Office of the Commissioner of Official Languages

2012-13

Departmental Performance Report

The Honourable Denis Lebel
President of the Queen's Privy Council for Canada

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Message from the Commissioner of Official Languages

I am pleased to present the 2012-13 *Departmental Performance Report*, in which you will find a summary of the Office of the Commissioner of Official Languages' accomplishments. Below, I have noted below a few of our achievements; I encourage you to read the full report.

We have devoted a great deal of effort to improving the dialogue between the two official language communities and promoting linguistic duality as a key element in Canadian identity. For example, in September 2012, we organized a discussion forum in Regina on post-secondary education in French in Saskatchewan and, in November 2012, we organized a discussion forum in Montréal on the perspectives of Canadians of diverse backgrounds on linguistic duality.

I would also like to highlight the success of the pan-Canadian series of events organized to mark the 50th anniversary of the Royal Commission on Bilingualism and Biculturalism with the participation of post-secondary institutions in various regions of the country. These events enabled the Canadian public to gain an appreciation for the Commission's legacy in terms of its impact on Canada's social, political, educational and cultural fabric.
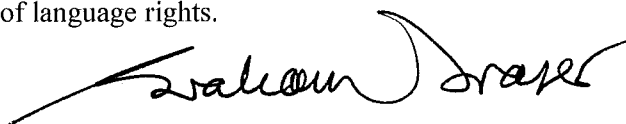
I exercised my ombudsman role throughout the year to ensure protection of the language rights of Canadians. I appeared before the CRTC to ensure that CBC/Radio-Canada's licence renewal would take into account the needs of official language minority communities. The Office of the Commissioner also had substantial influence on decisions made by Fisheries and Oceans Canada through our investigation of the closure of the Québec City Maritime Rescue Sub-Centre.

In September 2012, the Office of the Commissioner published an audit report on the delivery of bilingual services to visitors by Parks Canada. The observation findings on the capacity of nine federal institutions and of businesses to serve visitors in French in three popular tourist and commercial areas in the National Capital Region are included in my 2011-12 annual report.

Of particular note, I signed two memoranda of understanding with my counterparts, the Commissioner of Official Languages for New Brunswick, and the French Language Services Commissioner of Ontario. These memoranda are designed to foster cooperation among our offices so that we can optimize the support we provide to citizens, communities and organizations.

The Office of the Commissioner has also continued to update governance mechanisms that support its independent status. For example, a sustainable financial model has been developed to enable the organization to respect the principles of the government's deficit reduction action plan, while taking into consideration its independent status and its fiscal position.

This was the first year that the Office of the Commissioner measured its service standards, to better monitor the performance of our investigation processes. We found those standards to be generally satisfactory, but steps have been taken to optimize investigation practices. I am confident that our accomplishments over the past year are helping to meet the expectations of parliamentarians and the Canadian public in terms of our promotion of linguistic duality and protection of language rights.

Graham Fraser

Section I: Organizational Overview

Raison d'être

The mandate of the Commissioner of Official Languages is to promote the *Official Languages Act* (the Act), oversee its full implementation, protect the language rights of Canadians, and promote linguistic duality and bilingualism in Canada.

Responsibilities

Section 56 of the Act states:

> It is the duty of the Commissioner to take all actions and measures within the authority of the Commissioner with a view to ensuring recognition of the status of each of the official languages and compliance with the spirit and intent of this Act in the administration of the affairs of federal institutions, including any of their activities relating to the advancement of English and French in Canadian society.

Under the Act, therefore, the Commissioner is required to take every measure within his power to ensure that the three main objectives of the Act are met:

- the equality of the status and use of English and French in Parliament, the Government of Canada, the federal administration and the institutions subject to the Act;

- the development of official language minority communities in Canada; and

- the advancement of the equality of English and French in Canadian society.

The Commissioner of Official Languages is appointed by commission under the Great Seal, after approval by resolution of the House of Commons and the Senate, for a seven-year term. The Commissioner of Official Languages reports directly to Parliament.

Strategic Outcome and Program Alignment Architecture

To pursue its mandate effectively, the Office of the Commissioner of Official Languages (OCOL) strives to attain its single strategic outcome through continued progress on its three interrelated programs[1] as follows:

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[1] The Treasury Board Secretariat Policy on Management, Resources and Results Structure (MRRS) recently underwent changes that came into effect on April 1, 2012. Updates have been made to the MRRS nomenclature. Specifically: "Program Activity Architecture" became "Program Alignment Architecture" and "Program Activity" became "Program."

Strategic Outcome	Rights guaranteed by the *Official Languages Act* are protected and linguistic duality is promoted as a fundamental value of Canadian society.	
Programs	1. Protection of Language Rights	2. Promotion of Linguistic Duality
	3. Internal Services	

Organizational Priorities

In its *Report on Plans and Priorities* for 2012-13, OCOL set four organizational priorities, for which significant progress had to be made during the year to fully support the organization's strategic outcome. The key achievements for each of these priorities are set out in Section I of this report. Section II covers other accomplishments.

Priority	Type[2]	Strategic Outcome
1. Work with federal institutions and other organizations subject to the *Official Languages Act* so that they fully integrate linguistic duality as an important element of leadership.	Ongoing	Rights guaranteed by the *Official Languages Act* are protected and linguistic duality is promoted as a fundamental value of Canadian society.

