



# **Office of the Public Sector Integrity Commissioner of Canada**

**2012-13**

## **Report on Plans and Priorities**

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The Honourable Tony Clement  
President of the Treasury Board of Canada and Minister  
responsible for the Federal Economic Development  
Initiative for Northern Ontario



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## Commissioner's Message

As the newly appointed Public Sector Integrity Commissioner, I am pleased to present our 2012-13 Report on Plans and Priorities.

This past year, our Office achieved a number of significant milestones that will help us in increasing our capacity to deliver our mandate. One of the key milestones was to complete a number of staffing actions as committed to in 2010-11, to ensure stability in the organization with a focus on our investigative capacity. To foster a better understanding of the legal provisions governing our actions, we have also started the development of decision-making policies in order to clearly set-out the guiding principles and criteria under which some of our key decisions are made.



Our primary commitment remains the performance of our mandated functions; that is, to receive, analyze and investigate disclosures and reprisal complaints, and to report findings of wrongdoing to Parliament or make referrals to the Public Servants Disclosure Protection Tribunal. The Office has tabled a Case Report in Parliament, referred three cases to the Public Servant Protection Tribunal, and is experiencing a significant increase in the number of investigations underway as compared to this time last year. I believe this upward trend in the number of cases will continue over the course of this planning period. I am confident that, as cases of wrongdoing are found and reported on, and reprisal cases are heard before the Tribunal, that public sector employees' trust and confidence in their disclosure regime will follow.

I am committed to enhancing accessibility to the Office for potential disclosers or victims of reprisal, and will focus attention on maximizing the effectiveness of our communications to ensure our roles and responsibilities are better understood and that people who need our services know where to find us.

We will also establish meaningful performance measures to assist in the allocation of resources and the identification of areas for improvement, and to assist the organization in achieving its expected results. Finally, we will ensure that we maintain a human resources capacity that meets organizational needs.

I believe in the value of providing an independent, effective and predictable disclosure regime in the federal public sector. I am confident that the implementation of the priorities set out in this plan will result in the success of my Office in these objectives.

Mario Dion  
Public Sector Integrity Commissioner

## Section I: Organizational Overview

### Raison d'être

The Office of the Public Sector Integrity Commissioner of Canada (the Office) was set up to administer the Public Servants Disclosure Protection Act (PSDPA), which came into force in April 2007. The Office is mandated to establish a safe, independent, and confidential process for public servants and members of the public to disclose potential wrongdoing in the federal public sector. The Office also exists to protect from reprisal those public servants who have filed disclosures or participated in related investigations.

### Responsibilities

The Office has jurisdiction over the entire public sector, including separate agencies and parent Crown corporations, which represents approximately 400,000 public servants. Under the PSDPA, members of the general public can also come to the Office with information about a possible wrongdoing in the federal public sector. However, the Office does not have jurisdiction over the Canadian Forces, the Canadian Security Intelligence Service, and the Communications Security Establishment, each of which is required under the PSDPA to establish internal procedures for disclosure of wrongdoing and protection against reprisal similar to those set out in the Act.

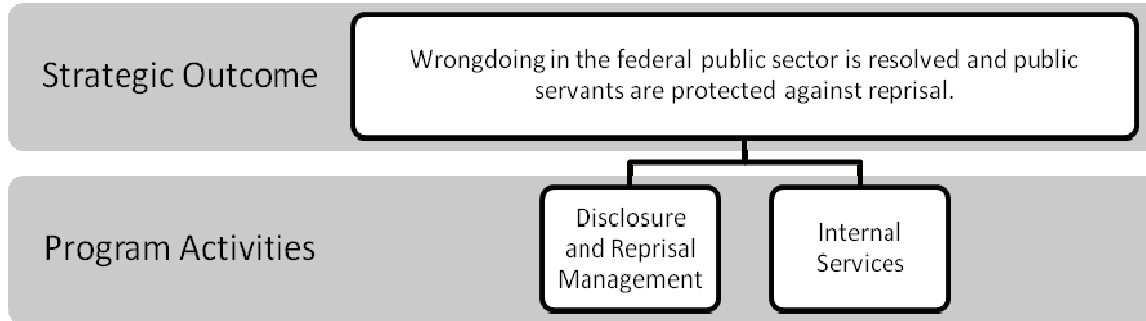
The Office conducts independent reviews and investigations of disclosures of wrongdoing and complaints of reprisal in a fair and timely manner. In cases of founded wrongdoing, the Commissioner issues findings, through the tabling of a case report to Parliament, and makes recommendations to chief executives for corrective action. The Commissioner exercises exclusive jurisdiction over the review, investigation and conciliation of reprisal complaints. This includes making applications to the Public Servants Disclosure Protection Tribunal, which has the power to determine if reprisals have taken place and to order appropriate remedial and disciplinary action.

