



Office of the  
Commissioner of  
Official Languages

Commissariat  
aux langues  
officielles

# AUDIT

of Service to the Public at  
Agriculture and Agri-Food Canada

**FOLLOW-UP**

July 2012



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In March 2009, the Office of the Commissioner of Official Languages published an audit regarding service to the public at Agriculture and Agri-Food Canada (AAFC). The report included eight recommendations to help AAFC better meet its obligations under Part IV of the *Official Languages Act* (communications with and services to the public). The recommendations are listed in Appendix A.

The eight recommendations focused on these six points:

- Ensure that AAFC develops an official languages accountability framework that includes roles and responsibilities, coordination mechanisms and a monitoring mechanism to ensure compliance with the institution's obligation to provide bilingual services;
- Revise AAFC's official languages action plan to fully implement Part IV of the *Official Languages Act*, include the quality of bilingual services to the public in management's performance objectives and develop a policy that enables employees to better manage communications with and services to the public;
- Inform staff about their language-of-service obligations;
- Review the language designation of all positions that provide services to the public, and offer language training to staff in designated bilingual positions who do not meet the language requirements of their position;
- Consult with national and regional official language minority communities to find out about their needs regarding services to the public;
- Add language clauses to new partnership and contribution agreements that comply with the provisions of Part IV (communications with and services to the public) and Part VII (advancement of English and French), if applicable.

In March 2012, the Office of the Commissioner of Official Languages completed a follow-up to assess the implementation of the 2009 audit recommendations and measure AAFC's progress in providing service to the public.

The progress report that AAFC submitted revealed the following:

- At the time of the audit follow-up, AAFC had not developed a formal official languages accountability framework. The Department did adopt an official languages strategy in November 2009 that acknowledges the institution's obligations pertaining to Parts IV, V, VI and VII of the *Official Languages Act*. The strategy also describes the roles of key official languages players in the Department and includes actions to improve compliance with the *Official*

*Languages Act*. In addition, AAFC provided a presentation to managers on their Part IV and V obligations. Furthermore, AAFC is currently approving a performance measure for branch heads that includes official languages as one of its priorities and that would ensure that measures are in place to address any shortcomings.

- We believe that, in addition to developing an official languages strategy, a departmental official languages accountability framework distributed to staff would have better shown employees how managers would be held accountable regarding official languages. This accountability framework could have defined the roles and responsibilities of management and employees, as well as the roles of official languages champions and regional coordinators.
- AAFC's original action plan from 2007 was replaced by an official languages strategy, which was approved in November 2009. The strategy outlines the Department's responsibilities regarding the *Official Languages Act* and addresses the following: departmental weaknesses such as inadequate employee awareness, improvements to bilingual services to the public, and the intent to shift from an approach based on rules to one focused on values. In addition, the strategy mentions Part IV of the *Official Languages Act*, raises awareness about official languages to ensure that employees have a better understanding of their rights and responsibilities under the *Official Languages Act*, and acknowledges that staff who provide service to the public must have the required language skills for their job. In 2011–2012, AAFC branch heads submitted individual action plans for review by the departmental official languages team.
- While AAFC's official languages strategy is a step forward that demonstrates commitment to official languages issues, AAFC could have strengthened its official languages strategy regarding communications with and services to the public by maintaining a departmental action plan that elaborates on objectives and desired outcomes more specific to Part IV.
- Regarding the development of a policy or guidelines to better manage communications with and services to the public in both official languages, AAFC established a policy to this effect that sets out the Deputy Minister's accountability, as well as the obligations of offices designated bilingual and unilingual. The policy also outlines Canadians' rights, expected results and the consequences of failing to comply. According to AAFC, the Department posted its internal policy on communications with and services to the public on the institution's internal Web site in January 2009.