What progress has been made on this priority?

OCOL:

- Continued to raise awareness among federal managers and central agencies of the leadership role they must take in language-of-work issues and to promote the *Leadership Competencies Profile for Official Languages*, which resulted from the 2011 study on leadership in a bilingual public service. For example, informal discussions were held in 2012-13, namely with the Canada School of Public Service, the Quebec chapter of the National Managers Community, Correctional Service Canada, National Defence and representatives from various regional federal councils.

- Published, in September 2012, an audit report on the delivery of bilingual services to visitors by Parks Canada.[i] Nine recommendations were made to enable this institution to improve the delivery of its bilingual services. In 2012-13, OCOL also followed up on the audit of the management of the official languages program at the Halifax International Airport Authority. The follow-up report will be published in 2013-14. In addition, OCOL intervened with a number of federal institutions that serve the travelling public, to improve their active offer and service delivery in both official languages. More specifically, in fall 2012, observations of eight airport authorities, Air Canada, and the Canadian Air Transport Security Authority were carried out. The observation findings will be published in the Commissioner's 2012-13 annual report.

- Developed a comprehensive approach and targeted strategy to support specific national and international Canadian cultural and sporting events to ensure they reflect linguistic duality adequately. Dialogue has continued with the organizing committees of the 2013 Canada Games in Sherbrooke and the 2015 Pan American and Parapan

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[2] 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 subject year of the report.

American Games in Toronto to discuss the importance of their events fully reflecting Canada's linguistic duality. Initial contacts were also made with the organizing committee of the Canada Winter Games to be held in Prince George, British Columbia, in 2015. The Sherbrooke committee has shown strong commitment to linguistic duality, setting ambitious goals for its event. OCOL's targeted strategy will ensure a strong presence at the Canada Summer Games in August 2013 to promote bilingualism and to share its expertise as a result of past events such as the Vancouver Olympic Games in 2010.

2.	Promote, among Canada's two official language communities, the value of linguistic duality as one of the key elements of Canadian identity.	Ongoing	Rights guaranteed by the *Official Languages Act* are protected and linguistic duality is promoted as a fundamental value of Canadian society.

What progress has been made on this priority?

OCOL:

- Increased awareness among youth of the opportunities that learning Canada's other official language offers them. This was achieved through outreach activities and promotional products to communicate with youth (secondary and post-secondary levels). The interactive map from the study *Two Languages, a World of Opportunities: Second-Language Learning in Canada's Universities[ii]* was updated and is being promoted. For example, in the fall of 2012, following a meeting organized by Canadian Parents for French, the student services managers of French departments in high schools across Ontario received a resources package with a fact sheet on the Web map.

- Organized a series of public lectures and discussions to mark the 50th anniversary of the Royal Commission on Bilingualism and Biculturalism, in cooperation with the University of Ottawa's Official Languages and Bilingualism Institute and Centre for Continuing Education. The series showcased the Commission's legacy in terms of Canada's social, political, educational and cultural fabric. The events took place in five Canadian cities (Ottawa, Toronto, Winnipeg, Montréal and Moncton), with each one being organized together with a Canadian university in the region and adapted to provincial and regional needs and realities. The lectures and discussions helped foster and continue dialogue on linguistic duality in Canada. Each lecture was publicized, and some received media coverage.

- Organized a meeting between the Commissioner and the editors of *Maclean's* magazine in May 2012, which led to an article on language in the magazine's October 2012 universities edition.

- Established, in September 2012, a social media presence on Facebook and Twitter to reach the public and, more specifically, youth. In addition to being used as another vehicle of communication to promote OCOL products and publications, the interactive nature of social media allows OCOL to increase its outreach with the public. A special LinkedIn group was created to keep the Commissioner in touch with his international contacts and share information relevant to official languages research.

3.	Support official language minority communities in order to foster their development and vitality.	Ongoing	Rights guaranteed by the *Official Languages Act* are protected and linguistic duality is promoted as a fundamental value of Canadian society.

What progress has been made on this priority?

OCOL:

- Implemented a comprehensive approach that encourages federal institutions to fully respect Part VII of the Act and

to take measures to enhance community vitality and promote linguistic duality. Practical tools and glossaries were developed to increase OCOL's ability to perform its Part-VII promotion and protection role. It hopes to share some of these tools to increase awareness among target audiences. Using every compliance and promotion tool at its disposal, OCOL has intervened to ensure full implementation of Part VII of the Act by federal institutions, particularly the obligation to take positive measures. OCOL plans to post useful information about Part VII on its Web site, for the benefit of both federal institutions and the main parties involved.

– Appeared before the Federal Court of Appeal to intervene in Air Canada's appeal of the Federal Court's decision in *Thibodeau v. Air Canada*. OCOL's intervention was important to ensure a coherent judicial interpretation of Air Canada's language obligations and the primacy of the Act over other statutes. The Supreme Court has agreed to hear the Commissioner's appeal.

– Pursued the court remedy initiated by the Commissioner against CBC/Radio-Canada in 2010-11 to recognize the Commissioner's authority to investigate complaints regarding CBC/Radio-Canada's compliance with the Act, in particular with respect to its obligations towards official language minority communities. In May 2012, the Federal Court ruled that the Commissioner has the authority to investigate how CBC/Radio-Canada applies Part VII in its decisions, including those related to programming. The Federal Court also ruled, however, that it would be appropriate to suspend the proceedings until the CRTC evaluates CBC/Radio-Canada's licence renewal applications. The Commissioner appeared before the CRTC in November 2012 during its public consultations on the renewal of CBC/Radio-Canada's licences to further explain his views on CBC/Radio-Canada and the importance of respecting Part VII obligations for the benefit of official language minority communities.

