

Speaking Up for Fairness

Au service de l'équité

2023/2024 Annual Report of
the Northwest Territories Ombud

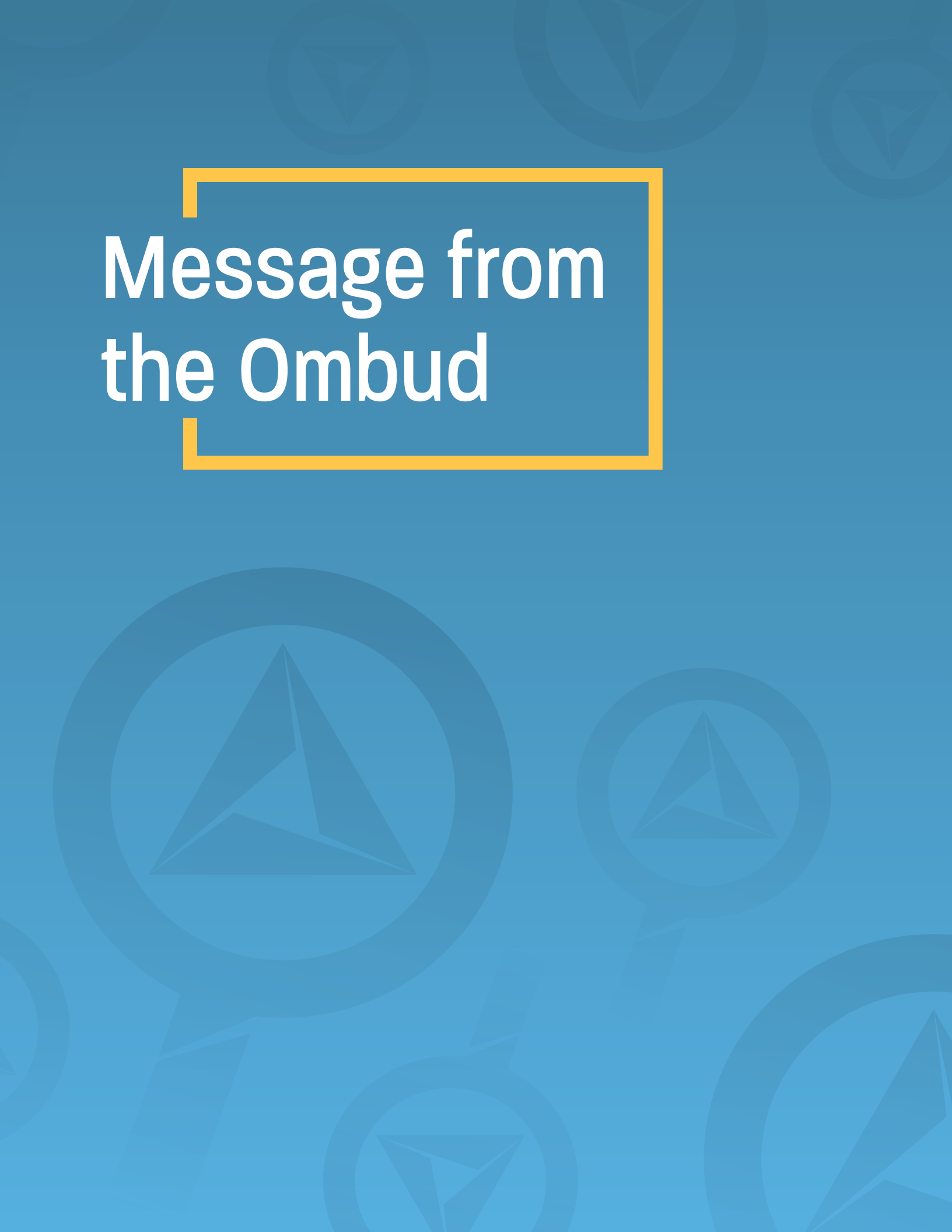
Rapport annuel 2023-2024
du Bureau du protecteur du citoyen
des Territoires du Nord-Ouest

*Le présent document contient la traduction française
du sommaire et du message de la protectrice du citoyen.*

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Message from the Ombud



This report covers the period from April 1, 2023 to March 31, 2024.

In this report, you will find information about our Office, administrative fairness, and how we do our work, as well as descriptions of our activities over the past year: inquiries and complaints, public education and outreach, and our finances.

The Office's first 5 year term will end on April 7, 2024, shortly after the close of the fiscal year. As I will be stepping down later this summer this will be my final annual report.

Early in my mandate, mindful of how much work, heart, and hope had gone into the 2018 *Ombud Act*, I shared that I felt I had just been handed someone's newborn infant. Since then we have passed many milestones, and the "baby" is now kindergarten age. Much like a human 5-year-old, although the basics are there we still have a lot of learning and refining to do and we are just beginning to get our voice and message out to our wider community.

The Northwest Territories Ombud Office began with a cell phone and provisional workstations at a picnic table at Alexandra Falls, a carrel in the Hay River Public Library, and the cab of my 2011 Ford Escape. From



our November 19, 2019 opening to March 31st of this year we have closed 772 case files, completed 10 complaint-based and 3 own-motion investigations with a total of 48 formal recommendations, and concluded 121 early resolution files.

We have convinced authorities to reconsider decisions and to make their services fairer and more person-centred, we have gotten answers and explanations for people, we have helped them repair relationships, we have prompted action on files

that were stalled, we have broadened perspectives, we have pointed out unclear language and failures to follow policy or legislation, we have helped people navigate to the right service or process, we have advocated for fairer policies, practices

and communications, we have looked into concerns and let people know when we did not find unfairness and why, and we have done thousands of hours of listening.

Although we had a late start to our outreach and education program, as of 2023/2024 we have a made-in-the-NWT training seminar on administrative fairness for public servants, an interactive presentation for high school students, and updated pamphlets and posters in all 11 official languages. We have set up tables at several public events, hosted meet and greets, delivered presentations, and knocked on the doors of dozens of government offices and NGOs to introduce ourselves.

None of this would have been possible without the current and former staff of the Office. They are the most dedicated and enthusiastic team I have ever worked with, and they have my deepest gratitude and appreciation.

Last year I signalled a concern that 2 positions are not enough for the Office to carry out our full mandate of complaints resolution, own-motion investigations, and public education and outreach. This year I am even more concerned, particularly given the 45% increase in the number of inquiries to our office from 2022/2023 and the demand for our new training and presentation offerings.

More inquiries and requests for our services are a good thing. They mean we have made solid progress in informing the public about our Office, building trust in

our services, and bringing administrative fairness into everyday conversations within the public service.

In-person outreach helps members of the public be more comfortable approaching us about fairness matters, which can be sensitive and very personal. For many people, it is easier to call or email an Office about something that is hard to talk about if they have met a person who works there in a more informal setting, or if they are referred by someone they know who has met one of us. In other words, in person outreach makes our services more accessible, which is a fairness standard the Office should be modelling. As is detailed in the inquiries and complaints section of this report, we can see a direct correlation between our outreach activities in Inuvik since 2021, and the relative number of inquiries coming from the Beaufort Delta region. There is an opportunity to build on this in other regions and in smaller communities which account for fewer inquiries.

As the Office becomes more familiar to more members of the public, it will need to be able to meet increased demand for services or risk losing trust and credibility. With the recent addition of administrative fairness to the GNWT's **Code of Conduct**, which we welcome wholeheartedly, the Office will also need to be ready to provide more training and support to public servants to help them put principles into practice.

Fairness in Times of Disaster

"It is never more important than in times of crisis for government agencies to be transparent, accountable, and fair." – New Zealand Chief Ombudsman Peter Boshier

In last year's report, I wrote about the impact of the 2022 flood on our Office. In 2023 our physical office was again closed for a total of approximately 7 weeks over the two wildfire-related evacuations, although we were able to continue to provide limited services remotely thanks in part to the hospitality of our friends at Alberta Ombudsman. As during most of my mandate I was a resident of the Paradise Valley area of Hay River, which was hit hard by both the May 2022 flood and the August 2023 wildfire, these events struck particularly close to home.

The Northwest Territories is not alone in experiencing extreme climate-related events, and ombudsman everywhere are turning their minds to how to apply principles of fairness in these challenging circumstances. Climate change is one of the themes for the International Ombudsman Institute conference coming up in May of this year. In recent months, both the New Zealand Chief Ombudsman and British Columbia Ombudsperson have issued reports on climate-related events.¹

We have not done our own investigation or engagement process into the GNWT's response to the flood and fire events of the last few years. However, both the New Zealand and British Columbia reports provide observations and statements of principle that I believe are as relevant to administrative fairness in the Northwest Territories as anywhere.



¹ New Zealand Ombudsman, *Insights and Observations: The Chief Ombudsman's Report on Extreme Weather Events 2023* <https://www.ombudsman.parliament.nz/sites/default/files/2023-12/Extreme%20weather%20Insights%20and%20Observations%20Report%202023%20web%20version.pdf>; British Columbia Ombudsperson, *Fairness in a Changing Climate* <https://bcombudsperson.ca/fairness-changing-climate>

The following are my key takeaways from these reports:

Extreme weather events like floods and wildfires should no longer be considered novel or isolated events, and authorities should expect them and plan for them.

