



Select Standing Committee on Finance and
Government Services

INTERIM REPORT ON STATUTORY OFFICES

May 2024



LEGISLATIVE ASSEMBLY
of BRITISH COLUMBIA

First Report
Fifth Session, 42nd Parliament



May 15, 2024

To the Honourable
Legislative Assembly of the
Province of British Columbia

Honourable Members:

I have the honour to present herewith the First Report of the Select Standing Committee on Finance and Government Services for the Fifth Session of the 42nd Parliament titled, *Interim Report on Statutory Offices*.

Respectfully submitted on behalf of the Committee,

Mike Starchuk, MLA
Chair

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COMPOSITION OF THE COMMITTEE

COMMITTEE MEMBERS

Mike Starchuk, MLA, [Chair](#)
Surrey-Cloverdale

Tom Shypitka, MLA, [Deputy Chair](#)
Kootenay East

Susie Chant, MLA
North Vancouver-Seymour

Ronna-Rae Leonard, MLA
Courtenay-Comox

Coralee Oakes, MLA
Cariboo North

Ravi Parmar, MLA
Langford-Juan de Fuca

Nicholas Simons, MLA
Powell River-Sunshine Coast

Ben Stewart, MLA
Kelowna West

Henry Yao, MLA
Richmond South Centre

COMMITTEE STAFF

Jennifer Arril, Clerk of Committees

Katey Stickle, Senior Research Analyst

Mary Heeg, Committee Research Analyst

Jonathon Hamilton, Committee Researcher

Danielle Migeon, Committee Researcher

Mary Newell, Parliamentary Committees Officer

Alexa Neufeld, Parliamentary Committees Coordinator

TERMS OF REFERENCE

On February 26, 2024, the Legislative Assembly agreed that the Select Standing Committee on Finance and Government Services be empowered to:

1. In conjunction with general oversight of the following statutory officers, namely, the:
 - i. Auditor General
 - ii. Chief Electoral Officer
 - iii. Conflict of Interest Commissioner
 - iv. Human Rights Commissioner
 - v. Information and Privacy Commissioner
 - vi. Merit Commissioner
 - vii. Ombudsperson
 - viii. Police Complaint Commissioner; and
 - ix. Representative for Children and Youth
- a. consider and make recommendations on the annual reports, rolling three-year service plans and budgets of the aforementioned statutory offices, including with respect to the effective and efficient administration of each office;
- b. inquire into and make recommendations with respect to other matters brought to the Committee's attention by any of the aforementioned statutory officers; and
- c. consider and make decisions, on behalf of the Legislative Assembly, regarding the terms and conditions of employment of any of the aforementioned statutory officers arising as a request of an officeholder during their term of appointment.

That the Committee be designated as the Committee referred to in sections 6, 7, 19, 20, 21 and 23 of the *Auditor General Act* (S.B.C. 2003, c. 2) and that the report in section 22 of the *Auditor General Act* (S.B.C. 2003, c. 2) be referred to the Committee.

That the Committee be designated as the Committee referred to in sections 47.02 and 47.03 of the *Human Rights Code* (R.S.B.C. 1996, c. 210).

That the Committee be designated as the Committee referred to in section 3 of the *Budget Transparency and Accountability Act* (S.B.C. 2000, c. 23).

That, in addition to the powers previously conferred upon the Select Standing Committees of the House, the Select Standing Committee on Finance and Government Services be empowered to:

- a. appoint of its number one or more subcommittees and to refer to such subcommittees any of the matters referred to the Committee and to delegate to the subcommittees all or any of its powers except the power to report directly to the House;
- b. sit during a period in which the House is adjourned, during the recess after prorogation until the next following Session and during any sitting of the House;
- c. adjourn from place to place as may be convenient; and
- d. retain personnel as required to assist the Committee.

That the Committee report to the House as soon as possible; and that during a period of adjournment, the Committee deposit its reports with the Clerk of the Legislative Assembly, and upon resumption of the sittings of the House, or in the next following Session, as the case may be, the Chair present all reports to the House.

INTRODUCTION

The Legislative Assembly empowers the Select Standing Committee on Finance and Government Services (the “Committee”) to consider and make recommendations regarding the annual reports, service plans, and budgets of the province’s nine statutory officers, including with respect to the effective and efficient administration of each office. Typically, the Committee meets with each statutory officer in the fall to review budget proposals and in the spring to receive financial and operational updates. The Committee considers supplementary funding requests, and other matters within its mandate that are brought to its attention by statutory officers, as required throughout the year. This interim report provides a summary of the updates, supplementary funding requests, and discussion from the spring 2024 meetings.

SPRING UPDATES

The spring meetings are an opportunity for Committee Members to hear about the important work statutory offices undertake for British Columbians and receive updates about progress on priority areas and performance metrics. This year, the Committee also requested that all statutory officers speak to the overall workplace culture in their offices including information about respectful workplace policies and procedures in place. Members were pleased to hear about the efforts undertaken by statutory officers to ensure a healthy workplace culture including the training opportunities offered by some offices on topics like mental health and cultural safety as well as initiatives to improve accessibility and inclusion in the workplace. In particular, Committee Members appreciated those offices that have implemented respectful workplace policies and procedures. The Committee expects all statutory officers to foster and maintain a safe and positive working environment for staff, including implementing respectful workplace policies and clear procedures, distinct

from provisions to address serious wrongdoing set out in the *Public Interest Disclosure Act*, and looks forward to further updates in this area.

During these meetings, five statutory officers presented requests for supplementary funding. This included four requests related to the 2022 Judicial Compensation Commission (JCC) recommendations regarding the salary of the chief judge of the Provincial Court of British Columbia to which the salaries of six statutory officers are tied. While Committee Members acknowledged that, due to the timing of the JCC recommendations, the 2024-25 budgets of the six statutory officers presented last fall did not account for these increases, by way of correspondence in January 2024, they had encouraged the officers to endeavour to find the funds to account for the salary adjustment from within their existing budgets. Members appreciated that both the Auditor General and the Chief Electoral Officer, whose salaries are also tied to the chief judge, did not request supplementary funding related to this matter. Other supplementary funding requests were related to legislative changes, workload pressures, inflationary cost pressures, and project delays. As in previous years, Committee Members continued to highlight the importance of accurate budgeting and forecasting and of requesting supplementary funding only in exceptional or extenuating circumstances.

Over the course of the meetings, the Committee heard that many offices are undertaking initiatives to engage with Indigenous, newcomer, and ethnic communities and to improve the accessibility and translation of the materials they produce. In addition, many statutory officers noted an increase in workload for their offices due to significant projects they are undertaking or legislative changes that have expanded their mandates. Committee Members expressed their gratitude for the dedication of the officers and their staff in service of British Columbians.

MEETINGS SCHEDULE

The Committee undertook its annual mid-year review of the budgets, annual reports, service plans, and efficient and effective operations of BC's nine statutory officers at the following meetings:

April 25, 2024

- Elections BC
- Office of the Police Complaint Commissioner

April 26, 2024

- Office of the Information and Privacy Commissioner and Registrar of Lobbyists
- Office of the Merit Commissioner
- Office of the Representative for Children and Youth
- Office of the Human Rights Commissioner
- Office of the Ombudsperson
- Office of the Auditor General
- Office of the Conflict of Interest Commissioner

April 29, 2024

- Consideration of supplementary funding requests from the Office of the Police Complaint Commissioner
- Consideration of supplementary funding requests from the Office of the Information and Privacy Commissioner and Registrar of Lobbyists
- Deliberations

May 13, 2024

- Deliberations
- Review and Adoption of Interim Report

OFFICE OF THE AUDITOR GENERAL

Michael Pickup, Auditor General, met with the Committee on April 26, 2024. He was accompanied by Chief Financial Officer John McNeill, Chief Information Officer Carlos Caraveo, and Assistant Auditor General of Corporate Services Marie Thelisma.

SUMMARY OF PRESENTATION

The Auditor General began his presentation by highlighting that the Office expects to be under budget for the 2023-24 fiscal year due to savings in professional services, travel, and delays related to the office redesign project. He provided updates on key initiatives of the Office, including the IT rationalization and modernization project. The project was supported by the Committee in the fall of 2023 and will transition in-office data and IT infrastructure to the Kamloops Data Centre used by core government. The Auditor General shared that the project team is now fully in place, including its project manager, and detailed data migration plans have been drafted. He highlighted that the project team is now working on application rationalization and supporting data centre configurations. The Auditor General shared that the rationalization process will reduce the amount of data required to be transferred to the new servers, so the Office expects to see cost savings going forward. He also stated that all required hardware for the project was received in the 2023-24 fiscal year, preventing the need to request supplementary funding in the current fiscal year.

The Auditor General provided an update on the Office's new compensation framework, which was supported by the Committee in the fall of 2023. He shared that the Office has progressed in developing its framework to ensure compensation is competitive, equitable, and transparent while maintaining a responsible use of public funds. He stated that phase one of the framework focused on adjusting the

salaries of current employees who fall under the Management Classification Compensation Framework (MCCF) category to ensure the Office is competitive with the market and reflects expertise gained through strong performance. He shared that in phase two, which will begin in April 2025, MCCF staff who have completed one year in their position with successful performance will be eligible to advance one step within their salary range. The Auditor General stated that this work is being completed within the previously approved budget and no new funding will be required for this framework in future years.

