

Government Gouvernement du Canada

Veterans Ombudsman

of Canada

Ombudsman des vétérans

## **Veterans** Ombudsman des Vétérans

## **ANNUAL REPORT** 2019-2020



# **OFFICE OF THE VETERANS OMBUDSMAN**

### **OUR VISION**

Respectful and fair treatment of Veterans and their families.

### **OUR MISSION**

To be an agent of positive change to advance fair outcomes for Veterans and their families.

### **OUR MANDATE**

To review and address complaints of Veterans Affairs Canada (VAC) clients, arising from the application of provisions of the *Veterans Bill of Rights*.

To identify and review emerging and systemic issues related to programs and services provided or administered by VAC or on behalf of VAC that negatively impact its clients.

To review and address complaints by VAC clients or their representatives related to programs and services provided or administered by VAC or on the department's behalf, including individual decisions related to the programs and services for which there is no right of appeal to the Veterans Review and Appeal Board.

To review systemic issues related to the Veterans Review and Appeal Board.

To facilitate stakeholder access to programs and services by providing information and referrals.

In solidarity with the 16 Ombuds offices addressing fairness issues with a federal organization, the Office of the Veterans Ombudsman supports the Principles on the Protection and Promotion of the Ombudsman Institution (The Venice Principles). These principles recognize the importance of ombudsperson institutions, and provide guidance for their effective establishment and functioning.

### **CONTACT US**

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#### Submit Online Complaint: https://www.ombudsman-veterans.gc.ca/en/get-started/complaint





@veteransombudsmancanada

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## MESSAGE FROM THE DEPUTY VETERANS OMBUDSMAN



**SHARON SQUIRE** 

I am pleased to share with you the Office of the Veterans Ombudsman's (OVO) accomplishments, through the pages of this annual report, which covers the period from April 1, 2019 to March 31, 2020. Achieved together with our 32 OVO employees, this work is part of the OVO's multi-year commitment to evaluate and improve how the office connects with, and provides services to, Veterans and their families.

This year's highlight was the adaptability and responsiveness that the OVO team demonstrated during those very early days of the global health crisis. Eleven months into this highly productive year, the COVID-19 pandemic abruptly altered everyone's reality. Swiftly, our team rallied to work remotely and keep services operating in the face of uncertainty. Concurrently, the Veterans Ombudsman announced his departure and here too, the team adjusted, working to support this transition. This year underscored the important role each team member plays ensuring that the office operates effectively and that we are able to perform, to the best of our abilities, the critical job of advancing fairness for Veterans and their families – regardless of the challenges.

#### What We Accomplished

The office continued to receive a high volume of complaints related to Veteran's health supports and the wait time associated with disability benefit application decisions. To improve the prioritization of complaints the OVO instituted a dedicated intake team, as part of a new structure for its front line services. Our service continued to improve, with 89 per cent of inquiries being responded to in 60 days, exceeding our service standard. The OVO made the commitment to start publishing investigative summaries of individual complaints and VAC's response to these later in 2020 on the OVO website. A new fairness model was adopted and sessions were delivered to improve VAC officials' understanding of how OVO applies fairness to its investigations. News media coverage during this period included the Ombudsman's call for a national conversation concerning outcomes for Veterans, the need for VAC to demonstrate a plan to tackle wait times connected to disability pension applications and also raised concerns about changes to mental health supports for Veterans' families. A mid-year re-think of the office's digital engagement strategy led to

10 per cent growth in followers across OVO social media channels and 24 per cent increase in website traffic. And the Communications directorate launched the *Focused on Fairness* e-newsletter to keep the Veterans community more aware of the office's activities.

The OVO also published its first micro-investigation – a new type of report which examines complaints that could impact multiple people but not on the same scale as required by a systemic investigation. The Income Replacement Benefit for Reserve Force Veterans shone a light on an unfair financial outcome for some Reserve Force Veterans based on how benefits are calculated.