Planning needs to be done in a people-centred manner and in collaboration with Indigenous authorities.

Authorities need to think ahead and plan for equity and accessibility. Some people are more vulnerable than others during a disaster. For example, standing in a long line to access a service might be an inconvenience for many members of the public, but could be a total barrier for some elders, caregivers, and people with physical or cognitive disabilities. Some people will not have access to online banking or digital devices or know how to use them, and some people will not have access to transportation to get to service delivery points on their own. Some people will have additional needs for reasons such as medical conditions and caregiving responsibilities.

Authorities need to think ahead and plan for cultural sensitivity. This might include considering collective needs, such as space for cultural practices, as well as cultural safety for individuals accessing supports.

Even the best plan will fail to anticipate some problems. Authorities need to be prepared to be flexible in how they deliver supports to adapt to unexpected issues.

As in any other service area, unclear rules and processes, lack of procedural fairness, such as the opportunity to correct errors and misunderstandings, and inadequate reasons and explanations can make decisions seem arbitrary.

Authorities need to stay on top of communication. In the era of social media, communication vacuums do not stay empty for long. This can lead to rumours and misinformation and increased stress and uncertainty for the public.

Getting the right support and resources in a timely manner can go a long way to reducing the trauma and stress of extreme events. Unfairness that occurs during and after disasters, including lack of clear and consistent communication from authorities, barriers to accessing services, unreasonable delays, inflexible policies and practices, lost paperwork and poor record-keeping, unclear rules and procedures, lack of transparent, consistent, and efficient decision-making, and lack of meaningful review and appeal processes, can exacerbate uncertainty and mental health impacts, and retraumatize individuals and communities.

As in any other service area, the fairness standards of continuous improvement and accountability apply. Authorities should welcome complaints about their emergency and disaster recovery supports and have a clear and meaningful process to receive and respond to them. Complaints are a source of information that authorities can and should use to help identify and remedy systemic issues.

I hope that these observations and principles will help authorities and decision-makers as they prepare for future disasters.

Colette Langlois
Ombud



Message de la protectrice du citoyen

Le présent rapport couvre la période qui s'étend du 1er avril 2023 au 31 mars 2024.

Vous y trouverez des renseignements sur notre Bureau, sur l'équité administrative et sur notre approche, ainsi que des descriptions des activités que nous avons réalisées au cours de la dernière année (demandes de renseignements, traitement des plaintes et activités d'éducation et de sensibilisation du public) et des détails sur nos finances.

Le premier mandat de cinq ans du Bureau se terminera le 7 avril 2024, peu après la clôture de l'exercice financier. Comme je quitterai mes fonctions au courant de l'été, il s'agira de mon dernier rapport annuel.

Consciente du travail, du dévouement et de l'espoir qui avaient été nécessaires pour produire la **Loi sur le protecteur du citoyen** de 2018, j'ai indiqué, tôt dans mon mandat, avoir l'impression qu'on me confiait le nouveau-né de quelqu'un. Nous avons depuis franchi plusieurs jalons, et le « bébé » a maintenant l'âge d'aller à la garderie. Un peu comme un petit humain de cinq ans, les éléments de base de notre projet sont là, mais nous avons encore



beaucoup à apprendre et à peaufiner. Nous commençons seulement à porter notre voix et notre message auprès d'une communauté plus large.

Le Bureau du protecteur du citoyen des Territoires du Nord-Ouest a commencé ses activités avec un téléphone cellulaire et des postes de travail temporaires installés sur une table à pique-nique aux chutes Alexandra, dans un cubicule à la bibliothèque publique de Hay River, puis dans l'habitacle de mon Ford Escape 2011. Depuis notre ouverture le 19 novembre 2019 jusqu'au 31 mars de cette année, nous avons clôturé 772 dossiers, mené 10 enquêtes fondées sur des plaintes, puis 3 autres de notre propre initiative. Nous avons ainsi pu émettre 48 recommandations formelles et régler 121 dossiers par résolution précoce.

Nous avons convaincu les autorités de revoir des décisions et de modifier des politiques, des pratiques et des communications pour les rendre plus équitables et plus centrées sur les personnes, avons fourni des réponses et des explications aux gens, avons aidé à réparer des relations, fait avancer des dossiers qui étaient bloqués,

avons élargi des perspectives, avons signalé des formulations peu claires et des manquements aux politiques ou aux lois, avons aidé les gens à s'orienter vers le bon service ou la bonne procédure, nous nous sommes penchés sur les préoccupations des gens et leur avons expliqué quand et pourquoi nous jugions que leur situation ne relevait pas d'une injustice, et nous avons passé des milliers d'heures à écouter.

Bien que notre programme de sensibilisation et d'éducation ait commencé sur le tard, à l'exercice 2023-2024, nous disposons d'un séminaire de formation sur l'équité administrative pour les fonctionnaires, d'une présentation interactive destinée aux élèves du secondaire, et de dépliants et d'affiches à

jour dans les 11 langues officielles, tous conçus-aux-TNO. Nous avons installé des tables lors de plusieurs événements publics, organisé des rencontres, livré des présentations et frappé aux portes de dizaines de bureaux gouvernementaux et d'organisations non gouvernementales (ONG) pour nous présenter.

Rien de tout cela n'aurait été possible sans le personnel actuel et passé du Bureau. Cette équipe est la plus dévouée et la plus enthousiaste avec laquelle j'ai eu la chance de travailler, et elle a toute ma gratitude et ma reconnaissance.

L'année dernière, j'ai exprimé mon inquiétude, car deux postes ne suffisent pas pour que le Bureau puisse mener à bien l'ensemble de son mandat de règlement des plaintes, d'enquêtes de sa propre initiative, ainsi que d'éducation et de sensibilisation du public. Cette année, je suis encore plus préoccupée, notamment en raison de l'augmentation de 45 % du nombre de demandes adressées à notre Bureau depuis 2022-2023, et de la demande pour nos nouvelles offres de formation et de présentation.

L'augmentation du nombre de demandes de renseignements et d'accès à nos services est une bonne chose. Cela signifie

que nous avons accompli des progrès considérables pour informer le public au sujet de notre Bureau, bâtir la confiance avec notre clientèle, et pour inscrire l'équité administrative dans le quotidien de la fonction publique.

La sensibilisation en personne aide les membres du public à se sentir plus à l'aise lorsqu'ils s'adressent à nous pour des questions d'équité, qui sont parfois délicates et très personnelles. Pour de nombreuses personnes, il est plus facile de téléphoner ou d'envoyer un courriel à un bureau au sujet d'une question difficile à aborder si elles ont rencontré quelqu'un qui y travaille dans un cadre plus informel, ou si elles sont orientées par une personne qu'elles connaissent et qui a rencontré l'un d'entre nous. En d'autres mots, la sensibilisation en personne rend nos services plus accessibles. Il s'agit d'une norme en matière d'équité dont devrait s'inspirer le Bureau. Comme l'indique la

section du présent rapport consacrée aux demandes et aux plaintes, il existe une corrélation directe entre nos activités de sensibilisation à Inuvik depuis 2021 et le nombre relatif de demandes émanant de la région de Beaufort-Delta. Nous avons donc l'occasion d'en tirer parti dans d'autres régions et dans les petites communautés, où les demandes sont moins nombreuses.

À mesure que le Bureau se fait connaître d'un plus grand nombre de personnes, il devra être en mesure de répondre à une demande accrue de services, au risque de perdre la confiance et la crédibilité dont il jouit. Avec l'ajout récent du principe de l'équité administrative au Code de conduite du gouvernement du Territoires du Nord-Ouest (GTNO), que nous saluons pleinement, le Bureau devra également être prêt à fournir davantage de formation et de soutien aux fonctionnaires pour les aider à mettre les principes d'équité en pratique.

¹ Protecteur du citoyen de la Nouvelle-Zélande, *Insights and Observations: The Chief Ombudsman's Report on Extreme Weather Events 2023* (en anglais) : <https://www.ombudsman.parliament.nz/sites/default/files/2023-12/Extreme%20weather%20Insights%20and%20Observations%20Report%202023%20web%20version.pdf>; Protecteur du citoyen de la Colombie-Britannique, *Fairness in a Changing Climate* (en anglais) : <https://bcombudsperson.ca/fairness-changing-climate>

L'équité en période de catastrophe

« Il n'est jamais plus important qu'en temps de crise pour les organismes gouvernementaux d'être transparents, responsables, et justes. »

– Peter Boshier, protecteur du citoyen en chef de la Nouvelle-Zélande

Dans le rapport de l'année dernière, j'ai parlé des répercussions des inondations de 2022 sur notre Bureau. En 2023, nos locaux ont de nouveau été fermés pendant environ sept semaines en raison des deux évacuations liées aux feux de forêt, bien que nous ayons pu continuer à fournir des services limités à distance grâce, en partie, à l'hospitalité de nos amis du Protecteur du citoyen de l'Alberta. J'ai résidé pendant la majeure partie de mon mandat dans le quartier de Paradise Valley à Hay River, qui a été durement touché par l'inondation de mai 2022 et par les feux de forêt d'août 2023; ces événements m'ont donc particulièrement affectée.