The Office is guided at all times by the public interest and the principles of natural justice and procedural fairness. The Commissioner submits an annual report to Parliament and special reports may also be submitted to Parliament at any time.

More information about the Office's mandate, roles, responsibilities, activities, statutory reports and the PSDPA can be found on the Office's website: [www.psic-ispcc.gc.ca](http://www.psic-ispcc.gc.ca).

## Strategic Outcome and Program Activity Architecture (PAA)

The Office has one strategic outcome that guides the pursuit of its mandate and reflects the long-term benefits sought for Canadians as demonstrated in the following chart.



## Organizational Priorities

Priority	Type <sup>1</sup>	Strategic Outcome(s) and/or Program Activity(ies)
Disclosure and reprisal management function that is timely, rigorous, independent and accessible	Ongoing	Disclosure and reprisal management
<b>Description</b>		
<b>Why is this a priority?</b>		
<p>There are a number of factors contributing to this undertaking, but largely it is the cornerstone of creating trust in the organization with those individuals who may approach or interact with Office. Additional factors driving this initiative are:</p> <ul style="list-style-type: none"> <li>the Office has had an increasing number of cases and investigations, requiring a disclosure and management function that will result in an approach to work with these</li> </ul>		

<sup>1</sup> Type is defined as follows: **previously committed to**—committed to in the first or second fiscal year prior to the subject year of the report; **ongoing**—committed to at least three fiscal years prior to the subject year of the report; and **new**—newly committed to in the reporting year of the RPP or DPR.



- attributes (timely, rigorous, independent and accessible) with the current resources;
- the Office has completed the review of the past case files from which lessons were learned and can be applied;
- there is an increased number of staff, with a strong and varied skill set to contribute;
- the stability arising from the appointment of the Commissioner for a fixed 7-year term.

**Plans for meeting the priority**

1. Complete the standardization, documentation, and implementation of operational processes to ensure rigour, timeliness and accessibility.
  - a. Develop a process map to maximize efficiency and accessibility.
  - b. Develop, implement and communicate service standards.
  - c. Develop and implement a quality assurance process.
  - d. Implement a case management system that responds to the Office’s current and ongoing needs.
2. Identify, develop and implement key operational policies on matters such as accessibility, information management, decision-making and client communications.
3. Ensure that the Office’s security, privacy and confidentiality standards and protocols meet or exceed current Government policies.

Priority	Type	Strategic Outcome(s) and/or Program Activity(ies)
Engagement of key stakeholders	Ongoing	Disclosure and reprisal management

**Description**

**Why is this a priority?**

This is fundamental in creating awareness and clarity about *The Act* and the role of the Office, which are relatively new. This will contribute to overcoming the negative connotations associated with wrongful disclosures.

**Plans for meeting the priority**

1. Develop and implement an outreach and engagement strategy, which encompasses the following:
  - a. Continue engagement of key stakeholders through the PSIC Advisory Committee.
  - b. Clearly communicate the rationale for PSIC decisions and operational outcomes to

key stakeholders in a relevant, accurate, clear and transparent way.  
 c. Modernize and maximize communication approaches.

Priority	Type	Strategic Outcome(s) and/or Program Activity(ies)
Meaningful performance information	Ongoing	Disclosure and reprisal management

**Description**

**Why is this a priority?**

Meaningful and relevant performance information is a critical element of management and oversight to assist in allocating resources, identifying areas for improvement and assist the organization in achieving its expected results.

**Plans for meeting the priority**

1. Improve, implement and communicate our performance management results to ensure that the Office invests its efforts efficiently and demonstrates value.
  - a. Develop a strategy to collect, analyze and report data including a review of current statistical data collection methods and tools to ensure data integrity.
  - b. Strengthen effectiveness measures by developing tools such as questionnaires to evaluate stakeholder satisfaction and awareness
2. Support the preparation of the 5-year review. Document and communicate the Office’s observations and experiences in implementing the PSDPA, including recommendations for legislative amendment and operational/policy reform.
3. Develop and implement a research strategy that includes an international component.