4.	Strengthen organizational capacity by applying sound management principles and practices supporting its corporate priorities.	Ongoing	Rights guaranteed by the *Official Languages Act* are protected and linguistic duality is promoted as a fundamental value of Canadian society.

What progress has been made on this priority?

OCOL:

- Worked with the Agents of Parliament Working Group to advocate for the reinstatement of a parliamentary mechanism that respects the role of Parliament and the independence of its agents and that reflects the responsibility of the government for sound stewardship of public resources. Discussions with the Treasury Board Secretariat (TBS) took place to reiterate the needs and status of agents of Parliament. While a parliamentary mechanism specific to agents of Parliament has not been reinstated, the TBS is demonstrating greater understanding.

- Completed implementation of the 2010 A-Base Review Action Plan to optimize operational efficiency while fostering a healthy work environment in a period of change. In 2012-13, administrative functions at headquarters such as telecommunications and facilities were streamlined, and the deployment of new technology made it possible to reduce the IM/IT work force.

- Published two internal audit reports:

  - Internal Audit of Investigation Practices.[iii] The objective of the audit was to determine if OCOL has effective management practices for investigations. Important strengths were noted in the timely completion of complaint files and the effectiveness of investigation practices. An action plan is in place to carry out the audit recommendations, and implementation is underway.

  - Internal Audit of the Management of Studies 2012.[iv] The objective of the audit was to determine if OCOL has an effective management control framework for its study activities, consistent with corporate goals, policies and directives. Implementation of the audit recommendations is underway.

Risk Analysis

The 2012-13 *Report on Plans and Priorities* identified four strategic risks that were likely to influence OCOL's performance in 2012-13. The table below identifies each risk as well as the risk-response strategy or mitigating actions put forth to manage the risks. The narrative text that follows the table provides further context on the factors in OCOL's operating environment that led to the risks, and more detail about the mitigating actions.

Risk	Risk-Response Strategy	Link to Program Alignment Architecture	Link to Organizational Priorities
1. Relevancy of the *Official Languages Act*	Continue working toward the full integration of linguistic duality as an important element of leadership. Work with key players involved in the funding and organization of major cultural and sporting events to ensure they adequately reflect Canada's linguistic duality. Intervene in the renewal of the *Roadmap for Canada's Linguistic Duality*. Establish a social media presence on Facebook and Twitter to raise public awareness, particularly among youth, of the importance and value of linguistic duality and bilingualism.	Strategic Outcome	Priorities 1, 2 and 3
2. Independence of the Commissioner as an agent of Parliament	Work to increase awareness among MPs of the role of the Commissioner as an agent of Parliament. With other agents of Parliament, continue to advocate for the creation of a permanent parliamentary funding and oversight mechanism.	Strategic Outcome	Priorities 1, 2 and 3
3. Inadequate core information management/information technology systems and support	Upgrade OCOL's information infrastructure, following its newly approved 2013-16 IM/IT strategic plan.	Program 3 – Internal Services	Priority 4
4. Insufficient capacity/resources	Optimize a number of work processes, namely through the centralization of complaints reception, with new access to an on-line form; the regular update of pools of pre-qualified individuals; an attribution procedure to speed up responses to requests for information received through social media; and the reorganization of some	Program 3 – Internal Services	Priority 4

Risk	Risk-Response Strategy	Link to Program Alignment Architecture	Link to Organizational Priorities
	administrative functions. Continue to improve management processes, namely by implementing internal audit recommendations in a timely fashion.		

Risk 1: Relevancy of the *Official Languages Act*

The risk-response strategy, described in the table above, put forward to mitigate this risk during 2012-13 has helped to target OCOL's interventions, but the risk remains high. For example, to mitigate this risk in 2012-13, OCOL intervened with the government and federal institutions involved in the implementation of the *Roadmap for Canada's Linguistic Duality 2008-2013: Acting for the Future* to ensure its renewal would take into account the needs of official language minority communities and the promotion of linguistic duality in Canadian society. The government announced the *Roadmap for Canada's Official Languages 2013-2018: Education, Immigration, Communities,* in March 2013 at a similar funding level; however, many priorities put forward by OCOL and community partners were not taken into account. OCOL will continue to mitigate this important risk in 2013-14.

Risk 2: Independence of the Commissioner as an agent of Parliament

To deliver his mandate effectively, the Commissioner is required to maintain independence from government in order to assist Parliament in holding ministers accountable and to protect the language rights of Canadians. To mitigate this risk, OCOL works to better explain the role of the Commissioner as an agent of Parliament, namely through awareness sessions for members of Parliament on the Act. A session was delivered to members of Parliament from the New Democratic Party, and the offer was extended to other members of the House and Senate.

OCOL continues to examine the most appropriate governance structures, administrative rules and reporting requirements that reflect and protect the Commissioner's independence as an agent of Parliament. Through the Working Group of Agents of Parliament, the agents continued to advocate for the creation of a permanent parliamentary funding and oversight mechanism that would both respect the role of Parliament and the independence and distinct mandates of its agents, while also reflecting the government's responsibility for sound stewardship of public resources.