In providing the Office's update on workplace culture and related policies and procedures, the Auditor General highlighted that each year the Office participates in the BC Public Service Workplace Environment Survey (WES) to gain insight from employees on workplace culture and environment. He highlighted that the Office has seen noticeable improvements since 2020 in the categories of respectful environment, teamwork, and supervisor management. The Auditor General noted that the implementation of the Office's hybrid work policy has been beneficial to workplace culture and will be further supported by the new office redesign which provides spaces for employees to collaborate and connect with each other. Regarding training, the Auditor General shared that the Office has formed a training and development subcommittee that will establish a learning and development framework to ensure employees acquire necessary skills and knowledge that align with strategic objectives. The Auditor General highlighted that the Office is committed to diversity, inclusion, and safety within the workplace and shared that the Office has developed a three-year equity, diversity, and inclusion strategy which will be launched in June.

SUPPLEMENTARY FUNDING REQUESTS FOR 2024-25

The Office requested \$250,000 in capital funding for 2024-25 to address inflationary pressures and delays related to the office redesign project. The Auditor General shared that the renovated space is now ready for move in and the Office is working with the Real Property Division under the Ministry of Citizens' Services to secure a long-term tenant for the second floor. However, the Auditor General explained that some of the construction was delayed beyond the scheduled March 31, 2024 completion date and that supplemental funding is required to complete this work in April and early May. He added that while the scope of the project has not changed, certain costs came in higher than originally budgeted for and require additional funding.

COMMITTEE INQUIRY

Committee Members asked about the impact of the compensation framework on staff retention. The Auditor General shared that his Office has seen improvements in staff turnover after implementing the compensation framework when compared to previous years. He noted that the underspend in professional services in the 2023-24 fiscal year is a result of improved staff retention, as the Office has had to contract fewer external accountants. The Auditor General highlighted that the Office's performance audit team has seen no departures in the last 17 months, which will lead to performance audit process improvements in the medium to long term due to this retention of skilled personnel.

Members inquired about the procedures in place for employees of the Office to submit a complaint or raise an issue they may have, including concerns specifically about the Auditor General. The Assistant Auditor General of Corporate Services shared that the Office has internal legal counsel that can provide guidance regarding instances or suspicion of wrongdoing. She noted that the Office can also turn to the BC Public Service Agency for further guidance if necessary. The Assistant Auditor General added that employees can

confidentially raise their concerns with the human resources department, who will work to resolve them.

Members asked questions about recruitment within the Office, including its approach to diversity, equity, and inclusion (DEI). The Auditor General shared that the Office has seen a growth in the number of applicants for positions, which he attributed to the Office's focus on workplace culture and environment. The Auditor General shared that from a DEI perspective, the Office's executive team is one of the most diverse in British Columbia which has had a positive impact on recruitment.

Committee Members inquired about how the Office manages workload and work-related stress throughout the organization. The Auditor General shared that the Office's leadership group received certification from the Canadian Mental Health Commission in mental health first aid to support staff with work related stress. He added that the Office monitors metrics such as overtime, hours worked, and WES results to assess stress and work levels throughout the organization.

Regarding the Office's supplemental funding request, Members inquired about changes related to the redesign project since the last meeting with the Committee in the fall of 2023. The Chief Financial Officer explained that the Office is still awaiting details from the Real Property Division on if the requested \$250,000 is due to project delays resulting in an underspend within the previous fiscal year, or if it is an additional cost to the existing project budget. He explained that the due to minor differences in interpretation of the project's scope among those involved in the project, the Office now has unexpected costs. The Chief Financial Officer added that the Office is required under contract to pay for tenant improvements such as furniture, which have been impacted by inflationary pressures since the original project budget was submitted. The Chief Financial Officer explained that the Office will have to absorb these costs out of the existing capital budget if the supplemental funding request is not approved, reducing the Office's ability to make other capital purchases such as for routine refreshes of IT equipment.

Committee Members sought clarity on currently unused office space and future tenant occupancy. The Chief Financial Officer explained that the Office currently has no sublet revenues within the budget and that the Office is currently carrying the full occupancy cost. The Chief Financial Officer shared that depending on the entity that occupies the space, the Office will enter into either a cost-sharing agreement or sublet agreement which will reduce expenses or increase revenues to lower its occupancy costs.

CONCLUSIONS

Committee Members considered the supplemental funding request related to the office redesign project and declined to recommend access to requested funding. Members reflected on previous supplemental funding requests made by the Office and noted both the frequency and size of requests, particularly those related to the office redesign project. The Committee emphasized its expectation for accurate budgeting when statutory offices undertake significant projects.

OFFICE OF THE CONFLICT OF INTEREST COMMISSIONER

The Committee met with Victoria Gray, Conflict of Interest Commissioner, on April 26, 2024. The Commissioner was accompanied by Executive Coordinator Carol Hoyer.

SUMMARY OF PRESENTATION

The Commissioner began by noting that her Office has relocated from its previous space on the Legislative Precinct to a building in downtown Victoria that is shared with several other statutory officers. The new location is approximately a 15-minute walk or five-minute drive from the Parliament Buildings. The Commissioner indicated that her interactions with Members are increasingly by email, phone, or virtual meeting so the new location is suitable. To enable the move, the Office reduced the number of physical files it has by disposing of files that are no longer needed and storing some information electronically. The Commissioner confirmed that her Office's rent and capital expenditures will remain within the amounts approved by the Committee for the 2024-25 fiscal year. As part of the move, the Office upgraded its computers. She noted that the Office anticipated moving costs of \$15,000 but only required \$500.

Regarding the Office's 2023-24 financial performance, the Commissioner indicated that the Office had a 12 percent underspend, amounting to approximately \$92,000. She explained that the difference is due to reduced travel expenses and a lack of major investigations or inquiries that required external contractors.

The Commissioner then described her work, which includes helping Members comply with financial disclosure obligations, providing confidential opinions to Members, and responding to complaints against Members. To support Members' compliance with their financial obligations, the Commissioner has been processing the annual financial disclosures and

notices of material change. She also meets with Members every year to complete financial disclosure documentation and address any other issues; at the time of her presentation, she had met with 76 of the 87 Members. In terms of providing Members with confidential opinions, the Commissioner shared that she had received 28 inquiries to date this year, which is fewer than last year, but may increase toward the end of the calendar year or with the election. She added that she has received inquiries from individuals who are not currently Members but are considering running for election. The Commissioner also indicated that there have been complaints made to her Office against Members but so far none have required a full inquiry or investigation.

Regarding workplace culture, the Commissioner shared that her Office is small and has a friendly and cooperative culture. She noted that the Office is flexible about scheduling to ensure coverage despite its small staff. She added that the Office is developing a formal respectful workplace policy.

COMMITTEE INQUIRY

Committee Members inquired about mechanisms to address staff concerns or complaints within the organization and about the Commissioner specifically. The Commissioner stated that the Office reviews its protocols for dealing with complaints every six months. Currently, the protocol is that if there is a complaint regarding a staff member, the complainant should report it to the Office's legal officer. The Commissioner added that the Office is covered by the *Public Interest Disclosure Act* in the case of whistleblowing, so if an individual has concerns about the Commissioner, they can report that concern to the Ombudsperson. She also noted that the Office is working to develop a respectful workplace policy, which may include provisions for additional oversight.

Members noted the Office's cost savings and inquired what the Commissioner's travel schedule was like before the COVID-19 pandemic and what she expects moving forward. The Commissioner indicated that the primary reason she and her staff have travelled previously is to attend the annual Canadian Conflict of Interest Network conference, which she expects will continue. In the past, some travel has been related to meeting with Members, but the Commissioner now takes those meetings virtually.

The Committee asked how the number of staff in the Commissioner's Office compares with similar offices in other jurisdictions. The Commissioner noted that it is challenging to compare because the responsibilities of similar offices in other jurisdictions varies.

ELECTIONS BC

On April 25, 2024, Chief Electoral Officer Anton Boegman appeared before the Committee. He was accompanied by Executive Director of Electoral Finance Jodi Cooke and Senior Director of Finance and Facility Services Tanya Ackinclose.

SUMMARY OF PRESENTATION

The Chief Electoral Officer noted that Elections BC is in the final months of preparations for the 43rd provincial general election, scheduled for October 19, 2024. He highlighted that delivering electoral events is Elections BC's number one priority and its other four priorities are integrated with and support that primary focus. While the provincial election is the most prominent electoral event being delivered this year, there are three concurrent and related events underway, including the electoral boundaries redistribution and the pre-election enumeration of voters.

The Chief Electoral Officer reported that the work of the electoral boundaries redistribution is complete including implementing changes in the Office's internal systems and communicating with the public. He also indicated that voter enumeration will begin in August to improve the quality of the voters list before the provincial election, as well as to communicate information to voters about the event. This will be complemented by the Office's field enumeration which focuses on groups who have historically experienced barriers to participation, including Indigenous peoples, youth, new Canadians, and individuals served by homeless shelters and similar social service agencies. To better support Election BC's engagement with Indigenous communities, the Office has created Indigenous community liaison positions and to date, 54 communities have expressed interest. The Chief Electoral Officer noted that the final component of the enumeration event is a provincewide advertising campaign which aims to

register 90 percent of all British Columbians at the correct address, as well as increase coverage for youth.

The Chief Electoral Officer highlighted that this will be the first provincial election to feature the modernized voting and counting procedures which were introduced by the *Election Amendment Act, 2019* and offered an update on related key performance indicators. He reported that Elections BC hopes to achieve an average voter wait time of five minutes or less. Regarding voter participation information, the Office is aiming to share information for at least 90 percent of voters on final voting day within 45 minutes of them voting. In terms of results reporting, Elections BC is striving to produce initial election results in every district within 15 minutes of voting places closing, and to have at least 50 percent of initial votes counted and reported within 30 minutes. Elections BC aims to see at least 85 percent of respondents report being either satisfied or very satisfied with their administration of the election.

