

## **INTRODUCTION**

This session is entitled *Delivering More with Less*, and speaks to the challenge of meeting increasing operational demands in the face of decreasing resources. Doing more with less is, at its core, about finding ways to leverage your resources, people, and influence to achieve better outcomes, and more effective change in government services, while maintaining meaningful oversight. None of us can accomplish systemic efficiencies easily. However, hitting the 'reset button' may provide an opportunity to re-evaluate the manner in which we work, and how we might improve the services provided to our citizens.

The parliamentary ombudsman function has evolved over the past decade in Canada. There is increased awareness of the ombudsman's role as a bridge between the legislative body and the public, and in ensuring accountability, transparency and fairness in public administration. Several practices and priorities have emerged as core components of effective quality ombudsman service delivery: building and strengthening relationships with diverse stakeholders; improving internal accountability systems; practicing alternate dispute resolution; developing the skill sets of front-line staff; and employing a major case management approach.

## **IMPROVING EFFECTIVENESS THROUGH PROACTIVE APPROACHES**

The traditional role of the parliamentary ombudsman has tended to be reactive in nature. Our practice in Nova Scotia emphasizes a more proactive approach to service delivery. We combine an effective early resolution process with formal investigations, and the systemic examination of policies and procedures in order to bring a range of tools and balance to the oversight process. The mandate of the Nova Scotia ombudsman is among the broadest in Canada, with oversight responsibilities in provincial and municipal matters, as well as in the area of disclosure of wrongdoing (whistleblowing). Our office also maintains a focussed and proactive presence in government service delivery with respect to children, youth, seniors and corrections. We consider the maintenance and further development of a constructive and proactive presence in government as a core activity and a direct application of the ombudsman function.

Outreach activities are central to the proactive aspect of our work. We conduct regular site-visits to residential, secure care and custody facilities for youth; correctional facilities for adults; public schools; and seniors' facilities. Many of these visits happen weekly or bi-weekly. Our investigators frequently travel to interview complainants directly in their home communities. We also foster collaborative relationships with government departments and agencies through ongoing dialogue regarding the mandate and activities of our office and as part of follow-up on investigations and recommendations made by our Office.

Such an approach may be reasonably new to the ombudsman function, however, it is a familiar practice in policing and social service delivery. A constructive relationship with government allows us to leverage our position to support effective change through realistic

and practical recommendations. A proactive presence serves a preventive function as it reminds government service providers of our role. On-site work makes our service more accessible and facilitates early and informal resolution of complaints.

We find this approach has resulted in increased investment from government in the implementation of our recommendations, and improvements in the culture of service and accountability within government. We see the recommendations we provide to government as potentially positive interfaces and opportunities for building relationships with departments. This collaborative approach has led to our office being consulted by departments as part of their policy development processes. In some instances, departments have adopted recommendations from our office in areas beyond those specifically covered by our investigation. Ombudsman investigations sometimes reveal that, rather than policy or legislative change, cultural shifts are required to meaningfully address particular issues. It is my belief, and experience, that this constructive approach to engagement with government can effectively place an ombudsman in a position to activate and facilitate such a shift.

However, this type of approach is not without risk. Clearly, an ombudsman adopting a proactive and constructive engagement with government is open to accusations of bias and the perception of being 'too close' to those an ombudsman is charged to oversee. To maintain objectivity and independence, one must remain vigilant for possible bias, real or perceived, and allow facts to speak for themselves. Outreach activities play a further role in maintaining a balanced perspective as they engage all affected parties in dialogue.

We continually seek to increase the public's awareness of, and access to, our services. We maintain a low-barrier complaint process that includes in-person, on-site reception of complaints at government facilities. As well, rather than needing to first navigate an automated answering system, when someone contacts our office, they are immediately able to speak with staff about their concern. The office uses social media for outreach activities and to respond to questions and concerns. We also raise awareness and increase access to our office by meeting with citizens in their communities; actively developing relationships with non-governmental organizations; and participating in community events.

## **DEVELOPMENT AND UTILIZATION OF FRONT LINE STAFF**

Proactive approaches may be valuable in making the most of the resources at hand, but they are insufficient on their own, and cannot replace an effective and efficient investigative mechanism driven by capable investigators. From a reactive perspective, an office must be able to address individual complaints as well as systemic and policy matters.

A large number of the matters brought to our office are addressed through administrative resolutions or referrals to appropriate avenues. Training, development and support provide front-line staff with the knowledge, skills, and abilities to quickly identify issues and dispute resolution possibilities. This is an integral component in the timely resolution of matters brought to our office. The placement of senior investigators in close proximity to intake staff

also facilitates quick consultations during assessments. In cases where complaints are referred to another avenue, we remain sensitive to the challenges faced by members of the public when navigating complex bureaucracies, and offer support where we can. Administrative resolutions may also require monitoring and feedback to respondents on issues raised during the review of a complaint.