At every opportunity, OCOL explains the rationale for the agents' independence. For example, through its participation in interdepartmental meetings for the public service's Web sites, organized by the government's chief information officer, OCOL highlighted the position of agents of Parliament and the need to maintain their independent status.

Risk 3: Inadequate core information management/information technology systems and support

OCOL's information infrastructure requires major upgrading. A significant investment has been, and continues to be, made toward the upgrade. OCOL did not receive funding from the Treasury Board for its information infrastructure; instead, as indicated in the 2012 Federal Budget, OCOL's contribution to the government's expenditure restraint efforts is represented as a reallocation of operating savings towards the necessary information technology investments. In January 2013, senior management approved OCOL's 2013-16 IM/IT strategic plan. Information frameworks were developed for all business processes. A new electronic document management system has been deployed. A new filing structure for information management was completed, and all users were trained. More training will be provided to further enhance users' familiarity with the advanced functionalities of the system. OCOL actively participates in an initiative to develop a shared case management system for small agencies.

Risk 4: Insufficient capacity/resources

There continues to be a risk that OCOL's capacity to deal with complaints, to respond to requests for information from federal institutions and the public, and to obtain support from internal and legal services will be insufficient to meet the expectations of parliamentarians, the public and institutions. OCOL anticipates an increased demand for its services as well as higher expectations, increased complexity of a certain percentage of complaints and multiplying demands from central agencies for more accountability reports in a context of budgetary constraints—all having to be addressed with a minimum resource base.

In 2012-13, OCOL worked to optimize a number of processes: complaint reception is now centralized at headquarters for greater efficiency, and complaints may be submitted using an on-line form; pools of pre-qualified individuals are updated regularly to replace vacant positions faster and a pilot project is underway to have some investigations conducted by external resources; responses to requests for information received through social media are being processed more efficiently through an attribution procedure; and some administrative functions have been reorganized (for example, the compensation function was transferred to Public Works and Government Services Canada). OCOL is continuing to improve its processes: there was an internal audit of investigative practices in June 2012, and the recommendations from that audit are being implemented. Also, an audit/evaluation of communications activities (including requests from the public) is underway.

Summary of Performance

Financial Resources – Total ($ thousands)

Total Budgetary Expenditures (Main Estimates) 2012-13	Planned Spending 2012-13	Total Authorities (available for use) 2012-13	Actual Spending (authorities used) 2012-13	Difference (Planned vs. Actual Spending) 2012-13
20,611	21,926	22,165	21,134	792

Human Resources (Full-Time Equivalents – FTEs)

Planned 2012-13	Actual 2012-13	Difference 2012-13
163	159	4

Performance Summary Tables

Performance Summary Table for Strategic Outcome and Programs ($ thousands)

Strategic Outcome: Rights guaranteed by the *Official Languages Act* are protected and linguistic duality is promoted as a fundamental value of Canadian society.

Program	Total Budgetary Expenditures (Main Estimates 2012-13)	Planned Spending			Total Authorities (available for use) 2012-13	Actual Spending (authorities used)			Alignment to Government of Canada Outcomes
		2012-13	2013-14	2014-15		2012-13	2011-12	2010-11	
Protection of Language Rights	6,651	7,111	6,791	6,547	6,808	6,322	7,059	6,558	
Promotion of Linguistic Duality	6,776	7,236	6,959	6,713	6,984	6,494	6,537	6,355	A transparent, accountable, and responsive federal government
Strategic Outcome Sub-Total	13,427	14,347	13,750	13,260	13,792	12,816	13,596	12,913	

Performance Summary Table for Internal Services ($ thousands)

Internal Services	Total Budgetary Expenditures (Main Estimates 2012-13)	Planned Spending			Total Authorities (available for use) 2012-13	Actual Spending (authorities used)		
		2012-13	2013-14	2014-15		2012-13	2011-12	2010-11
Internal Services	7,184	7,579	10,877	7,549	8,373	8,318	8,759	8,565
Sub-Total	7,184	7,579	10,877	7,549	8,373	8,318	8,759	8,565

Total Performance Summary Table ($ thousands)

Strategic Outcome and Internal Services	Total Budgetary Expenditures (Main Estimates 2012-13)	Planned Spending			Total Authorities (available for use) 2012-13	Actual Spending (authorities used)		
		2012-13	2013-14	2014-15		2012-13	2011-12	2010-11
	20,611	21,926	24,627	20,809	22,165	21,134	22,355	21,478
Total	20,611	21,926	24,627	20,809	22,165	21,134	22,355	21,478

Compared to 2011-12, actual spending in 2012-13 has decreased by $1.2 million, which is mainly due to the fact that severance liquidation payments decreased significantly in 2012-13.

Within the Internal Services program, planned spending is expected to increase in 2013-14 due to the head office's move to Gatineau, which will cost approximately $2.8 million.