Following amendments to the *Election Act* in 2023, the Chief Electoral Officer highlighted that his Office has been strengthening its processes to respond to false statements and other forms of disinformation such as deepfakes enabled by artificial intelligence. Elections BC has also established an election integrity webpage which addresses various election-related myths. To help mitigate the risk of potential foreign interference, the Chief Electoral Officer convened an Election Integrity Working Group (EIWG), which includes representation from provincial and federal agencies. Elections BC will report on the outcome of the EIWG's work following the election and hopes the approach could serve as a model for other provincial jurisdictions. The Office anticipates tabling a report soon on recommendations for legislative change to better mitigate the risk of potential foreign interference in BC's elections.

The Chief Electoral Officer noted that the Office's work to protect electoral integrity also includes the administration and enforcement of election advertising and campaign financing rules. Following the 2022 general local elections, Elections BC opened 12 investigations into local elector organizations and will share the results of those investigations upon conclusion, including any administrative monetary penalties that are levied. Elections BC also anticipates tabling a report on recommendations for change to the *Local Elections Campaign Financing Act* based on lessons learned in administering these local elections.

Regarding finances, Elections BC reported approximately \$2 million in savings in the 2023-24 fiscal year. The Chief Electoral Officer noted that rather than sending personalized mail to all residents, neighbourhood specific information regarding changes to electoral districts was distributed as unaddressed mail to every household which resulted in significant savings in postage costs. The Office does not anticipate any changes to its service plans or any supplementary funding requests for the 2024-25 fiscal year; however, the Chief Electoral Officer noted that the salary increase related to the 2022 Judicial Compensation Commission process would be reflected in the Office's budget submission for 2025-26 and in the subsequent outer years.

Providing an overview of the Office's workplace culture, the Chief Electoral Officer noted that Elections BC measures its progress toward creating and maintaining a respectful workplace by participating in the BC Public Service Work Environment Survey (WES). In 2024, Elections BC achieved an engagement score of 79 and 94 percent of staff agreed with the statement: "I am treated respectfully at work." The Chief Electoral Officer emphasized that having a reputation as a good place to work supports Elections BC's recruitment goals, noting that running a provincial election requires the Office to grow from an organization of close to 80 staff to 20,000. He also indicated that Elections BC has standards-of-conduct policies, occupational health and safety policies, and a respectful workplace policy. Elections BC has also implemented a leadership development program, which ensures that its management team has the guidance they

need to lead effectively and respectfully. The Chief Electoral Officer underscored that Elections BC is a place where people feel safe to share their ideas, to disagree or to raise concerns, and where staff trust that they will be taken seriously, that they will not face reprisals for sharing their ideas and concerns, and do not feel pressure to hide any negative issues.

COMMITTEE INQUIRY

Committee Members inquired about Elections BC's strategies to target areas with low voter turnout. The Chief Electoral Officer noted that in addition to its provincewide strategy, Elections BC works to understand the rationale behind low voter turnout then develops strategies based on the unique characteristics and demographics of each electoral district.

The Committee asked about the challenges of implementing modernized election processes in rural areas. The Chief Electoral Officer indicated that tests have been conducted to ensure that these processes can be used as widely as possible throughout the province; however, where there is insufficient connectivity, Elections BC will have either a partial-tech voting place relying on a network within the voting place, or in some cases, rely on manual procedures. Noting the importance of rural representation, Members further inquired about where staff would be located throughout large ridings which combine both rural and urban areas. The Chief Electoral Officer acknowledged that while there is only a single electoral officer per district, district electoral officers have a mandate to ensure that all voters within their district are equally served, and have equal access from a candidate perspective, through voter registration and participation opportunities.

The Committee inquired about access to voting in hospitals and seniors' facilities. The Chief Electoral Officer noted that Elections BC sends mobile teams to every hospital, including acute care hospitals and extended care facilities, to bring the ballot to people who cannot go to a voting place. Members sought clarity about power of attorney and allocated people voting on behalf of individuals who are unable to physically

articulate or communicate their vote. The Chief Electoral Officer explained that the individual must be the one voting but can be assisted by either an election official or an individual, such as a caregiver, who has taken an oath to preserve the secrecy of the vote and to act impartially to help them record their vote.

Committee Members asked about working with Indigenous communities to select appropriate advance voting days and opportunities. The Chief Electoral Officer noted that district electoral officers are required to connect with all First Nations communities within their district, including extending the offer of an Indigenous liaison. He highlighted that the intention of outreach through Indigenous liaisons is to better understand the needs of Indigenous communities and to put in place voting opportunities that reflect those needs.

The Committee had several questions about workplace culture, including questions related to staff satisfaction; stress and workload levels; diversity, equity, and inclusion (DEI) training; and whistleblowing procedures. Regarding staff satisfaction levels, Members asked whether there was any follow-up regarding the six percent of individuals who did not express satisfaction in the WES. The Chief Electoral Officer indicated that the Office looks at all survey data, finds areas where the organization did well and those where it did not and identifies strategies needed to close any gaps. When asked about staff workload and stress levels, the Chief Electoral Officer acknowledged that his Office had an increased workload due to implementing legislative changes and modernizing the voting system. He further recognized that his Office must monitor the stress and workload employees face due to deadlines and legislative requirements. Regarding initiatives to address stress, the Chief Electoral Officer pointed to the Office's hybrid working model, social committee, and recognition program. Members also inquired about the Office's DEI training plan and the Chief Electoral Officer shared that training is provided to both permanent and temporary staff. In response to a question about whistleblowing, the Chief Electoral Officer indicated that the Deputy Chief Electoral Officer of Corporate Services

is the Office's designated representative and that the process mirrors what is available in the public service.

Finally, the Committee thanked the Chief Electoral Officer and his Office for the work to modernize the province's electoral systems and reduce wait times at the polls to encourage voters to cast their ballot.

OFFICE OF THE HUMAN RIGHTS COMMISSIONER

On April 26, 2024, Human Rights Commissioner Kasari Govender met with the Committee. She was accompanied by Deputy Commissioner Bernard Achampong and Chief Financial Officer Leoni Gingras.

SUMMARY OF PRESENTATION

The Commissioner began her presentation by noting that her mandate is to address the root causes of inequality, discrimination, and injustice by shifting laws, policies, practices, and cultures. The Office accomplishes this work through education, research, inquiries, monitoring, and advocacy. The Office's five strategic priorities, which were developed shortly before the onset of the COVID-19 pandemic, include the rise of hate and white supremacy, poverty as both a cause and an effect of inequality, the rights of those held in detention, decolonization and Indigenous rights, and discrimination in employment, housing, and services.

The Office is currently working on three inquiries, examining the *Adult Guardianship Act*, media exclusion zones, and the use of force in policing. The Commissioner explained that the *Adult Guardianship Act* permits health authorities and Community Living BC to provide emergency assistance to adults who appear to be abused or neglected and seem incapable of consenting to care and may include detaining people involuntarily for indefinite periods of time. The Commissioner shared that in one instance the use of this law led to an Indigenous woman being held against her will for approximately one year. The inquiry aims to better understand how these provisions are used and whether detention practices align with domestic and international human rights law. As part of this work, the Office is interviewing people who have been detained or whose family members have been detained, requesting information from public bodies,

and holding a roundtable with community organizations that work directly with impacted people.

The Commissioner emphasized that it is important to ensure the recommendations from inquiries are implemented. Since the release of the Office's report *From Hate to Hope: Report of the Inquiry into hate in the COVID-19 pandemic*, the Commissioner has been working across the province to support communities in acting on the recommendations. As such, the Office has hosted dialogue events with community leaders, as well as painted murals in Keremeos, Fort St. John, Nanaimo, and Vancouver. These murals formed the basis of a touring audiovisual exhibit, which launched in April in Vancouver.

Another key project for the Office is its baseline project, which examines the current state of human rights in BC. As part of this, the Office has launched a database of more than 1,700 recommendations related to human rights from 70 reports published in the last five years. Earlier in April, the Office released four community briefs as part of the baseline project, which profile some of the human rights issues facing people in Chetwynd, Terrace, Chilliwack, and Cranbrook. Another component of the baseline project is the Office's first key issues report, which is expected to be released in June and will document 10 issues drawn from a range of data sources including community consultations.

The Commissioner also discussed the educational toolkit that the Office has developed to help people understand and address systemic discrimination, which includes a workshop, video, and simulated experiential learning opportunity. The Commissioner shared that the Office has delivered the workshop to hundreds of participants, and more are registered. The simulation places people in fictional roles and helps them understand how easy it is to perpetuate systemic discrimination, while also providing tools to apply in real life.

Regarding workplace culture, the Commissioner shared that the Office has made commitments in its guiding principles and strategic plan to accessibility, sustainability, and creating a just, equitable, and inclusive workplace culture. The Office participates in the BC Public Service Workplace Environment Survey (WES) and conducts its own internal survey every two years. In the last WES for which results are available, the Office scored above average on every metric except pay. According to the Commissioner, areas of strength for the Office include teamwork; alignment on vision, mandate, and goals; agreement on workplace values; respect for colleagues; and a belief that people from all backgrounds are treated well in the workplace. The Commissioner highlighted steps to support positive workplace culture, including offering ethics and standards of conduct training and using workplace committees to support accessibility and occupational health and safety. Areas for improvement that have been identified are workload, psychological safety, and communication from executive management. The Commissioner stated that, to address these challenges, the Office has provided training on psychological safety; commissioned an external audit of all policies from an equity, diversity, and inclusion perspective; developed internal communications tools; and supported flexible and hybrid work. She also highlighted the Office's first accessibility report, which was released in December 2023 and outlines priorities including improved website accessibility and audits of procurement practices, public events, and education materials.

With respect to finances, the Commissioner noted that her Office is in the process of taking over delivery of its own corporate services, after sharing services with the Office of the Representative for Children and Youth. The Commissioner confirmed that this transition will be cost-neutral and will increase efficiency. At the time of the Commissioner's presentation, the Office had filled three of the corporate services positions and expects the others to be filled in the upcoming months.