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#### **Looking Forward**

Given our commitment to continuous improvement, the OVO will enhance our business processes while also responding to recommendations outlined in the VAC Evaluation Report (August 2020). For example, we will digitize our services, making the OVO experience more user-friendly for both team members and clients, and enhance employee training. Additionally, the Intervention Directorate is expanding its communications with clients through written correspondence so that investigation results are more understandable.

With respect to investigations of systemic issues, we will continue to conduct research and analysis and make recommendations to address gaps in programs and services that may have an unfair impact on Veterans and their families. The OVO will look at issues from the perspective of those in the Veterans' community whose experiences may have been previously overlooked with respect to these (VAC programs and services). Our efforts here will include: consideration for family members of Veterans; applying a lens of Women and Indigenous Veterans; and, assessing the robustness of VAC's Gender-based Analysis Plus efforts.

As the Deputy Veterans Ombudsman, it is my pleasure to provide a stewardship role to the OVO as we prepare to welcome a new Ombudsman. I'd like to thank former Veterans Ombudsman Craig Dalton for his leadership and vision which has made a strategic impact on our work. And lastly, I wish to once again share my appreciation to the entire OVO team for their efforts to provide the best service possible to Veterans and their families, no matter what the circumstances.

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## OUR TEAM: **ADVANCING FAIRNESS FOR CANADA'S VETERANS**

#### **About Our Organization:**

- Veterans Ombudsman
- Deputy Veterans Ombudsman and Executive Director
- Intervention and Corporate Services Directorate
- Strategic Review and Analysis Directorate
- Communications Directorate



We are committed to the work we do for Veterans and their families. With offices in Charlottetown, PEI, and the National Capital Region, even the COVID-19 pandemic did not slow our team of 32 employees down. Although we began working from home in March 2020, we continued our important efforts via uninterrupted frontline services to individual Veterans and their families, investigations of systemic issues, and virtual outreach and engagement activities.

Our focus is on fairness for Veterans and their families. Fairness is the foundation for the work we do. It is the lens through which we view every complaint and every issue. It is the essence of our ombuds work.

— Sharon Squire, Deputy Veterans Ombudsman

# OUR WORK: SUCCESS STORIES

#### A FAIR CALCULATION: OVO HELPS A RESERVE FORCE VETERAN GET FAIR IRB PAYMENTS

After spending almost three years trying to get Veterans Affairs Canada (VAC) to correct her Income Replacement Benefit (IRB) payments, believing she was receiving less than she was entitled to, a Reserve Force Veteran decided to reach out to the Office of the Veterans Ombudsman (OVO).

The IRB is a monthly payment providing income support to Veterans experiencing service-related barriers to re-establishment. If eligible for the IRB, VAC states that Veterans will receive 90 per cent of their salary upon release from the Canadian Armed Forces.

The Reserve Force Veteran's monthly payments were much less than she had anticipated. According to the VAC decision letter her IRB had been calculated in accordance with the regulations, using the salary from a previous, lower rank she had held during her service.

The Veteran believed that VAC was incorrectly interpreting and applying the regulations. In hopes of correcting the suspected mistake, she had appealed the decision twice; however, the decision was maintained each time, her questions went unanswered, and the reasoning behind the unfavourable decisions remained unclear.

The OVO assessed her case and got to the bottom of the problem. Although the Reserve Force Veteran had multiple conditions approved for rehabilitation, VAC used only one condition (associated with an earlier period of service 20 years prior) to calculate her IRB. If the other conditions associated with her pre-release salary were taken into account, the IRB would have been much higher.



When we presented this case, VAC overturned the decision, recalculated the monthly IRB at \$1,000 higher and issued a \$30,000 retroactive payment.

It was an enormous relief when I received the overturned decision. I actually sat down and cried with relief and felt I could finally focus on my health and start eliminating the stressors in my life caused by this financial uncertainty about my future.

This complaint led the OVO to launch a microinvestigation into how the IRB is calculated. The investigation determined that the IRB for some Reserve Force Veterans is calculated using a lower salary than the salary on release. To ensure Reserve Force Veterans do not face unfair outcomes related to their IRB calculation, the OVO recommended that Government revise regulations and apply a Reservist lens when developing policy.