- As yet, there is no way to measure the policy's effects on the provision of bilingual services. We encourage AAFC to adopt an official languages policy and guidelines, as well as to develop mechanisms to measure resulting improvements to the provision of bilingual services.
- For employees who provide service to the public, AAFC's official languages team developed a toolkit that includes bilingual e-mail templates, telephone message samples, key phrases in English and French, and a checklist that employees can use at designated bilingual offices to verify whether they are providing service to the public in both official languages. The Department sent the toolkit to program delivery managers and bilingual offices, and posted it on an internal AAFC Web page dedicated to official languages resources.
- The official languages toolkit seems to be a useful resource that highlights the importance of providing a visual and verbal active offer to the public in person and over the telephone. We encourage AAFC to ask members of the public who have been served in the minority official language at designated bilingual offices (for instance, through client surveys) whether service has improved since staff received the official languages toolkit.
- To raise employee awareness about official languages, AAFC held a national official languages awareness campaign in the regional offices between December 2009 and November 2011. At workshops in 2009 and 2010, the Department explained to managers and human resources professionals their roles and responsibilities regarding AAFC's official languages obligations. In addition, on June 10, 2009, AAFC celebrated its first Official Languages Day that included a presentation of a video with a message from the Department's official languages champions and organized a workshop hosted by departmental legal services.
- We believe that AAFC has made an earnest effort to change the Department's culture to one that includes linguistic duality as a reflex. To build on this, we encourage AAFC to monitor and evaluate how well various departmental initiatives improve communications with and services to the public.
- Since the March 2009 audit report, the Prairie Farm Rehabilitation Administration was recreated as the Agri-Environment Services Branch. This provided an opportunity for AAFC to review the linguistic profiles of positions in that new branch. The Department noted that their official languages team would begin the review during the 2011–2012 fiscal year. A review of the linguistic profiles of positions in the Prairie Farm Rehabilitation Administration was completed in

March 2008, before the creation of the new branch. However, instead of reviewing positions just for the new branch, AAFC decided to expand the linguistic profiles review to all positions in the Department. This review is still underway. No results are available and AAFC cannot conclude how the review of language designations for all positions will affect provision of services to the public.

- Regarding language training for incumbents of designated bilingual positions who do not meet the language requirements of their position, AAFC indicated that it has significantly changed the business processes related to non-imperative staffing since 2009 in order to reduce future problems. At the time of the audit follow-up, AAFC was still implementing administrative measures in situations where incumbents do not meet their position's language profile. Therefore, the Department has not fully satisfied the Commissioner's recommendation in this regard.
- With respect to official language minority communities, in 2008 and 2012 AAFC's official languages team formally met with, consulted and informed various national official language minority community groups regarding the Department's policy and program objectives. In 2009, AAFC indicated that it launched a consultation strategy in rural communities to improve decision-making, including in rural areas that take official language minority communities into account. The Department also planned to review existing programs and services in fiscal year 2011–2012 to see if they satisfy the principle of substantive equality, in response to the *DesRochers* decision. AAFC also noted that it hosted consultation sessions with national official language minority community representatives to provide information and discuss official languages topics related to departmental programs and services.
- Although AAFC has made progress in taking official language minority communities into account in some departmental activities, the Department should also formally consult provincial and regional linguistic community groups in addition to national organizations. In addition, AAFC needs to implement a structured consultation process when collaborating with official language minority communities. AAFC could establish a more systematic approach to find out the specific needs of those members regarding services to the public and implement a formal mechanism to evaluate results.
- In terms of the Department's new partnership and contribution agreements, AAFC included a language clause that specifies that all communications materials and products the recipient produces will be in the official language of

the recipient's choice. Because the clause does not specify services to be provided to members of the public, AAFC did not fully implement the Commissioner's recommendation. The Department has also implemented a risk-based recipient compliance audit regime, which includes an annual risk-based recipient audit process and enhanced program monitoring activities to ensure that the terms and conditions of agreements are respected, and that program managers take remedial action on deficiencies. We are pleased with these monitoring activities. However, the language clause currently being used for contribution agreements must put more emphasis on responsibilities regarding Parts IV and VII, if applicable.

- At the time of the audit follow-up, AAFC had not implemented a formal monitoring mechanism to ensure compliance with the institution's obligations concerning the provision of services in both official languages. However, the Agri-Environment Services Branch (formerly the Prairie Farm Rehabilitation Administration) had begun to develop an internal official languages monitoring system to log communication received in French in order to ensure adequate bilingual capacity in the Western offices designated bilingual. As well, in 2012–2013 AAFC will develop and implement a department-wide measuring and monitoring framework that will encompass all parts of the *Official Languages Act*. These efforts are a step in the right direction. This formal monitoring mechanism will strengthen AAFC's efforts to improve bilingual services to the public, comply with the Department's language obligations and measure the quality of service provided in English and French so the Department can promptly identify and correct any deficiencies.

## CONCLUSION

The Commissioner of Official Languages is satisfied with AAFC's efforts to follow up on recommendations 2, 3 and 4 of the March 2009 audit. The Department made earnest efforts to improve bilingual services to the public. However, we are only partially satisfied with measures taken on recommendations 1 and 6. Also, AAFC must implement recommendations 5, 7 and 8 to fully comply with the *Official Languages Act*.