Priority	Type	Strategic Outcome and/or Program Activity(ies)
Human resource capacity that meets organizational needs	Ongoing	Disclosure and reprisal management, Internal Services

**Description**

**Why is this a priority?**

The success of the Office is dependent on having employees with the knowledge, skills, and experience that work as team and independently. It is recognized the impact of turnover in a small organization can create challenges for knowledge transfer, succession planning and corporate memory. There has been significant increase in hiring over the last year to build capacity which has guided the plans for meeting this priority.

**Plans for meeting the priority.**

1. Identify and assess the competencies the organization needs to succeed.
  - a. On an ongoing basis, conduct gap assessments and determine how to acquire required competencies (staffing, training).
2. Develop and implement an engagement and retention strategy (including strategies to address issues such as career progression, employee engagement and mentorship, leveraging internal capacity, seeking external capacity when necessary and ensuring the organization is an employer of choice).
  - a. Engage staff in ongoing assessment of the Office's organizational structure.
  - b. Ensure that we provide staff with the right tools and technology to be responsive to organizational requirements.
3. Develop and implement an internal code of conduct.

## Risk Analysis

External risks arise from events that PSIC cannot influence, but must be able to monitor and respond to in order to mitigate the impact. The internal risk category consists of risks that can broadly be categorized as people, processes, systems, and culture.

**External Risks**Increasing Case Volumes

The intake of new cases and the number of investigations has increased since December 2010. The complexity of each case can vary significantly, as such the number of cases may not necessarily reflect a pressure on resources required to monitor and address cases in a timely manner. However, after consideration of the forecasted government environment of workforce adjustments arising from the strategic and operating reviews, there is a clear potential that case volumes will continue to increase. Under these circumstances there is a risk that PSIC's ability to address a significant rise in case volumes in a timely manner may be impacted. As outlined in the plans, the Office is completing a review of its operational processes with the view to

streamline and optimize the use of available resources while ensuring the disclosure and reprisal management function is timely, rigorous, independent and accessible.

## **Internal Risks**

### Information Security

Information security is critical in the context of disclosures, investigations and the need for preserving confidentiality and trust in the Office. Sensitive or private information must be protected from potential loss or inappropriate access in order to avoid potential litigation, damaged reputation and further reluctance in coming forward. The Office has implemented many practices aimed at ensuring the security of information, which include briefing and confidentiality agreements, random information security checks within premises, controlled access for the storage of sensitive information, and a "threat risk assessment" of information management and information technology security was conducted. In addition, there is a plan to review, develop and implement an updated security plan.

## Planning Summary

### **Financial Resources (\$ thousands)**

2012-13	2013-14	2014-15
6,033	5,656	5,656

The financial resources table above provides a summary of the total planned spending for PSIC for the next three fiscal years. Additional information regarding the Financial and Human Resources trends can be found in the [Expenditure Profile](#) section of this report.

### **Human Resources (Full-Time Equivalent—FTE)**

2012-13	2013-14	2014-15
36	36	36

The human resources table above provides a summary of the total planned human resources for PSIC for the next three fiscal years.

**Strategic Outcome: Wrongdoing in the federal public sector is resolved and public servants are protected against reprisal.**

<b>Performance Indicators</b>	<b>Targets</b>
Incidence of wrongdoing reported and complaints of reprisal received	There is no set target, however the level of incidence is tracked and reported on the Office's Web site.
Stakeholder perception of PSIC and the Act	The stakeholder engagement initiatives outlined in the Organizational Priorities will be essential to contributing to the performance indicator. Included in the planned activities, to support the performance measurements, is development of a questionnaire to evaluate stakeholder satisfaction from which targets may be developed.