Expenditure Profile

Spending Trend from 2009–10 to 2015–16
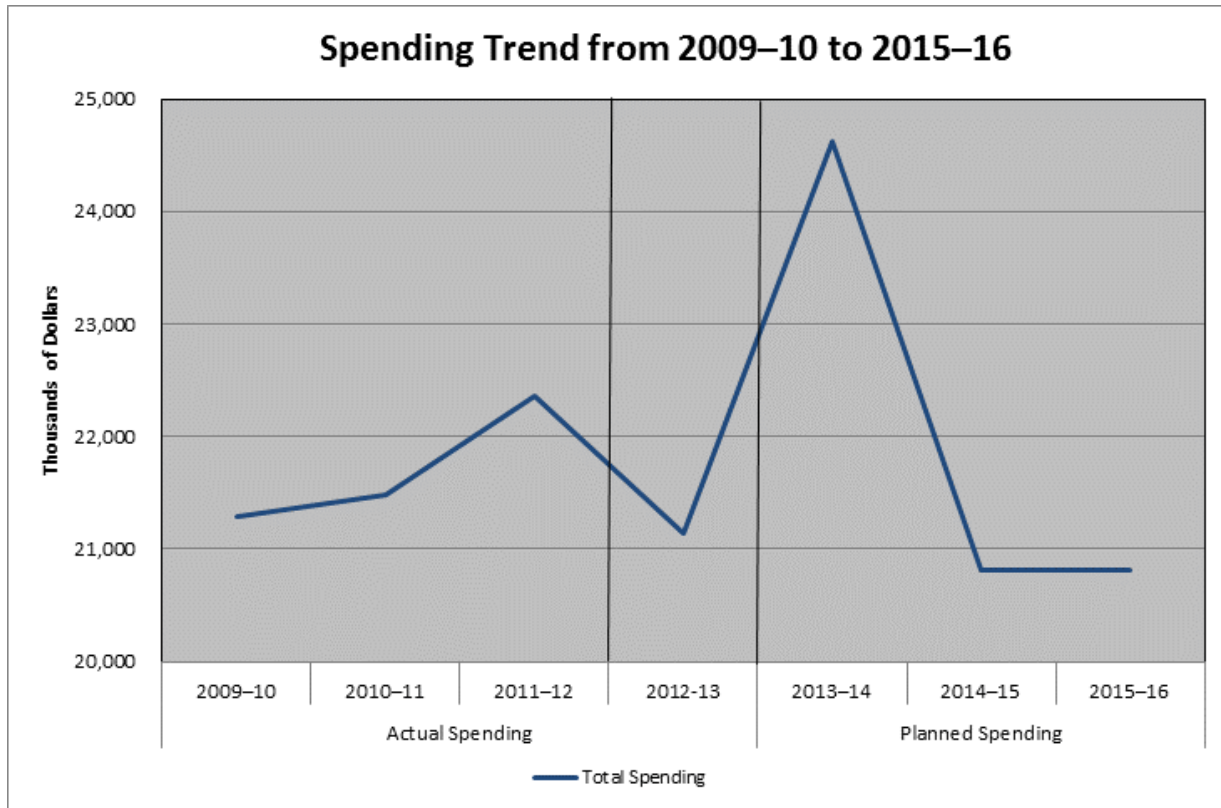
Estimates by Vote

For information on OCOL's organizational votes and/or statutory expenditures, please see the *Public Accounts of Canada 2013 (Volume II).* An electronic version of the Public Accounts 2013 is available on the Public Works and Government Services Canada's Web site.[v]

Section II: Analysis of Programs by Strategic Outcome

Strategic Outcome

Canadians' rights under the *Official Languages Act* are protected and respected by federal institutions and other organizations subject to the Act; and linguistic duality is promoted in Canadian society.

OCOL seeks to achieve this single strategic outcome through three programs and their expected results. Organized by program, this section:

-   describes each program (as per the description found in Part II of the Estimates);
-   presents the financial and human resources anticipated and used by each program in 2012-13;
-   notes the progress attained for each program[3] in 2012-13 in terms of anticipated results and performance indicators/targets;
-   provides an overall analysis of OCOL's performance in 2012-13 and indicates lessons learned from this performance.

Program 1: Protection of Language Rights

Through this program, OCOL investigates complaints filed by citizens who believe their language rights have not been respected, evaluates compliance with the Act by federal institutions and other organizations subject to it through performance measurements and audits, and intervenes proactively to prevent non-compliance with the Act. As well, the Commissioner may intervene before the courts in cases that deal with non-compliance with the Act.

Financial Resources ($ thousands)

Total Budgetary Expenditures (Main Estimates) 2012-13	Planned Spending 2012-13	Total Authorities (available for use) 2012-13	Actual Spending (authorities used) 2012-13	Difference (Planned vs. Actual Spending) 2012-13
6,651	7,111	6,808	6,322	789

Actual spending was lower than planned spending for Protection of Language Rights because less severance liquidation payments were necessary and internal reallocation of funds were necessary to fund the information management/information technology (IM/IT) investment.

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[3] Except the Internal Services program, for which the anticipated results and performance indicators/targets have not yet been determined.

