

**SELECT STANDING COMMITTEE ON FINANCE
AND GOVERNMENT SERVICES**

**ANNUAL REVIEW OF THE
BUDGETS OF
STATUTORY OFFICES**



DECEMBER 2022

THIRD REPORT, THIRD SESSION, 42ND PARLIAMENT



December 8, 2022

To the Honourable
Legislative Assembly of the
Province of British Columbia

Honourable Members:

I have the honour to present herewith the Third Report of the Select Standing Committee on Finance and Government Services for the Third Session of the 42nd Parliament. This report covers the Committee's review of the budgets of statutory offices, as approved by the Committee.

Respectfully submitted on behalf of the Committee,

Janet Routledge, MLA
Chair

CONTENTS

Composition of the Committee	4
Terms of Reference	5
Oversight of Statutory Office Budgets	6
Office of the Auditor General	8
Office of the Conflict of Interest Commissioner	11
Elections BC	14
Office of the Human Rights Commissioner	19
Office of the Information and Privacy Commissioner and Registrar of Lobbyists	22
Office of the Merit Commissioner	25
Office of the Ombudsperson	28
Office of the Police Complaint Commissioner	32
Office of the Representative for Children and Youth	35
Appendix A: Documents Submitted	38



COMPOSITION OF THE COMMITTEE

Members

Janet Routledge, MLA, [Chair](#)
Burnaby North

Tom Shypitka, MLA, [Deputy Chair](#)
Kootenay East
(From October 4, 2022)

Karin Kirkpatrick, MLA, Deputy Chair
West Vancouver-Capilano
(To October 4, 2022)

Brenda Bailey, MLA
Vancouver-False Creek

Megan Dykeman, MLA
Langley East

Renee Merrifield, MLA
Kelowna-Mission

Harwinder Sandhu, MLA
Vernon-Monashee

Mike Starchuk, MLA
Surrey-Cloverdale

Ben Stewart, MLA
Kelowna West

Henry Yao, MLA
Richmond South Centre

Committee Staff

Jennifer Arril, Clerk of Committees

Natalie Beaton, Committee Research Analyst

Katey Stickle, Committee Research Analyst

Mary Heeg, Committee Researcher

Mary Newell, Administrative Coordinator

Jianding Bai, Committees Assistant



TERMS OF REFERENCE

On February 17, 2022, the Legislative Assembly agreed that the Select Standing Committee on Finance and Government Services be empowered to:

1. Examine, inquire into and make recommendations with respect to the budget consultation paper prepared by the Minister of Finance in accordance with section 2 of the *Budget Transparency and Accountability Act* (S.B.C. 2000, c. 23) and, in particular, to:
 - a. conduct public consultations across British Columbia on proposals and recommendations regarding the provincial budget and fiscal policy for the coming fiscal year by any means the Committee considers appropriate; and
 - b. prepare a report no later than November 15, 2022, on the results of those consultations.
2. Consider and make recommendations on the annual reports, rolling three-year service plans and budgets of the 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
 - ix. Representative for Children and Youth
3. Inquire into and make recommendations with respect to other matters brought to the Committee's attention by any of the aforementioned statutory officers.

That the Committee be designated as the Committee referred to in sections 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, 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.



OVERSIGHT OF STATUTORY OFFICE BUDGETS

The Legislative Assembly empowers the Select Standing Committee on Finance and Government Services (the “Committee”) to consider and make recommendations with respect to the budgets, service plans, and annual reports of statutory offices. The Committee meets with each statutory officer in the fall to review budget proposals and in the spring to receive financial and operational updates; supplementary funding requests are also considered on an as-needed basis throughout the year. This process supports legislative oversight and accountability, and provides for ongoing dialogue between legislators and statutory officers on the work of each office.

BC’s statutory officers are: the Auditor General, the Chief Electoral Officer, the Conflict of Interest Commissioner, the Human Rights Commissioner, the Information and Privacy Commissioner and Registrar of Lobbyists, the Merit Commissioner, the Ombudsperson, the Police Complaint Commissioner, and the Representative for Children and Youth. Each of these independent officers reports to the Legislative Assembly.

Review of 2023-24 to 2025-26 Budget Submissions

This fall, the budget proposals from statutory offices for fiscal years 2023-24 to 2025-26 varied with some offices presenting largely status quo budgets and others requesting significant additional resources. In its review, the Committee observed that requests for funding lifts arose from salary increases to align with the recent BC General Employees’ Union (BCGEU) settlement, additional staffing related to expanded legislative mandates and new programs and initiatives, and inflationary pressures. Members further noted that supply chain issues and delays in long-term IT projects impacted some of the office’s budget requests.

Reflecting on the challenges around current economic conditions and uncertainty with respect to how these conditions may shift in the coming years, Committee Members agreed that difficult decisions need to be made regarding the allocation of public funds. In recent years, the Committee has supported generous budget lifts to ensure offices have the resources they need to respond to expanding mandates and workloads including addressing recruitment and retention challenges. While the Committee continues to be supportive of necessary resourcing to ensure that officers are able to fulfill their core mandates, Members felt that given the sustained year over year increases in some offices, other proposed initiatives could be paused. Accordingly, in making their recommendations, Committee Members supported lifts to address key pressures, including expanded statutory authority, IT initiatives to enhance efficiencies and the provision of services, and salary increases in line with the BCGEU settlement, while also identifying opportunities to adjust overall expenditures in other areas.

The Committee recognizes and appreciates the important role of statutory officers and expressed its gratitude to the officers and their staff for the valuable work they do in service of British Columbians. In light of the current financial challenges and uncertainty, Committee Members appreciated the efforts made by the offices to find efficiencies and savings in their budget proposals and expect that offices will continually review their operations and budgets for efficiencies and clearly demonstrate how savings are being achieved while delivering core services. The Committee looks forward to receiving updates from the statutory officers in the spring.

Meetings Schedule

The Committee's review of budget submissions for the 2023-24 to 2025-26 fiscal years took place during the following meetings:

Third Session, 42nd Parliament

October 18, 2022

- Planning Meeting
- Election of Deputy Chair

October 19, 2022

- Review of 2023-24 to 2025-26 Budget Submissions: Office of the Conflict of Interest Commissioner; Office of the Merit Commissioner; Office of the Auditor General; Office of the Information and Privacy Commissioner and Registrar of Lobbyists

October 21, 2022

- Deliberations
- Review of 2023-24 to 2025-26 Budget Submissions: Office of the Ombudsperson; Office of the Human Rights Commissioner; Office of the Police Complaint Commissioner

October 26, 2022

- Review of 2023-24 to 2025-26 Budget Submissions: Office of the Representative for Children and Youth; Elections BC
- Deliberations

November 2, 2022

- Deliberations

November 17, 2022

- Deliberations

December 5, 2022

- Deliberations
- Adoption of Report



OFFICE OF THE AUDITOR GENERAL

The *Auditor General Act* establishes the position of Auditor General as an Officer of the Legislature and provides a statutory mandate to undertake audits of the financial statements of the government reporting entity. The Auditor General may also undertake performance audits of government programs, services, and resources, and issue other information reports. The office's audit reports are tabled in the Legislative Assembly and referred to the Select Standing Committee on Public Accounts with the exception of reports examining the administration and management of the Legislative Assembly which are referred to the Legislative Assembly Management Committee. Vote 2 of the annual provincial Estimates provides for the office's operating expenses and capital expenditures.

Supplementary Funding Requests

Office Space Redesign (May 5, 2022)

In the context of lessons learned from the COVID-19 pandemic regarding flexible work arrangements and their importance in attracting workers such as audit professionals, the Auditor General submitted a supplementary funding proposal for additional operating expenses for the 2022-23 fiscal year, including capital costs of \$1.570 million and operating costs of \$410,000 for office space redesign. This proposal followed a request presented to the Committee in fall 2021 and addressed comments by Committee Members about the need for a stronger business case and additional information to support the rationale for such a significant financial proposal. The Committee considered this request, and agreed to recommend that the Office of the Auditor General be provided access to the proposed supplementary funding. Committee Members encouraged the office to

consider extending its lease by five years to increase total savings of the office space redesign by a further \$1.6 million as outlined in the supplementary funding request.

Summary of Previous Committee Decision

May 5, 2022: The Committee recommended that the Office of the Auditor General be granted access to supplementary funding up to \$1.570 million for capital expenditures and \$410,000 for operating expenditures in 2022-23 for office space redesign.

Budget Submission for 2023-24 to 2025-26

On October 19, 2022, the Committee considered the Office of the Auditor General's budget proposal for 2023-24 to 2025-26. In attendance were: Michael Pickup, Auditor General; Sheila Dodds, Deputy Auditor General; Elaine Hepburn, Director, Executive Accountabilities; John McNeill, Chief Financial Officer; and Dave Murray, Director, Corporate Planning and Legal Services.

The Auditor General began his presentation by discussing the recent work of the office. He noted that the 2021-22 Annual Report demonstrated that the office was able to deliver on its commitment of producing eight audit reports annually. For the current fiscal year, the office has delivered three audits and an opinion on the provincial summary financial statements which was published in August. The Auditor General shared that the time it takes to complete audits has increased as it is more difficult and time-consuming to get data, and the nature of the issues are becoming more complex. For the current fiscal year, the office is on track to deliver four more reports which will reach the office's goal of eight.

With respect to recruitment and retention, the Auditor General shared that the current pool of Chartered Professional Accountants in the labour market is not meeting demand, which has resulted in the office having trouble recruiting enough qualified professionals. This has resulted in understaffing and a reliance on contracted resources to make up for the lack of employees. Further, he noted that contracting resources is more costly due to limited availability of contract workers. This has resulted in extended deadlines which makes planning more difficult, increased burden on senior management, and increased stress for employees. The Auditor General noted that the current budget proposal includes funding for in-band compensation adjustments to increase retention and support recruitment efforts.

The Auditor General also provided the Committee with an overview of the office's new service plan which was updated with new key performance metrics after receiving input from the Select Standing Committees on Public Accounts and Finance and Government Services. He expanded on four major corporate strategies: improving staffing outcomes, including recruitment and retention; a comprehensive review of corporate policies with a view to supporting diversity, equity, and inclusion; documenting and analysis of different audit work; and replacement of the current corporate communications infrastructure. The Auditor General explained that these priorities reflect a balanced approach of building structural change while addressing immediate needs.

The office requested an operating budget of \$22.275 million for fiscal 2023-24, which is an increase of \$1.05 million from fiscal 2022-23, \$23.137 million for 2024-25, and \$23.934 million for 2025-26. The Auditor General explained that the increases in the 2023-24 budget reflect an increase in salaries and benefits to align with the BCGEU settlement, make in-band adjustments, and address inflation; increases for office and IT expenses attributable to expected inflation and supply chain issues; and an increase to the professional services budget resulting from increased rates for skilled and specialized Chartered Professional Accountants who supplement staff resources, for example by providing expertise in applying new and complex accounting standards to public

sector organizations. The Auditor General noted that the office was able to decrease travel expenses through a reduction in overall travel for audit work enabled by investments in remote work arrangements and by hiring staff in the Lower Mainland, where some of the audited entities are located.