### PUTTING HEALTH AND WELLNESS FIRST: RECOGNIZING BOTH PHYSICAL AND MENTAL INJURIES

A Veteran was denied services through the Veterans Independence Program (VIP) because their injuries were psychological rather than physical. They contacted the Office of the Veterans Ombudsman (OVO) for assistance.

The Veterans Independence Program (VIP) provides funding for services such as grounds maintenance, housekeeping and meal preparation. Most often, these services are approved when the applicant is not able to do these activities because of physical limitations. In this case, the Veteran was physically able to mow his lawn and clean his house, but his psychological injuries affected his ability to function and manage such daily affairs.

Our office acted as soon as the Veteran reached out to us. From the onset of the investigation, it was clear to the OVO Issues Analyst that the denial of benefits was unfair as it ignored the Veteran's psychological needs. Our analyst developed a rationale for overturning the decision and assisted the Veteran with both levels of appeal, the second of which produced the result they deserved - access to the needed VIP services.



#### A STEP IN THE RIGHT DIRECTION: A VETERAN'S COMPLAINT LEADS TO A POLICY REMINDER FOR VAC

A Veteran who had been using a cane, paid for by Veterans Affairs Canada (VAC), was told by the department that a new prescription would be needed for a replacement. They contacted the Office of the Veterans Ombudsman (OVO) for assistance.

This Veteran acquired a cane due to serious and permanent back and knee injuries. After 10 years of use, it was time for the cane to be replaced. The Veteran assumed that VAC would cover the cost of the replacement. Instead, the department advised them they would need a new prescription in order to



demonstrate their doctor recommended the new cane. To get a new prescription, this mobility-impaired Veteran would need to invest time and energy to travel more than 60 kilometers to their physician's office.

One of our Issues Analysts (IA) studied VAC's policies relating to Aids for Daily Living (ADL). The IA found a policy stating that prescriptions for a basic aid are not necessary, if the aid will increase independence and stabilize the Veteran's ability to access these aids. The IA determined the Veteran was unfairly treated and asked VAC to authorize the replacement. VAC contacted its Claims Administrator requesting that the prescription requirement be waived and planned to advise the VAC Area Office they had the authority to override the requirement, when appropriate.

By this time, the Veteran had already visited their doctor for a prescription. Yet, by helping VAC better understand its own policies, our assessment and resolution will benefit future Veterans who may be in the same situation.

# OUR WORK: OUR CLIENTS

The Intervention Directorate is the Office of the Veterans Ombudsman's (OVO) frontline team. Veterans and their families have the right to a fair and timely review of their complaints regarding the programs, services and supports delivered by the Veterans Affairs portfolio. When all avenues within VAC have been exhausted, individuals can turn to us for help. Our intervention starts with a review of the complaint through a fairness lens: We investigate to determine if the Veteran or family member has been treated unfairly. If so, we seek resolution. The outcome not only brings closure to the case but often initiates changes to VAC policies and processes.

- Was the Veteran or family member treated fairly?
- Was the process fair?
- Was the outcome fair?

### WHAT HAPPENS WHEN YOU SUBMIT A COMPLAINT?

**SUBMISSION** 

You submit your complaint and provide consent for the OVO to access your VAC file.

#### REVIEW

It is reviewed and all information necessary to assess the complaint is gathered.

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#### INVESTIGATION

If the complaint falls within the OVO's mandate, the OVO will conduct an evidence-based investigation into unfairness.

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#### RESOLUTION

If unfairness is discovered the OVO will work with VAC to attempt to resolve the issue.

#### **ESCALATION**

If the complaint is not resolved at the VAC working level, the OVO may escalate the case to VAC's Deputy Minister or Minister.

Our Intervention Directorate embraces ongoing improvement with the aim to enhance the services that we can provide to Veterans and their families. Over this past year, we changed the team composition, restructured our intake process and provided additional training and professional development for our team. As a result, we were able to exceed our service standard of addressing 75 per cent of cases within 60 days. We fully addressed 89 per cent of files within that timeframe, compared to 68 per cent in the previous two years.

