

Job Description: Deputy Ombudsperson/Executive Director

Reports to: Ombudsperson, Public Interest Disclosure Commissioner

Salary: Level 26 (\$98,358 to \$112,967 per annum) (\$47.40 to \$59.25 per hour)

General Summary

The Offices of the Ombudsperson and Public Interest Disclosure Commissioner are independent offices of the Legislative Assembly. Under the authority of the *Ombudsperson Act* and the *Public Interest Disclosure and Whistleblower Protection Act* (the Acts), the Ombudsperson/Public Interest Disclosure Commissioner investigates complaints of unfairness and disclosures of wrongdoing and reprisals. The offices of the Ombudsperson/Commissioner operate as one office (the Office) fulfilling the mandates of each role under the Acts. This work is different from other positions within the public service as the nature of the work is that of an oversight body on the public sector.

The Deputy Ombudsperson (Deputy) must have considerable expertise and demonstrated competency in leading and directing the operations of an oversight or similar type body including directing the delivery of services and programs to the public, directing complaints handling and investigations, program development, management and evaluation. Must have flexible and effective management and communications styles and be highly innovative in seeking solutions to problems and in developing ways to improve services.

You must be able to respond to scrutiny while maintaining confidentiality and the integrity of the Office. A superior appreciation of the role and work performed by a classical or executive model of the Ombudsperson's Office will be important to your success.

You must also demonstrate a consistent and high level of integrity, ethics, impartiality, empathy, and discretion when dealing with sensitive and confidential matters. It is crucial to ensure a high level of confidentiality is maintained while addressing a variety of issues related to the administration of in excess of 300 statutes, and associated regulations, bylaws, policies and procedures. Your knowledge of mediation theory and practice, case management information systems, case monitoring, tracking and management systems and techniques will be integral to the office. In-depth knowledge of provincial government departments, boards, agencies, commissions and tribunals and the machinery of government including applicable accountability and management frameworks will be crucial to your success.

Purpose

The Deputy is responsible for providing leadership and direction in the innovative and strategic management of the Office. The Deputy acts as direct advisor to the Ombuds on all issues of importance to the Office and its operations and provides ongoing direction and support to ensure the smooth functioning and effective operation of all areas of the Office. The Deputy also functions as a second in command, coordinates and plans the priorities for the Office ensuring managerial continuity. The Deputy acts as Ombudsperson/Public Interest Disclosure Commissioner during the Ombuds' absence or where a conflict of interest, either real or perceived exists.



The Deputy oversees all activities of the Office to ensure the effective and timely delivery of programs and services and plays a leadership role to ensure that all aspects of the organization are aligned with the Ombuds' overall vision for the organization. The Deputy must evaluate and adjust priorities to meet unpredictable and unplanned requirements and must harmonize work by constantly exchanging information with the Ombudsperson. The Deputy works with investigators in a collaborative manner to ensure the effective and efficient management of assigned human, financial and material resources in support of carrying out the Office's mandate.

The Deputy is accountable to the Ombuds for directing and managing a team of professional staff to ensure a high quality of service delivering, including complaint analysis, informal resolutions, investigations, decisions and recommendations, and reporting in accordance with the Acts. This includes oversight of investigations under the Acts, conducting or assigning complaints, providing oversight of the intake and informal case resolution process, recommendation monitoring, provision of leadership, program direction and evaluation, supervision, professional development, and staff training.

The Deputy is also responsible to set and monitor service objectives and standards, ensure the integrity of the Office, interpret statistics through the case management database, support Office wide initiatives (such as strategic planning), lead or assist in the development of policies or public communications; and ensure the work of the Office is carried out in a professional manner.

Complaints and disclosures widely vary in their complexity and sensitivity and the public has high expectations of the Office to hold the public sector accountable and ensure good administrative practices. The Deputy must consider all trends and changes and ensure that the Office is delivering a high standard of service in its service delivery.