**Planning Summary Table (\$ thousands)**

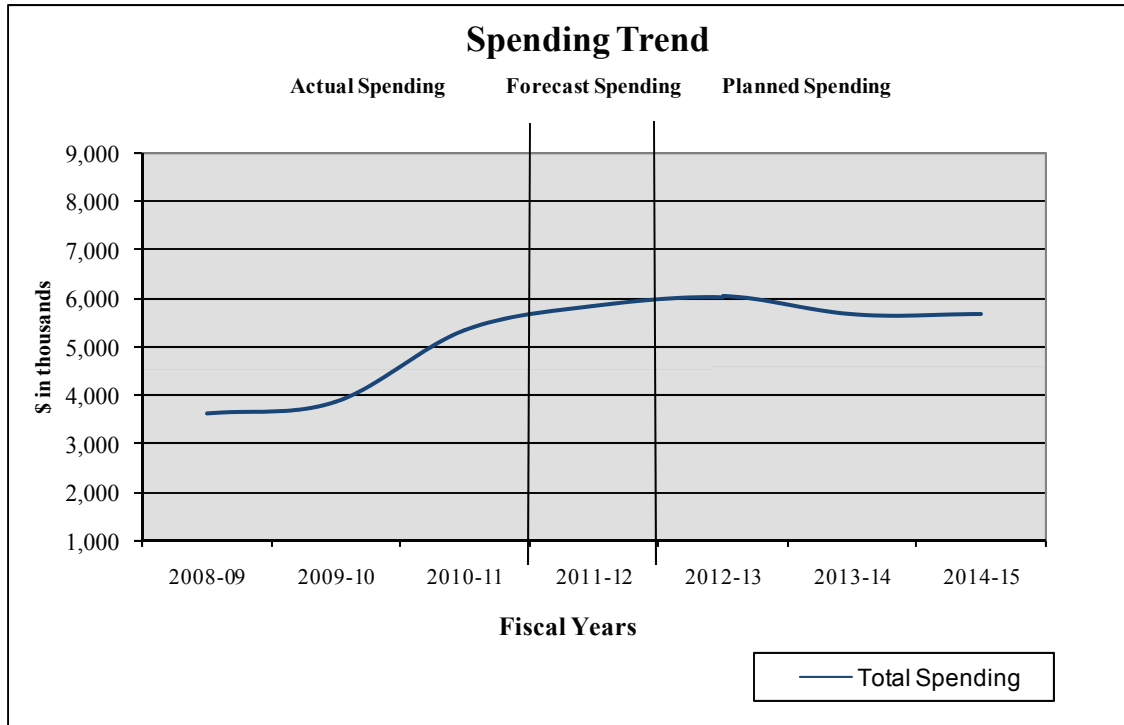
<b>Program Activity</b>	<b>Forecast Spending 2011-12</b>	<b>Planned Spending</b>			<b><u>Alignment to Government of Canada Outcomes</u></b>
		<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	
Disclosure and Reprisal Management	3,652	3,779	3,614	3,614	A transparent, accountable and responsive federal government
<b>Total Planned Spending</b>		3,779	3,614	3,614	

**Planning Summary Table (\$ thousands)**

<b>Program Activity</b>	<b>Forecast Spending 2011-12</b>	<b>Planned Spending</b>		
		<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>
Internal Services	2,183	2,254	2,042	2,042
<b>Total Planned Spending</b>		2,254	2,042	2,042

## Expenditure Profile

### PSIC Spending Trend



The Office’s yearly actual spending has increased over the past four fiscal years as positions were staffed and infrastructure was put in place. Spending authorities were initially allocated on the basis of the Office being at full strength from the outset, whereas the organization has developed at a more gradual pace. In 2012-13, the planned spending reflects a return to the base budget augmented by the forecast of amounts to be paid out of central votes, such as the 5% operating budget carry forward. In 2013-14 and 2014-15 the planned spending reflects the base budget initially established for the Office and is indicative of the steady state cost structure, after implementing cost containment measures to address budget pressures.

### Estimates by Vote

For information on our organizational appropriations, please see the [2012–13 Main Estimates publication](#).

## Section II: Analysis of Program Activities by Strategic Outcome

### Strategic Outcome

Wrongdoing in the federal public sector is resolved and public servants are protected against reprisal.