With respect to capital funding, the Auditor General proposed \$1.9 million for 2023-24, \$263,000 for 2024-25, and \$302,000 for 2025-26. As noted above, on May 5, 2022, the Committee recommended that \$1.57 million in supplementary capital funding for office space redesign be provided to the office in fiscal 2022-23, but the Auditor General advised that these funds will not be used in this fiscal as construction is not able to start until April 2023. These dollars will subsequently be returned. The office included a request for this funding for the office space redesign in their capital budget request for fiscal 2023-24. The Auditor General noted that inflation and continued supply chain issues could result in further changes to this project.

Committee Inquiry

The Auditor General provided clarity on how the office determined the rate of inflation on which salary adjustments will be based. He shared that the office requested an additional four percent increase for salaries to align with the BCGEU settlement in addition to the two percent that was already provided to staff in fiscal 2022-23. With respect to the salary structure, the Committee heard that the office will be conducting market research in 2023-24 to determine what is necessary for salaries and benefits to remain competitive and will be factoring in the results of that analysis in the office's budget submission next year. The Auditor General further explained that there would be no cost associated with the review of the office's compensation structure.

Regarding the office redesign, Members inquired about how the office determined its strategy. The Auditor General noted that the strategy is informed by staff input and reflective of new ways of working including remote, hybrid, and on-site work. The redesign will use a smaller footprint and provide the most effective workspaces for people when they are on site. It was further noted that since the office developed policies

related to flexible work arrangements, they have seen fewer people leaving for the private sector.

The Committee inquired about the decrease in travel expenses. The Auditor General explained that the office is starting to look at what their travel expenses will be post-pandemic, but currently they are still in flux. He further explained that while they can do audit work remotely, which decreases travel expenses, it is dependent on the agencies they are auditing and if they approve remote audit work.

Recommendations

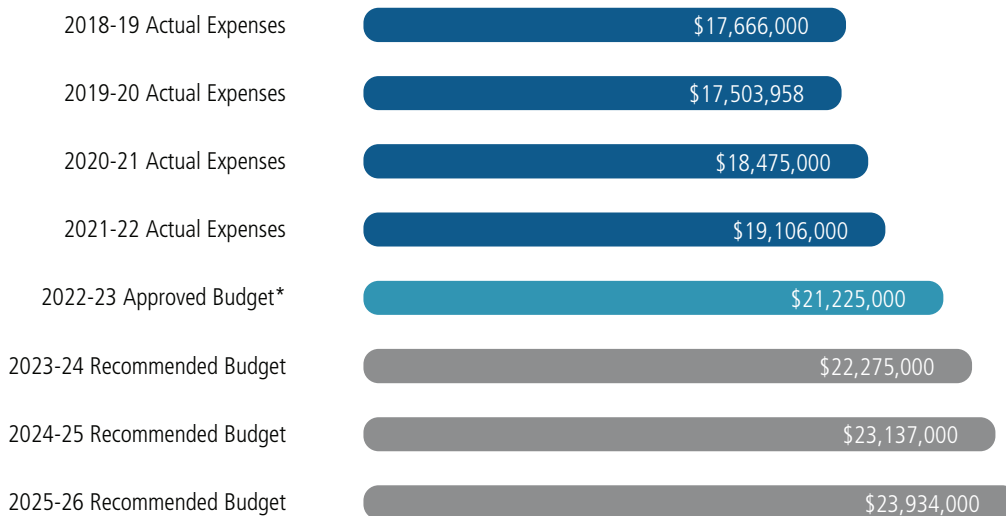
The Committee expressed its appreciation to the Auditor General and his staff for the important work they do in holding government accountable. Members recognized the challenges that the office is facing regarding recruitment and retention and acknowledged the office’s efforts to fulfill its mandate despite the staffing challenges. They noted that the office’s budget requests for 2023-24 to 2025-26 were primarily reflective of inflationary increases and initiatives to build staff capacity. Therefore, the Committee agreed to recommend the requested operating and capital budgets.

RECOMMENDATIONS

The Committee recommends to the Legislative Assembly that:

1. The appropriation for the operating expenditures of the Office of the Auditor General be \$22.275 million in 2023-24; \$23.137 million in 2024-25; and \$23.934 million in 2025-26.
2. The appropriation for the capital expenditures of the Office of the Auditor General be \$1.9 million in 2023-24; \$263,000 in 2024-25; and \$302,000 in 2025-26.

Office of the Auditor General Operating Budget



* 2022-23 approved budget includes \$410,000 of supplementary funding approved by the Committee in May 2022.



OFFICE OF THE CONFLICT OF INTEREST COMMISSIONER

The Conflict of Interest Commissioner is an Officer of the Legislative Assembly responsible for ensuring that Members of the Legislative Assembly understand and comply with their obligations under the *Members' Conflict of Interest Act*. The Commissioner provides confidential advice and meets annually with all Members to review the disclosure of Members' financial interests and the general obligations imposed by the Act. Additionally, the Commissioner responds to requests from Members and the public respecting compliance with or alleged contraventions of the Act. Vote 3 of the annual provincial Estimates provides for the office's operating and capital expenditures.

Budget Submission for 2023-24 to 2025-26

The Committee reviewed the 2023-24 to 2025-26 budget submission for the Office of the Conflict of Interest Commissioner on October 19, 2022. In attendance were Victoria Gray, K.C., Conflict of Interest Commissioner; and Carol Hoyer, Executive Coordinator.

To begin, the Commissioner provided a brief description of the role and work of the office, which has the smallest budget of all the statutory officers, consisting mostly of salaries and benefits. The Commissioner explained that in fiscal 2021-22, the office was under budget by about \$121,000, mainly related to underspending on travel, due to the COVID-19 pandemic, and professional fees. With respect to professional fees, the Commissioner explained that the work of the office is complaint-driven; therefore, it is difficult to predict the need to contract outside services. The Commissioner noted that the office is expected to spend closer to its budget, though still

under, for fiscal 2022-23. Turning to the budget request, the Commissioner outlined a proposal for an operating budget of \$786,000 in 2023-24; which is a \$32,000 increase over fiscal 2022-23, \$801,000 in 2024-25, and \$816,000 in 2025-26; and a capital budget of \$25,000 for each of these fiscal years. The proposal includes a basic cost of living increase of 3.5 percent to all office staff for fiscal 2023-24 followed by 6.75 percent in the two subsequent fiscal years, which is reflective of the BCGEU settlement.

The Commissioner also provided an overview of staffing in the office, explaining that the late Commissioner Fraser was a full-time appointment, with a full-time executive coordinator, a part-time legal officer, and a part-time executive administrative assistant. The current Commissioner was hired on a 0.75 FTE part-time basis, the legal officer's position has been expanded to full-time, and the other two positions have remained the same.

Another area of focus for the presentation was legislative change. The Commissioner explained that the *Members' Conflict of Interest Act* is over 30 years old with only minor changes made during that time. In contrast, the Commissioner referenced other jurisdictions that have newer legislation and broader mandates. As an example, the Commissioner explained that in BC there is a prohibition on exercising an official power or performing an official duty or function if the Member has a conflict of interest or an apparent conflict of interest, whereas the legislation governing Members of Parliament has a broader definition of conflict of interest that applies to furthering the interest of relatives, friends, or another person.

Committee Inquiry

The Committee noted that the office's capital budget has consistently been \$25,000 in recent years and inquired about how the capital budget request of \$25,000 was determined.

The Commissioner explained that she does not foresee any upcoming capital expenditures but noted that there may be a need for new furniture or equipment should a new office space be required.

Members also asked about the shift to hiring the Commissioner on a 0.75 FTE part-time basis with a full-time legal officer. The Commissioner explained that the legal officer is able to handle urgent matters in her absence, or to contact her in case of emergency. Further, this arrangement allows staff to provide coverage for holidays or other absences as required.

In response to questions about the office's consistent underspend, the Commissioner explained that prior to the COVID-19 pandemic, the office spent around \$20,000 on travel per year; however, this money was not spent during the

pandemic as conferences were held virtually rather than in person. Further, the office budgets \$35,000 in case there is an investigation that necessitates the hiring of lawyers or other outside services, but this is difficult to predict.

Committee Members asked about the incorporation of inflation and cost of living increases in the budget proposal. The Commissioner noted that the budget request takes into account the recent BCGEU settlement, inflation, and cost of living adjustments.

Recommendations

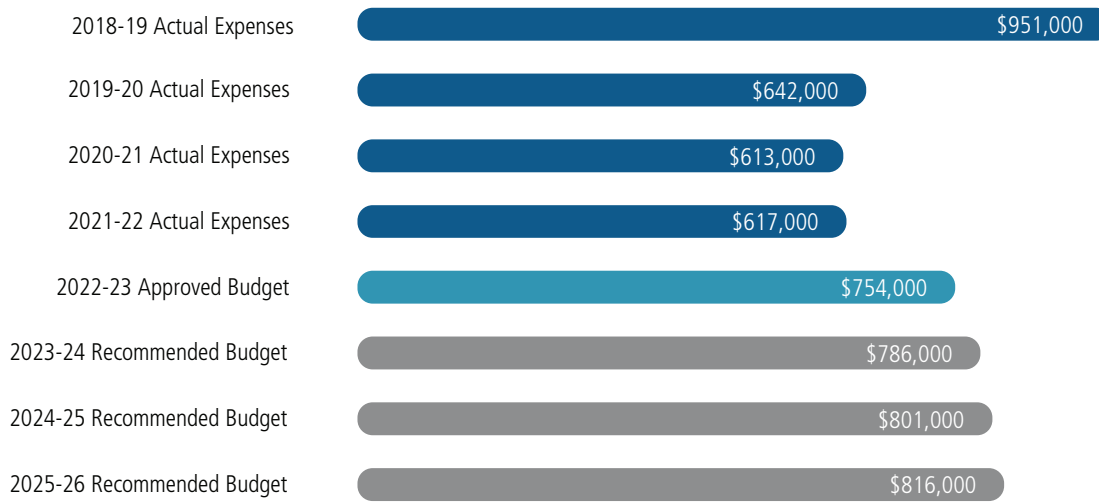
The Committee shared its gratitude for the services that the Commissioner and her staff provide to Members of the Legislative Assembly as well as the office's work in upholding the public's confidence in Members. Members acknowledged that the Commissioner's budget proposal incorporates inflationary increases and is otherwise a status quo budget. Therefore, they agreed to recommend the proposed operating and capital budgets.

RECOMMENDATIONS

The Committee recommends to the Legislative Assembly that:

3. The appropriation for the operating expenditures of the Office of the Conflict of Interest Commissioner be \$786,000 in 2023-24; \$801,000 in 2024-25; and \$816,000 in 2025-26.
4. The appropriation for the capital expenditures of the Office of the Conflict of Interest Commissioner be \$25,000 for each of the next three fiscal years.