Human Resources (FTEs)

Planned 2012-13	Actual 2012-13	Difference 2012-13
57.5	57.0	0.5

Performance Summary

Expected Results	Performance Indicators	Targets	Actual Results
Canadians receive timely and appropriate responses to their complaints, requests for intervention and inquiries.	Percentage of OCOL responses to complaints, requests for intervention and inquiries delivered as per service standards related to:	Statistics on response times related to the investigation process:	OCOL received 505 complaints (of which 415 were admissible), 35 inquiries regarding organizations subject to the Act, and 32 requests for intervention.
	• reception of the complaint and transfer to an analyst	90%[4]	94 % The Complaint Reception Center transferred 94% of complaints to an analyst within three business days, as per the service standard.
	• initial communication with the complainant	90%	88 % The standard that requires initial communication between the complainant and the analyst within two business days of a new complaint file being assigned was met in 88% of the cases.
	• initial communication with a federal institution or other organization subject to the Act	80%	80 % The service standard that requires initial communication with the institution within eight days of receiving the complaint was met in 80% of cases.
	• investigations carried out using the facilitated	75%	51 % Of the 326 complaint files handled under the

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[4] Includes both formal investigation and facilitated resolution processes.

Expected Results	Performance Indicators	Targets	Actual Results
	resolution process		facilitated resolution process, 165 (51%) were completed within the 90-business-day service standard.
	• investigations carried out using the formal investigation process	50%	27 % Of the 88 complaint files handled under the formal investigation process, 24 (27%) were completed within the 175-business-day service standard.
	• completeness of the hard copy of closed investigations	95% (from a sample of closed files)	92% The quality standard for measuring the completeness of investigation files was met in 92% of cases.
Federal institutions and other organizations subject to the *Official Languages Act* are fully aware of the extent of their linguistic compliance and what they need to do to fulfill their obligations under the Act.	Percentage of the Commissioner's compliance-related recommendations that were implemented by federal institutions and other organizations subject to the Act in the context of audits, the Commissioner's annual reports and investigations conducted according to the formal investigation process[5]	60%	Audits: 81% of the recommendations made in the two audits that were followed up on were fully or partially implemented by the federal institutions in question. OCOL followed up on two audits: (a) service to the public at Agriculture and Agri-Food Canada; and (b) direct health care services provided by four federal institutions: Health Canada, Veterans Affairs Canada, the Royal Canadian Mounted Police and Correctional Service Canada. As part of these two follow-ups, a total of 38 recommendations were reviewed. OCOL concluded that 15 recommendations had been fully implemented, 14 had been partially implemented, 7 had not been implemented and 2 no longer applied. Annual Report: 56% The follow-up of nine recommendations in the 2009-10 Annual Report shows that five of them have been partially or fully implemented, and that the other four have not yet been implemented. Investigations: 100% of the recommendations that were made following an investigation and that

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[5] The 2012-13 *Report on Plans and Priorities* specified a different performance indicator and objective for this anticipated result. The error was corrected in the 2013-14 *Report on Plans and Priorities*.

Expected Results	Performance Indicators	Targets	Actual Results
			were followed up on were fully or partially implemented by the federal institutions in question. OCOL followed up on nine investigation files. During these follow-ups, a total of 18 recommendations were examined. OCOL concluded that 16 recommendations had been fully implemented, 1 had been partially implemented and 1 no longer applied.

Performance Analysis and Lessons Learned

OCOL's performance in the Protection of Language Rights program is generally satisfactory. Service standards were measured for the first time this year, starting in April 2012. Most of the standards were reached to a satisfactory or nearly satisfactory degree. However, the targets were not met for handling a complaint within 90 business days (using the facilitated resolution process) or 175 business days (using the formal investigation process). It should be noted that OCOL has had to deal with the implementation of a new information management system, which is linked to the investigation case management system. The transition period required to implement the new system played a role in this performance, considerably reducing the time devoted to investigations. Furthermore, five investigation team analysts were on unplanned extended leave during the year. OCOL took the steps necessary to improve its performance by temporarily staffing these five positions, so that it could significantly reduce the number of backlogged files and consequently better meet service standards.

OCOL created a register of recommendations as of April 1, 2013, to improve follow-up of recommendations that are made during investigations (as recommended in the internal audit of investigation practices published in 2012). This register will also give staff working on investigations access to all of the recommendations issued by the Commissioner.

Similarly, in February 2013, OCOL modified its approach to audit follow-ups, adding a preliminary audit follow-up report. The preliminary report is sent to the institution for comments prior to production of the final audit follow-up report.

In its work to protect language rights, OCOL took the initiatives outlined in the above table, based on its organizational priorities. The table of priorities in Section I of this report presents the main accomplishments leading to progress in this regard. In addition to these accomplishments:

- OCOL conducted a horizontal audit of accountability mechanisms within federal institutions when they transfer funds to the provinces, for full implementation of Part VII of the Act. The preliminary report is complete, and the final report will be published in 2013-14.

- In the 2011-12 Annual Report,[vi] OCOL published observation findings on the capacity of nine federal institutions to serve visitors in French. Its representatives also visited businesses in three popular tourist and commercial areas in the National Capital Region and examined the presence of French at the Ottawa Macdonald-Cartier International Airport.

- OCOL completed the Industry Canada audit[vii] that began in 2010-11, examining the extent to which this institution takes into account the needs of official language minority communities when developing and implementing its programs.

Program 2: Promotion of Linguistic Duality

Through this program, OCOL works with parliamentarians, federal institutions and other organizations subject to the Act, official language minority communities, and the Canadian public to promote linguistic duality. OCOL builds links between federal institutions, official language minority communities and the different levels of government to help them better understand the needs of official language minority communities, the importance of bilingualism and the value of respecting Canada's linguistic duality. As part of its promotion role, OCOL conducts research, studies and public awareness activities and intervenes with senior federal officials so that they instill a change in culture to fully integrate linguistic duality into their organizations.