AAFC's official languages strategy sets a goal of shifting from a rules-based approach to a values-based approach in order to anchor bilingualism in the Department's culture. AAFC's initiatives to raise awareness about official languages obligations, as well as the Department's new policy on communications with and service to the public, demonstrate management's commitment to meet the Department's obligations under Part IV of the *Official Languages Act*.

Although AAFC has clarified management accountability and employee obligations regarding official languages through documents and presentations, we believe that the Department would benefit from the development of an official languages accountability framework that outlines how managers and employees will be held accountable. We encourage the Department to work toward this objective and communicate the framework to AAFC staff.

We note that AAFC's national official languages awareness campaign demonstrated the Department's willingness to inform staff about their language-of-service obligations in order to fulfill AAFC's Part IV obligations.

The Commissioner of Official Languages strongly encourages AAFC to complete the review of the language designation of all positions that provide services to the public in a timely manner so it can find and address any deficiencies. We believe that AAFC should act as quickly as possible to correct any deficiencies it finds with regard to the language designation of positions at designated bilingual offices. Corrective measures would likely improve the quality of the bilingual service provided to the public at AAFC's designated bilingual offices.

With respect to establishing communication with national and regional official language minority communities to find out their needs regarding services to the public, AAFC has taken a good first step in opening a dialogue with certain groups that are affected by the Department's projects. The Department must now establish a structured consultation process so that collaborating with national and regional official language minority community groups will become a reflex when AAFC creates programs that affect those communities.

Furthermore, we strongly believe that AAFC needs to implement monitoring mechanisms to ensure compliance with the institution's obligations concerning the provision of bilingual services under the *Official Languages Act*, as well as to measure the Department's performance. We are encouraged by AAFC's work toward implementing such a mechanism.

We believe that these additions to AAFC's current measures would greatly support the Department's goal of anchoring linguistic duality in its corporate culture and fully complying with the institution's language-of-service obligations.



## **APPENDIX A – Recommendations to Agriculture and Agri-Food Canada**

### **Recommendation 1**

The Commissioner recommends that Agriculture and Agri-Food Canada:

- develop an accountability framework that addresses official languages roles and responsibilities, coordination mechanisms and how supervisors are held accountable in this regard, and distribute this framework to all staff;
- revise its official languages action plan to include additional objectives for ensuring the full and effective implementation of Part IV of the *Official Languages Act* (communications with and services to the public).

### **Recommendation 2**

The Commissioner recommends that Agriculture and Agri-Food Canada take the necessary steps to ensure that the quality of bilingual services to the public is a performance objective of managers responsible for offices that are required to offer services in both official languages.

### **Recommendation 3**

The Commissioner recommends that Agriculture and Agri-Food Canada develop a policy or guidelines to better manage communications with and services to the public in both official languages offered by departmental employees.

### **Recommendation 4**

The Commissioner recommends that Agriculture and Agri-Food Canada:

- launch an efficient awareness-raising campaign for staff at offices designated to provide service in both official languages. The aim of this campaign would be to clearly explain language-of-service obligations and to equip staff members with the necessary tools to help them fulfill their language obligations;
- ensure that all its managers of designated bilingual offices take mandatory awareness sessions on requirements regarding communications with and services to the public in both official languages.

## Recommendation 5

The Commissioner recommends that Agriculture and Agri-Food Canada:

- review the language designation of all positions providing service to the public, with priority given to offices of the Prairie Farm Rehabilitation Administration;
- take measures to offer language training as soon as possible to incumbents of designated bilingual positions who do not meet the language requirements of their position;
- implement the required administrative measures when incumbents of bilingual positions are unable to provide services in both official languages.

## Recommendation 6

The Commissioner recommends that Agriculture and Agri-Food Canada consult the national and regional representatives of official language minority communities, in particular those representing Canadian producers and rural areas, to find out their specific needs as regards service to the public.

## Recommendation 7

The Commissioner recommends that Agriculture and Agri-Food Canada include in its new partnership and contribution agreements language clauses that comply with the provisions of Parts IV and VII, if applicable, in order to fully comply with the *Official Languages Act*.

## Recommendation 8

The Commissioner recommends that Agriculture and Agri-Food Canada:

- implement a formal monitoring mechanism to ensure compliance with its language obligations concerning the provision of bilingual services;
- periodically measure, once the monitoring mechanism is in place, the quality of service provided in both official languages, and that it use this information to manage service quality and to report on results.