Les Territoires du Nord-Ouest ne sont pas le seul endroit à affronter des événements climatiques extrêmes, et les protecteurs du citoyen partout dans le monde réfléchissent à la manière d'appliquer les principes d'équité dans ces circonstances difficiles. Le changement climatique est l'un des thèmes de la conférence de l'Institut international de l'Ombudsman qui se tiendra en mai 2024. Ces derniers mois, le Protecteur du citoyen en chef de la Nouvelle-Zélande et le Protecteur du

citoyen de la Colombie-Britannique ont tous deux publié des rapports sur des événements liés au climat¹.

Nous n'avons pas mené notre propre enquête ni notre propre processus d'échange sur la réponse du GTNO aux inondations et aux incendies de ces dernières années. Les rapports de la Nouvelle-Zélande et de la Colombie-Britannique contiennent cependant des observations et des déclarations de principe qui, selon moi, sont tout aussi pertinentes pour l'équité administrative aux Territoires du Nord-Ouest que partout ailleurs.



¹ Protecteur du citoyen de la Nouvelle-Zélande, *Insights and Observations: The Chief Ombudsman's Report on Extreme Weather Events 2023* (en anglais) : <https://www.ombudsman.parliament.nz/sites/default/files/2023-12/Extreme%20weather%20Insights%20and%20Observations%20Report%202023%20web%20version.pdf>; Protecteur du citoyen de la Colombie-Britannique, *Fairness in a Changing Climate* (en anglais) : <https://bcombudsperson.ca/fairness-changing-climate>

Voici les principales conclusions que je tire de ces rapports :

Les phénomènes météorologiques extrêmes comme les inondations et les feux de forêt ne doivent plus être considérés comme des événements nouveaux ou isolés, et les autorités doivent s’y attendre et s’y préparer.

La planification doit être axée sur les populations et réalisée en collaboration avec les autorités autochtones.

Les autorités doivent être prévoyantes et planifier des mesures visant l'équité et l'accessibilité. Certaines personnes sont plus vulnérables que d'autres en temps de sinistre. Par exemple, une longue file d'attente pour accéder à un service peut être un désagrément pour de nombreux citoyens, tandis que pour certaines personnes âgées, certains soignants et certaines personnes souffrant de handicaps physiques ou cognitifs, il peut s'agir d'un véritable obstacle. Certaines personnes n'auront pas accès à des services bancaires en ligne ou à des appareils numériques ou ne sauront pas comment les utiliser, et d'autres n'auront pas accès à des moyens de transport pour se rendre par eux-mêmes aux points de prestation de services. Certaines personnes auront des besoins supplémentaires pour d'autres raisons comme leur état de santé ou leurs responsabilités d'aidant.

Elles doivent également être prévoyantes et planifier en tenant compte de la sensibilité culturelle. Il peut s'agir de prendre en compte les besoins collectifs, en organisant notamment de l'espace pour les pratiques culturelles, et en veillant à la sécurité culturelle pour les personnes qui bénéficient de leur soutien.

Même la meilleure planification ne parviendra pas à prévoir tous les problèmes. Les autorités doivent être prêtes à faire preuve de souplesse dans la manière dont elles fournissent du soutien afin de s'adapter aux imprévus.

Comme dans tout autre domaine de service, le manque de clarté des règles et des procédures, l'absence d'équité procédurale, comme la possibilité de corriger les erreurs et les malentendus, et l'insuffisance des motifs et des explications peuvent donner l'impression que les décisions sont arbitraires.

Les autorités doivent communiquer de manière proactive et irréprochable. À l'ère des médias sociaux, les vides communicationnels ne restent pas longtemps. La situation peut faire naître des rumeurs ou favoriser la circulation d'information erronée, et augmenter le stress et l'incertitude du public.

Le fait d'obtenir le soutien et les ressources nécessaires en temps opportun peut grandement contribuer à réduire le traumatisme et le stress liés aux événements extrêmes. Les injustices qui se produisent pendant et après une catastrophe, notamment le manque de communication claire et cohérente de la part des autorités, les obstacles à l'accès aux services, les retards déraisonnables, la rigidité des politiques et des pratiques, la perte de documents et la mauvaise tenue des dossiers, l'inintelligibilité des règles et des procédures, le manque de transparence, de cohérence et d'efficacité dans la prise de décisions, et l'absence de processus d'examen et d'appel pertinents, peuvent exacerber l'incertitude et les effets sur la santé mentale, et traumatiser à nouveau les personnes et les communautés.

Comme dans tout autre domaine de service, les normes d'équité en matière d'amélioration continue et de responsabilité s'appliquent. Les autorités doivent accueillir favorablement les plaintes concernant leurs mesures d'urgence et de reprise après un sinistre et disposer d'une procédure claire et pertinente pour les recevoir et y répondre. Les plaintes sont une source d'information que les autorités peuvent et doivent utiliser pour aider à identifier et à résoudre les problèmes systémiques.

J'espère que ces observations et ces principes aideront les autorités et les décideurs à se préparer aux futures catastrophes.

Colette Langlois
Protectrice du citoyen

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Executive Summary

The Office of the Ombud is an independent office of the Legislative Assembly that speaks up for fairness in territorial government administration and services. We listen to and investigate complaints from people who feel they have been treated unfairly by territorial authorities. We can also investigate matters on our own initiative without receiving a specific complaint. We work to find fair solutions and to help improve government services. Our mandate also includes public education on the role of the Ombud and the principles of administrative fairness.

Administrative fairness is the standard of conduct that government organizations in a democratic society owe to people. It includes principles about fair decisions (what is decided), fair processes (how it is decided), and fair services (how the person was treated).

From April 1, 2023 to March 31, 2024, the Office received 242 inquiries, of which 228 were case files (potential complaints) and 54 progressed to the complaint stage. This represents a 45% increase in the number of case files from 2022/2023, and a 43% increase from our previous 3 year average of 167. The number of files progressing to the complaint stage is more than double the number from 2022/2023.

We completed 1 complaint-related investigation, resulting in 5 recommendations which were accepted by the authority. We did not complete any own-motion investigations, however 3 were initiated in 2023/2024 and were nearing conclusion at fiscal year end.

Over time, we have seen changes in the geographic distribution of case files toward a better match with the population distribution in each region. These changes suggest our in-person outreach efforts are having an impact, particularly in Yellowknife and the Beaufort-Delta region. However, we still do not receive as many inquiries as we might expect based on population alone from communities outside of regional

centres and Yellowknife, particularly in the North Slave and Sahtu regions. This suggests to us that we need to put more effort into building relationships with those communities to ensure our services are genuinely accessible to all NWT residents.

In 2023-2024 we delivered 8 of our new ***Working Together for Fairness*** workshops for public servants. The course, which we developed in-house and launched in March of 2023, is an interactive program designed to help participants further their knowledge of administrative fairness and the principles of fair service, fair decisions, and fair process.

We also began offering a presentation we developed specifically for secondary students on administrative fairness. The presentations were given at 2 Hay River schools and 1 Fort Simpson school.

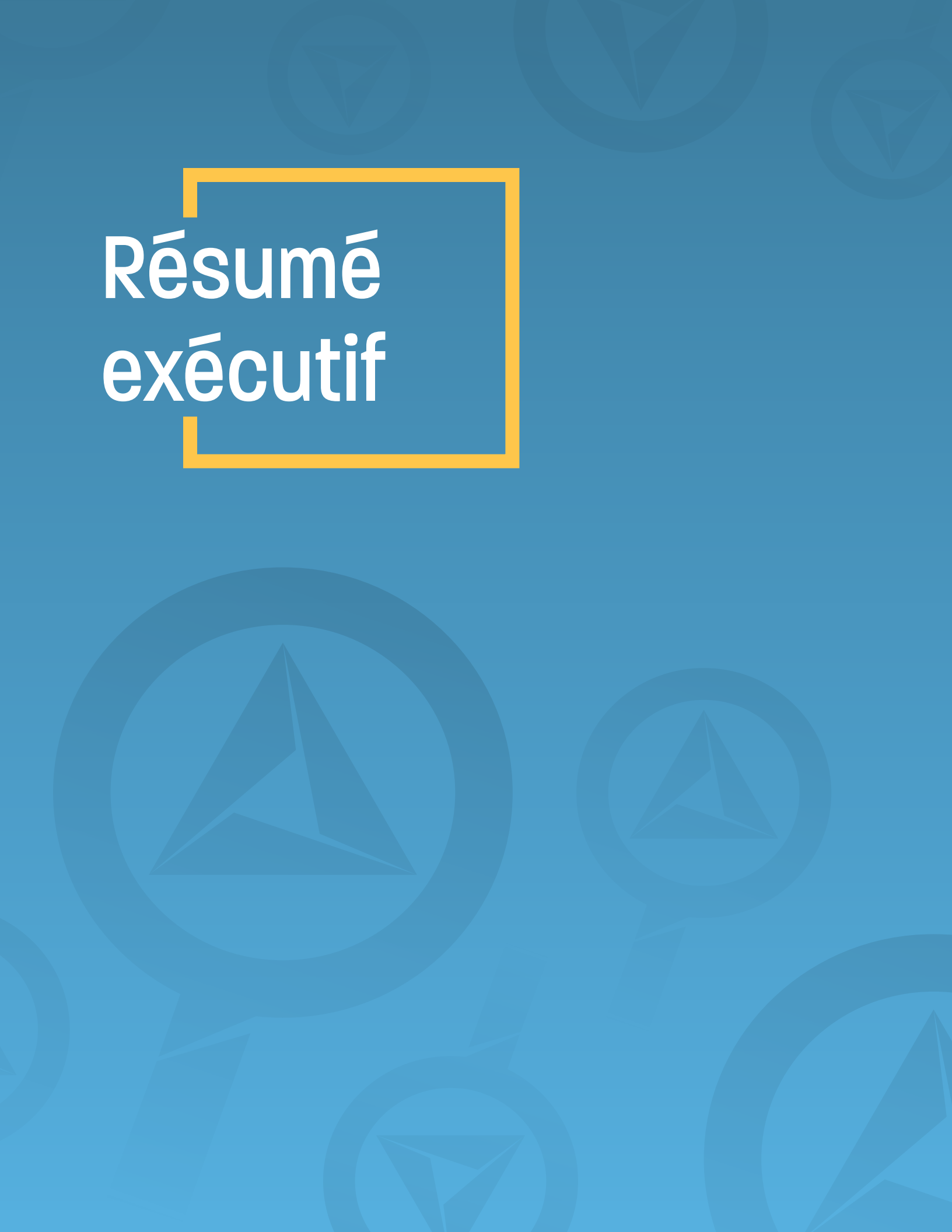
Our public outreach events included tables at Folk on the Rocks and a Newcomers' Welcome Evening in Yellowknife, the Christmas Craft Sale in Inuvik, and a "meet and greet" with the Ombud in Whati. We also participated in the 2024 NWT Association of Communities annual general meeting which was held in Hay River.