Financial Resources ($ thousands)

Total Budgetary Expenditures (Main Estimates) 2012-13	Planned Spending 2012-13	Total Authorities (available for use) 2012-13	Actual Spending (authorities used) 2012-13	Difference (Planned vs. Actual Spending)
6,776	7,236	6,984	6,494	742

Actual spending was lower than planned spending for Promotion of Linguistic Duality because less severance liquidation payments were required and internal reallocation of funds were necessary to fund the information management/information technology (IM/IT) investment.

Human Resources (FTEs)

Planned 2012-13	Actual 2012-13	Difference 2012-13
53	54	(1)

Performance Summary

Expected Results	Performance Indicators	Targets	Actual Results
Parliament receives useful advice and information about the impact of legislation, policies and regulations on official languages.	Number of references to the Commissioner's interventions on the formulation of evolving legislation, policies and regulations (through appearances before parliamentary committees and other presentations to parliamentarians)	10	At least 30 references. In the last fiscal year, 26 references to the Commissioner could be found in official languages parliamentary committee reports. In the House of Commons Committee's study on the 150th anniversary of Canadian Confederation, the Commissioner's suggestions were cited six times. During the evaluation of the *Roadmap for Canada's Linguistic Duality*, the Commissioner was cited 10 times. In the Senate Committee's study on the Internet, new media and social media, the Commissioner and his office were cited 10 times. Careful monitoring of parliamentary proceedings has resulted in data on the expectations of official language minority communities and federal institutions' results. Appearances before the House of Commons Standing Committee on Official Languages by roughly 30 federal institutions, community organizations and stakeholders have been reviewed to enhance oversight of the *Roadmap for Canada's Linguistic Duality* and gather information on the status of its implementation. Since the Commissioner's parliamentary appearance on March 15, 2012, during which he clearly expressed his expectations regarding the renewal of the Roadmap, he has continued to communicate these messages to key stakeholders.
The public, official language minority communities, the media, federal institutions and other organizations subject to the *Official Languages*	Number of promotional and awareness-raising activities targeting the public, official language minority communities, the media and those	270	Close to 957 promotional and awareness-raising activities have taken place, including the following: • The Commissioner appeared six times before parliamentary committees, namely on the Main Estimates, the Annual Report, the 150th anniversary of Canadian Confederation, CBC/Radio-Canada and his nomination for a new three-year mandate.

Expected Results	Performance Indicators	Targets	Actual Results
Act are better informed of their official languages rights and the importance of linguistic duality in Canada.	subject to the Act		• The Commissioner participated in many events as a speaker, giving 47 speeches and granting more than 75 media interviews. He took advantage of public events and meetings with Canadian leaders to reinforce the importance of the two official languages as a bridge between Canadians and a useful tool for anyone aspiring to positions of leadership at the national level. Within the public service, the Commissioner promoted the notion of respect (towards the public, parliamentarians and employees) as the foundation for linguistic duality and knowledge of both official languages as a leadership competency. • The Commissioner appeared before the CRTC to support community vitality and the equality of the two official languages, particularly in relation to the renewal process. These interventions by the Commissioner have had an indirect positive impact on official language minority communities in various parts of the country. For example, more federal support for English-language production in Quebec was recently announced, following a recommendation made by the Commissioner. The Commissioner issued two open letters: • *The Globe and Mail*: A response to the book *The Big Shift*, in which an argument was made that Canada's French language and culture are evolving and thriving as much as English in response to changing demographics. • *Le Devoir*: A piece titled "Profound Misunderstanding," in which an argument was made that Quebec's English-speaking community and culture are not threats to the survival and prosperity of French in Quebec, but rather the global use of English is a genuine concern. In Western Canada, the Commissioner met with members of editorial boards to explain the current linguistic context and the status of Quebec's English-speaking community. These meetings provided an opportunity to set the record straight and dispel widespread myths about official language minority

Expected Results	Performance Indicators	Targets	Actual Results
			communities and the Canadian Francophonie, including Quebec.

Such public communications inspired comments from many Canadians: open letters, conversations on open-line radio shows, e-mails to the Commissioner and discussions on Facebook. The comments helped to sustain an ongoing democratic conversation on the role and status of Canada's linguistic duality. Certain specific public interventions, for example those made directly before the CRTC, contributed to the Commission's decision to require that CBC/Radio-Canada produce a certain number of hours of local programming on the CBEF station in Windsor.

The data gathered through regional monitoring has helped identify trends and inform the Commissioner in preparation for the release of his annual report and his appearances before parliamentary committees following its release. The following are a few examples of activities carried out in the regions:

- In cooperation with the Office of Acadian Affairs in Nova Scotia and the Fédération acadienne de la Nouvelle-Écosse, OCOL took part in a language rights awareness tour in seven Francophone communities in this province. The participants, Acadians and Francophones of all ages, were able to obtain information that helped them improve their understanding of their language rights at both the provincial and the federal level.

- OCOL monitored the impact of the proposed changes to the *Charter of the French Language* by the Quebec government (Bill 14) and its impact on Quebec's English-speaking community. The Commissioner also met with two Quebec ministers to convey his concerns regarding the bill. He gave several media interviews and met with representatives of Quebec's English-speaking community about these issues.