COMMITTEE INQUIRY

Committee Members asked whether the Office's scores on the WES have improved over time. The Commissioner explained that each year the Office alternates between completing the WES and an internal survey; this year the Office completed the WES and is awaiting results. She noted that the two surveys are not directly comparable, but that there has been some improvement.

Members asked about mechanisms to address staff concerns or complaints within the organization and about the Commissioner specifically. The Commissioner described internal mechanisms that can be used to bring forward concerns, including an anonymous feedback form. The Office also has an ethics advisor role, which is filled by the Deputy Commissioner who emphasized that the Office focuses on confidentiality and has an open-door policy so that staff are comfortable sharing concerns. The Commissioner added that the Office is covered by the *Public Interest Disclosure Act*, so if an individual believes there is serious wrongdoing within the organization, they can report that concern to the Ombudsperson.

The Committee inquired about how the Commissioner builds relationships with and hears from community leaders who do not have a formal role or membership in an organization. The Commissioner agreed that it is important to connect with many different people in communities and hear what is happening on the ground. She shared that for the community briefs she met with organizations ranging from direct service providers to ones focused on systemic work, as well as with several First Nations. For the inquiry into hate during the pandemic, the Commissioner held events in multiple communities and brought together a range of community members. In Nanaimo, the Office created a "living library" in partnership with a community organization, where people shared their experience with human rights, on topics like discrimination and immigration. The Commissioner noted the gratitude she has heard from people when she visits communities in person and stated that she intends to continue this practice. Regarding how the communities were selected for the community briefs, the Commissioner explained that she selected communities that differed in

terms of location, size, and diversity of the population. She added that her Office developed important relationships while working in those communities and will continue to build on those, while also expanding the focus of the baseline project to other areas.

Committee Members inquired how decisions are made about involuntary care under the *Adult Guardianship Act*. The Commissioner indicated that one of the focuses of the inquiry will be to look at what triggers these emergency mechanisms that lead to involuntary care. She noted that this power is established in section 59 of the Act and that health authorities and Community Living BC are the agencies with this power, but she is seeking more information on which professionals within those bodies are making the decisions. Members commented that a challenge with involuntary care is that people may feel like they should not be in care, but once they are released, they may lose capacity to care for themselves. The Commissioner indicated that she recognizes the human rights value in ensuring that vulnerable adults are taken care of. She stated her intention is to ensure the legal framework governing this practice protects human rights, including by allowing input from individuals and their family members.

Committee Members asked about the Commissioner's recommendations on school liaison officers, noting that much of the data is not from BC or Canada. The Commissioner stated that her recommendation on school liaison officers is that government and school boards should conduct research to acquire the data that BC is lacking. She noted that data from other jurisdictions has identified some dangers for racialized students and students with disabilities. Additionally, the Commissioner referenced her research on systemic discrimination in policing, which examined the impact of police practices on different communities. One example the Commissioner highlighted is that, in Vancouver, an Indigenous man is 17 times more likely to be arrested than a white man. The Commissioner emphasized the importance of evidence-based policymaking and highlighted her Office's report that led to the *Anti-Racism Data Act*.

The Committee inquired how the Commissioner is addressing misinformation and disinformation, especially regarding the

impact on vulnerable populations. The Commissioner shared that misinformation and disinformation are discussed in the sections of the *From Hate to Hope* report that examine online hate and the drivers of hate. One recommendation from the report was that the Ministry of Education and Child Care include misinformation and disinformation in its digital literacy curriculum. The Office is also planning public awareness work on this topic.

In response to a question regarding whether the Commissioner is conducting outreach on the social media platform WeChat, the Commissioner shared that she has focused on other platforms but appreciates the input from Members on the value of conducting outreach on WeChat. She described some of the other outreach efforts that the Office has conducted to reach multilingual communities, including social media advertising and posts, translations of website materials, and engagement with multilingual news outlets.

Committee Members also inquired about the Office's work related to the rights of unhoused people. The Commissioner stated her Office has developed practical guidance for municipalities to respond to encampments with an approach that upholds human rights. The Office has also conducted targeted outreach with municipalities on specific issues, such as with the City of Vancouver regarding Crab Park. The Commissioner added that her inquiry into media exclusion zones is specifically about their use during the removal of the Hastings encampment in Vancouver. With respect to the reception of this work, the Commissioner indicated that uptake from municipalities has varied. She added that housing generally arose as a theme during the community briefs.

The Committee thanked the Commissioner for her work building the Office and her efforts to engage with smaller communities around the province. The Commissioner shared that she will be visiting some communities to launch the community briefs in the coming months. She also noted that the Office will be doing a significant organizational evaluation, including public engagement on the Office's work, which will be published in 2025.

OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER AND REGISTRAR OF LOBBYISTS

Michael McEvoy, Acting Information and Privacy Commissioner and Registrar of Lobbyists, met with the Committee on April 26 and April 29, 2024. He was accompanied by Deputy Commissioner and Registrar oline Twiss, Deputy Commissioner Jeanette Van Den Bulk, and Deputy of Corporate Shared Services Dave Van Swieten.

SUMMARY OF PRESENTATION

The Acting Information and Privacy Commissioner began his presentation by providing updates on priority areas of the Office. The Acting Commissioner highlighted the Office's focus on reducing its backlog of adjudicative files by strengthening its adjudication division. The Acting Commissioner explained that a case requires adjudication when it is unresolved at the investigation stage or by mediation services. He highlighted that in 2021-22, there was a backlog of 200 of these cases and that number was forecasted to reach 335 by the end of 2023-24. The Acting Commissioner shared that the Committee's approval in 2022-23 to hire seven additional FTEs (five permanent and two temporary) has reduced the number of cases to 177 in 2023-24 and he expects the backlog to decline to 133 by the end of 2024-25.

The Acting Commissioner provided an update on impacts of the legislative changes made to the *Freedom of Information and Protection of Privacy Act* in 2023, which require public bodies to report privacy breaches to the Office and establish privacy management programs. He explained that each breach report received by the Office is triaged by staff who work with the organization to stop the breach, assess its severity, and determine if affected individuals should be notified. It was highlighted by the Acting Commissioner that the Office expected a 300 percent increase in breach reports over three years due to the new reporting requirements and the Committee supported hiring 7.5 FTEs in 2023-24 to

address this expected increase in workload. He stated that the number of breach reports received by the Office from the public sector has increased by 228 percent thus far and is on track to exceed the predicted 300 percent increase over the next two years. It was also noted that the Office has seen a rise in voluntary breach notifications received from private sector organizations. The Acting Commissioner shared that the Office has also engaged in educational work to support these legislative changes, which included hosting six in-person training sessions in the fall to educate public bodies on their obligation to report breaches and develop and document privacy management programs.

Looking forward, the Acting Commissioner noted that the Office has seen an increase in files related to a public body's decision to withhold requested information or failure to respond to an access to information request within 30 business days. He highlighted that the Office is examining internal efficiencies, including reallocating resources within the existing budget to manage this growth but may require additional resources in the future if the number of these files continues to increase.

In providing an overview of the Office's workplace culture and procedures, the Acting Commissioner shared that his Office has adopted a flexible work policy, allowing staff to work from anywhere in the province. He also noted that the Office has implemented respectful workplace training and participates in the San'yas Indigenous Cultural Safety Training Program which provides staff training on cultural safety for working with Indigenous peoples. The Acting Commissioner shared that the Office is scheduled to provide staff training through the Canadian Mental Health Association to increase awareness of mental health issues, reduce stigma, and strengthen workplace culture. Regarding healthy workplace policies and procedures, the Acting Commissioner shared that the Office has policies in place to support staff and to

ensure a safe workplace for all. He noted that policies on harassment, bullying, and discrimination apply to all staff, and include complaint procedures, to promote a safe and healthy workplace. He also shared that the Office has behaviour, threats, and violence policies in place to minimize the risk of harm to employees from work related exposure to violence or abuse from members of the public.

SUPPLEMENTARY FUNDING REQUESTS FOR 2024-25

On April 29, 2024, the Acting Commissioner presented a supplementary funding request of \$374,000 in operating funding for 2024-25. The request included four components. First is \$75,000 in operating funding to cover the relocation expenses of the new Information and Privacy Commissioner, Michael Harvey, who begins his term on May 6, 2024. The Acting Commissioner noted that Mr. Harvey is relocating from Newfoundland and Labrador and this request will cover moving costs and legal and real estate fees.

The second request is \$90,000 in operating funding to retool the Lobbyist Registry to comply with recent amendments to the *Lobbyist Transparency Act*. The Acting Commissioner explained that lobbyists are now only required to report government funding every three months instead of the previous requirement to report monthly. He further explained that the amendments also clarify registration requirements for lobbyists working on behalf of a client or with other lobbyists. Because of these changes, the Acting Commissioner noted that the Lobbyist Registry software will need to be updated which will take up to six months to complete.

The third request is \$109,000 in operating funding to hire one FTE to support the transition to a new case tracker system. The Acting Commissioner highlighted that this request is within the total budget previously approved for the project, but due to project delays, the Office is requesting this funding in the current fiscal year. He explained that the position will work with staff and developers to ensure the system meets operational and reporting requirements once the system goes live in June 2024.

Pursuant to the *Freedom of Information and Protection of Privacy Act*, the Information and Privacy Commissioner's salary is equal to that of the chief judge of the Provincial Court of British Columbia. At the time of the fall 2023 budget process, the salary of the chief judge for fiscal years 2023-24, 2024-25, and 2025-26 had not yet been determined. Since the fall process, the salary for the chief judge has been set at \$403,200 for 2024-25. As such, the fourth request is \$100,000 in operating funding for 2024-25 related to this salary adjustment.