This year we launched a revised general information pamphlet and poster series in all 11 official languages. We took as many opportunities as possible to deliver the pamphlets and posters to agencies and offices in person, which also allowed us to

introduce ourselves to more people and organizations informally.

The Ombud submitted two special reports to the Legislative Assembly: ***Investigation Updates***, which provided a status report on the implementation of recommendations from two of our earlier investigations, and ***Recommendations for Amendments to the Ombud Act***.

Résumé exécutif



Le Bureau du protecteur du citoyen est un bureau indépendant de l'Assemblée législative qui défend l'équité au sein de l'administration et des services gouvernementaux territoriaux. Il reçoit les plaintes de citoyens qui estiment avoir été traités de façon injuste par les organismes territoriaux et mène des enquêtes sur ces plaintes. Nous pouvons également faire enquête de notre propre initiative, sans avoir reçu de plainte. Le Bureau recherche des solutions dans le but d'améliorer les services gouvernementaux. Son mandat comprend également la sensibilisation du public au rôle du Protecteur du citoyen et aux principes d'équité administrative.

L'équité administrative est une norme de conduite que les organismes gouvernementaux d'une société démocratique sont tenus d'adopter. Elle inclut des principes relatifs aux décisions équitables (ce qui est décidé), aux procédures équitables (comment la décision est prise) et aux services équitables (comment la personne est traitée).

Entre le 1er avril 2023 et le 31 mars 2024, le Bureau a reçu 242 demandes, dont 228 sont devenues des dossiers à traiter (plaintes potentielles) et 54 ont atteint le stade de la plainte. Ces données

représentent une augmentation de 45 % du nombre de dossiers par rapport à l'exercice 2022-2023, et une augmentation de 43 % par rapport à notre moyenne triennale précédente de 167 dossiers traités. Le nombre de dossiers passant au stade de la plainte a plus que doublé par rapport à 2022-2023.

Nous avons mené à bien une enquête sur une plainte, qui a donné lieu à cinq recommandations acceptées par l'autorité concernée. Nous n'avons achevé aucune enquête lancée de notre propre initiative, mais les trois que nous en avons lancées en 2023-

2024 étaient sur le point d'être conclues à la fin de l'exercice.

Au fil du temps, nous avons constaté des changements dans la répartition géographique de la provenance des dossiers, qui correspond mieux à la répartition de la population dans chaque région. Ces changements suggèrent que nos efforts de sensibilisation en personne ont eu des répercussions, en particulier à Yellowknife et dans la région de Beaufort-Delta. Nous ne recevons cependant toujours pas autant de demandes d'enquêtes que nous pourrions l'espérer sur la base de la seule population des collectivités situées en dehors des centres régionaux et de Yellowknife, en particulier dans les régions du Slave Nord et du Sahtu. Cela nous amène à penser que nous devons redoubler d'efforts pour établir des relations avec ces collectivités afin de garantir que nos services soient réellement accessibles à tous les résidents des TNO.

En 2023-2024 nous avons offerts huit cours *Ensemble pour l'équité*, notre nouvel atelier, pour les fonctionnaires. Le cours, que nous avons élaboré à l'interne et lancé en mars 2023, est un programme interactif conçu pour aider les participants à approfondir leurs connaissances de l'équité administrative et des principes d'équité de service, de décisions et de processus.

Nous avons également commencé à proposer une présentation sur l'équité administrative que nous avons créée

précisément pour les élèves du secondaire. Les présentations ont eu lieu dans deux écoles de Hay River et dans une école de Fort Simpson.

Nos activités de sensibilisation du public comprenaient des kiosques à Folk on the Rocks et lors d'une soirée d'accueil des nouveaux arrivants à Yellowknife, la participation à une vente d'artisanat de Noël à Inuvik et une rencontre avec le Protecteur du citoyen à Whatì. Nous avons également participé à l'assemblée générale annuelle 2024 de la NWT Association of Communities (Association des collectivités des TNO) qui a eu lieu à Hay River.

Cette année, nous avons introduit une série révisée de dépliants et d'affiches de renseignements généraux dans les 11 langues officielles. Nous avons profité du plus grand nombre d'occasions possible pour remettre en personne ces dépliants et ces affiches aux organismes et aux bureaux, ce qui nous a également permis de nous présenter à un plus grand nombre de personnes et d'organisations de manière informelle.

Le Protecteur du citoyen a présenté deux rapports spéciaux à l'Assemblée législative : *Mises au point sur les enquêtes*, qui fait le point sur l'état d'avancement de la mise en oeuvre des recommandations issues de deux de nos enquêtes précédentes, et *Recommandations pour la modification de la Loi sur le protecteur du citoyen*.

About the Office of the Ombud

We are an independent office of the Legislative Assembly that speaks up for fairness in territorial government administration and services.

We listen to and investigate complaints from people who feel they have been treated unfairly by territorial authorities. We can also investigate matters on our own initiative without receiving a specific

complaint. We work to find fair solutions and to help improve government services.

Our mandate includes public education on the role of the Ombud and the principles of administrative fairness.

Jurisdiction of the Office of the Ombud

The Ombud can look into “matters of administration”. Administrative matters include most of the day to day dealings people have with employees of territorial government departments and agencies. Administrative matters do not include, for example, political matters like Cabinet and MLA decisions, decisions by the courts, actions by lawyers who are representing the government, or clinical decisions by health care professionals, such as diagnosis and treatment decisions.

The Schedule to the *Ombud Act* sets out the government departments and agencies that are within the Ombud’s jurisdiction, and includes GNWT Departments, Housing NWT, education, health, and housing authorities, and many other agencies. With the coming into force of Bill 61 *An Act to Amend the Ombud Act* on July 1, 2023, the Ombud’s jurisdiction now includes a number of other territorial public agencies such as housing associations and the rental office.

We cannot investigate:

- Federal government departments or agencies
- Indigenous governments
- Municipal governments
- MLAs
- Legislative Assembly and Executive Council
- Courts
- Police
- Private businesses and individuals

Who We Are

The Office of the Ombud is located in Hay River, and is made up of (from left to right) Colette Langlois, Ombud, Michelle Staszuk, Senior Early Resolution Officer and Investigator, and Ian Thiesson, Early Resolution and Education Officer. Chad Kruger (not in the photo) completed his internship with us in May 2023, and left the office in October 2023.

Photo credit: Marilyn Marshall



How We Do Our Work

We listen.

When people first contact us, we want to know which organization their concern is about and what happened. We ask about what they have already tried to fix the situation, and what they would like to have happen.

The answers to our questions help us to know whether the matter is something that we can look into, and whether there are other options that might fix the problem faster. For example, if people have not

contacted anyone within the government authority about the problem, or if there is an appeal process they have not tried, we usually ask them to do that first. If that does not work out, we let them know to contact us again.

Our intake process is confidential. We do not share your name or information, or take action on your complaint, without your consent.

We help navigate.

Sometimes bureaucracy can be confusing or intimidating. It is not always easy to know where to start. We can help point you in the right direction. We often refer people to contacts or processes within government authorities that they might not have been

aware of and that can fix some problems. We also refer people to other services and complaint processes for matters that are outside of our mandate.

We work with people to solve problems.