Duties/Responsibilities

Leadership

- Provides advice and guidance to the Ombuds on the current and future directions and objectives for the Office to ensure that it is responsive to issues relevant to the public as well as having a direct impact on public policy issues. Leads the strategic vision for the Office of the Ombuds and its related policies to ensure these meet the needs of the Office. Formulates plans, objectives and priorities in line with the Ombuds' vision and objectives for the organization. Represents the Ombuds in internal communications, effectively communicating organizational objectives and priorities and providing leadership and direction to ensure that these are understood and carried out.
- Represents the Ombuds in high level discussions with senior government officials, colleagues and other stakeholders to ensure cooperation and coordination of efforts to resolve individual complaints as well as systemic issues and to maintain a solid understanding of the needs and challenges facing Islanders with respect to provincial and municipal government, so that the Office can respond appropriately and effectively.



- Liaises with other oversight offices and stakeholders to facilitate the development of common approaches and to identify issues of common interest.
- Allocates and oversees the effective management of human and financial resources by setting and evaluating staff performance targets, promoting diversity and a healthy workplace, demonstrating the leadership competencies, respecting corporate human resources practices, promoting teamwork and individual development, maintaining internal communication, monitoring revenues and expenditures, adhering to procurement guidelines, acquiring goods and services in the most cost effective manner and accurately forecasting budget requirements for the fiscal year.
- May be called upon to act as a spokesperson for the Office with the media.

Operations

- Exercises authority as delegated by the Ombuds pursuant to the Acts. Directs the conduct of investigations under the Acts to ensure fairness and objectivity. Achieves broad reaching systemic change through oversight of comprehensive and conclusive investigations.
- Provides advice and guidance to the Ombuds in the identification of complaint related trends and systemic issues for investigation, as well as in the formulation of reports and recommendations which have both an individual and broader public policy impact. Directs the identification and analysis of complaint trends and conceptualizes and implements strategies to effectively respond to them.
- Oversees the effective functioning of the Office on a daily basis including identifying and managing critical issues on behalf of the Ombuds. Sets direction for staff in the resolution of complaints, through consultation, persuasion and mediation with Deputy Ministers and senior officials.
- Provides for effective program delivery in accordance with the goals and values of the Office of the Ombuds while honouring administrative fairness and natural justice. Oversees the handling of complaints at all stages through intake, early resolution, as well as formal, complex, own-motion, and systemic investigations. This is accomplished through quality assurance mechanisms, development and dissemination of policy and procedures, and encouraging a collaborative working environment.
- Conceives of ways and means to continuously improve how services are delivered and innovates new and improved programs for the provision of services to the public and provincial and municipal government, including the delivery of complaints review and investigation services. Identifies critical or high profile, sensitive issues and gaps in service, as well as opportunities for improvement. Elaborates and oversees the implementation of corresponding initiatives to respond to complex problems and to continue to modernize and improve overall the level of service provided by the Office to the public.



- Represents the Ombuds at meetings and in outreach and training activities and participates in Ombuds forums, national and international conferences and committees related to oversight in order to share perspectives and identify best practices.
- Strategizes, oversees and participates in the development of communications products and programs including those aimed at highlighting the Office and publicizing the outcomes of complaint reviews and investigations, including through the use of social media, and is recognized as an official spokesperson for the Office of the Ombuds. Oversees the production and publication of the Annual Report, investigative and special reports issued by the Office. Provides direct advice and guidance to the Ombuds on the production, publication and overall content of all public reports issued by the Office.
- Oversees and verifies statistical reporting, including monthly, quarterly and annual reporting.
- As required, conducts highly complicated and sensitive investigations and writes final reports and recommendation letters for the Ombudsperson's signature.

Contacts

The Deputy consults regularly with the Ombuds to collaborate on more effective methods of enhancing and impacting service delivery to the public. Networks and develops cooperative relationships with constituents, MLAs and stakeholders in order to maintain a solid understanding of the needs and challenges facing Islanders with respect to government, so that the Office can respond appropriately and effectively. Develops effective and cooperative working relationships with senior officials to promote a working relationship that recognizes the mandate under the Acts. Works closely with senior government solicitors acting on behalf of respondents; complainants, collateral witnesses, independent legal counsel; non-governmental organizations and the general public to ensure accountability on the principles of administrative fairness and natural justice through the oversight role of the Office. Liaises with other oversight offices, stakeholders and oversight communities to facilitate the development of common approaches and to identify issues of common interest.