Office of the Conflict of Interest Commissioner Operating Budget





ELECTIONS BC

Led by the Chief Electoral Officer, Elections BC is responsible for administering electoral events, including provincial general elections, by-elections, referenda, recall initiatives, and initiative petitions, as provided by the *Election Act*, the *Recall and Initiative Act*, and the *Referendum Act*. The office also oversees local election campaign financing and advertising requirements, pursuant to the *Local Elections Campaign Financing Act*, and administers campaign financing and advertising laws for provincial elections, pursuant to the *Election Act*. Vote 4 of the annual provincial Estimates provides for the office's operating and capital expenditures.

Supplementary Funding Requests

Vancouver-Quilchena By-election (May 5, 2022)

On May 5, 2022, the Committee considered the Chief Electoral Officer's supplementary funding proposal for additional operating expenses for the 2022-23 fiscal year. The funding includes \$717,000 for the administration of the by-election in Vancouver-Quilchena and \$100,000 for the purpose of paying election expense reimbursement claims to eligible candidates and political parties as required by section 215.04 of the *Election Act* for a total of \$817,000 operating expenditures in fiscal year 2022-23. The Committee agreed that Elections BC be granted access to the requested funding.

Summary of Previous Committee Decision

May 5, 2022: The Committee recommended that Elections BC be granted access to supplementary funding up to \$817,000 operating expenditures for the 2022-23 fiscal year for the administration of the by-election in Vancouver-Quilchena, and paying election expense

reimbursement claims to eligible candidates and political parties as required by section 215.04 of the *Election Act*.

43rd Provincial General Election and Surrey South By-election

During its meeting with the Committee on October 26, Elections BC also made two supplemental funding requests for fiscal 2022-23 which include \$8.897 million to support preparations for the 43rd provincial general election for procurement of necessary technology for the modernized voting place. The Deputy Chief Electoral Officer for Electoral Finance and Operations shared that procurement would usually take place in the year prior to a fixed-date election; however, due to global supply-chain challenges and delays, procurement activities must be advanced to the current fiscal year. The office also requires \$906,000 for the administration of the Surrey South by-election held on September 10, 2022. This is comprised of \$806,000 to administer the by-election, and \$100,000 for election expense reimbursements to eligible candidates and political parties.

Budget Submission for 2023-24 to 2025-26

The Committee reviewed the 2023-24 to 2025-26 budget submission for Elections BC on October 26, 2022. In attendance were Anton Boegman, Chief Electoral Officer; Yvonne Koehn, Deputy Chief Electoral Officer, Corporate Services; and Charles Porter, Deputy Chief Electoral Officer, Electoral Finance and Operations.

To begin, the Chief Electoral Officer provided the Committee with an overview of Elections BC's strategic priorities which

include: delivering electoral events, modernizing electoral services, improving accessibility and inclusivity, building organizational capacity, and protecting electoral integrity. He also highlighted that the office's mission is to serve democracy in BC which it does by administering elections fairly and impartially, and through delivering modern, accessible, and trusted electoral services designed with British Columbians at the centre.

Regarding the next provincial general election, the Chief Electoral Officer noted that this will be the first province-wide election under voting modernization. The Chief Electoral Officer also highlighted other work being done by Elections BC including sending out letters to youth as they turn 16 inviting them to register as future voters, implementing the requirements of the *Accessible British Columbia Act*, and implementing an electronic candidate nomination application filing system. Additionally, Elections BC is working to enhance organizational capacity which includes the addition of 3.25 FTEs.

The office's budget is divided into four parts: core operating expenditures; event spending requirements; capital expenditures; and the annual allowance for political parties.

Core Operating Expenditures

Elections BC requested \$13.873 million in operating funding for 2023-24, which is an \$1.857 million increase over fiscal 2022-23, as well as \$13.855 million for fiscal 2024-25 and \$14.031 million for fiscal 2025-26. The Deputy Chief Electoral Officer, Corporate Services explained that the increase is due to salary alignment with the new BCGEU settlement, the addition of 3.25 FTEs, and an increase in the information systems budget to facilitate a more effective hybrid work model.

Capital Expenditures

Elections BC requested \$400,000 of capital funding for 2023-24, \$325,000 for 2024-25 and \$150,000 for 2025-26. The Deputy Chief Electoral Officer, Corporate Services shared that the capital budget proposal is significantly reduced compared to previous years due to changes resulting from

an organizational review. The office has shifted the majority of information systems work from contractors, which was paid out of capital budgets, to in-house staff so this is now covered within the operating budget. The two main projects that make up the capital budget request in fiscal 2023-24 are to improve services for provincially regulated political participants through an e-filing tool for financial reports, and to improve services for District Electoral Officers through a tool to complete planning activities which will also increase the ability for headquarters staff to provide oversight and guidance more efficiently.

Event Spending Requirements

For event spending requirements, the office's budget is presented for one year only as the budget for each electoral event is developed based on known and scheduled events. Elections BC will require funding in fiscal 2023-24 comprised of \$12.425 million to support preparations for the 43rd provincial general election, \$3.848 million to implement the 2023 electoral boundaries redistribution, \$1.785 million to conduct audits and assessments of financial disclosure reports for the 2022 general local elections, and \$736,000 to support preparations for the 2024 enumeration.

With respect to the funding requested for the 43rd provincial general election, the Deputy Chief Electoral Officer for Electoral Finance and Operations shared that the main elements of the requested funding of \$12.425 million will provide for the procurement and configuration of election technology; salaries, benefits, and training costs for district electoral officers and deputies; development of election advertising; and printing costs. Also included in the request is funding for temporary staff at headquarters, information systems, office expenses including professional services, and advertising costs. With respect to the election technology, the Chief Electoral Officer noted that the office is looking into the option of leasing out this equipment to municipalities.

As it relates to general local elections, the Deputy Chief Electoral Officer for Electoral Finance and Operations shared that the office's funding request in this area is required to conduct compliance reviews and audits of financial

disclosure reports. The largest component of this funding is for temporary staff at headquarters, and the remainder is made up of information systems and office expenses, including professional services.

Annual Allowance for Political Parties

The office requested a total of \$3.3 million for annual allowances to registered political parties. In accordance with section 215.02 of the *Election Act*, the Chief Electoral Officer must pay an annual allowance to registered political parties whose candidates in the most recent general election received at least two percent of the valid votes cast in all electoral districts, or five percent of the valid votes cast in districts in which the political party endorsed candidates. Funding for 2023-24 is based on an allocation of \$1.75 per vote received for the July 2023 payment and January 2024 payment, and includes an estimate to account for changes to the consumer price index for the January 2024 payment.

Committee Inquiry

The Committee inquired about the office's purchase of e-poll book ballot printers and the ability to lease the equipment out to municipalities. The Chief Electoral Officer explained that over the life of the equipment, which is about two provincial general elections or eight years, there could be a return on investment depending on how many municipalities take advantage of that opportunity. The Chief Electoral Officer further explained that Elections BC is currently running a pilot project leasing electronic poll books to the municipality of Squamish. He noted that this will not result in any net new budget requests but could result in savings for the office.

In response to a question about the procurement of necessary technology in time for the next provincial general election, the Chief Electoral Officer noted that the office has connected with Elections Ontario about the option of utilizing its equipment if Elections BC is unable to procure its own equipment in time. The office also discussed the ability to lease equipment from national suppliers if needed, but Elections BC is confident that current supply arrangements will meet the office's needs.

Regarding the expected cost of the next provincial general election, the Chief Electoral Officer stated that the \$8.897 million in fiscal 2022-23 and \$12.425 million in fiscal 2023-24 will allow for many of the necessary preparations. There will be additional funds that will be in next year's budget when the office has a better idea of the cost of rent for district electoral offices, as well as for the salaries of election officials, material that will be produced in the lead up to the election, and advertising campaigns. The Chief Electoral Officer explained that for those expenses, most of the costs will be based on quotes from suppliers and market prices at that time.

Regarding the budget for the electoral boundaries redistribution, the Chief Electoral Officer shared that the funding requested is to support necessary updates to Elections BC's systems and maps and also includes a province-wide communications component to inform voters of changes to electoral districts.

Members inquired further about Elections BC's efforts to address misleading information including illegal advertisements on social media platforms. The Chief Electoral Officer shared that during the general local elections, Elections BC had a partnership arrangement with Elections Canada, to monitor social media posts and traditional media posts. Through this partnership, Elections BC was able to review whether information was in compliance with provincial legislation governing third-party advertising and election advertising in local government elections and, if necessary, the office could contact social media channels in order to make sure that non-compliant information was taken down.

With respect to Elections BC's outreach efforts, the Chief Electoral Officer expanded on his office's work reaching future voters including mail-outs to 16- and 17-year-olds and outreach with BC social studies teachers to provide classroom kits. He noted that there has been tremendous uptake from future voters on mail-outs and the office will continue that practice. Elections BC also works with liaison officers who have the ability to reach specific communities, such as First Nations communities, or work with different language groups. Elections BC also sends out communication materials to public libraries.

Recommendations

The Committee thanked the Chief Electoral Officer, Elections BC, and all elections staff for the work they do in support of democracy in BC and recognized the efforts the office is undertaking to ensure voting is accessible to all British Columbians. Committee Members also expressed their appreciation for the office's comprehensive budget proposal that clearly outlined all aspects of the office's mandate as well as the office's efforts to find opportunities for savings such as leasing election equipment to municipalities. They agreed to recommend the requested appropriations for core operating expenditures, event-related expenditures, and capital

expenditures, along with the annual allowance for political parties.

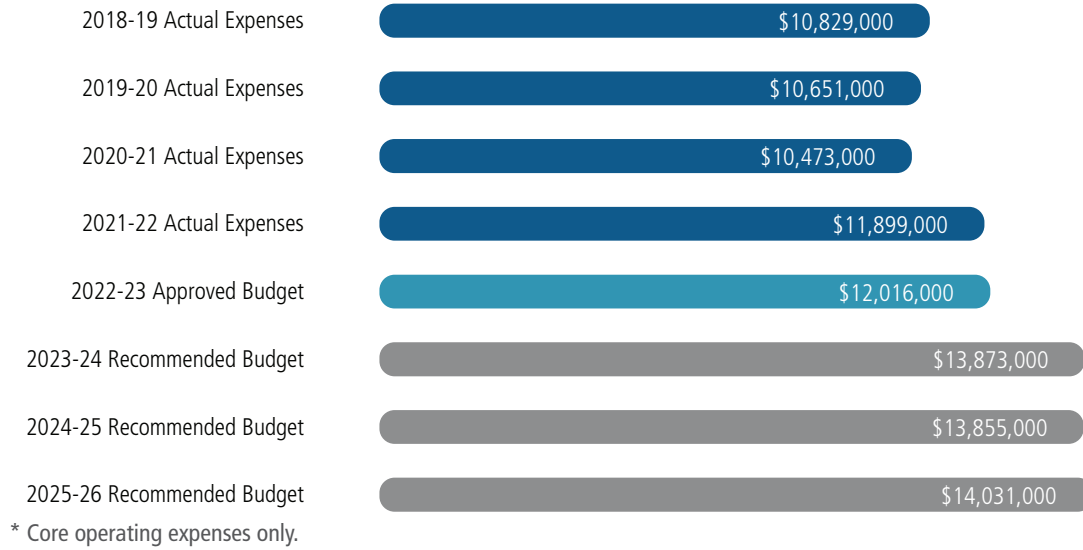
Regarding the supplementary funding requests, the Committee agreed to recommend that Elections BC be granted access to supplementary funding up to \$806,000 for the administration of the by-election in Surrey South and \$100,000 for the purpose of paying election expense reimbursement claims to eligible candidates and political parties for a total of \$906,000 operating expenditures in fiscal year 2022-23. Similarly, the Committee supported Elections BC's request for supplementary funding of up to \$8.897 million for preparations for the 43rd provincial general election in fiscal year 2022-23.

