency) in investigations to seek resolution (or conclusion) and avoid files being open for long periods of time.
14. By dedicating an FTE to work through and close older files, we have been able to reduce the number of files older than two years, bringing these matters to conclusion and free up investigators to focus on files and issues that are more current.