# **INTERVENTION BY THE NUMBERS** 2019-2020





#### **CLIENTS BY CATEGORY**



### **DEMOGRAPHICS BY AGE & GENDER**

258 30-39 149	<b>288</b> 40-49 <b>63</b>
30-39	40-49
60-69 <b>34</b> >90	70-79 <b>161</b> Unidentified / Not Provided
	Unidentified /

Ν	/lale		Female		Not Provided	
	20-29	21	20-29	4	20-29	2
	30-39	202	30-39	27	30-39	29
	40-49	212	40-49	43	40-49	33
	50-59	277	50-59	54	50-59	44
	60-69	117	60-69	20	60-69	12
	70-79	48	70-79	8	70-79	7
	80-89	31	80-89	2	80-89	0
	>90	20	>90	7	>90	7
	Unknown	81	Unknown	32	Unknown	48
	Total	1009	Total	197	Total	182

## OUR WORK: INVESTIGATING SYSTEMIC ISSUES

In addition to assessing and investigating client complaints, the Office of the Veterans Ombudsman (OVO) shines a spotlight on systemic issues related to VAC programs and services. Sometimes repeat complaints indicate a gap in or issue with VAC programs and services. Stakeholder outreach activities reveal other issues. Yet other systemic issues become obvious through our review and analysis of VAC's services and programs for Veterans and their families.

The Strategic Review and Analysis (SRA) Directorate initiates reviews, and conducts studies and produces reports to support recommendations to government with the goal of advancing fairness for Veterans and their families. Recently, the SRA Directorate has launched several micro-investigations, including two in 2019-2020, to enable a faster turnaround on timesensitive and systemic issues. These investigations and our findings are essential to the OVO's overall aim of promoting fairness.

### **PUBLICATIONS**

#### Income Replacement Benefit Calculation for Reserve Force Veterans (February 2020)

In February, the OVO released its first microinvestigation report. Launched in response to complaints from Reserve Force Veterans claiming that they were receiving a lower IRB payment than they had expected, the investigation examined how Veterans Affairs Canada (VAC) calculates the IRB payment. We concluded that calculating Income Replacement Benefits for Regular Force Veterans based on their salary at release and for Reserve Force Veterans based on their salary at the time of injury results in an unfair outcome for Reserve Force Veterans who were injured while serving in a lower class and at a lower income than when they released. We made two recommendations for government to address the issue, including a regulatory change and applying a Reserve Force lens when developing policy.

### Spouses Supporting Transition Poster (October 2019)

The OVO presented a poster at the Canadian Institute for Military and Veterans Health Research 2019 Forum as part of its Spouses Supporting Transition project, which outlines the lived-experiences of spouses of Veterans that reported successfully transitioning from military to civilian life. Overall, the project found that providing proactive mental health services to military members/Veterans and their families throughout transition would have benefited many of the participants and their families.

#### Veterans' Ombudsman Report Card 2019 (June 2019)

The OVO Report Card tracks and reports the response to recommendations made by the Ombudsman to the Minister of Veterans Affairs. The 2019 Report Card informed that over a 10 year period (2009-2019) **50 out of 63** of the OVO's recommendations – or **79 per cent** – were implemented or partially implemented. The 13 outstanding recommendations concern: health care and supports (8); Veterans' service experience (4); and financial security (1).

We approach every investigation and report with the goal of making positive changes for Veterans and their families. Without this work, we would not be able to make recommendations to government and policy makers.

- Sharon Squire, Deputy Veterans Ombudsman

## OUR WORK: **Sharing, listening** & connecting

Staying connected to the realities of Canada's Veterans, their families and stakeholder groups helps shape the Office of the Veterans Ombudsman's (OVO) work. The office used a mix of face-to-face and virtual engagement in 2019-2020 to educate a variety of audiences about the OVO's services and to listen for the issues impacting Veterans and their families.