RECOMMENDATIONS

The Committee recommends to the Legislative Assembly that:

5. Elections BC be granted access to supplementary funding up to \$806,000 for the administration of the by-election in Surrey South and \$100,000 for the purpose of paying election expense reimbursement claims to eligible candidates and political parties for a total of \$906,000 in operating expenditures in fiscal year 2022-23.
6. Elections BC be granted access to supplementary funding up to \$8.897 million for preparations for the 43rd provincial general election in fiscal year 2022-23.
7. The appropriation for the operating expenditures of Elections BC be \$13.873 million in 2023-24; \$13.855 million in 2024-25; and \$14.031 million in 2025-26.
8. The appropriation for event-related operating expenditures for Elections BC be \$18.794 million in 2023-24.
9. Elections BC be granted \$3.3 million in 2023-24 to fund the annual allowance for political parties.
10. The appropriation for the capital expenditures for Elections BC be \$400,000 in 2023-24; \$325,000 in 2024-25; and \$150,000 in 2025-26.

Elections BC Operating Budget





OFFICE OF THE HUMAN RIGHTS COMMISSIONER

The Human Rights Commissioner is an officer of the Legislature with a mandate under the *Human Rights Code* to promote and protect human rights in BC, including by promoting the elimination of discriminatory practices, policies, and programs. To fulfill this mandate, the Commissioner can also: develop and deliver public information and education about human rights; create policies, guidelines, and recommendations to prevent discrimination; examine the human rights implications of any policy, program, or legislation; intervene in human rights proceedings before the BC Human Rights Tribunal or other courts and tribunals; and promote compliance with international human rights obligations. The office's operating expenses and capital expenditures are provided for in Vote 5 of the annual provincial Estimates.

Budget Submission for 2023-24 to 2025-26

The Committee met with the Office of the Human Rights Commissioner on October 21, 2022 to review the office's budget submission for 2023-24 to 2025-26. In attendance were: Kasari Govender, Human Rights Commissioner; Stephanie Garrett, Deputy Commissioner; Dianne Buljat, Chief Financial Officer; and Charlotte Kingston, Director of Communications.

To begin her presentation, the Commissioner provided an overview of the office's work according to each of its six strategic priorities. These include launching a public inquiry on the rise of hate incidents during the COVID-19 pandemic, drafting and producing fact sheets to help employers build more equitable workplaces, and launching a public awareness

campaign aimed at addressing ableism. The Commissioner outlined plans to train and support community organizations to conduct focus groups with people with lived experience of discrimination to understand the most pressing human rights issues facing those communities. The Commissioner also highlighted plans to audit a recently announced settlement agreement regarding a 2019 incident in which a Heiltsuk man and his granddaughter were handcuffed outside a bank in Vancouver. In addition, the Commissioner outlined the office's work with respect to immigration detention and noted a recent announcement by the Ministry of Public Safety and Solicitor General regarding the end of the agreement between BC Corrections and the Canada Border Services Agency. Regarding information and referrals, the Commissioner noted that more than 20,000 members of the public contacted the office via phone and email last year which is nearly ten times the amount in 2020-21.

Regarding human resources, the Commissioner stated that in 2021-22, the office hired 25 new staff members, developed an internal education program, and delivered Indigenous cultural safety training to all staff. In addition, the Commissioner shared that a key concern to emerge from a workplace environment survey is that the office's compensation levels are not keeping up with the cost of living or with comparable positions. In light of this and recruitment and retention challenges due to increased competition, the office is conducting a compensation review. The Commissioner advised that preliminary findings of the review point to the need for a five percent retention package in fiscal 2023-24.

The Office of the Human Rights Commissioner has a corporate shared services agreement with the Office of the Representative for Children and Youth in which the latter

provides human resources, information technology, and financial services. The Commissioner explained that the offices undertook an assessment of this arrangement in late 2021-22 and early 2022-23 and are currently in the process of reviewing the services agreement to refine the scope of work and the governance structure required to support that work. As this work is being undertaken in the second half of the 2022-23 fiscal year, the Commissioner noted that it may result in future implications for the office's internal resourcing.

In terms of the budget proposal, the Commissioner requested an operating budget of \$7.703 million in 2023-24, which is a \$894,000 increase over fiscal 2022-23, and \$7.812 million for both 2024-25 and 2025-26, along with a capital budget of \$35,000 for each of these fiscal years. The proposed increases for 2023-24 are comprised of salaries and benefits, professional services, and IM/IT requests. This includes \$30,000 to support the build of a unified web portal for the office, the BC Human Rights Tribunal, and the BC Human Rights Clinic. The increase also includes \$45,000 to build internal communications infrastructure, including an intranet and integration of a task management system that will facilitate more effective and efficient information-sharing between staff who are in different locations across the province. The Commissioner added that this budget request includes \$129,000 for an additional front-line FTE position to manage the increase in public requests for information and applications for special programs. Related to the office's compensation and retention review, the budget request also included a five percent retention package representing \$198,000 in salaries and benefits in fiscal 2023-24.

Committee Inquiry

In response to questions about cross-cultural outreach, the Commissioner highlighted the importance of reaching the diverse population of British Columbia in many ways. She detailed work to translate materials, engage with multicultural and multilingual radio and media sites, and create relationships with community organizations that serve a diversity of communities. Committee Members followed up to ask about the office's use of WeChat, a platform which is used by many Richmond residents as a source of information

and media. The Commissioner stated that the office has not invested in this platform, but that she appreciated the insight in this area.

The Committee asked for details about the increase in salaries presented in the budget proposal. The Commissioner explained that the increases are related to ensuring alignment with the BCGEU settlement, as well as an additional staff person, and a five percent retention package. Regarding retention, she noted that preliminary data from the office's compensation review process has shown that a five percent increase is justified by a market analysis. The Commissioner further noted that issues around staff retention are costing the office significantly in terms of productivity.

Committee Members asked if the Commissioner anticipates a decrease in hate incidents as we emerge from the COVID-19 pandemic. In response, the Commissioner had mixed projections, stating that some of the increase in hate incidents has been connected to the level of isolation some people experienced during the pandemic and the increased time spent on the Internet. However, she noted that there are other factors that could last beyond the pandemic with respect to the normalization of hate and violence.

Members asked about the impact of BC ending the arrangement on immigration detention with the Canada Border Services Agency. The Commissioner explained that the Minister of Public Safety and Solicitor General's announcement regarding the termination of the arrangement between BC Corrections and the Canada Border Services Agency included 12 months' notice, so it is still in place at this time. With the termination of this agreement, the Commissioner stated that there will be a shift to, and hopefully a corresponding investment in, community-based services that can support immigrants who might otherwise have been detained to stay connected to services and supports and be able to follow through the legal process.

In response to questions about the difference between addressing discrimination against Indigenous peoples in comparison to discrimination against other groups, the Commissioner noted that while there are commonalities across groups experiencing racism, the impact of colonialism

requires a different approach. She noted that the United Nations Declaration on the Rights of Indigenous Peoples and the BC Declaration on the Rights of Indigenous Peoples Act are important legal tools in realizing commitments that are distinct to Indigenous peoples and understanding the different issues that flow from colonialism rather than racism more broadly.

Recommendations

Committee Members thanked the Commissioner and her staff for the work the office is doing to address hate and discrimination across the province. In reviewing the budget proposal, Committee Members noted that while this office is still a relatively new office, the office’s growth rate is not sustainable and expressed a desire to see future budgets focused on maintaining rather than growing the office. With

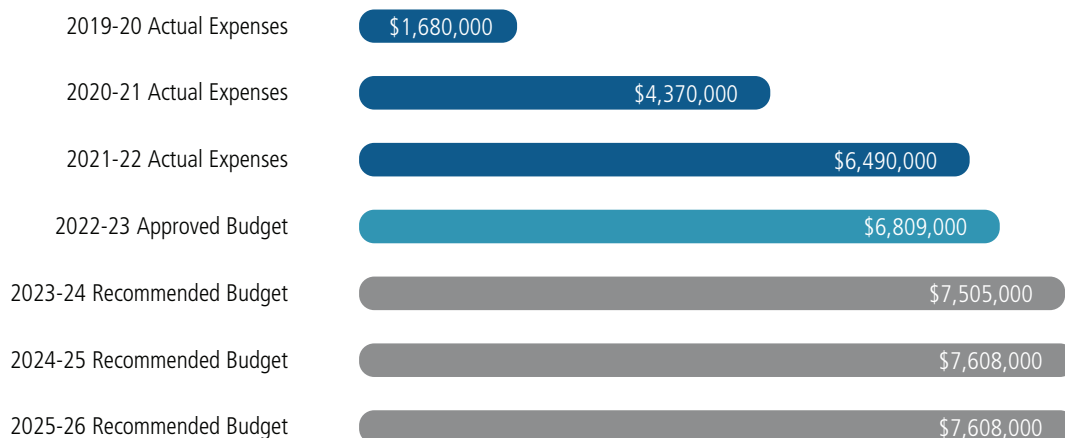
respect to the challenges that the Commissioner raised about the recruitment and retention of staff, the Committee noted that this is an issue that was raised by many of the statutory offices, and given the broader nature of these challenges, were not supportive of the five percent retention package at this time. Members did agree to support the requested increases to align salaries with the BCGEU settlement. The Committee was also supportive of the office’s funding requests related to the integrated web portal for the office, the BC Human Rights Tribunal, and the BC Human Rights Clinic; the internal communications infrastructure; and the additional front-line FTE. Therefore, the Committee recommended an operating budget of \$7.505 million for fiscal 2023-24, and \$7.608 million for both fiscal 2024-25 and 2025-26. The Committee agreed to recommend the office’s proposed capital budget of \$35,000 for each of the three fiscal years.

RECOMMENDATIONS

The Committee recommends to the Legislative Assembly that:

11. The appropriation for the operating expenditures of the Office of the Human Rights Commissioner be \$7.505 million in 2023-24; \$7.608 million in 2024-25; and \$7.608 million in 2025-26.
12. The appropriation for the capital expenditures of the Office of the Human Rights Commissioner be \$35,000 in each of the next three fiscal years.