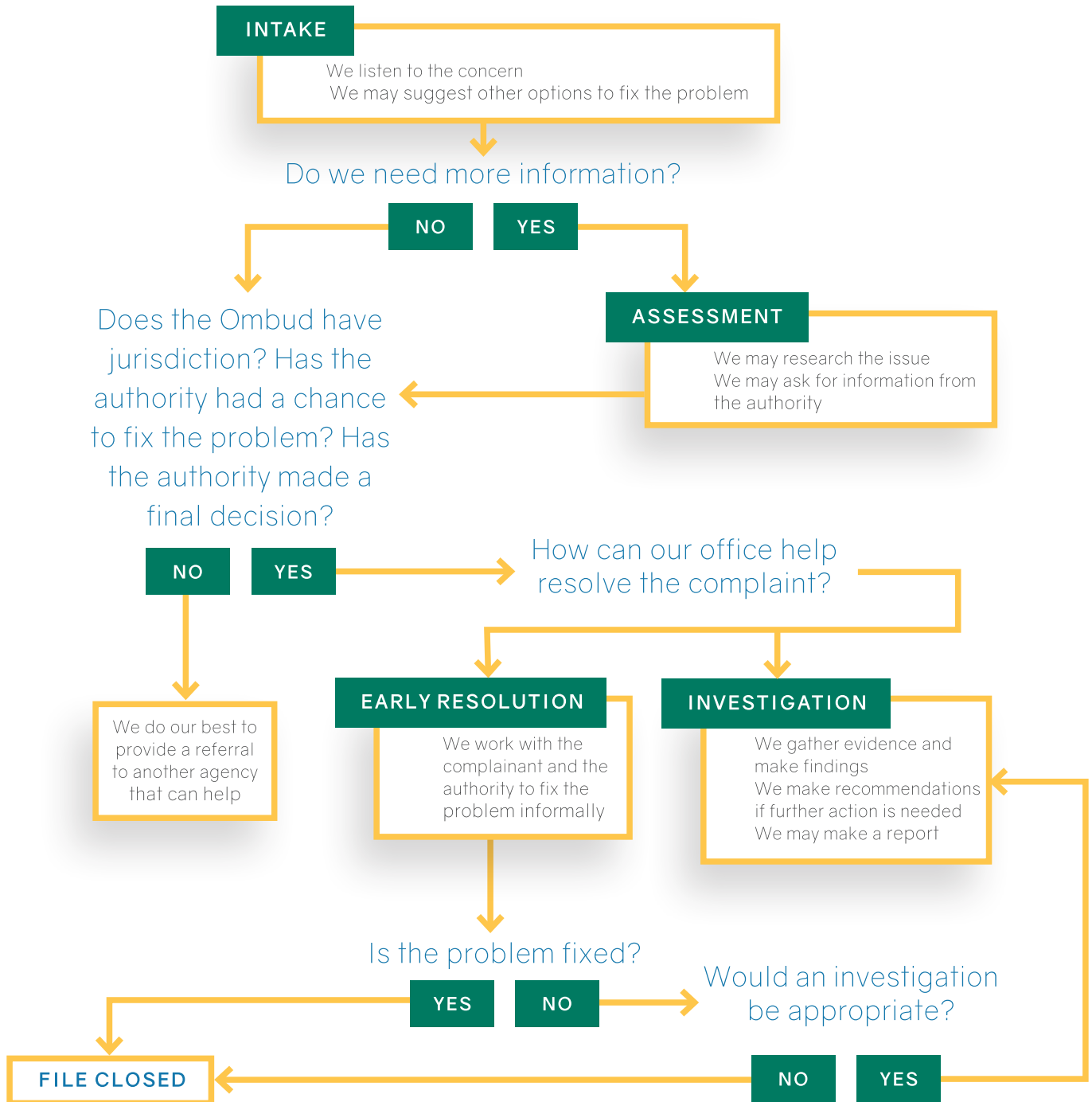
People and government authorities are not always able to work out problems themselves. If the matter is within our mandate, we see what we can do to help solve the problem. Our Office does not take sides with either the complainant or the public authority. Our role is to speak up for fairness.

We can often fix problems informally through our early resolution process. Early resolution involves listening to both sides, asking questions, gathering information, and discussing options.

Sometimes we decide we need to do a more formal investigation. We make

this decision based on a number of considerations, including the kind of evidence we think we will need to get to the bottom of the matter, and whether we think formal recommendations might be appropriate. At the end of an investigation, we let the person who made the complaint and the government authority know what our findings were. Depending on the outcome of the investigation, we might then make recommendations to fix the problem. If the government authority does not take action, we may make a report to the Legislative Assembly.

Our Process



About Administrative Fairness

The Ombud is an advocate for administrative fairness.

What does that mean?

Every day, government organizations take actions and make decisions that affect many areas of people's lives. Administrative fairness is the standard of conduct that government organizations in a democratic society owe to people.

Government organizations are expected to treat people fairly and reasonably. For example, they need to follow rules, provide clear information about processes

and decisions, and deal with people with honesty and respect.

Although there is no single definition of fairness, there are some basic principles and practices that can help to describe it.

The Fairness Triangle: Three Aspects of Fairness²

Decision

What was decided?

- Did government have the legal authority to make the decision?
- Was the decision based on relevant information?
- Was the decision oppressive or unjust?
- Was the decision wrong in fact or law?

Process

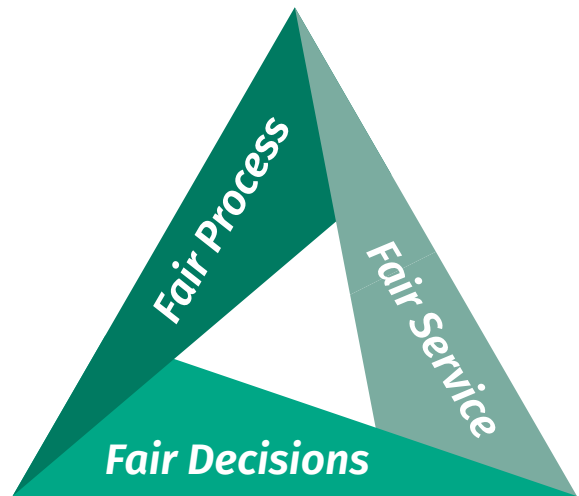
How was it decided?

- Was the person given enough information to know what was required?
- Was the person given an appropriate chance to present their views?
- Did government take the time to listen?
- Did government provide reasons for decisions?
- Was the decision made within a reasonable time?
- Was the decision-maker unbiased?

Service

How was the person treated?

- Was government approachable?
- Was confidentiality respected?
- Was government honest and forthright?
- Did government offer an apology if a mistake was made?



Fairness is not always simple. Context is important in deciding whether something is fair. Fairness does not mean that government has to agree to every request, or treat everyone exactly the same.

² This section is based on materials developed by Ombudsman Saskatchewan. The Fairness Triangle was developed by Ombudsman Saskatchewan from the concept of the satisfaction triangle, in: Moore, Christopher (2003). *The Mediation Process: Practical Strategies for Resolving Conflict* (3rd ed.). San Francisco: Jossey-Bass Publishers.

A yellow graphic element consisting of a thick line forming a bracket shape that frames the text. It starts with a vertical line on the left, extends horizontally to the right, then drops vertically down, and finally extends horizontally back to the left, creating a partial frame around the text.

2023/2024

2023/2024

Inquiries and Complaints

Inquiries include all contacts to the Office about general information requests and case files (potential complaints).

Complaints are those matters where our Office intervenes by initiating either an early resolution process or an investigation. Many inquiries are resolved before they reach the complaint stage.

Administrative suggestions are suggestions made to authorities in writing to informally resolve a situation and/or to prevent similar situations from recurring. They are less formal than recommendations, which would be provided in a report following an investigation.

Own-motion investigations are investigations that are started on the Ombud's initiative and are not limited to a specific complaint.

From April 1, 2023 to March 31, 2024, the Office received 242 inquiries, of which 228 were case files and 54 progressed to the complaint stage. As of fiscal year-end, 10 complaint files remained open. We made 1 administrative suggestion, which was accepted. We closed 221 files (including 3 files carried over from the previous fiscal year).

This represents a 45% increase in the number of case files from 2022/2023, and a 43% increase from our previous 3 year average of 167. The number of files progressing to the complaint stage is more than double the number from 2022/2023. At least some of this increase is likely attributable to the previous fiscal year being the first one in which we were able to do in-person outreach without any public health restrictions. This allowed us to reach many more individuals directly as well as other service providers who now know they can refer people to us.

We completed 1 complaint-related investigation, resulting in 5 recommendations which were accepted by the authority. We did not complete any own-motion investigations, however 3 were

initiated in 2023/2024 and were nearing conclusion at fiscal year end.

Numbers are a useful indicator, but they do not tell the whole story. In addition to receiving more inquiries overall, we are also seeing a qualitative increase in their complexity in terms of both the issues raised and complainants' needs. It should not be assumed that case files that do not reach the complaint stage are quickly and easily addressed. While this is true in a few situations, in others it can still take hours of research and/or several discussions or written exchanges with a highly emotional complainant to ensure we fully understand the concerns and issues they are bringing to us and can identify appropriate referrals or help them navigate to the right program or service.