An ombudsman's ability to undertake complex investigations is a function of competent skilled employees and capacity. While capacity may be affected by resource constraints, the quality, credibility and efficiency of investigations is enhanced through continuous development of the investigative skill, flexibility, and sensitivity of our people, as well as through clear internal accountability processes.

Effective use of mentoring, in-house training, and collaborative teams further advances skill development. Analytical and interpersonal skills, a genuine commitment to improve government, and specialized knowledge in relevant subject areas are among the most important competencies and qualities required of our staff. Analytical and interpersonal skills may take more time to learn, however experience and training can enable staff to develop and improve in these critical areas. Specialized content knowledge may come through practical workshops delivered by subject matter experts external to the office, or through intra-office knowledge sharing. Maintaining a team with diverse educational, professional, and cultural backgrounds enriches the opportunities for learning within the office. Targeted secondments to other areas of government also present opportunities for bilateral skill sharing and learning between an ombudsman's office and government at large.

It is critical that staff maintain a high standard of administrative fairness, as it is key to accountability and credibility within the public service. A well-structured internal accountability process that includes regular management level reviews is integral to ensuring high standards. Strong operational and administrative policies also assist in maintaining internal accountability and quality. If an ombudsman expects high standards of public administration from respondents, those same standards must be exemplified within the ombudsman's office.

While internal accountability processes have supervision, quality assurance, and performance management functions they may also be easily integrated into workplace coaching and mentoring practices. Coaching can be directive and non-directive. Directive coaching can include giving advice and feedback, teaching, and modeling behaviour. Non-directive coaching can include helping, asking questions, encouraging, guiding, supporting, and active listening. Encouragement, incentives, and recognition of experienced staff who coach more junior staff can help to instill a workplace culture that is supportive of such sharing.

## **EFFECTIVE USE OF TEAMS**

Teams are often built according to the specific requirements of a particular case. Consideration should be given to the skill sets, strengths and interests of staff across the unit and office when building special purpose teams. Each team includes an experienced senior investigator with expertise in the subject area and the ability to coach staff. Teams provide interested and capable staff the opportunity to learn and gain experience in tasks which may not be a normal part of their job description. This can lead to increased empowerment on the part of front-line staff and the ability to take on progressively more difficult tasks. Increased investigator competence can facilitate issues being addressed effectively and efficiently at earlier stages.

Collaborative teams can also improve the overall wellness of an office as they assist in keeping lines of communication open and build effective relationships among staff. Suitably arranged teams provide staff the opportunity to grow and broaden their skill base, while sharing their knowledge with colleagues. Identifying the respective strengths within one's team is an important starting point in realizing the potential of your staff and creating dynamic teams. Regular rotation of team membership, tasks and subject areas undertaken can result in a more fluid and adaptable workforce—one better prepared for the diversity and complexity of complaints that an ombudsman's office may be called upon to address.

## **EMPLOYING A MAJOR CASE MANAGEMENT APPROACH**

Major Case Management (MCM) is a systematic approach to effectively manage demanding files, and can be applied to operations of various sizes. It allows for rapid response, the optimal use of resources and serves to increase accountability. Files for which this approach may be appropriate are complex or serious by nature, or involve significant potential risk to the parties involved. A core function of MCM is to provide a system for accessing, assessing, and managing information. This model also promotes the strategic use of investigative resources. It seeks to optimize resource use through the systemized application of an investigation plan, the assignment of appropriate and competent investigators, and management of information. MCM enhances the framing and management of core issues, maintains priorities, and keeps the focus of the investigation on relevant facts.

At the heart of the MCM concept is an investigative team with responsibility for case management, primary investigation, and file coordination.

The case manager is an experienced investigator and leader who is able to delegate tasks, and manage the overall investigation. One important task of the case manager is to identify specific talents and skill sets within the office to optimize the use of internal resources. This

may include pairing experienced investigators with those less experienced so as to maximize learning opportunities and investigative effectiveness.

Reporting to the case manager is the primary investigator who holds primary responsibility for the investigation. This person should be a proven investigator with experience and knowledge specific to the investigation. They will have well developed interviewing expertise, as well as planning and analytical skills. On larger teams, the primary investigator will identify required resources, may delegate tasks to other personnel, and will keep the team fully informed at regular briefings. The primary investigator is also responsible to peel back the layers of a matter to identify salient issues within the complaint, and to manage both the complainant's expectations and those of the respondent.

Also reporting to the case manager, but working closely with the primary investigator is the file coordinator. This individual reviews all documentation, and ensures that file information is organized, complete, and secure. The file coordinator is also responsible for the digital collection and organization of information. Effective management of large amounts of information and documentation in various formats is an important component in the efficient operation of major investigations.

## **CONCLUSION**

In summary, an ombudsman who adopts a proactive approach to relationship building, problem identification and resolution, and who makes effective use of their staff, may successfully deliver a quality oversight function, even during times of resource constraint. Signs that an office has embarked on this path include a vibrant, interdisciplinary, and engaged staff; focused and efficient investigations; well-developed internal policies, procedures and quality assurance systems; and established practices of building relationships and conducting follow-up with all affected parties.

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