Office of the Human Rights Commissioner Operating Budget





OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER AND REGISTRAR OF LOBBYISTS

The Information and Privacy Commissioner is an officer of the Legislature responsible for monitoring and enforcing compliance with the *Freedom of Information and Protection of Privacy Act* and the *Personal Information Protection Act*. The former applies to more than 2,900 public bodies in British Columbia and the latter sets the rules for approximately one million private sector organizations in the province. To fulfill this mandate, the office investigates and mediates access appeals and privacy complaints, adjudicates disputes, initiates investigations or audits in the public interest, comments on the access and privacy implications of proposed legislation or policy, and promotes freedom of information and protection of privacy principles through public education and outreach. The Commissioner is also designated as the Registrar of Lobbyists and is responsible for enforcing the *Lobbyists Transparency Act* and overseeing BC's Registry of Lobbyists. Vote 6 of the annual provincial Estimates provides for the office's operating and capital expenditures.

Budget Submission for 2023-24 to 2025-26

The Committee reviewed the Information and Privacy Commissioner's budget proposal on October 19, 2022. The Commissioner, Michael McEvoy, was joined by Deputy Commissioners oline Twiss and Jeannette Van Den Bulk, along with Dave Van Swieten, the Executive Director of Corporate Shared Services.

With respect to workload, the Commissioner noted that the office received 1,822 core files last year and is on track to receive a similar number this year. Further, he shared that the demand for services is outpacing efficiencies and productivity. As such, the Commissioner stated that reducing wait times is the office's top priority and this work is supported by the additional adjudicators for which the office received funding in fiscal 2022-23. He noted that the office has so far filled three adjudicator positions, and a second competition is near completion. The Commissioner also cited amendments to the *Freedom of Information and Protection of Privacy Act* that, when in force, will bring in mandatory breach notification and privacy management programs and will add to the responsibilities of the office. Regarding investigations, the Commissioner noted that a report card on the timeliness of government responses to access requests and review of the impact of application fees on the public's right of access to information are underway.

Turning to the Office of the Registrar of Lobbyists, the Commissioner summarized key responsibilities under the *Lobbyists Transparency Act* and spoke to the goal of ensuring the registry is transparent and accessible. To achieve this goal, the office reduced the requirement for users to do certain manual updates by adding an auto complete function and streamlined the government funding reporting process. With respect to public education, the office has issued three guidance documents, including instructions for registry searches, and continues to publish an online newsletter with

updates on legislative amendments and a summary of active or reactivated registration returns.

The Commissioner outlined work undertaken to identify areas of efficiencies and savings for the office including leveraging remote work arrangements to alleviate space pressures, tracking expenditures at the employee level to identify recruitment lag, and redefining processes to reduce processing times. As a result of these measures, the office has minimized its need for increased funding, requesting an increase of under two percent in 2023-24 in comparison to 2022-23.

The Commissioner requested an operating budget of \$9.272 million for the fiscal year 2023-24, an increase of \$176,000 over fiscal 2022-23, \$9.001 million for 2024-25, and \$8.732 million for 2025-26. For the 2023-24 fiscal year, the budget increases are comprised of \$221,000 in inflationary costs, including \$115,000 for salary increments and adjustments, \$76,000 increase in shared services costs, and an increase in building occupancy costs of \$30,000. The budget also reflects a reduction of \$45,000 due to the delay of the case tracker replacement project. The Commissioner explained that most of the operating budget consists of salaries and benefits for the office's 52 FTEs. He also referenced the recent BCGEU settlement, noting that its impact on excluded management salaries is unknown at this point and the office is not making a request for increased funding in this area at this time.

Regarding capital funding, the Commissioner requested \$261,000 for fiscal year 2023-24, which is mainly related to the case tracker system replacement project, \$47,000 for 2024-25, and \$77,000 for 2025-26. The 2023-24 request includes a reduction of \$8,000 for inflationary capital costs including furniture, and a reduction of \$91,000 due to the adjusted schedule for the case tracker replacement in fiscal 2023-24.

Committee Inquiry

Committee Members asked whether the office needs more staff or contractors given the increased demand for services and additional privacy concerns related to social media and new technologies. The Commissioner stated that

they anticipate requiring additional staff due to imminent legislative amendments regarding mandatory breach reporting and developing privacy management programs which will put increased pressures on the office. As such, the Commissioner stated he will likely be submitting a budget request reflecting this increase once those changes come into effect. Regarding contract work, the Commissioner noted that the office is involved in a couple of investigations in which they are relying on the knowledge of experts to provide guidance with respect to technical systems, thereby allowing the office to explain some of these complicated risks to the public in plain language, and the use of contracted experts will likely increase in the future.

The Committee inquired about actions undertaken to support awareness among different cultural and linguistic communities of the office's services. The Commissioner stated that the office continues to look for ways to increase accessibility for all British Columbians including through the work of an internal committee on diversity and inclusion. Regarding translation of the guidance documents, the Commissioner acknowledged that the office still has work to do in this area.

Members asked why the budget proposal reflects a reduced request in upcoming fiscal years, given the increased workload facing the office. In response, the Commissioner explained that a request for seven adjudicators, of which five were permanent and two were temporary, was granted by the Committee last year. The temporary adjudicators will not be needed once the backlog of cases has been addressed so those salaries are not included in the 2025-26 budget.

In response to questions about the case tracker system, the Commissioner explained that the two-year project has been extended to a three-year project due to staffing issues with the contractor. The Executive Director of Corporate Shared Services added that work on the project began with other statutory offices and is scheduled to begin in the Office of the Information and Privacy Commissioner this February which is when the bulk of expenditures will occur. Members followed up to ask about the delay of this project and whether an additional year for implementation is sufficient time.

The Commissioner noted they are confident with the new schedule. In addition, the Executive Director of Corporate Shared Services referenced the previous quarterly report for this project which identified a concern about the timeline and explained that the new schedule includes a three-month buffer.

The Committee asked how the adjustment of wages to inflation was calculated in the budget request. The Commissioner explained that the wage increments are generally in line with those of the provincial government and the Public Sector Employers’ Council. In addition, the office carefully examines each division of the team to ensure they

attract and retain the right candidates and makes adjustments accordingly.

Recommendations

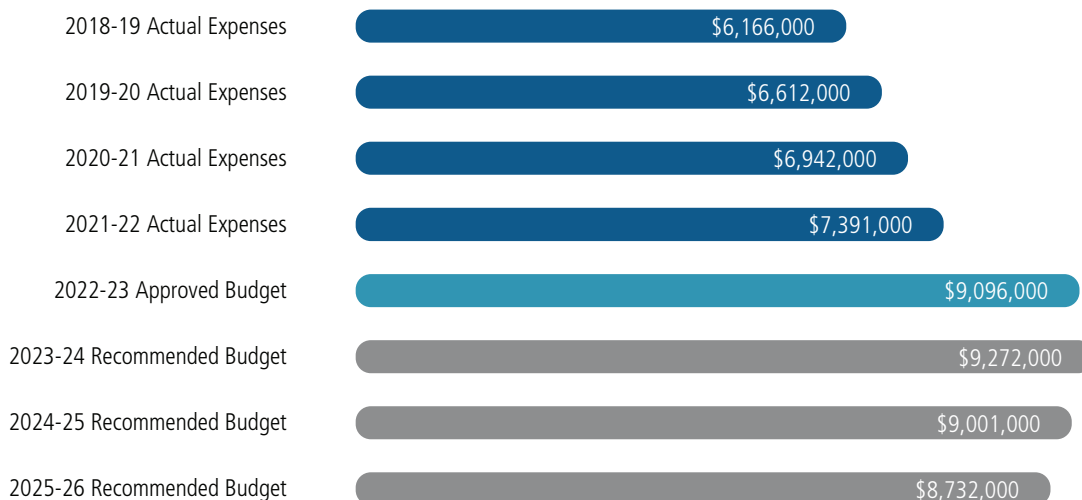
Committee Members thanked the Commissioner for his detailed presentation and the office’s work protecting British Columbian’s privacy rights. The Committee appreciated the office’s careful, detailed review of its budget which resulted in clear savings as the proposed budget was status quo, with only a minor increase related to inflation. As such, Members agreed to support the Commissioner’s proposed operating and capital budgets.

RECOMMENDATIONS

The Committee recommends to the Legislative Assembly that:

13. The appropriation for the operating expenditures of the Office of the Information and Privacy Commissioner and Registrar of Lobbyists be \$9.272 million in 2023-24; \$9.001 million in 2024-25; and \$8.732 million in 2025-26.
14. The appropriation for the capital expenditures of the Office of the Information and Privacy Commissioner and Registrar of Lobbyists be \$261,000 in 2023-24; \$47,000 in 2024-25; and \$77,000 in 2025-26.

Office of the Information and Privacy Commissioner and Registrar of Lobbyists Operating Budget





OFFICE OF THE MERIT COMMISSIONER

The Merit Commissioner is an independent officer of the Legislature empowered by the *Public Service Act* to examine the fairness of appointments and eligible dismissals within the BC Public Service. The Commissioner reviews appointments upon request, conducts random audits of hiring decisions, and confirms whether policies and procedures were applied appropriately in cases of eligible dismissals. The office's expenses are provided by Vote 7 of the annual provincial Estimates.

Budget Submission for 2023-24 to 2025-26

The Committee considered the Office of the Merit Commissioner's 2023-24 to 2025-26 budget submission at its October 19, 2022 meeting. The meeting was attended by Maureen Baird, K.C., Merit Commissioner, and Dave Van Swieten, Executive Director of Corporate Shared Services.

With respect to the office's work, the Commissioner shared that her office chose a sample of appointments for merit performance audits in 2021-22 and the office will be analyzing these audits and releasing its final report by the end of November. Regarding staffing reviews, the office has received 12 requests for review in the current fiscal year; the results of all 2022-23 staffing reviews will be shared in the Commissioner's annual report in May 2023. Finally, the Commissioner noted that, while her office is not required to review all just cause dismissals, they have chosen to do so to date in order to provide information for future comparison and expect to continue this practice in 2022-23. However, the office does not plan on reviewing all just cause dismissals resulting from the BC Public Service's vaccine mandate when

those become eligible, but rather a representative sample. Finally, the Commissioner shared that the timeline for her office to change to the new case tracker database has been pushed back from early 2023 to late spring 2023, but that the costs have been less than anticipated.

For her 2023-24 to 2025-26 budget submission, the Commissioner requested an operating budget of \$1.442 million for each of the three fiscal years which reflects a decrease of \$199,000 from fiscal 2022-23. This decrease reflects the near completion of the case tracker system replacement project and the discontinuation of funds in support of that work. The Commissioner stated that she is not requesting an increase to the operating budget due to inflation as the office will manage this internally by reallocating funds. The budget request also does not include an increase in salaries for excluded management to reflect the BCGEU settlement as it is not known what this cost pressure will be. With respect to savings, the Commissioner highlighted that the office relies on external auditors and other professionals to support its work.

The office's capital budget request was \$124,000 in 2023-24, which is mostly due to the case tracker system replacement, \$12,000 in 2024-25, and \$19,000 in 2025-26.