### Program Activity: Disclosure and Reprisal Management Program

#### Program Activity Descriptions

This program addresses the need to take action in bringing resolution to disclosures of wrongdoing and complaints of reprisal and contributes to increasing confidence in federal public institutions. It aims to provide advice to federal public sector employees and members of the public who are considering making a disclosure and to accept, investigate and report on disclosures of information concerning possible wrongdoing. Based on this activity, the Public Sector Integrity Commissioner will exercise exclusive jurisdiction over the review, conciliation and settlement of complaints of reprisal, including making applications to the Public Servants Disclosure Protection Tribunal to determine if reprisals have taken place and to order appropriate remedial and disciplinary action.

#### Financial Resources (\$ thousands)

2012-13	2013-14	2014-15
3,779	3,614	3,614

#### Human Resources (Full-Time Equivalent—FTE)

2012-13	2013-14	2014-15
28	28	28

<b>Program Activity Expected Results</b>	<b>Performance Indicators</b>	<b>Targets</b>
The disclosure and reprisal management function is efficient.	Average number of days to process new cases at intake.	15 days
Disclosure and reprisal cases are resolved.	Number of cases resolved as a percentage of the number of investigations.	60%
Key Stakeholders are informed of PSIC's role and mandate	Percentage of key stakeholders informed of PSIC's role, mandate and processes. The performance measurement is to be further developed over the next reporting period.	60%

## Planning Highlights

In order to achieve the expected results, PSIC plans to undertake, in addition to ongoing activities, the following initiatives:

- Develop, implement and communicate service standards.
- Develop and implement a quality assurance process.
- Implement a case management system that responds to the Office's current and ongoing needs.
- Identify, develop and implement key operational policies on matters such as accessibility, information management, decision-making and client communications.
- Develop and implement an outreach and engagement strategy.
- Refine, implement and communicate our performance management results to ensure that the Office invests its efforts efficiently and demonstrates value.
- Support the preparation of the 5-year review.

Section I, under the plans to meet the Organizational Priorities, contains the complete listing.



## Strategic Outcome

The following program activity supports all strategic outcomes within this organization.

### Program Activity: Internal Services

#### Program Activity Description

Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization.

These groups are: Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Materiel Services; Acquisition Services; and Travel and Other Administrative Services. Internal Services include only those activities and resources that apply across an organization and not to those provided specifically to a program.

#### Financial Resources (\$ thousands)

2012–13	2013–14	2014–15
2,254	2,042	2,042

#### Human Resources (Full-Time Equivalent—FTE)

2012–13	2013–14	2014–15
8	8	8

## Planning Highlights

Efforts under this program activity will support improvements in the efficiency and effectiveness of PSIC's internal operations. Specific initiatives in this area include:

- Continue to identify changing human resources requirements (through ongoing HR Planning) to: maximize staff engagement and retention; ensure timely availability of qualified staff; and implement strategic learning and development (training) plans.
- Continue to assess and implement continuous improvement initiatives for Information Management and Information Technology necessary to support our operational day to day activities and evolving monitoring and reporting activities.
- Develop and implement an internal code of conduct.

## Section III: Supplementary Information

### Financial Highlights

The variance between the figures that follow and the planned spending amounts provided in other sections of the RPP relate to such items as services without charge received from other government departments, amortization, and severance and vacation pay liability adjustments.

<b>Future-Oriented Condensed Statement of Operations</b>			
For the Year (ended March 31)			
(\$ thousands)			
	<b>\$ Change</b>	<b>Future-Oriented 2012-13</b>	<b>Future-Oriented 2011-12</b>
Total Expenses	487	6,746	6,259
<b>Net Cost of Operations</b>	487	6,746	6,259

<b>Condensed Statement of Financial Position</b>			
For the Year (ended March 31)			
(\$ thousands)			
	<b>\$ Change</b>	<b>Future-Oriented 2012-13</b>	<b>Future-Oriented 2011-12</b>
Total assets	(300)	487	787
Total liabilities	(250)	894	1,142
Equity	(52)	(407)	(355)
Total	(300)	487	787

The projected decrease in assets and liabilities is a result of an anticipated higher level of payables to suppliers at the end of March in 2011-12, as a result of the timing of expenditures for a one-time space expansion and information technology investment being incurred to accommodate the increased level of staffing.