To foster even greater connections virtually, the OVO expanded its presence on social media platforms and launched a quarterly online newsletter *'Focused on Fairness'*.

### **WEB SITE VISITS**



### **SOCIAL MEDIA FOLLOWERS**



#### FACE-TO-FACE ENGAGEMENTS

In 2019-2020, Veterans Ombudsman Craig Dalton continued his outreach work across Canada, meeting with various Veterans groups, stakeholders, and decision makers. Mr. Dalton connected with parliamentarians, RCMP Veterans, Women Veterans, Canadian Armed Forces units, academia, medical professionals, and organizations supporting Veterans and their families. Mr. Dalton heard about the different experiences and perspectives on matters concerning Veterans and their families. The insights that these engagements provided helped to shape new OVO priorities for systemic investigations and inspired ideas on how to broaden our reach into the Veterans community.



# MOST POPULAR SOCIAL MEDIA POSTS

#### MOST POPULAR ENGLISH AND FRENCH POSTS, COMBINED: NOVEMBER 26, 2019

#### Ombudsman des vétérans du Canada

Nous sommes heureux d'annoncer les lauréats de la Mention élogieuse de l'ombudsman des vétérans de 2019 : Ken Reimer, Patrice Bergren, Joseph Paquette, Luc C'Bomsawin, Richard Nicholson, Wounded Warriors Canada et la Great War Centenary Association.

Nous rendrons hommage à ces personnes et à ces organismes en raison de leur engagement altruiste et de leur contribution à l'égard des vétérans du Canada et les familles de ces derniers lors d'une cérémonie spéciale aujourd'hui ... Afficher la suite

Canada's Veterans Ombudsman November 26, 2019 · 📀

We are pleased to announce the recipients of the 2019 Veterans. Ombudisman Commendation: Ken Reimer, Patrice Bergeron, Joseph Paquette, Luc O'Bornswin, Richard Nicholson, Wounded Warrios Canada, and the Great War Centenary Association. We will be honouring these individuals and organizations for their selfless commitment and contribution to Canada's Veterans and their families at special ceremony today in Ottawa. Find more information on the award, and the bios of this year's recipients here: http://cws/jTuaBookt701



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15 Comments 36 Shares

### **REACH: 12,949** ENGAGEMENTS: 2,282

REACH: 1,234 ENGAGEMENTS: 204

### MOST POPULAR ENGLISH POST: JUNE 10, 2019

Canada's Veterans Ombudsman

The 2019 Report Card has dropped. Read about the Government's progress on Canada's Veterans Ombudsman recommendations to improve: Health Care and Supports; Veterans Experience; Financial Security; Life Skills and Preparation; Purpose; and, Social Integration. Click here for details: https://www.ombudsman-veterans.gc.ca/../2019-report-card



REACH: 10,118 ENGAGEMENTS: 1,751

### MOST POPULAR FRENCH POST: JUNE 4, 2019

Ombudsman des vétérans du Canada Canada 4 juin 2019 · 🔇

RESTEZ À L'ÉCOUTE! Demain, Ombudsman des vétérans du Canada publiera notre bulletin 2019. Il surveille les progrès des recommandations au gouvernement visant à assurer le bien-être des Forces armées canadiennes, des vétérans de la GRC et de leurs familles. Les progrès, ainsi que les domaines dans lesquels des travaux supplémentaires sont nécessaires, doivent être soulignés.



Ombudsman des vétérans du Canada Organisme gouvernemental

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Envoyer un message

2 partages

## VETERANS OMBUDSMAN COMMENDATION AWARDS

The annual Commendation Awards honour outstanding individuals and groups working to improve the lives of those in the Veterans community. Nominated by their peers, reviewed by the Veterans Ombudsman Advisory Council and selected by the Ombudsman, they exemplify the true meaning of commitment to a cause and selfless hard work.