Committee Inquiry

In response to a question regarding whether dismissals related to the vaccine mandate will increase her office's workload and if this is reflected in the budget, the Commissioner shared that there is uncertainty with respect to the timing and number of these cases, but her office has requested an additional \$40,000 for professional services in

fiscal 2023-24 with this in mind. She stated that the earliest some of these cases could become eligible for review is February 2023, but that many will become eligible later than that because people are engaged in other processes which need to be completed first. She identified that there are approximately 500 of these cases, but her office will only review a sample.

The Committee inquired whether the part-time structure of the Merit Commissioner's position was something she negotiated and whether any changes to the Commissioner's pay are expected going forward. The Commissioner shared that the position's structure was part of the framework under which she was appointed and that the budget does not reflect any changes. The Committee also asked if the Commissioner usually works the maximum of 131 days as outlined in her appointment and whether she feels like this maximum is the correct number for the work of the Merit Commissioner. The Commissioner responded that her office made adjustments to its approach with the cap in mind and tracks her hours to

ensure she stays within the cap, for example relying more on professional services if needed. Further, the Commissioner shared that she believes the current pay structure is sufficient.

Committee Members asked whether requests for reviews of appointments come disproportionately from any specific areas of the public service. The Commissioner said this is not the case and requests come from many areas.

Recommendations

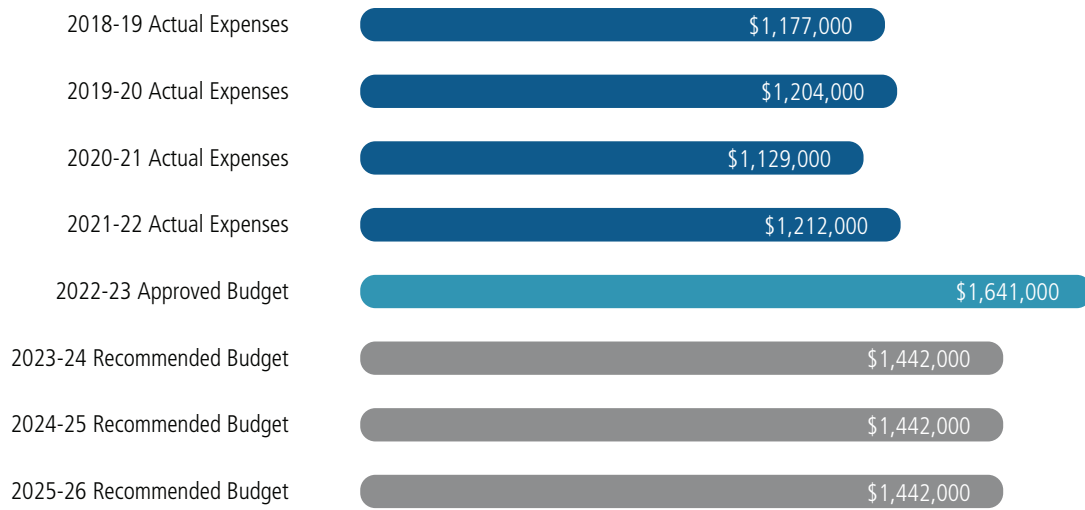
The Committee thanked the Merit Commissioner for her work during her tenure as Merit Commissioner and recognized the important role the office plays in ensuring confidence in the merit principle in the public service. Committee Members appreciated how the Merit Commissioner was able to find savings and efficiencies through the use of existing staff and contracted resources, and agreed to recommend the operating and capital budgets as proposed.

RECOMMENDATIONS

The Committee recommends to the Legislative Assembly that:

15. The appropriation for the operating expenditures of the Office of the Merit Commissioner be \$1.442 million for each of the next three fiscal years.
16. The appropriation for the capital expenditures of the Office of the Merit Commissioner be \$124,000 in 2023-24; \$12,000 in 2024-25; and \$19,000 in 2025-26.

Office of the Merit Commissioner Operating Budget





OFFICE OF THE OMBUDSPERSON

The Ombudsperson, as established by the *Ombudsperson Act*, is an independent officer of the Legislature responsible for responding to individual concerns and complaints about administrative fairness with respect to BC's provincial and local public authorities. Pursuant to the *Public Interest Disclosure Act* (PIDA), the Ombudsperson is also responsible for providing advice, and receiving and investigating disclosures and allegations of reprisals for public sector employees who act as whistleblowers. Vote 8 of the annual provincial Estimates provides for the office's operating expenses and capital expenditures.

Budget Submission for 2023-24 to 2025-26

The Committee met with the Office of the Ombudsperson on October 21, 2022 to discuss the office's 2023-24 to 2025-26 budget submission. In attendance were: Jay Chalke, Ombudsperson; John Greschner, Deputy Ombudsperson; Rachel Warren, Executive Director of Intake and Investigations; Sara Darling, Communications Lead; and Dave Van Swieten, Executive Director of Corporate Shared Services.

The Ombudsperson first provided an update on the recent work of the office. The office has recently issued a public report entitled *Short-Changed*, which found that federal disability benefits designed to offset the costs of raising a child living with a disability were being kept by the Ministry of Children and Family Development rather than given to caregivers. The office also released an investigative update to a 2019 report, *Committed to Change*, which focused on gaps in compliance with legal safeguards for people with mental illness who are involuntarily detained in psychiatric facilities.

Additionally, the Ombudsperson shared that the office recently announced an investigation into two provincial emergency programs that were administered following the extreme weather events of 2021. The Ombudsperson advocated for the office's reports to be automatically referred to a legislative committee for consideration as it would increase dialogue around the reports and enhance transparency and accountability.

With respect to his budget submission, the Ombudsperson proposed an operating budget of \$13.488 million in 2023-24, an increase of \$1.908 million over fiscal 2022-23, \$13.421 million in 2024-25, and \$13.421 million in 2025-26. The Ombudsperson also requested a capital budget of \$94,000 for 2023-24, \$93,000 for 2024-25 and \$160,000 for 2025-26. The budget increases in fiscal 2023-24 are attributable to a request for additional staff to support the expansion of PIDA, additional staff to support the office's Indigenous community services plan and the strategic outreach plan, inflationary costs, annualization of prior-year approvals, and increases to building occupancy.

Regarding PIDA, the Ombudsperson shared that the scope of the Act will significantly expand in June 2023 and December 2023 when it becomes applicable to health care sector and school district employees respectively. He explained that this will result in 254,000 additional employees under the Act and the office's jurisdiction. He further noted that the workload implications are variable and difficult to predict. To address the PIDA expansion in 2023, the office requested six new investigators with staggered start dates reflecting the timeline of the expansion for a total of \$543,000 in 2023-24 and \$1.080 million in 2024-25 and 2025-26.

The office is looking to hire additional staff to support the pathfinder program, which is a key element of the office's Indigenous community services plan, and strategic outreach plan. The office requested \$457,000 to make changes to the intake and investigation processes to support the Indigenous community services plan, and to ensure services are delivered in a manner that is welcoming, accessible, and trauma-informed. This includes adding two investigators to allow staff to spend more time with cases that come from the pathfinders and more time in the field as required. The Ombudsperson also requested \$215,000 for each fiscal year to implement the strategic outreach plan which includes raising awareness of the office amongst those who may need its services and identifying and removing barriers to accessing the office's services, including meeting the standards in the new *Accessible British Columbia Act*.

With respect to efficiencies, the Ombudsperson highlighted the office's existing corporate shared-services model with three other statutory offices. He also noted that the case tracker system replacement has allowed staff to find efficiencies in investigative efforts and approaches. The office has also implemented a complaint checker that allows the public to review their complaints online to determine how to proceed, without having to contact the office, and hired an intake team lead role to assist the manager in training and orienting new staff. Additionally, the Ombudsperson shared that his office and the Office of the Police Complaint Commissioner require increased space and are working with the Office of the Representative for Children and Youth to meet each office's needs.

Committee Inquiry

The Committee inquired about the office's strategic outreach plan in relation to reaching diverse communities including through different social media platforms. The Ombudsperson shared that the office is hiring one digital engagement position to address different online platforms. The office's plan also includes two contracted specialists who will go into specific communities for a year and develop a network and long-term plan for sustained outreach.

Regarding the request for 14.5 additional FTEs for 2023-24, the Ombudsperson provided a further breakdown of each position. He explained that this includes four FTEs for the pathfinder program—two investigators, one early resolution officer, and one coordinator position. For the PIDA expansion, the office is requesting three positions which would start on April 1 and an additional three in October. There are two FTEs related to strategic outreach and one and a half FTEs related to the annualization of positions that were approved in the previous fiscal for the expansion of PIDA. The remaining two and a half FTEs are related to corporate shared services, which is funded through a formula whereby each office is required to make contributions based on the number of FTEs it has.

Members inquired about the office's current timelines for responding to complaints and any backlogs in this area. The Ombudsperson shared that one concerning area is intake and ensuring people are able to find out early on if the office is able to look into a given complaint. The office is working on making this more efficient through its newly created online complaint checker. With respect to investigation timelines, the Ombudsperson stated that it is difficult to determine how long one investigation will take as it depends on the time it takes to receive documents, conduct reviews, or obtain a legal opinion if required. The office is seeing an increase of calls and complexity of cases and the office triages the complaints based on needs of the complainant such as housing and financial assistance. With respect to the expansion of the office's mandate as it relates to PIDA, the Committee asked how the office determined the associated increase in workload and the number of additional staff it required. The Ombudsperson explained that the estimate of required resources was based on workload increases the office saw resulting from previous expansions of PIDA.

The Committee inquired how inflation, salary increases, and increased workload was factored into the office's budget proposal. The Ombudsperson stated that the office did not make any assumptions about the impact of inflation in the 2024-25 and 2025-26 fiscal years. As to why the budget proposal appears to flatline in those years, the Executive Director of Corporate Shared Services explained that some resources that were approved in previous years will be coming

to an end, such as those provided to deal with complaints related to ICBC's change in litigation model and the case tracker system replacement.

Members questioned why the 2023-24, 2024-25, and 2025-26 budget requests each include \$308,000 for professional services when only \$45,000 was required in 2021-22. The Ombudsperson explained that the substantive increase is related to \$200,000 to establish the pathfinder roles which are the central component of the Indigenous community services plan as well as \$60,000 for external support to assist with establishing outcome-based performance metrics.

Recommendations

The Committee recognized the critical work that the Ombudsperson and his office does to improve public services for British Columbians by ensuring fairness and investigating serious wrongdoing. In reviewing the office's budget proposal, Committee Members noted the sizable lift over the 2022-23

budget. The Committee sought to support the most critical pieces of the budget request related to the expansion of the office's statutory mandate with respect to PIDA and Indigenous engagement. Given the current economic challenges faced by the province, the Committee decided to not recommend the office's funding request related to the strategic outreach program as well as the additional \$130,000 funding requested for building occupancy. Committee Members were also not in support of the office's proposal to defer planned reductions of \$370,000 from 2023-24 to 2024-25. In total, this accounts for savings in operating expenses of \$715,000 in fiscal 2023-24; and \$345,000 in both fiscal 2024-25 and 2025-26 as well as \$6,000 of capital expenditures in fiscal 2023-24.