2023/2024 Inquiries

| 2023/2024 INQUIRIES | CARRIED OVER /OPENEND | CLOSED | CARRIED OVER TO NEXT FISCAL YEAR | |
|--|-----------------------|------------|----------------------------------|---|
| Carried over from previous fiscal year | 3 | 3 | 0 | |
| Information Requests | 14 | 14 | 0 | |
| Case Files | 228 | 218 | STATUS AT YEAR END | |
| | | | At intake | 1 |
| | | | At early resolution | 7 |
| | | | At investigation | 2 |
| TOTAL | 245 | 235 | | |

Case Files (Potential Complaints) by Location

Over time, we have seen changes in the geographic distribution of case files toward a better match with the population distribution in each region. This is not a perfect measure, and exact alignment between the number of case files and respective population is not the goal. For one thing, we cannot assume that administrative unfairness is evenly distributed around the NWT at any given time. There are other reasons why there might be differences between communities and regions. For example, we would always expect there to be a slightly lower number of complaints from

Yellowknife because of the increased presence of other organizations that can provide advocacy and/or help solve some of the same problems we do. Residents of the Tłıchǫ region and Délıne where Indigenous self-government agreements have been implemented may have less overall interaction with territorial departments and agencies. From time to time one region might struggle more than others because of a high number of vacancies or other operational challenges specific to that location. We also note that, having opened in late 2019, the Office has yet to experience a true “baseline”

year that is not impacted by one or more local or territorial emergencies. However, the relative numbers over time can still tell us something about the impact of our outreach and communications and where we might need to increase future efforts to ensure our services are genuinely accessible to all NWT residents.

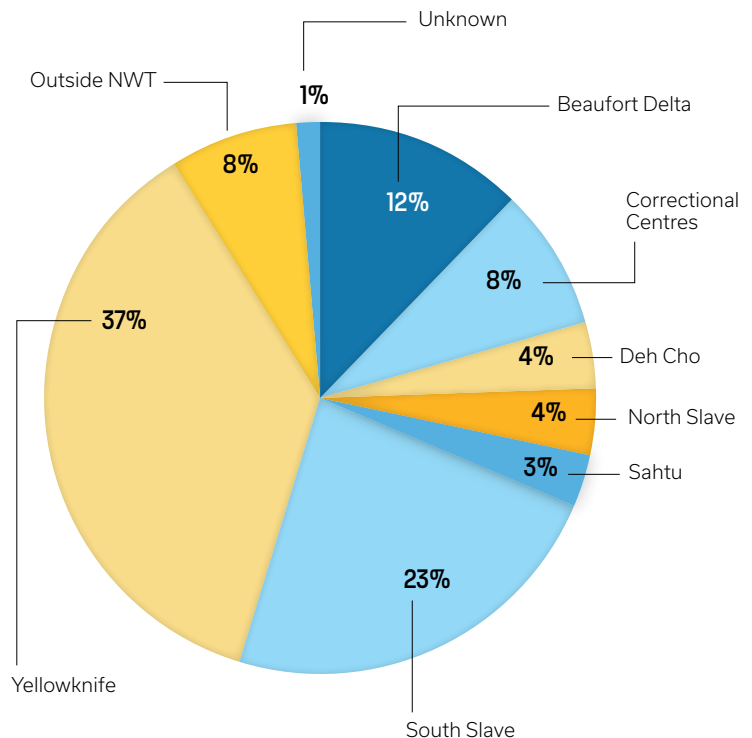
For example, the Beaufort Delta region and Yellowknife represent 15% and 48% of the NWT population respectively.³ In 2020/2021, which was our first full year of operation, only 9% of case files from NWT communities⁴ came from the Beaufort Delta region, and 38% came from Yellowknife. In 2023/2024, the respective numbers were 15% for the Beaufort Delta and 44% from Yellowknife.

During the same period, the percentage of files from Hay River, where the office is located, declined from 23% to a much more reasonable 10% considering that Hay River represents only 8% of the territorial population. The percentage for the South Slave remains high at 28% compared to its 16% share of the NWT population, but this is the result of a larger than would be expected number of complaints from other communities in the region and not Hay River alone.

The Deh Cho region has had on average the same number of complaints as would be expected for its population, although that number fell slightly in 2023/2024. The Sahtu and North Slave regions, where we

Inquiries by Location

| | |
|----------------------|------------|
| Beaufort Delta | 28 |
| Correctional Centres | 19 |
| Deh Cho | 9 |
| North Slave | 9 |
| Sahtu | 7 |
| South Slave | 53 |
| Yellowknife | 83 |
| Outside NWT | 17 |
| Unknown | 3 |
| TOTAL | 228 |



³ July 1, 2022 Population Estimates, NWT Bureau of Statistics.

⁴ This % is from only those case files that came from identifiable NWT communities, and excludes case files from correctional centres, outside of the NWT, and unknown locations.

have done almost no in-person promotion and outreach, have remained consistently underrepresented. While as of 2023/2024 case files are somewhat more evenly distributed from region to region, this is not the case within regions. Regional centres (Fort Simpson, Fort Smith, Hay River, Inuvik, Norman Wells) account for 38% of

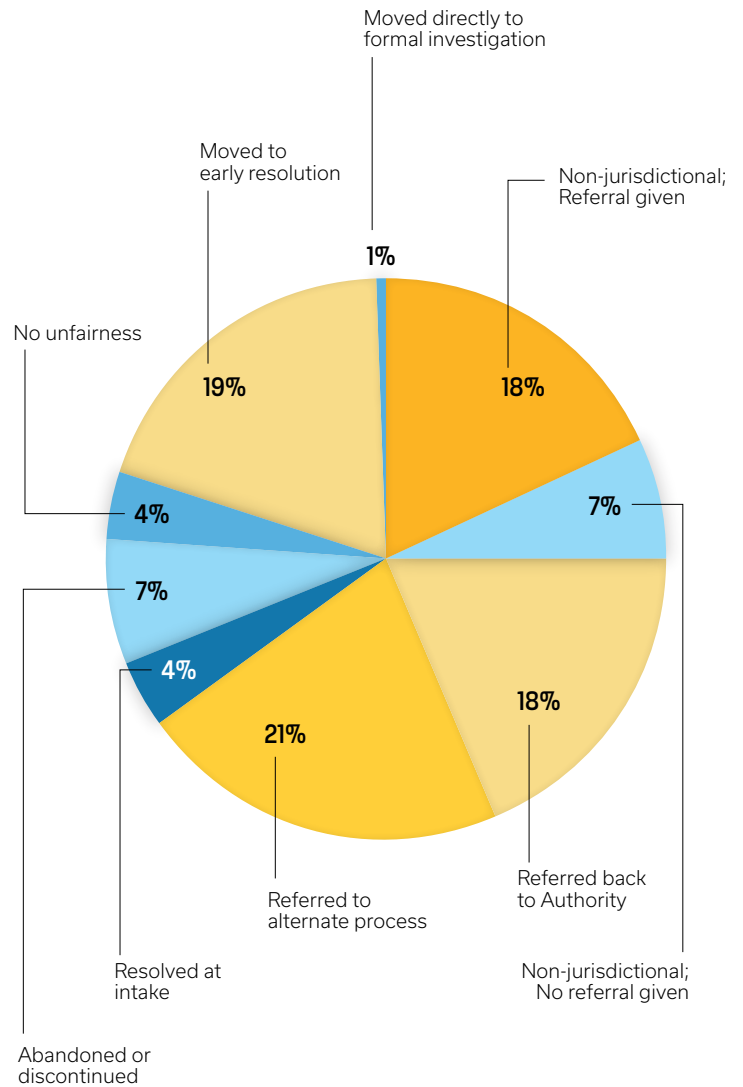
case files with only 25% of the territorial population. Other communities outside of Yellowknife account for only 19% of case files with 26% of the population. This number drops to 11% of case files when one outlier community is removed.

These results suggest three conclusions to us:

1. In-person outreach works. Our greatest success has been in the Beaufort Delta region where we have put a table at a major public event in Inuvik for each of the last three years.
2. We need to make more effort to build relationships with communities outside of regional centres, particularly in the Sahtu and North Slave regions.
3. The geographic location of an office matters a lot for real and perceived accessibility. Even though most residents of the South Slave and nearby Deh Cho communities still contact us by phone or email rather than in person, the relative numbers of case files from Hay River and communities within a few highway hours of “the Hub” remain higher than anywhere else in the territory.