COMMITTEE INQUIRY

Committee Members inquired about how the Office assesses the impact of its workplace policies. The Acting Commissioner shared that the Office participates in the BC Public Service Workplace Environment Survey (WES) which he noted provides assessment tools and identifies areas for improvement which the senior leadership team has worked to address. Members also asked about existing mental health supports for employees that work directly with the public. The Acting Commissioner shared that despite most interactions being civil and respectful, there are a growing number of occurrences of people being aggressive with staff. He explained that front-line employees are encouraged to talk with their colleagues and supervisors, and that the Office provides external mental health resources that staff can access.

Members inquired if the Office has a recruitment philosophy that includes diversity, equity, and inclusion (DEI). The Acting Commissioner shared that DEI considerations are taken into account on all hires to ensure the workplace reflects the diversity of British Columbia. The Deputy Commissioner and Registrar added that the Office has incorporated Indigenous cultural competencies into its hiring practices and has expanded the advertisement of job postings to reach a wider and more diverse audience.

Committee Members asked about the procedures in place for employee complaints or whistleblowing. The Acting Commissioner shared that the Office has different structures in place depending on the employee's concern. Regarding

whistleblowing, he clarified that employees can file a report internally with the Deputy Commissioner or can file externally with the Office of the Ombudsperson under the *Public Interest Disclosure Act*. The Acting Commissioner shared that employee complaints can be addressed directly with their supervisor. He clarified that for staff with a complaint against their supervisor, they can file a complaint with the Deputy Commissioner and any complaints against the Commissioner can be filed with the Chief Electoral Officer. Members sought clarity on this process of filing a complaint against the Commissioner externally with another statutory office. The Acting Commissioner explained that the external complaint process with the Chief Electoral Officer is a result of the Office's updated bullying and harassment policies, as it provides a safeguard and accountability mechanism for complaints against the Office or Commissioner.

Members discussed and asked questions around the introduction and growth of new technologies such as facial recognition and artificial intelligence (AI), and their impacts on privacy. The Acting Commissioner explained that facial recognition technology is growing increasingly invasive and has been misused on several occasions. He highlighted the Office's recent investigation into Canadian Tire's use of facial recognition technology to reduce shoplifting, which found that it was ineffective and created privacy issues. The Acting Commissioner shared that his Office, along with other jurisdictions, is currently investigating OpenAI and noted that the growth of AI has raised questions around privacy laws, intellectual property laws, and other issues. The Acting Commissioner highlighted that there is a need for government to examine and reform private sector laws as they relate to these new technologies.

Members asked if the Office has any outreach plans specifically targeted to ethnic communities. The Acting Commissioner shared that the Office is working with translation services to address language barriers to broaden the reach and accessibility of the Office to people whose first language is not English. He added that Office is currently testing a pilot project to provide spoken language interpretation services for non-English speakers wanting to access the Office's services.

Regarding the supplementary funding request, Members asked about the case tracker system replacement project and requested FTE position. The Acting Commissioner explained that the new system was developed to replace aging IT infrastructure and has been designed to be user friendly. He noted that the new system enables staff to save time through efficiencies such as not being required to do multiple inputs. As the last of multiple statutory offices to implement the system, the Acting Commissioner noted that the Office was able to learn from the experiences of the other offices that implemented the software and the supplemental funding request for one FTE will help address the challenges and issues they faced. In response to follow-up questions on the lifespan of the FTE position, the Acting Commissioner clarified it is a temporary position to support the launch and early life of the system and is only needed for the 2024-25 fiscal year.

Committee Members inquired about the Office's supplemental funding request of \$75,000 for relocation expenses for the new Commissioner. The Deputy of Corporate Shared Services explained that the Office worked with Relocation BC and the request is an estimate that includes costs related to the new Commissioner's housing search, along with legal and real estate fees. Members sought clarity on the request's alignment with existing relocation policies. The Deputy of Corporate Shared Services clarified that there is a policy; however, it does not include a limit on cost, only a shipping weight limit. He added that there are cost limits for real estate and legal fees.

CONCLUSIONS

The Committee thanked the Acting Commissioner for his years of service as Information and Privacy Commissioner and his many appearances before the Committee. Members noted that the supplementary funding requests are reasonable as the Office is required to update the Lobbyist Registry due to legislative changes and the position to support the implementation of the case tracker system is temporary. The Committee agreed to support the Office's supplementary funding request.

RECOMMENDATION

The Committee recommends to the Legislative Assembly that:

1. The Office of the Information and Privacy Commissioner and Registrar of Lobbyists be granted access to supplementary funding up to \$374,000 in operating expenditures in 2024-25.

OFFICE OF THE MERIT COMMISSIONER

The Merit Commissioner, David McCoy, met with the Committee on April 26, 2024, accompanied by Deputy Commissioner Elizabeth Maurer and Deputy of Corporate Shared Services Dave Van Swieten.

SUMMARY OF PRESENTATION

The Commissioner began by outlining the vision for the Office which is to have a provincial public service founded in merit-based hiring, fair process, and just cause dismissals. He noted that the vision will be achieved by monitoring the application of the merit principle in hiring appointments and reviewing the application of best practices, policies, and standards in just cause dismissals.

The Commissioner described his Office's ongoing merit-awareness campaign designed to help him better understand what people know about the merit principle, and the role and expectations of the Office. The Commissioner recognized that there is a misconception that an audit resulting in a merit with exception rating is considered a positive result. This misconception gives rise to the incorrect presumption that 96 percent of hiring processes fully apply the principle of merit, when in fact, only 64 percent have met this threshold. As a result, the Commissioner is acting to ensure better clarity and understanding of the legislated requirements for merit-based hiring practices. The Commissioner also observed that some organizations do not always know how to support inclusive hiring efforts and his Office is making it a priority to research and discuss inclusive hiring practices. Finally, the Commissioner identified that sections of the *Public Service Act* and regulation outlining the independent oversight of fair hiring would benefit from a review to improve accessibility to the staffing review process.

The Commissioner shared that in 2022-23 his Office conducted 268 audits of randomly selected appointments from organizations who hire for roles under the *Public Service Act*. The Commissioner noted that the rate of errors, of almost all types, remain stable, or even decreased slightly, and the rate of merit findings continue to gently trend upwards to 64 percent. The Commissioner highlighted that the Office's own audit selection program had randomly selected a recent appointment from within the Office. While there is no legislative requirement for the Office to be included in the audit program, the Commissioner felt that his Office and its hiring practices should be treated with the same scrutiny and rigour to which other public service organizations are held accountable. As such, he invited the Public Service Commissioner of Canada to audit the appointment, and shared with the Committee that his Office received a merit and qualified candidate rating on the competition file. Turning to the Office's second area of responsibility, in 2023-24, the Commissioner noted that the Office received 25 requests for staffing decision reviews. The Commissioner stated that this is an increase from 18 reviews in 2022-23. With respect to just cause dismissal reviews, the Office conducted 19 dismissal process reviews, not including files that were specific to an individual's COVID-19 vaccination status.

The Commissioner acknowledged the work of the Special Committee to Review Provisions of the *Public Service Act* and emphasized that the report reaffirmed the value of independent oversight of dismissal processes and that the related provisions in the *Public Service Act* should largely remain unchanged. He also highlighted that the Special Committee made three recommendations for amendments to the *Public Service Act* that would support his Office to assure the public that just cause dismissals of public service employees are held to a high standard of administrative fairness.

Regarding finances, the Commissioner advised the Committee that the Office did not anticipate any changes to its service plan or budget request. The Commissioner reported on the case tracker system replacement project and the implementation of the Resolve software as well as the recruitment of new staff to replace those who had retired. The Deputy Commissioner indicated that the Office consists of five full-time staff and three part-time staff, plus four contracted auditors. She also highlighted that they are currently hiring for the in-house auditor position approved by the Committee in fall 2023.

The Deputy Commissioner described respectful conduct, intentionality, and professional values as the foundation of the Office's workplace culture. She noted that these values represent an ongoing conversation amongst the team and are supplemented by policy and training. The Deputy Commissioner added that this philosophy has been complemented by the hybrid work model and investing time in workplace relationships.

COMMITTEE INQUIRY

In terms of workplace culture, the Committee inquired whether the Office measured work satisfaction levels amongst its staff. The Deputy Commissioner identified that the Office could not participate in the BC Public Service Workplace Environment Survey because it has fewer than 25 employees. The Deputy Commissioner added that the Office does not have an internal survey mechanism; however, staff can share their feedback with the Commissioner, the Deputy Commissioner, or human resources. If staff want another avenue to raise concerns about serious wrongdoing, including issues with the Commissioner, the Deputy Commissioner noted that they can do so through the Ombudsperson under the *Public Interest Disclosure Act*.

Regarding the audit program, Committee Members asked about the misconception that 96 percent of hiring processes had merit applied. The Commissioner identified that two categories had been combined to achieve this figure, both merit applied (with 64 percent) and merit with exception,

where errors in merit did not impact the outcome because the person either dropped out of the process or failed some piece of the process. The Commissioner highlighted that the Office is taking action to correct these myths, while also recognizing those who already apply merit principles. The Commissioner identified that when staff find excellent examples of hiring files that demonstrate the principle of merit, they are highlighted anonymously in the Office's report and the Commissioner personally recognizes the work of each hiring manager and their deputy minister.

The Committee asked how the Office would determine progress on its four recommendations to improve merit-based hiring. The Deputy Commissioner explained that the Office has an annual audit cycle and randomly selects a certain number of competitions every quarter to undergo a detailed audit review. She highlighted that this year's audit revealed errors around lessened qualifications and expressions of interest which are reflected in the Office's recommendations. The Office has a detailed tracking system to determine the number of these types of errors and whether the public service is improving in an area.