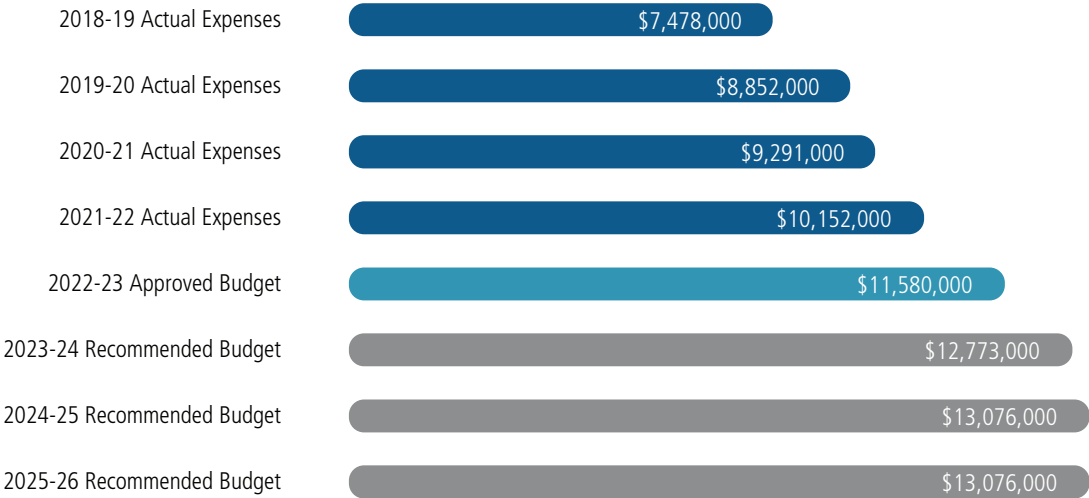
Overall, the Committee recommended an operating budget of \$12.773 million in 2023-24, \$13.076 million in 2024-25, and \$13.076 million in 2025-26, and a capital budget of \$88,000 for 2023-24, \$93,000 for 2024-25 and \$160,000 for 2025-26.

RECOMMENDATIONS

The Committee recommends to the Legislative Assembly that:

17. The appropriation for the operating expenditures of the Office of the Ombudsperson be \$12.773 million in 2023-24; \$13.076 million in 2024-25; and \$13.076 million in 2025-26.
18. The appropriation for the capital expenditures of the Office of the Ombudsperson be \$88,000 in 2023-24; \$93,000 in 2024-25; and \$160,000 in 2025-26.

Office of the Ombudsperson Operating Budget





OFFICE OF THE POLICE COMPLAINT COMMISSIONER

The *Police Act* establishes the Police Complaint Commissioner as an officer of the Legislature responsible for providing civilian oversight and monitoring of complaints and investigations involving municipal police in British Columbia, as well as the administration of discipline and proceedings. The office's operating expenses and capital expenditures are provided for in Vote 9 of the annual provincial Estimates.

Budget Submission for 2023-24 to 2025-26

On October 21, 2022, the Committee reviewed the 2023-24 to 2025-26 budget submission for the Office of the Police Complaint Commissioner. Present at the meeting were: Clayton Pecknold, Police Complaint Commissioner; Andrea Spindler, Deputy Commissioner; and Dave Van Swieten, Executive Director of Corporate Shared Services.

The Commissioner highlighted the office's mandate, explaining that responsibility for accountability of municipal police forces is shared by police and his office. The police themselves are responsible for investigating allegations of misconduct and making disciplinary decisions while his office performs an oversight function by determining the admissibility of complaints, initiating investigations and, when required, referring matters for independent judicial review. The office also assists complainants in navigating the procedural processes under the *Police Act* and provides outreach programs and services for the purpose of informing and educating the public on the powers of the office. The Commissioner shared that the statutory mandate for his office is highly prescriptive, including specific timelines, and is

intended to ensure that the complaint process has a low bar of admissibility and is accessible.

With respect to the Surrey Police Service, the Commissioner acknowledged the media speculation following the recent municipal election. The Commissioner explained that at the time of his presentation there are around 300 police officers who fall within the office's jurisdiction within Surrey and the Surrey police board remains under the office's jurisdiction for the purposes of service and policy matters. The Commissioner further stated that a timely decision on the Surrey police transition would be welcomed by the office and would be in the interest of overall public safety in the province.

Regarding the office's workload, the Commissioner stated that the office is seeing the number of cases rise with an overall increase of 26 percent for complaints compared to a nine percent increase in the previous fiscal year. He noted that this is partly due to increased public attention on police accountability and the office's efforts to increase accessibility and awareness. In terms of accessibility, the office has updated its website and public-facing materials, and has an initiative to translate materials into the languages most commonly used in BC. The Commissioner also shared that the office is working to prevent the recurrence of misconduct by making recommendations directly to police boards on matters of public policy or procedure and to the director of police services to examine any legislated training, cultural, or systemic issues.

Regarding human resources, the Commissioner noted that the office has hired two positions that perform strictly admissibility functions which has allowed analysts to focus on their oversight role. Additionally, the office has established a dedicated data analytics role which supports the office's

accountability with effective statistical information. He further explained that this information will help the office develop a better understanding of race-based data.

The Commissioner requested a total operating budget of \$7.6 million for 2023-24, an increase of \$616,000 over fiscal 2022-23, followed by \$8.382 million in 2024-25, and \$8.304 million in 2025-26. The increases in the 2023-24 budget request are primarily attributable to five permanent front line and support positions as well as inflationary pressures. The Commissioner shared that the office will continue to monitor performance metrics and workload and may request additional funds if required.

With respect to capital expenditures, the Commissioner requested \$161,000 in 2023-24, \$786,000 in 2024-25, and \$61,000 in 2025-26 which reflects the adjusted timeline for the case tracker system replacement project. The Commissioner noted that the office has outgrown its space in Victoria and is working with the Representative for Children and Youth and the Office of the Ombudsperson to meet the needs of all offices, including through the use of space at the Office of Representative of Children and Youth. Additionally, the Commissioner noted that given the anticipated need for services in the Lower Mainland, he is considering future office space there and this is built into the 2024-25 and 2025-26 budget requests.

Committee Inquiry

Noting previous increases in the budget recommended by the Committee as well as uncertainty regarding the Surrey police transition, the Committee inquired further about how the office determined its budget request in relation to staffing. The Commissioner noted that the request was submitted prior to the local general election and reflects the need for additional staff due to the planned Surrey police transition and increased inputs. He further explained that there is a possibility that additional resources may be needed for outreach and a location in the Lower Mainland in future years if the transition to the Surrey Police Service continues. The Commissioner also noted that the \$616,000 increase over fiscal 2022-23 is attributed to additional analysts and shared

that the office is considering an in-house counsel position, like the one at the Independent Investigations Office, given the office's legal costs. The Commissioner added that he does not see the trajectory of increased resourcing continuing and predicts it will be leveling out.

Recommendations

Committee Members acknowledged the important work of the Commissioner and his office in ensuring transparency and accountability of BC's municipal police officers. The Committee recognized the difficult position the office is in due to the uncertainty around the Surrey police transition. In the context of the City of Surrey's Corporate Report No. R199 that outlines the City's plan to halt the transition from RCMP to the Surrey Police Service, the Committee was not supportive of the Commissioner's request for resources related to enhanced workload, including the Surrey Police Service transition. This accounts for savings in operating expenses of \$587,000 in fiscal 2023-24 and \$985,000 in both fiscal 2024-25 and 2025-26, as well as \$16,000, \$3,000, and \$4,000 in capital expenditures in each respective fiscal. The Committee noted that should there be a clear decision to continue with the Surrey transition, and the Commissioner determines a need for additional resourcing, the Commissioner could return to the Committee to request supplementary funding.

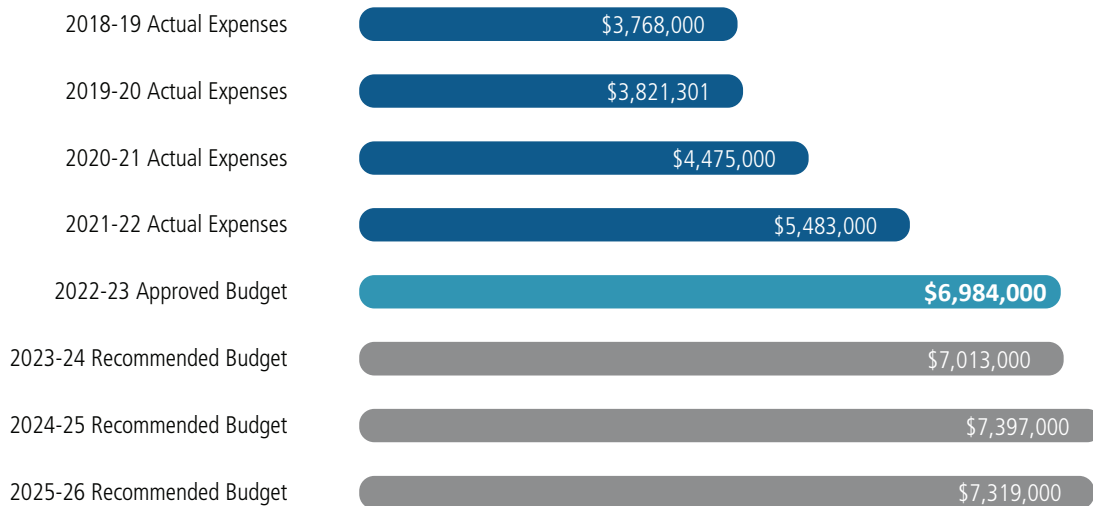
The Committee's decisions reduced the office's recommended operating expenses to \$7.013 million for 2023-24, \$7.397 million in 2024-25, and \$7.319 million in 2025-26. The Committee recommended capital budgets of \$145,000 in 2023-24, \$783,000 in 2024-25, and \$57,000 in 2025-26.

RECOMMENDATIONS

The Committee recommends to the Legislative Assembly that:

19. The appropriation for the operating expenditures of the Office of the Police Complaint Commissioner be \$7.013 million in 2023-24; \$7.397 million in 2024-25; and \$7.319 million in 2025-26.
20. The appropriation for the capital expenditures of the Office of the Police Complaint Commissioner be \$145,000 in 2023-24; \$783,000 in 2024-25; and \$57,000 in 2025-26.

Office of the Police Complaint Commissioner Operating Budget





OFFICE OF THE REPRESENTATIVE FOR CHILDREN AND YOUTH

An officer of the Legislature, the Representative for Children and Youth has three primary functions as set out in the *Representative for Children and Youth Act*. The Representative's mandate includes advocating for children, young adults, and their families in receipt of, or eligible for, designated services; reviewing, investigating, and reporting on the critical injuries and deaths of children in receipt of reviewable services; and monitoring, reviewing, auditing, and conducting research on the provision of designated services. The office's operating expenses and capital expenditures are provided for in Vote 10 of the annual provincial Estimates.