## Future-Oriented Financial Statements

Future-oriented financial statements can be found on PSIC's web site at: [http://psic-ispc.gc.ca/quicklinks\\_liensrapides/12\\_13rpp\\_finstats\\_etatsfin-eng.aspx](http://psic-ispc.gc.ca/quicklinks_liensrapides/12_13rpp_finstats_etatsfin-eng.aspx)

## List of Supplementary Information Tables

### Transfer Payment Program

1. Name of TPP	2. Main Objective	3. End Date of TPP, if applicable	4. Type of TP (G, C)	5. Planned Spending for 2012-13	6. Fiscal Year of Last Completed Evaluation	7. General Targeted Recipient Group
Provision of access to legal advice under the PSDPA.	To support a fair, timely and transparent process.	N/A	C	\$40,000	The program will be reviewed as part of the five-year review of the PSDPA.	Persons involved in a proceeding or considering a disclosure or complaint.

The transfer payment program consists of the contributions for access to legal advice, under the Public Servants Disclosure Protection Act, to any person involved in a proceeding or considering a disclosure or complaint. The Public Sector Integrity Commissioner has the authority to approve access to free legal advice to any person involved in a proceeding under the *Act*, up to a maximum of \$1,500, or \$3,000 in exceptional circumstances. Providing access to legal advice for eligible recipients is critical to supporting fair, timely and transparent processes where the parties involved have the opportunity to be advised concerning their situation, their rights and obligations and assistance in determining their best course of action. Under this program, the Office will pay the recipient's private sector legal counsel directly for the legal advice provided or provide access to legal advice through legal counsel employed by the Commissioner's office, in which case there is no payment.

### Greening Government Operations

The Office's procurement needs are largely met by government-wide commodity management processes and vehicles established by PWGSC. In this regard, the Office procures recycled

toner and paper. In 2012-13 the Office will assemble best practices for green government operations, develop targets allowing for security considerations and space configuration and inform staff.

### **Upcoming Internal Audits and Evaluations over the next three fiscal years**

#### A. All upcoming Internal Audits over the next three fiscal years

<b>1. Name of Internal Audit</b>	<b>2. Internal Audit Type</b>	<b>3. Status</b>	<b>4. Expected Completion Date</b>
Security	Governance	In Progress	March 2012
Contribution Program	Transfer Payments	2012-13 Planned	September 2012
Contracting and Acquisition Cards	Assurance/Compliance	2012-13 Planned	December 2012
Travel and Hospitality	Assurance/Compliance	2013-14 Planned	September 2014
Information Management	Governance	2013-14 Planned	March 2014

The Office has shared service agreements with the Canadian Human Rights Commission, and Public Works and Government Services Canada who provide administrative services to the Office on a contractual basis. These arrangements supplement internal resources of the Office and allow the pooling of expertise in specific management areas. The Canadian Human Rights Commission provides services in the areas of financial management (namely transaction processing and reporting), security clearances and building security arrangements, procurement and contracting, telecommunications, information management, information technology and human resources information systems. Public Works and Government Services Canada provides services in the areas of human resources management, namely planning, staffing, classification, labour relations, policies and procedures, and human resources reporting requirements to central agencies.

B. All upcoming Evaluations over the next three fiscal years

In accordance with provisions of the PSDPA, Treasury Board Secretariat must have an independent review of the Act and its administration and operation conducted five years after it came into effect on April 15, 2007. The Office will also provide information and legislative recommendations to Treasury Board to support their review of the Act. A report on the results of the review must then be presented before each House of Parliament within 15 sitting days after the review is completed.

## Section IV: Other Items of Interest

### Organizational Contact Information

#### **General Enquiries**

If you have a comment or a question for PSIC, you can contact us by telephone or fax, by mail, or by [e-mail](#).

Telephone: 613-941-6400  
Toll Free: 1-866-941-6400  
Fascimile: 613-941-6535 (general inquiries) or 613-946-2151 (secure transmission)

Mailing Address:  
60 Queen Street, 7th Floor  
Ottawa ON K1P 5Y7

#### **Disclosures of Wrongdoing or Complaints of Reprisal**

If you are thinking about disclosing wrongdoing or making a complaint of reprisal, we can provide you with more information about the process in complete confidentiality.

Please note: The Office does not accept formal disclosures of wrongdoing or complaints of reprisal via e-mail or this website because they cannot provide secure electronic transmission of personal or confidential information.

To submit a disclosure of wrongdoing or complaint of reprisal, fill out the appropriate [form](#) and mail, fax (secure transmission) or bring it to the Office in person.