Members asked about the results of the Office's staffing reviews. The Commissioner clarified that there were several files that he could not accept for review as they either came from the public or from excluded staff, or because the individual did not first go to the organization head for review. Once the file comes to the Office, staff conduct a thorough investigation into the process to determine if it was fair, just, and equitable and to ensure that it was consistent and in line with the principle of merit. In some cases, the Commissioner can request a reconsideration by the organization head; however, the organization is not required to inform the Commissioner about any developments.

In response to a question about standardized hiring practices, the Commissioner noted that practices and processes come from either the Public Service Agency or an organization's human resources department. The Commissioner clarified that his Office provides guidance regarding expectations for merit-based hiring but does not prescribe the process as long as organizations respect the merit principle.

Committee Members asked if the Office monitors qualifications in job postings and whether they have evolved. The Deputy Commissioner indicated that qualifications are not tracked systematically as part of audits, but the Office is currently tracking inclusive hiring practices including language around equivalent experience or equivalent education as a way to open the competition to a more diverse applicant pool. The Deputy Commissioner added that in the fall the Office will be looking at a special study of diversity and inclusion in hiring and anticipates that equivalencies will be tracked and observed. Finally, she noted that some of the qualifications relate to classification, which is a different area of human resources that is not within the purview of the Office.

OFFICE OF THE OMBUDSPERSON

Jay Chalke, Ombudsperson, appeared before the Committee on April 26, 2024. He was accompanied by Deputy Ombudsperson, Strategic Outreach and Inclusion, Stephanie Garrett; Deputy Ombudsperson, Investigation, Intake and Early Resolution, David Paradiso; Manager of Indigenous Initiatives T'oilá McIntyre; and Deputy of Corporate Shared Services Dave Van Swieten.

SUMMARY OF PRESENTATION

The Ombudsperson began his presentation by highlighting the recent work of the Office, including recent reports. The Ombudsperson highlighted the Office's report titled *No Notice, No Benefit: How retroactive changes to the BC Emergency Benefit for Workers resulted in unfairness*, which covered the Office's investigation into the Ministry of Finance's administration of one-time emergency pandemic benefits. He also spoke about the Office's report titled *On the Road Again: Fixing a longstanding injustice in section 42 of the Transportation Act*, which examined provisions in the *Transportation Act* that deems roads that cross private property to be public if certain criteria are met. The Ombudsperson discussed the Office's recent follow-up report on recommendations made to the Ministry of Children and Family Development in 2021 and described difficulties in confirming implementation by the Ministry. He also shared that he was pleased to see the Premier's apology to the Sons of Freedom Doukhobor community in February 2024, an issue first examined by the Office in 1999, and intends to release a report on the issue later in the year.

With respect to finances, the Ombudsperson stated that for 2023-24, the Office will have a \$9,000 surplus from its approved budget of \$13.9 million. He also shared that the Office recently hired a new Chief Information Officer and will be conducting an internal review for potential improvements

to its IT services. He noted that the Office will share the results of this review at its next meeting with the Committee.

Regarding Office workload, the Deputy Ombudsperson, Investigation, Intake and Early Resolution shared that the Office has seen an increase in the complexity of cases. He explained that as more public organizations develop internal complaint mechanisms it has resulted in the Office receiving complex cases that are often long-standing, entrenched disputes that could not be addressed by these internal complaint mechanisms. The Deputy Ombudsperson highlighted that the Office has also seen an increase in calls and complaints from individuals that are living with mental health conditions who are unable to successfully resolve their complaints with public bodies. He also noted a rise in crisis calls being made to the Office involving access to housing, health care, and other issues, which have placed higher demands on Office staff. The Deputy Ombudsperson highlighted that the Office has launched its online complaint checker that assesses whether a complaint is within the Office's jurisdiction and provides information on complaint avenues available through other organizations. The Deputy Ombudsperson noted that the Office has seen a rise in complaints that are within the Office's jurisdiction since its launch, which has increased the workload for staff.

The Ombudsperson shared that last year, the Office hired a Deputy Ombudsperson, Strategic Outreach and Inclusion to further the diversity, equity, inclusion, and accessibility work of the Office. The Deputy Ombudsperson, Strategic Outreach and Inclusion noted that the Office has published its *Accessibility Plan 2023-2026* which contains the Office's diversity, inclusion, and accessibility priorities, as well as future outreach plans. Regarding outreach, the Deputy Ombudsperson shared that the Office has hired an engagement specialist to identify and establish connections

with key community organizations. In addition, the Office plans to hire two auxiliary six-month community liaison positions, approved by the Committee in fall 2023, to prepare outreach plans for 2024-25 with a focus on the disability community and individuals who are experiencing homelessness or economic precarity. In 2025-26, outreach plans will focus on youth and newcomers to BC.

Regarding Indigenous outreach, the Manager of Indigenous Initiatives noted that the Office is in the final planning stages for the second phase of its Indigenous Communities Services Plan, which includes shifting to a long-term Indigenous outreach strategy that aligns with broader outreach plans. The Manager shared that phase two will transition contracted Indigenous liaison pathfinder roles to permanent positions, include training for staff, and integrate reconciliation as a key principle in the Office's investigations. The Ombudsperson stated that the Office has seen a sustained rise in the number and complexity of complaints received from Indigenous people and the management of this workload will likely be discussed in the Office's next budget submission. He added that the Office has also been receiving information and training requests from Indigenous governments regarding administrative fairness. The Ombudsperson explained that Indigenous governments are not considered public bodies under the *Ombudsperson Act*, but supporting these requests is part of the Office's ongoing commitment to reconciliation.

Regarding workplace culture, the Ombudsperson shared that the Office applies core public sector policies on standards of conduct, bullying, and harassment. He noted that the Office provides opportunities for employees to share their thoughts on workplace culture through managerial open doors and roundtables, as well as through the BC Public Service Workplace Environment Survey (WES). The Ombudsperson discussed the policies and procedures of the Office to promote a healthy workplace, which include flexible work arrangements to support staff wellness. He added that the Office has established counselling support for work-related trauma and will participate in mental health awareness training through the Canadian Mental Health Association to better integrate mental health in the workplace. Regarding

whistleblowing or complaints, the Ombudsperson stated that the Office has two designated officers for employees to raise issues with.

SUPPLEMENTARY FUNDING REQUESTS FOR 2024-25

Pursuant to the *Ombudsperson Act*, the Ombudsperson's salary is equal to that of the chief judge of the Provincial Court of British Columbia. At the time of the fall 2023 budget process, the salary of the chief judge for fiscal years 2023-24, 2024-25, and 2025-26 had not yet been determined. Since the fall process, the salary for the chief judge has been set at \$403,200 for 2024-25. As such, the Office requested \$100,000 in operating funding for 2024-25 related to this salary adjustment.

COMMITTEE INQUIRY

Members asked questions about the strategic outreach plan including how to raise awareness of the Office among youth and newcomers. The Ombudsperson highlighted that general awareness of the Office is low, even more so amongst new Canadians and young people. The Deputy Ombudsperson, Strategic Outreach and Inclusion explained that the Office is currently mapping community organizations and individuals with lived experiences to identify partners that could effectively support the Office's outreach initiatives to raise awareness. She shared that the Office is also currently revamping its digital engagement strategy to integrate successful practices to better reach youth and post-secondary students. Regarding newcomers, the Deputy Ombudsperson shared that the Office is reviewing its outreach plans to address potential language barriers through translation. In response to a follow up question about measuring success of outreach efforts, the Ombudsperson explained that the Office has established an awareness survey cycle that rotates annually between the public, public authorities under the Office's jurisdiction, and complainants to gauge awareness of the Office. He shared that this year's awareness survey will target the public, as the last public awareness survey

was conducted three years ago. The Deputy Ombudsperson noted that at the end of this three-year cycle, the Office will look to evaluate behaviour and awareness changes among specific groups to gauge the impact of awareness efforts. The Ombudsperson added that measuring the impact and outcome of awareness is a challenge for all Ombuds given the nature of the work and has led to the Office's longitudinal survey approach.

Members asked if the Office intends to provide outreach to Members and constituency staff following the provincial general election scheduled for the fall of 2024. The Ombudsperson explained that following an election, he typically attends an orientation session to inform Members of the work of the Office. He added that he will often visit constituency offices to have discussions with and educate constituency staff and will consider future outreach in this area.

Committee Members inquired about the work of the Office as it relates to compensation for the Sons of Freedom Doukhobor community. The Ombudsperson shared that there are planned discussions with the Ministry of Attorney General regarding how a compensation framework would be designed and noted the importance of ensuring that the community has a robust way of participating. He reiterated that his Office will be continuing to examine the issue and will be reporting on it later in the year.

Members asked about whistleblowing avenues for employees within the Office. The Ombudsperson stated that each statutory office has a designated officer for handling whistleblower disclosures under the *Public Interest Disclosure*

Act (PIDA). The Ombudsperson noted that employees of other statutory offices can also make an external disclosure to his Office. He stated that in certain instances, bullying and harassment could constitute wrongdoing under PIDA, and a disclosure could be made with the Office. He added that bullying and harassment could be considered a potential subset of all wrongdoing. Committee Members sought clarity on the process for employees who may have a complaint directed at the Office or Ombudsperson in particular. The Ombudsperson shared that employees who wish to make a disclosure under PIDA regarding the Office or the Ombudsperson can report to the Auditor General, which was a policy before PIDA came into force in 2019 but is now required under section 13 of the Act.

Committee Members inquired about the Office's mental health and counselling supports for staff who work with the public. The Ombudsperson highlighted that it is a statutory obligation of the Office to receive complaints, which can often be traumatic or triggering for employees. He shared that the Office has established additional supports for staff who have experienced work-related trauma and covers the cost of counselling and other supports.