Case Files by Outcome at Intake

| | |
|---|------------|
| NON-JURISDICTIONAL | 57 |
| • Referral given | 41 |
| • No Referral given | 16 |
| JURISDICTIONAL | 170 |
| • Referred back to authority | 42 |
| • Referred to alternate process | 49 |
| • Resolved at intake | 9 |
| • Abandoned or discontinued | 16 |
| • No unfairness | 9 |
| • Moved to early resolution | 44 |
| • Moved directly to formal investigation | 1 |
| STILL AT INTAKE AT FISCAL YEAR END | 1 |
| TOTAL | 228 |



Case Files by Organization

| NON-JURISDICTIONAL | |
|---|-----------|
| • Business | 15 |
| • Federal government | 5 |
| • Indigenous government | 7 |
| • Municipal government | 3 |
| • Non-government organization | 6 |
| • Not a matter of administration | 1 |
| • Other Provincial/Territorial government | 3 |
| • Private Individual | 7 |
| • Professional Association | 0 |
| • Territorial office | 9 |
| TOTAL | 57 |

| JURISDICTIONAL | |
|---|------------|
| • Aurora College | 5 |
| • Business Development & Investment Corporation | 1 |
| • District Education Authority | 1 |
| • Divisional Education Councils | 1 |
| • Education, Culture & Employment | 18 |
| • Environment & Climate Change | 4 |
| • Finance | 26 |
| • Hay River Health & Social Services Authority | 6 |
| • Health and Social Services | 11 |
| • Housing Authority | 9 |
| • Infrastructure | 3 |
| • Housing NWT | 12 |
| • Industry, Tourism & Investment | 3 |
| • Justice | 17 |
| • Lands | 4 |
| • Legal Aid Commission | 5 |
| • Liquor Commission | 2 |
| • Municipal & Community Affairs | 2 |
| • NWT Health & Social Services Authority | 29 |
| • NWT Power Corporation | 1 |
| • Tłı̄ch̄ Community Services Agency | 1 |
| • Workers' Safety & Compensation Commission | 9 |
| • Unspecified/Other | 2 |
| TOTAL | 172 |

Complaints by Outcome*

| RESOLVED AT EARLY RESOLUTION | |
|--|----|
| • Voluntary action by authority | 36 |
| • Abandoned or discontinued by complainant | 0 |
| • No unfairness | 9 |
| INVESTIGATIONS | |
| • Complaint not substantiated | 0 |
| • Complaint substantiated - recommendations | 1 |
| • Complaint substantiated - no recommendations | 0 |
| • Investigation discontinued - voluntary action by authority | 0 |
| STILL OPEN AT FISCAL YEAR END | |
| • In early resolution process | 7 |
| • In investigation process | 2 |
| TOTAL | 56 |

*includes complaint files carried over from 2022/2023

Investigation Timelines

We consider investigations complete as of either 1. the date we notify the complainant and the authority that we are discontinuing the investigation, or 2. the date we provide the complainant and the authority with a final report. We completed one complaint-based investigations in 2022/2023 which took less than one year.

2023/2024

Examples of Our Work

I would still be fighting with them if not for your help.

I finally got the answer from them - six months later. ... I know this would never have happened without [your office]. I would never have heard back from them if [your office] hadn't gotten involved.

Hearing you explain it, it actually does mean a lot more to me than when other people told me the same thing. Because the people at your Office actually talked to me and listened to me.... Everywhere else I went, I never got to talk to anyone, they never wanted to know the whole story, just said put it in writing, and there is so much and it's hard for me to write, so I never could get it all down right, then they just send me a letter back. But you all took the time to talk to me and you looked at everything I had. So what you say means a lot more to me even if I don't agree with all of it. Because I know you actually wanted to understand what happened to me.

I was really feeling awful since it happened. But I'm going to be honest with you, I feel a lot better after talking with you.

Thanks for your active and supportive listening and prompt follow-up.

Your office is always very open-minded and approachable, even if you can't always help me.

I called the place you told me could help, I didn't think they would listen or understand, but they did, and they are going to help me! ... Now I have hope!

These were some of comments we heard from people about our work.

Sometimes people are not sure who to talk to about their concerns and need a referral to point them in the right direction. Sometimes people do not believe gover-

ment is taking their issues seriously. Even if it is too late for them, many people would like problems to be fixed so that the same thing does not keep happening to others. Sometimes people find it hard to trust government and may fear the worst:

that someone is making things difficult for them on purpose. Sometimes government is not clear or transparent enough about its processes and decisions. Sometimes government does not communicate with people in a way that works for them. And sometimes people fall through cracks in the system.

These are all situations where our Office has been able to help through our independent and free of charge services. We do this through referrals, our early resolution process, and our investigation powers. We get information from and speak directly with the officials who can

help us understand what happened and work with us to come up with solutions. This is different from most other processes. As Justice Dickson wrote in the 1984 British Columbia Development Corporation decision, the powers granted to Ombuds allow them “to address administrative problems that the courts, the legislature and the executive cannot effectively resolve.”⁵

The following are a few specific examples of cases that we resolved in 2023/2024. We have changed names to protect people’s privacy.

Example #1

A Fee that Didn't Make Sense

(Early Resolution)

What Happened

Alexa* was surprised to get a bill in the mail for an ambulance ride. Alexa had to use ambulance services regularly because of a medical condition, and she had never had to pay for an ambulance ride before. She knew she had extended health benefits because of her condition. Someone told her this might have happened if the reason for her admission had been incorrectly recorded and didn’t say that it was for something that was caused by her condition. Alexa asked her doctor to make sure her admission records were accurate, thinking that this would solve the problem.

* All names in this section are changed for privacy.

⁵ *British Columbia Development Corporation v. Friedmann (Ombudsman)*, [1984] 2 S.C.R. 447.

Example #1 Continued

However, later that year, Alexa's income tax return and her GST refunds were garnished for repayment of the ambulance bill. Alexa called collections to tell them her extended health benefits should cover the bill. The person got back to her to say they had checked and that her extended health benefits did not cover ambulance rides at all. This didn't make any sense to Alexa. All of her other ambulance rides had been covered, including ones that happened after this one. But every time she tried to insist she had coverage through her extended health benefits, she got the same answer. Meanwhile, her GST refunds continued to be garnished. Not knowing where to turn, Alexa contacted our Office.

What We Did

We found out that what the collections employee told Alexa was correct – her extended health benefits did not cover ambulance rides. However, payment for all her ambulance rides should have been made through a different benefit that she had as a client of the Income Assistance Program (IAP).

We worked with the Department of Health and Social Services (HSS) to pay the ambulance bill. HSS paid the Health Authority that had issued the invoice. We then followed up with the Health Authority to resolve the collections matter.

The Result

Alexa's ambulance bill was paid in full and the garnishment was lifted. The funds already garnished from her were applied towards another debt she had with the Health Authority.

Why this Matters

It can be hard for people to sort out a problem that involves two separate departments or authorities. Each of them may only have partial information about the cause of the problem and what needs to be done to resolve it. What they tell the person may be confusing without the missing pieces that need to come from somewhere else. In these situations, our Office helps coordinate information-sharing between everyone involved to find a path forward.

Example #2

Helping to Understand a Debt

(Early Resolution)

What Happened

Elisha applied for income assistance after not using the program for several years. Once her payments started, she was confused to see that there was an amount of \$50 deducted each month. Her account statements said that \$25 of the deduction was for “overpayment balance” and the other \$25 was for “recovery needs balance”.

Her client service officer told her that these deductions were for benefit overpayments and for rental security deposits going back to 2014, which was the last time she had received income assistance before reapplying.

This didn’t make sense to Elisha. She had never received more than the normal benefit amount in 2014, so didn’t see how she could have been overpaid. She didn’t understand how she could owe a debt for a security deposit when she was still living in the same apartment, and the landlord still had her security deposit. Elisha asked us to help her figure out what was going on.

What We Did

We spoke with Income Assistance Program (IAP) staff and reviewed their policies and legislation, as well as Elisha’s statements from 2014.

We were able to find out that the overpayment happened one month in 2014 when she received her regular income assistance benefit but was not eligible for it because of the income tax refund she also received that month.

The IAP paid the security deposit to Elisha’s landlord when she moved in. Income Assistance provides advance payments of security deposits on behalf of their clients to help them get into housing. However, this is an advance, not a benefit, which means that clients have to pay the IAP back. Like any other tenants, IAP clients are entitled to get their security deposits back from their landlords when they move out.

The IAP normally deducts \$25 a month each for overpayments and recoveries from monthly cheques to avoid the hardship of taking off large amounts all at once. When a

Example #2 Continued

client leaves the IAP, the deductions end. Because Elisha had stopped receiving income assistance in 2014 before her security deposit advance and overpayment were fully recovered, she still had balances owing. Once she came back into the program, ECE started deducting \$50 a month again.

The Result

Elisha could now understand the reasons for the deductions, which gave her peace of mind.

The Office has had several other inquiries about deductions from IAP benefits. One of these led to a full investigation and recommendations to ECE, which ECE accepted. Three of the recommendations were to make client balance statements easier to understand, to develop a procedurally fair way for clients to review their balance statements at least annually, and to develop plain language information about how security deposits work. In future, this will make it easier for clients like Elisha to understand how much they owe IAP and why. ECE has advised that these measures will be implemented along with other program changes later this year.

Why This Matters

Many complaints that come to our Office are the result of communications issues. It is easy for staff who work in a program every day to get in the habit of using jargon terms in documents and in conversations with clients without even realizing it. For clients who are not as familiar with a program, jargon can make it harder to understand important information.

ECE's development of a client account review process and plain language information are two examples of strategies authorities can use to make sure people understand their programs and services

Example #3

Communication in Health Care

(Referral Back to the Authority)

What Happened

Annie came to our Office on behalf of her brother, who had a disability. Annie felt that health workers didn't always understand the best way to communicate with her brother, or the barriers that he faced in providing responses. She was worried that they might miss things that they needed to follow up on with him.

What We Did

We referred Annie to the Office of Client Experience, which was recently created by the Northwest Territories Health and Social Services Authority to help people navigate the health system and have their concerns addressed. The Office of Client Experience also has Indigenous Patient Advocates who can support Indigenous people and their families to receive culturally safe and equitable care.