Budget Submission for 2023-24 to 2025-26

The Committee reviewed the Office of the Representative for Children and Youth's budget submission for 2023-24 to 2025-26 on October 26, 2022. In attendance were: Dr. Jennifer Charlesworth, Representative for Children and Youth; Pippa Rowcliffe, Deputy Representative, Systemic Advocacy and First Nations, Métis, and Inuit Relations; Blair Mitchell, Executive Director, Individual Advocacy and First Nations, Métis, and Inuit Engagement; Alan Markwart, Executive Lead, Legislation and Special Initiatives; and Dianne Buljat, Chief Financial Officer.

To begin her presentation, the Representative highlighted several challenges facing children, youth, and families which correspond to priority areas for the office. The Representative emphasized the need to improve services and supports for Indigenous children and families while also helping Indigenous communities as they reassert jurisdiction over child well-being and child welfare. She stated that the proposed

amendments to the *BC Child, Family and Community Service Act* and *Adoptions Act* will reduce legislative barriers to First Nations moving toward reassumption of jurisdiction. Other priorities include child and youth substance use; child and youth mental health; children and youth with support needs; supporting families to nurture their children and youth; residential services for children in care; transitioning to adulthood; and child rights, voice, and representation.

With respect to human resources, the Representative spoke about the office's focus on training and development for staff in the areas of cultural safety and anti-racism, trauma awareness, restorative practices, and complex thinking. The Representative also emphasized the office's workload, noting that advocacy work has increased in complexity and become more time-consuming, and referenced the significant increase in the number of reports handled by the reviews and investigations team.

The Representative outlined efforts to increase efficiency and effectiveness by repurposing existing human and financial resources. She noted that an assessment of office space requirements revealed a need for more desks for hybrid work, collaborative workspaces, and spaces for community engagement. In the building the office currently occupies in Victoria, the Representative explained that the office has recently leased space on the first floor in addition to the third and fourth floor. She stated that the first floor better suits the needs of the office and shared plans to sublet their current space on the third floor, likely to the Office of the Police Complaints Commissioner. As such, the Representative requested the opportunity to reallocate savings from subletting this space to address pressures on the corporate services team, which also provides services to the Office of

the Human Rights Commissioner, resulting from increased activity and chronic underinvestment in this area. In addition, the Representative identified a need to find a new office location in Prince George that is more welcoming, safe, and conveniently located in relation to youth and youth-serving organizations.

The Representative requested an operating budget of \$12.191 million in 2023-24, an increase of \$1.209 million over fiscal 2022-23, and \$12.5 million in 2024-25 and 2025-26. She noted that the request for additional funding is related to the expansion of the office's mandate resulting from amendments to the *Representative for Children and Youth Act*, which have created additional demands on staff time, as well as inflationary budget pressures in many areas. The request also includes \$279,000 for two additional FTEs including one Intake Call and Referral Coordinator, who will be located in Prince George, and one Quality Assurance Policy Analyst to support increased accountability and measure impact. The office's capital budget request is a status quo request of \$50,000 for each of the three fiscal years.

Committee Inquiry

In response to questions about the increase in critical injuries reported to the office, the Representative explained that the Ministry of Children and Family Development is now doing a better job of reporting critical injuries to the office, including capturing emotional harm injuries, which accounts for much of the increase. She also noted that there are significant impacts associated with the toxic drug crisis including an increased number of critical injuries associated with substance use and the loss of a parent as well as increases with respect to mental health, suicidal ideation, and non-suicidal self-harm.

Members inquired about a discrepancy between a research budget for \$5,000 and an actual spend of \$670,000 in fiscal 2021-22. The Representative stated that there have been delays in recruiting staff which generated savings that were then reallocated to the office's research budget to contract experts or advisers in certain areas where expertise was lacking amongst existing staff. As an example, she highlighted working with an academic with expertise in gender-fluid and

gender-diverse young people to help understand the growing number of gender-diverse children who are experiencing critical injuries.

Referencing the expanded mandate that allows the office to advocate for young adults up to the age of 27, an increase from the age of 24, the Committee asked whether the proposed budget reflects the increased number of people eligible for services. The Representative explained that the request for an additional FTE is to increase capacity to do outreach with this population. Further, she noted that the office will continue to monitor caseload numbers resulting from this change and may return to the Committee with an additional request if these numbers increase significantly.

Committee Members asked about the impact of labour shortages on the office as well as efforts to hire more Indigenous staff. In response, the Representative shared that staffing has been a challenge for the office, referencing staff who have taken temporary assignments in other organizations or who have left the public service after being offered higher salaries or promotions elsewhere. She added that while the advocacy team is stable, the reviews and investigations team experiences more turnover due to the nature of that work. Regarding recruitment of Indigenous peoples, the Representative explained that more than 66 percent of children in care are Indigenous so there is a responsibility to hire more Indigenous staff; however, there is a lot of competition in this area which has contributed to difficulty in hiring. She also noted that offering remote work has helped the office to recruit Indigenous staff who may want to stay close to their community and culture. In addition, the Representative shared that the office is looking to address other areas of diversity in its recruitment, particularly with respect to racialized people, LGBTQ2S+ people, and people with different neurocognitive or physical abilities.

In response to questions about the tools used to determine future office space needs, the Representative highlighted the importance of talking to staff and looking at best practices. She also shared that the office is recruiting a designer to help make the best use of the first-floor space in the Victoria location. In addition, the Deputy Representative noted that

the office has run town halls with staff to determine what would make the space more welcoming and productive, and outlined priorities with respect to creating space that is safe and welcoming for Indigenous staff and for youth. Committee Members followed up to ask about the budget for the office space transition. The Chief Financial Officer explained that additional money is not required for the lease in Victoria, and that the lease in Prince George expires in September 2023 and they are still looking for a new space, so any increase that may be required is not reflected in the budget proposal.

Recommendations

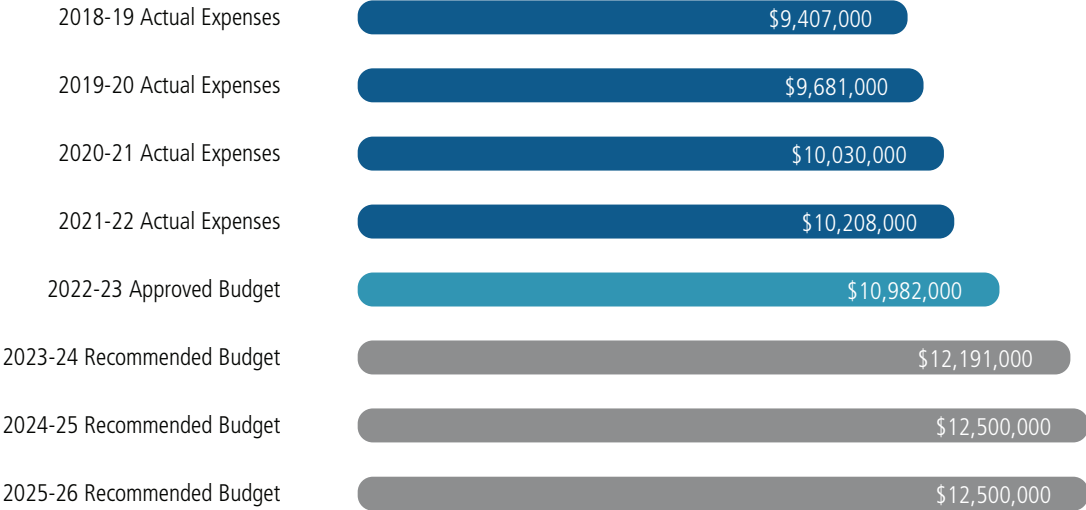
The Committee expressed its appreciation to the Representative and her staff for the important work they do to support and advocate for children, youth and young adults across British Columbia. Committee Members also acknowledged the Representative’s creative efforts to find savings and efficiencies, including proposals to reallocate funds to address pressures. They noted that the Representative presented a budget reflective of increases to the office’s mandate as well as inflationary increases, and agreed to recommend the proposed operating and capital budgets.

RECOMMENDATIONS

The Committee recommends to the Legislative Assembly that:

- 21. The appropriation for the operating expenditures of the Office of the Representative for Children and Youth be \$12.191 million in 2023-24; \$12.5 million in 2024-25; and \$12.5 million in 2025-26.
- 22. The appropriation for the capital expenditures of the Office of the Representative for Children and Youth be \$50,000 in each of the next three fiscal years.

Office of the Representative for Children and Youth Operating Budget





APPENDIX A: DOCUMENTS SUBMITTED

Office of the Auditor General

Estimate of Resources 2023/24

Budget Submission Supplementary Tables

Annual Report 2021/22

Service Plan 2023/24 – 2025/26

Office of the Conflict of Interest Commissioner

Budget Proposal Fiscal Years 2023/24 - 2025/26

Budget Submission Supplementary Tables

2021 Annual Report

Members' Conflict of Interest Act [RSBC 1996] Chapter 287

Elections BC

Budget Proposal 2023/24-2025/26

Supplementary Funding Request 2022 Surrey South By-election

Budget Submission Supplementary Tables

2021/22 Annual Report and 2022/23-2024/25 Service Plan

Office of the Human Rights Commissioner

Budget Submission 2023/24-2025/26

Statutory Officer Cover Memo to Summarize Funding Requests for the Office of the Human Rights Commissioner

Budget Submission Supplementary Tables

Finding our roots: Growing in community; Annual Report 2021/22 and Service Plan 2022/23-2024/25

Office of the Information and Privacy Commissioner and Registrar of Lobbyists

Budget Submission Fiscal Years 2023/24-2025/26

Statutory Officer Cover Memo to Summarize Annual Incremental or Supplementary Funding Requests for Statutory Officers

Budget Submission Supplementary Tables

Office of the Information and Privacy Commissioner for British Columbia Annual Report 2021-2022

Office of the Registrar of Lobbyists British Columbia Annual Report 2021-2022

Office of the Merit Commissioner

Budget Submission Fiscal Years 2023/24 - 2025/26

Statutory Officer Cover Memo to Summarize Annual Incremental or Supplementary Funding Requests for Statutory Officers

Budget Submission Supplementary Tables

Service Plan Fiscal Years 2023/24 - 2025/26

2021-2022 Annual Report

Office of the Ombudsperson

Budget Submission 2023/2024 to 2025/2026

Statutory Officer Cover Memo to Summarize Annual Incremental or Supplementary Funding Requests for Statutory Officers

Budget Submission Supplementary Tables

2023/24-2025/26 Service Plan

Annual Report 2021-2022

2021-2016 Strategic Plan

Strategic Outreach Plan 2023-2026

Written Response to further questions posed by the Select Standing Committee on Finance and Government Services

Office of the Police Complaint Commissioner

Budget Submission 2023/2024 to 2025/2026

Statutory Officer Cover Memo to Summarize Annual Incremental or Supplementary Funding Requests for Statutory Officers

Budget Submission Supplementary Tables

2022/23-2024/25 Service Plan

Annual Report 2020/2021

Office of the Representative for Children and Youth

Budget Submission Fiscal Years 2023/24 to 2025/26

Statutory Officer Cover Memo to Summarize Annual Incremental or Supplementary Funding Requests for Statutory Officers

Budget Submission Supplementary Tables

Annual Report 2021/22 and Service Plan 2022/23 to 2024/25