CONCLUSIONS

The Committee thanked the Ombudsperson and Office for the challenging work they do in helping the public address their issues and complaints regarding public organizations. Members were appreciative of the support provided by the Office in helping constituency staff and supported the Office's request for supplementary funding.

RECOMMENDATION

The Committee recommends to the Legislative Assembly that:

2. The Office of the Ombudsperson be granted access to supplementary funding up to \$100,000 for operating expenditures in 2024-25 for legislative salary and benefits.

OFFICE OF THE POLICE COMPLAINT COMMISSIONER

Prabhu Rajan, Police Complaint Commissioner, met with the Committee on April 25 and April 29, 2024. He was accompanied by Deputy Commissioner Andrea Spindler and Deputy of Corporate Shared Services Dave Van Swieten.

SUMMARY OF PRESENTATION

The Police Complaint Commissioner, who was appointed for a five-year term in February 2024, began his first spring update by providing an overview of the role of the Office in ensuring impartial, non-partisan oversight of municipal police services. The Commissioner highlighted that the Office will soon have new legislative obligations resulting from the *Police Amendment Act, 2024*, which will enable the Office to conduct systemic investigations and order public hearings earlier in the investigation process. The Commissioner noted these changes will address gaps in the *Police Act* and increase the workload of the Office and he has submitted a supplementary funding request as a result. While discussing performance metrics, the Commissioner stated that the Office has seen a rise in files related to the Surrey Police Service (SPS) transition and anticipates the SPS will generate 440 additional files by 2027-28. Overall, he stated that the number of files opened by the Office has increased from 1,362 in 2019-20 to 1,490 in 2023-24. The Commissioner shared that the Office has also observed a growth in the complexity of files received, as they often involve broader systemic issues or include large volumes of investigation material.

The Commissioner provided an overview of workplace culture within the Office, including policies and procedures in place to support workplace wellness. He shared that workplace wellness is a priority for the Office, as staff are often required to deal with difficult issues and subject matter. To support staff, the Commissioner shared that the

Office provides specialized counselling support on work-related mental health concerns that includes supports for specific situations, periodic support for cumulative issues, and routine counselling. He noted that the Office, along with other statutory offices under the corporate shared services model, is working with the Canadian Mental Health Association to provide an education and training program on mental health. Other training highlighted by the Commissioner includes mandatory training on anti-racism, anti-discrimination, inclusion, and other areas as part of the Office's organizational learning strategy. To assess staff engagement, the Commissioner highlighted that he will be holding bimonthly all-staff forums to engage directly with staff going forward, and that the Office is conducting a new survey to identify areas for workplace culture improvement.

Turning to key priorities, the Commissioner shared that the Office has hired a new communications and engagement position to lead community outreach and increase awareness of the complaint process. The Commissioner highlighted continued progress on the Indigenous Accessibility Strategy and recent work with an external consultant to improve accessibility of the complaint process. The Commissioner also noted that last year, the Office translated its information materials into multiple languages and has recently begun sharing these materials with police departments and community-based agencies. The Commissioner stated that the Office's decision database, which is a publicly available database of information on substantiated police misconduct dating back to 2010, is expected to go live within the year. The Commissioner noted that the Office plans to develop a confidential database with summaries for *Police Act* investigators and decision makers which will assist investigations, analyses, and conclusions.

The Commissioner highlighted that alternative dispute resolution will be a priority of the Office moving forward, as resources are often spent on complaints that could have been concluded earlier if individuals were provided with a better opportunity for early resolution. He noted that as time passes during the investigation process, positions can become entrenched, making it more difficult to restore relationships and trust. The Commissioner stated that strengthening the alternative dispute resolution process will improve public confidence in policing and the complaint system.

SUPPLEMENTARY FUNDING REQUESTS FOR 2024-25

On April 29, 2024, the Commissioner appeared before the Committee to present a supplemental funding request of \$1.235 million in operating funding and \$709,000 in capital funding for 2024-25.

The supplemental funding request included four components. The first request is \$716,000 in operating funding and \$10,000 in capital funding to hire five FTEs to address new legislative obligations resulting from the *Police Amendment Act, 2024*. The Commissioner explained that the amendments will enable the Office to conduct systemic investigations, hold public hearings earlier in the investigation process, establish binding guidelines for police services, and retain investigation observers. Given the scope of the legislative changes, the Commissioner noted that additional capacity will be required across the Office's functions. The *Police Amendment Act, 2024*, will also expand the jurisdiction of the Office to provide oversight of safety officers in detention facilities. The Commissioner noted that the Office's next budget submission will include more details on the impacts of this change, particularly the need to expand outreach capacity.

The Office also requested \$303,000 in operating funding and \$4,000 in capital funding to hire two FTEs to address workload and support capacity pressures related to the SPS transition. The Commissioner noted that these two FTEs will increase supervisory capacity of existing staff while addressing the span of control, mental health, and training

needs of staff as the SPS transition continues to increase workload. The Commissioner also highlighted that these FTEs will support the expansion of the alternative dispute resolution process and help manage anticipated workload increases resulting from the Vancouver Police Department hiring more officers and the expansion of body worn cameras.

Pursuant to the *Police Act*, the Police Complaint Commissioner's salary is equal to that of the chief judge of the Provincial Court of British Columbia. At the time of the fall 2023 budget process, the salary of the chief judge for fiscal years 2023-24, 2024-25, and 2025-26 had not yet been determined. Since the fall process, the salary for the chief judge has been set at \$403,200 for 2024-25. As such, the Office requested \$100,000 in operating funding for 2024-25 related to this salary adjustment.

Lastly, the Office requested \$116,000 in operating funding and \$695,000 in capital funding to continue to establish a facility in the Lower Mainland. The Commissioner noted that estimates for the project that were approved by the Committee in 2022 for 2024-25, which included \$725,000 in capital funding, have been updated to reflect current market conditions. He explained that revised estimates from the Real Property Division in the Ministry of Citizens' Services now anticipate a facility cost of \$1.42 million. The Commissioner added that some of the cost increase is also attributable to updated space requirements, as the Office now intends to provide complaint intake service within the facility.

COMMITTEE INQUIRY

Committee Members inquired about the Commissioner's perspective on both the strengths and weaknesses of the work culture within the Office. The Commissioner shared that the greatest strength of the Office is the commitment of its staff and the passion they carry for the work and mandate of the Office. He noted that an area he would like to see improvement in is ensuring staff feel comfortable and respected in voicing their disagreements, particularly when disagreeing with the Commissioner.

Members asked about the Office's existing strategies to ensure staff wellbeing. The Deputy Commissioner noted that the work of the Office can be mentally taxing and highlighted the counselling services provided by the Office to support staff. She added that the Office also aims to provide additional and alternative work opportunities to staff, as it provides them with a break from the more mentally taxing work of the Office as well as pathways for development. She shared that the Office also holds engagement sessions to hear directly from staff on their wellbeing.

Members inquired about the Office's plans to increase the accessibility of its services. The Deputy Commissioner shared that establishing a facility in the Lower Mainland is an important aspect of the Office's accessibility plans. She noted that the majority of the Office's jurisdiction is located in the Lower Mainland, and having a physical space for complainants to visit and discuss their concerns is important in ensuring accessibility of the complaint process. In response to questions and suggestions from Members, the Commissioner shared that the Office will examine implementing automatic language translation on its website landing page to increase accessibility.

Related to the SPS transition, Members inquired about the Office's forecasted workload impacts. The Commissioner explained that the Office forecast anticipated workloads by using the Vancouver Police Department as a comparable police department. The Deputy Commissioner noted that once SPS becomes the police of jurisdiction in November 2024, the Office expects to see an increase in the number of complaints. She highlighted that complaints are also expected to increase as the Office continues its awareness and engagement initiatives within the community.

Members inquired about how the Office supports and manages complaints regarding RCMP officers and possible opportunities to work with the RCMP to ensure complaints are heard. The Commissioner shared that approximately one third of the calls received by Office intake staff involve RCMP officers, which is outside the Office's jurisdiction, and noted that the RCMP does not have a complaint call line. The Commissioner highlighted that some people are deeply

impacted by interactions with police, and he will investigate opportunities to work with RCMP officials to ensure all police complaints have an avenue to be heard.

Regarding the supplementary funding requests, Members sought clarity on the timeline to onboard the requested FTEs. The Deputy of Corporate Shared Services shared that the FTEs would have staggered start dates throughout the current fiscal year. As such, the financial impact in the current fiscal year will only be for 3.67 FTEs. He explained that the full financial impact is accounted for in the outer years, once all seven requested FTEs have been hired.

Committee Members inquired about how the Office determined the specific number of FTEs requested related to the legislative amendments. The Commissioner explained that the ability to conduct systemic investigations will come through regulation and two FTEs are required within the year to direct and design an investigation program. Regarding public hearings, the Commissioner noted that the changes are expected to increase the number of public hearings held, which the Office is required to fund, and that adding one in-house counsel FTE will save money that is currently spent on external counsel. He noted that one FTE is also required to act as an Indigenous liaison and support the design of the new observer program. Regarding the Office's new ability to issue guidelines on procedural matters in the investigation process, the Deputy Commissioner explained that the Office will require an FTE to train and educate police on guideline compliance on an ongoing basis.

Members asked questions about the costs associated with the Lower Mainland facility. The Commissioner explained that part of the cost increase is to include space, such as meeting and interview rooms, for the intake of police complaints from the public, as most of the complaints received by the Office occur in the Lower Mainland. He noted that the increase in cost is attributable to inflation and changes in market conditions from when the project was originally approved by the Committee in 2022. Members asked how many staff are expected to occupy the Lower Mainland facility. The Deputy Commissioner shared that nine employees currently work in the Lower Mainland remotely and will likely move

to a flexible/hybrid work arrangement once workspace is available. She noted that as the Office grows, it expects to hire more candidates who reside in the Lower Mainland to increase its presence. The Commissioner similarly shared that the seven requested FTEs will likely reside in the Lower Mainland and work out of the new facility.