#### **2019 RECIPIENTS**

#### **Lifetime Contribution**

Ken Reimer Luc O'Bomsawin (1957-2019) Joseph Paquette (1950-2020)

#### **Individual Contribution**

Patrice Bergeron Richard Nicholson

#### Local Organization

Great War Centenary Association

#### National Organization

Wounded Warriors Canada



**From left to right:** Patrice Bergeron, Scott Maxwell (Executive Director, WWC), Meghan Cameron (Treasurer, GWCA), Geoffrey Moyer (Presidentt, GWCA), Philip C. Ralph (Director of Health Services, WWC), Craig Dalton (former Veterans Ombudsman), Richard Martin (Chairman, WWC) and Richard Nicholson.

These outstanding recipients were nominated by their peers and selected for a Veterans Ombudsman Commendation because of the positive and lasting change they make within the Veterans community. Their leadership and dedication to their work inspires others to make a difference in the lives of Veterans and their families.

— Craig Dalton, Veterans Ombudsman (former)

## THE VETERANS OMBUDSMAN ADVISORY COUNCIL (VOAC)

VOAC provides advice to the Veterans Ombudsman on matters related to the Office of the Veterans Ombudsman's (OVO) mandate. VOAC members represent Veterans, families and the diverse perspectives found within the Veterans community. Through their expertise and knowledge, VOAC helps to identify emerging issues of importance and provides advice concerning how to approach those issues. VOAC members also build awareness among Veterans about the Office of the Veterans Ombudsman and its role.

#### MEMBERS 2019-2020

Pierre Allard Heather Armstrong Larry Gollner Jacquie Hannigan Jim Lowther Heather MacKinnon Brian McKenna Rebekah Mitchell Luc O'Bomsawin Albert Rivard Paul Rutherford Heidi Sveistrup Kimberley Unterganschnigg Sharing, listening, staying connected – these elements are essential for us to continue to work on behalf of Canada's Veterans, bring attention to the important issues and create changes that will benefit all of us.

— Sharon Squire, Deputy Veterans Ombudsman

# FINANCIAL STATEMENT

As per the 2019-2020 Departmental Plan, the Veterans Ombudsman's planned spending was \$5.5 million for fiscal year 2019-2020. The Main Estimate for fiscal year 2019-2020 was \$5.4 million.

PLANNED SPENDING AND MAIN ESTIMATE 2019-2020							
Organization	Salary (Planned)	Operating (Planned)	2019-20 Planned	2019-20 Main Estimate			
Office of the Veterans Ombudsman	\$2,872,300	\$973,900	\$3,846,200	\$3,846,200			
Veterans Affairs Canada	\$899,739	\$179,408	\$1,079,147	\$1,079,147			
Employee Benefit Plan			\$577,121	\$445,067			
TOTALS	\$3,772,039	\$1,153,308	\$5,502,468	\$5,370,414			

Program or Operational Requirements	Expenditures
Salaries and Wages	\$2,876,878
Total Salaries and Wages	\$2,876,878
Transportation and Communications	\$251,690
Information	\$25,090
Professional and Special Services	\$328,598
Rentals	\$4,635
Purchased Repair and Maintenance	\$20,351
Utilities, Materials and Supplies	\$65,813
Acquisition of Machinery and Equipment	\$4,390
Other	\$55
TOTAL OPERATING EXPENDITURES	\$700,623
TOTAL - OVO	\$3,577,501

#### 2019-2020 VETERANS AFFAIRS CANADA, PROGRAM AND OPERATIONAL EXPENDITURES FOR THE PROVISION OF SERVICES TO THE OVO (EXCLUDING INTERNAL SERVICES)

Program or Operational Requirements	Expenditures
Salaries and Wages	\$781,301
Operating Expenditures	\$158,494
TOTAL	\$939,796

2019-2020 SUMMARY OF EXPENDITURES				
	Expenditures			
Office of the Veterans Ombudsman	\$3,577,501			
Veterans Affairs Canada (provision of services)	\$939,796			
Employee Benefit Plan	\$445,067			
Other (Paylist Allocation etc)	\$91,999			
TOTAL EXPENDITURES	\$5,054,363			