Innovation

The position requires a strategic thinker who is able to conceptualize ideas and translate them into action in order to produce desired results. Superior organizational skills and ability to exercise creativity and innovation and motivate and bring together teams in order to translate vision into effective operations. The Deputy leads the development of effective strategies to assist professional staff employ principles of administrative law and natural justice to improve service delivery of government programs. These strategies require the ability to utilize effective and efficient time management to provide timely responses, including specialization in mediation theory and practice, identify systemic issues and opportunities to facilitate proactive and preventive techniques, lead policy development and oversee the development of reasonable and feasible recommendations or solutions. Devise effective strategies to overcome bureaucratic limitations through new approaches based on constructive thinking and innovation. Establish and implement a fair, thorough, and objective investigative process.



Provides for effective quality assurance processes and thereby complainant/respondent satisfaction. Requires an appreciation of broad issues of administrative fairness and good governance. Oversees the development of training requirements and opportunities to promote the most effective and efficient methods of investigative techniques, proactive initiatives, settlement strategies and techniques.

Decision Making

Provides decisions to staff related to the day to day office management, including decisions related to human resources, performance management, staffing requirements and budget matters. Additionally, decisions related to operations including case management, training, resolutions, investigations, reporting and proposed recommendations.

Decisions referred to Ombuds are those requiring approval of strategic directions and expenditures and the publication and overall content of public reports issued by the Office.

The Deputy is charged with ensuring that the Office functions as a credible, dynamic, responsive, and innovative organization serving the public interest and having a direct and relevant impact on the formulation of public policy. The Deputy plays a leadership role within the Office including the formulation of the vision for the Office's operations and is accountable for conceptualizing and articulating the strategies and directional frameworks underpinning the Ombuds's vision and objectives for the organization. The Deputy ensures that the plans and priorities and the corresponding allocation and management of resources within the Office are aligned with the Office's mandate under the Acts and the objectives established by the Ombuds.

Quality investigations which effectively enforce the Acts and support the principles of administrative fairness and natural justice. Produce both public and confidential reports which embody the policies, philosophy, style and objectives of the Ombuds.

Dimensions (Approximate)

Budget 750 (\$ thousands)
4 staff

Transactions Processed:
250+ contacts, assessments and investigations
50+ outreach sessions

Oversight Responsibility:
10+ Provincial Ministries
63+ Municipal Entities
75+ Agencies of Government
1+ Publicly-funded health entity (Health PEI)
340+ Public Acts (not including associated regulations)



Work Environment

The Office offers a highly charged, demanding, energetic and challenging work place with opportunities to work on interesting cases directly affecting the citizens of PEI. We emphasize a hard-working productive environment that encourages professional development and teamwork.

Includes travel outside of the office (national/international) to attend meetings, conferences, and to conduct site visits with wide range of environments which may include private residences, work sites, correctional facilities. Site visits (indoor/outdoor) in various terrain and environments (correctional facilities).

Regular computer work that could place strain on the eyes, hand, arm and neck, muscles/tendons.

Many factors compete for attention. Superior analytical skills and ability to analyze complex complaints and problems, identify systemic issues relevant to the public interest and formulate creative and innovative solutions. Superior written and oral communication skills. Excellent reading/observing, and listening skills are required to interpret and apply various legislation to conduct investigations and demonstrate sensitivity to a variety of social contexts. In particular dealing with issues relating to employment, neglect, abuse, environmental issues, personal safety, inappropriate conduct, human rights, finances, youth and senior issues, adult and youth offender issues, and issues arising from investigations under the Acts. Must be able to identify training needs of staff and employ methods to identify strengths to optimize resources within the offices.

Many complex and challenging issues which can be politically or publicly sensitive. Highly developed ability to analyze, interpret and apply provincial and municipal legislation, regulations, policies and procedures. The ability to deal with very demanding, emotional, or volatile individuals/groups. Decisions must ensure the integrity of the Office is considered, maintained or enhanced.

Education and Experience

University degree in law, social science or related field, or an acceptable combination of education and experience. Legal training is an asset. Preference given to a post--graduate degree.

Seven or more years of senior management experience in a related field (dispute resolution, public interest disclosure, maladministration, complaint handling). Preference given to candidates with non-criminal investigative experience and supervision of those types of investigations.

Criminal record background and vulnerable person sector check.

March 2022