CONCLUSIONS

The Committee thanked the Commissioner and the Office for their work in ensuring public confidence in the oversight of municipal police services, noting that public trust in policing is paramount. Members acknowledged the additional responsibilities of the Office stemming from recent legislative amendments, including the importance of conducting

systemic reviews, and their potential impact on Office workload. Members highlighted that the supplementary funding request is significant but acknowledged the Commissioner's thoughtfulness in determining how to move forward with the numerous changes facing the Office.

Looking forward, Members expressed a desire to see more in-depth metrics regarding the impacts of the SPS transition to ensure funding is tied to increases in workload and file complexity. Members noted that the Committee has previously declined funding requests related to the SPS transition, opting to wait for more certainty with respect to the transition. After consideration, the Committee agreed to support the Office's request for supplementary funding.

RECOMMENDATION

The Committee recommends to the Legislative Assembly that:

3. The Office of the Police Complaint Commissioner be granted access to supplementary funding up to \$1.235 million for operating expenditures and \$709,000 for capital expenditures for 2024-25.

OFFICE OF THE REPRESENTATIVE FOR CHILDREN AND YOUTH

Dr. Jennifer Charlesworth, Representative for Children and Youth, met with the Committee on April 26, 2024. She was accompanied by Deputy Representative Pippa Rowcliffe and Chief Financial Officer Dianne Buljat.

SUMMARY OF PRESENTATION

The Representative began her presentation by stating that she is anticipating an operating surplus of approximately three percent for the 2023-24 fiscal year, amounting to \$368,000. Last fall, the Committee approved supplementary funding for 2023-24 related to a systemic review and the development of a new website. The Representative shared that her Office did not use the supplementary funding provided for these projects because it was not required due to delays with recruitment and with the investigation it is conducting into the death of a child in the Fraser Valley which is connected to the systemic review. She shared that the website project is going well, and she expects the new, accessible website to be live in September 2024. Also related to her budget, the Representative noted that, as the Office of the Human Rights Commissioner takes over responsibility for its own corporate services, five FTEs and \$730,000 related to salaries, benefits, IM/IT, and office expenses will be shifted to the Commissioner's Office. The Representative indicated that she would report on this rebalancing in the next budget cycle but confirmed that this shift remains cost neutral.

As part of an update on her Office's work, the Representative noted that the work related to her core mandate of providing individual advocacy, reviewing critical injuries and deaths, and monitoring services and systemic issues is extremely busy. In addition to these aspects of her mandate, the Representative is also empowered to undertake investigations and special projects to address upstream issues. The Office is conducting its largest and most in-depth investigation, and an associated

systemic review, which the Representative stated was of a similar scope to the *BC Children and Youth Review* conducted by the Hon. E.N. (Ted) Hughes which led to the creation of the Representative's Office. The Representative indicated that this project weaves together three aspects: the sacred story harvest, which is similar to other investigations but uses Indigenous approaches; the systemic review, which consists of a number of research reports; and engagement and partnerships. The Representative expects to release the findings in early July.

The Representative provided an update on the progress of the investigation and systemic review. She stated that the Office received guidance from Indigenous leaders prior to starting the investigation to ensure it uncovers not only the child's experience but also the systemic and structural contributors that lead to children dying in government care. To this end, the Office has identified nine systemic issues, engaged cultural advisors, and committed to using Indigenous methodologies. The Representative noted that her intention is not to find blame, but rather enable learning and improvement, including by the Ministry of Children and Family Development, as well as the health, education, policing, and victim services systems. She noted that the failures of care she has seen in this investigation are the most troubling she has seen in her 46 years in the child-serving sector. Some of the findings include insufficient oversight and compliance; inadequate responses to family violence and intimate partner violence; inadequate collaboration between different agencies, including police and schools; and racism, discrimination, and a collective belief that a child must be someone else's problem.

Regarding other work by the Office, the Representative highlighted her partnership with Simon Fraser University's Wosk Centre for Dialogue. The Office is collaborating with

the Centre to convene discussions related to the toxic drug crisis, children and youth with disabilities, and children who are missing from government care. The Representative stated that the Office is also working on a report about young girls with complex needs, a report about residential services, and another investigation.

In terms of workplace culture, the Representative noted that she has previously presented to the Committee on the importance of enabling mechanisms, such as practices, policies, and procedures, as well as the wellbeing of staff. Other contributors to workplace culture include the Office's fully virtual work environment and efforts to bring staff together in person twice each year. The Office also aims to ensure its staff complement reflects the diversity of the young people it serves, including by using restricted hires for Indigenous people in certain positions as well as preference hires to reflect other types of diversity. The Representative also noted that the Office provides a range of training opportunities related to trauma-informed practices and cultural safety, encourages cultural practices, has developed a wellness framework, and provides enhanced counselling services.

To conclude her presentation, the Representative described her Office's work to update its Key Performance Indicators (KPIs). She noted that the Office's previous KPIs focused on outputs, which measure things like how many people the Office serves, rather than outcomes, which measure the impact of the Office. With input from the Select Standing Committee on Children and Youth, the Office has developed a new KPI framework that includes short-, medium-, and longer-term outcomes.

SUPPLEMENTARY FUNDING REQUESTS FOR 2024-25

Pursuant to the *Representative for Children and Youth Act*, the Representative's salary is equal to that of the chief judge of the Provincial Court of British Columbia. At the time of the fall 2023 budget process, the salary for the chief judge for fiscal years 2023-24, 2024-25, and 2025-26 had not yet been

determined. Since the fall process, the salary for the chief judge has been set at \$403,200 for 2024-25. As such, the Office requested \$100,000 in operating funding for 2024-25 related to this salary adjustment. The Office also forecasted the salary of the Representative at \$417,000 in 2025-26 and \$426,000 in 2026-27.

COMMITTEE INQUIRY

Committee Members thanked the Representative for the important work she does protecting vulnerable children and youth and asked if she has enough staff. The Representative stated it may be helpful for the Office to have more staff and she may request additional funding in the next budget cycle. Regarding the future direction of the Office, the Representative highlighted changes in jurisdiction regarding Indigenous child welfare and the importance of mobilizing knowledge to ensure that reports lead to change. She indicated that it will likely be a long time before the Office's workload is impacted by First Nations resuming jurisdiction, as many Nations are taking a gradual approach, and the Office aims to be of service to them.

Regarding the number of First Nations resuming jurisdiction over child welfare, the Representative shared that over 100 First Nations have entered into information-sharing agreements with the Ministry of Children and Family Development, five Indigenous governing bodies are working with the Ministry toward coordination agreements under federal legislation, and six First Nations communities are working with the Ministry towards community agreements under the *Child, Family and Community Service Act*. She added that some First Nations were waiting to begin this work because of a lawsuit that challenged the federal legislation, which has now been resolved, as well as negotiations around funding. The Representative also confirmed, in response to a question, that the administrative work associated with resuming jurisdiction is a challenge for some First Nations.

The Committee asked about the anticipated three percent surplus for the 2023-24 fiscal year, as well as the Office's

past surpluses, and inquired about the need for supplemental funding. The Chief Financial Officer explained that the surplus is due to the fluidity of the Office's projects as well as challenges recruiting staff. The Deputy Representative added that supplemental funding requests are based on a detailed budgeting process which includes monthly forecasting and an assessment of staffing needs. Regarding the current supplemental funding request, the Deputy Representative indicated that since it is the beginning of the fiscal year, the Office is expecting to use its full budget allocation and therefore requires additional funding for the unexpected salary lift. With respect to recruitment challenges, the Representative noted that certain positions that require specific skills can be difficult to recruit for, but part of the challenge is related to recruitment lag and the increased use of temporary assignments within the broader public service.

The Committee inquired how the Representative ensures a safe workplace culture given that the Office has prioritized remote work and has physical locations outside of Victoria. The Representative noted that her Office is one of many organizations adapting to a virtual workplace and only has two locations now. She noted that the previous Prince George location was unsafe, and the Office has acquired a new space in that city. Additionally, changes to the Victoria office space have focused on a gathering space that was culturally designed. The Representative added that managers in the Office prioritize checking in with staff and groups of employees meet virtually to support each other.

Committee Members asked what the Representative is doing to support marginalized communities and new refugees. The Representative indicated that her Office has more work to do regarding the diversity of its staff as well as on outreach to settlement workers and immigrant and refugee societies. She noted that this is one of the priorities for her outreach and engagement work and that the Office has done cultural safety and anti-racism training to support its internal culture.

Members noted that the age limit for certain government services has recently been raised to 27, and inquired whether the Representative believes her mandate to review critical injuries and deaths should be expanded to include young adults up to this age. The Representative indicated that her recommendation to the Select Standing Committee on Children and Youth as part of its review of the *Representative for Children and Youth Act* was that her mandate be expanded to one year after a young person ages out of care. She stated that this is a risky time for many young adults but extending her mandate beyond that would be challenging because they are accessing adult services.

CONCLUSIONS

The Committee thanked the Representative and her staff for their commitment to protecting and supporting children and youth in BC. Members complimented the Representative's management of the Office and highlighted the systemic review, wellness framework, and KPI development. The Committee agreed that the Representative's supplemental funding request should be granted.

RECOMMENDATION

The Committee recommends to the Legislative Assembly that:

4. The Office of the Representative for Children and Youth be granted access to supplementary funding up to \$100,000 for operating expenditures in 2024-25 for legislative salary and benefits.