The Result

Annie contacted the Office of Client Experience. She got in touch with us afterwards to say that it was very positive experience that left her feeling much better about things. In addition to helping with the communications issues, they were able to connect her with some other community programs and resources that might help her brother.

Why This Matters

We try to refer people to the best place to resolve their concerns. The Office of Client Experience and the Indigenous Patient Advocates can be the best place to have concerns like Annie's addressed as they work within the health system to help people navigate the system, to advocate for patients and families, to connect them to services, and to provide them with cultural support. Annie was not aware of their Office before this, and was very happy to find out about them from us.

Example #4

Getting a Straight Answer

(Early Resolution)

What Happened

Alphonse was concerned with the status of his application to NWT Housing. He was being told different things by different workers. He was frustrated and came to our office to see what was really going on and to get a definitive answer.

What We Did

We contacted NWT Housing staff to see what the status of Alphonse's application was. They told us that he had not submitted an application for this year's funding cycle. They told us that he would be eligible if he submitted an application and the steps he needed to take in order to qualify for the program. We got back to Alphonse to clarify that he was still eligible for the program and that he would need to re-apply this year. We also clarified the program details on how to apply.

The Result

Because of our help, Alphonse knew the steps he needed to take in order to apply for the program and better understood how the program worked. He also found out that he would be eligible for the funding program.

Why This Matters

Sometimes people get conflicting information from different employees in the same authority. It can feel like "getting the runaround". When this happens, our Office can look at the matter objectively and get definitive answers to the person's questions. Everyone should have access to consistent and accurate information about programs and services.

Example #5

Disagreeing with a Decision

(Referral Back to the Authority)

What Happened

Cal applied to the Department of Industry, Tourism and Investment (ITI) SEED (Support for Entrepreneurs and Economic Development) program for support for his small business. Cal's application was denied. He disagreed with the verbal reasons ITI gave him, and felt they didn't properly apply to the facts of his situation.

What We Did

We explained to Cal that under the SEED policy, he could appeal the decision by writing to the Assistant Deputy Minister. The information about the appeal process would have been in the decision letter that ITI sent Cal after speaking with him. We told Cal that he needed to go through the appeal process first to see if it could resolve his concerns. If not, he could bring the matter back to our Office afterward.

The Result

Cal appreciated knowing that there was an appeal process for his situation, and what he needed to do to engage in it. Cal was also glad to know that he could come back to our Office if he still had concerns after the conclusion of the appeal process.

Why This Matters

As an office of last resort, we ask people to try other processes that are available to them before we look at their matter. Sometimes people are unaware of those processes or skeptical that they will work. However, when a Department has an internal review or appeal that is designed to deal with complaints in a specific area, it can often be the quickest and most efficient way to have a problem addressed. If it doesn't work out, we can take another look once the review or appeal is over.

Example #6

Finding the Right Ombud

(Referral to an Outside Agency)

What Happened

Sadie was unhappy with how she was being treated by her private insurance company. She had submitted claims for flooding and expenses related to forest fire evacuations. She was being denied by her insurance and didn't know what to do. She came to our office for help.

What We Did

We listened to Sadie's concerns and the reasons she felt this was unfair. We referred Sadie to the General Insurance OmbudService, which provides policy holders with free and impartial help independent from insurance companies.

The Result

Sadie now had the right information to make a complaint about her insurance company.

Why This Matters

Sometimes people bring complaints to our office about issues that we can't help with directly. More often than not, we are able to refer people to another agency that can help with their matter.

2023/2024

Public Education and Outreach

In 2023-2024 we were able to offer several of our new *Working Together for Fairness* workshops to public servants. The course, which we developed in-house and launched in March of 2023, is an interactive program designed to help learners further their knowledge of administrative fairness and the principles of fair service, fair decisions, and fair process. It provides an introduction to concepts like bias, legitimate expectations, discretion, effective decision making, trauma-informed service, and cultural safety.

In 2023-2024 we also began offering a presentation we developed specifically for secondary students on administrative fairness. It includes information about the

role of the Ombud, hands on activities, and fairness case studies that students can discuss either during the presentation itself or in later class time. A total of 32 students attended these presentations at École Boréale and Diamond Jenness schools in Hay River and at Líídlíj Kúę Regional High School in Fort Simpson.

We connected directly with over 200 members of the public at events including Folk on the Rocks and a Newcomers' Welcome Evening in Yellowknife, the Christmas Craft Sale in Inuvik, and a "meet and greet" with the Ombud in Whatì. Unfortunately a planned tour of the Sahtu region with the Languages Commissioner was canceled at the last minute due to

weather. It is hoped that a Sahtu visit can be rescheduled in 2024-2025 as that would have been our first outreach in that region since the Office opened in 2019.

The Office had a booth at the 2024 NWT Association of Communities Annual General Meeting (AGM) in Hay River. The Ombud also hosted a table during the interactive event which provided opportunities for AGM participants to engage in brief small group discussions with representatives of different organizations.

This year we launched a revised general information pamphlet and poster series in all 11 official languages. We took as many opportunities as possible to deliver the pamphlets and posters to agencies and offices in person, which also allowed us to introduce ourselves to more people and organizations.

We also had an online information-sharing meeting with the new Office of Client Experience for the NWT Health and Social Services Authority and received a tour of the Jimmy Erasmus Seniors' home in Behchokò. At least one member of our office has now been to each of the long term care facilities administered by health and social services authorities, which is tremendously helpful for understanding any complaints we receive about them.



Chad Kruger at our Folk on the Rocks booth



NWT Association of Communities AGM



A "Tower of Fairness" from one of our Working Together for Fairness workshops

Fairness Education

A total of 67 public servants completed the Working Together for Fairness workshop. The workshop was offered a total of 8 times, once each in Fort Simpson, Fort Smith, and Inuvik, and 5 times in Yellowknife. Five of the workshops were open registrations, and 3 of the Yellowknife workshops were provided for specific work groups or authorities: BDIC (now Prosper NWT), Industry Tourism and Investment (Mineral Resources Act implementation group), and Executive and Indigenous Affairs (Government Service Officers).

226 employees accessed the Fairness 101 course through the GNWT training platform and 169 confirmed they completed it. Fairness 101 is a one-hour webinar and introduction to administrative fairness that is offered courtesy of the Office of the BC Ombuds-person. Finance has recently made Fairness 101 a requirement for all managers and supervisors as part of the GNWT's management series.

2023/2024

Other Highlights

The Ombud submitted two special reports to the Legislative Assembly. The first, *Investigation Updates*, provided a status report on the implementation of recommendations from two of our earlier investigations on housing assistance programs and property assessment and taxation. Going forward, update reports will help monitor and provide accountability for progress on recommendations that authorities have accepted following our investigations. The second special report, *Recommendations for Amendments to the Ombud Act* sets out 10 recommendations for legislative changes, some of which are carried over from the Ombud's 2019/2020 Annual Report.



With Professor Dahlvik
in Paradise Valley

The Office welcomed Professor Julia Dahlvik from the University Vienna for a brief visit in December 2023. Professor Dahlvik visited us as part of her fieldwork for her research on access to justice in the digital era.

One unexpected positive outcome of the August-September 2023 evacuation of Hay River was that it gave Office staff staying in the Edmonton area an opportunity to get to know their Alberta Ombudsman colleagues in person. Alberta Ombudsman generously provided workspace to our team over several weeks. We will always be grateful for their kindness and friendship.



The NWT Office with Alberta Ombudsman Kevin Brezinski in September 2023

Professional Development

The Ombud participated in the annual Canadian Council of Parliamentary Ombudsman (CCPO) meeting hosted by the Ontario Ombudsman in June 2023, and was elected as a Director to the board of the Forum of Canadian Ombudsman (FCO) for a two year term. The Ombud was scheduled to speak on "Frontiers of Fairness" at the September 2023 United States Ombudsman Association (USOA) conference in Atlanta, Georgia, however was unable to attend because of the wildfire emergency.

The Ombud and staff attended several monthly CCPO webinars hosted by other Canadian offices and completed training in motivational interviewing. Staff also

completed courses in conflict coaching, Thinking Fast and Slow: Strategies and Tools to Enhance Decision-Making, communications, unconscious bias, and conflict theory. One staff member completed the Osgoode/FCO Essentials for Ombuds course. Staff participate in CCPO working groups for Legal Advisors, Deputy Ombudsman and equivalents, and Communications, and occasionally meet formally or informally with officials from other ombudsman offices such as the federal Veterans Affairs Ombudsman and the Taxpayers Ombudsman. They also have access to webinars and other offerings through the FCO and United States Ombudsman Association.

2023/2024

Financials

| ACCOUNT | EXPENDITURES (\$S) |
|-------------------------|-----------------------|
| COMPENSATION & BENEFITS | <u>602,598</u> |
| OTHER EXPENSES | |
| Travel & Transportation | 46,650 |
| Materials & Supplies | 17,515 |
| Purchased Services | 29,961 |
| Contract Services | 68,394 |
| Fees & Payments | 2,936 |
| Computer Expenses | 13,137 |
| TOTAL OTHER EXPENSES | <u>178,593</u> |
| TOTAL | <u>781,191</u> |