- OCOL took part in the first French-language justice sector career fair in Toronto, where close to 200 young Francophones—immigrants for the most part—could talk to some 15 high-calibre exhibitors from the education sector, public institutions, and Ontario and Canadian law enforcement authorities. The youth had an opportunity to learn about careers |

Expected Results	Performance Indicators	Targets	Actual Results
			in the justice sector as future job options, which could result in more Francophones working in the legal field.
			• OCOL organized a discussion forum in September 2012 that brought together about 40 stakeholders to discuss issues and find common and distinct courses of action that will promote the learning of French and French-language programs at the post-secondary level in Saskatchewan. The activity helped to bring the province's language communities closer together. One impact was a renewed commitment by the University of Regina to the Institut français. The University set up a working committee that made 35 recommendations to bolster the Institut français, all of which were welcomed by Saskatchewan's Francophone community. The working committee's study will be released in 2013-14.

• While participating in the Calgary City Teachers' Convention and annual teachers conventions for the province of Alberta (North Central and Greater Edmonton), OCOL promoted linguistic duality to the more than 27,000 Alberta teachers in attendance. |
| Canadian public policy is influenced by research and analyses on language rights and linguistic duality issues. | Number of recipients of studies and reports | 800 | More than 3,000 recipients.

OCOL delayed the publication of two studies to respond to current priority issues: the Commissioner's participation in the CRTC hearings and a study on language requirements for positions staffed by the Governor in Council, which will be published in 2013-14. The studies postponed until 2013-14 address (i) language training in the public service and (ii) English-speaking seniors in Quebec and federal services provided to Canadian seniors.

OCOL completed its study on the bilingual capacity of the superior court judiciary in the provinces and territories. The goal of this study, conducted in partnership with the Office of the French Language Services Commissioner of Ontario and the Office of the Commissioner of Official Languages for New Brunswick, was to examine the process for appointing superior court judges and the language training provided to them. It will be published in 2013-14. |

Expected Results	Performance Indicators	Targets	Actual Results
			The Commissioner published his 2011-12 annual report on October 16, 2012. More than 800 copies were distributed by mail, by e-mail and in person at public events. In the following two weeks, the HTML version of the Annual Report on OCOL's Web site was viewed in English by 971 visitors and in French by 879 visitors. The English PDF version was downloaded 593 times and the French PDF 713 times.
	Number of events organized by OCOL, such as symposiums	1	One large-scale activity. On November 21–22, 2012, OCOL held a discussion forum in Montréal on the connections between linguistic duality and cultural diversity. This forum was the last of a series held over the past few years, including Toronto in 2007, Vancouver in 2008 and Halifax in 2011. Members of the English- and French-language immigrant communities were able to share their experiences and ideas regarding potential links between these two great Canadian values, notably on what this means to Quebecers of diverse backgrounds, including the unique linguistic and cultural realities in the city of Montréal. The results of the four discussion forums will enable OCOL to better understand the situation and help guide future promotion activities.

Performance Analysis and Lessons Learned

OCOL's performance in its Promotion of Linguistic Duality program is satisfactory. The targets outlined in the table above were attained or exceeded.

The Commissioner appeared before parliamentary committees on six occasions and increased his public interventions in 2012-13. OCOL implemented its social media strategy, ensuring its presence in both official languages on Facebook and Twitter.

OCOL organized a successful series of pan-Canadian lectures on the 50th anniversary of the Royal Commission on Bilingualism and Biculturalism, in partnership with the University of Ottawa and in consultation with local stakeholders, to ensure each region's issues and realities were respected. These public lectures and discussions were an opportunity to present and highlight the Commission's legacy in terms of Canada's social, political, educational and cultural fabric.

OCOL seized other opportunities to pursue the dialogue on linguistic duality in Canada, such as the Discussion Forum on Post-Secondary Education in French in Saskatchewan, in Regina in September 2012, and the Discussion Forum on the Perspectives of Canadians of Diverse Backgrounds on Linguistic Duality, in Montréal in November 2012. These activities are but two examples of the initiatives carried out by OCOL in 2012-13 to promote linguistic duality as a fundamental Canadian value to a greater number of Canadians.

To pursue its work and continue to deliver the anticipated results, OCOL put forward initiatives that support its organizational priorities. The table of priorities in Section I of this report presents the main accomplishments leading to progress in this regard. In addition to these accomplishments:

- OCOL held a strategic positioning day on the impact of using social media on institutions' obligations under Part IV of the Act (communications with and services to the public). The goal was to produce an interpretation bulletin in 2013-14, which will state OCOL's position on the subject and serve as a reference tool for employees so that they can gain a better understanding of the application of the Act in the use of social media.

- OCOL gathered information to gain a better sense of the impact of budget cuts in the federal government on implementation of the Act, namely the effect on official languages programs and official language minority communities as well as potential setbacks. This information will serve to better guide the Commissioner's interventions and ensure greater effectiveness.

- OCOL published *Language Rights 2009–2011*,[viii] which summarizes key court decisions involving language rights, to inform legal professionals, community organizations and parliamentarians.

- The Commissioner gave the keynote address at the symposium on the 30th anniversary of the *Canadian Charter of Rights and Freedoms* organized by the Association for Canadian Studies in April 2012. His remarks were published in the Spring 2013 edition of *Canadian Issues* magazine. The Commissioner's article on the 30th anniversary of the Charter was also published in the April 2012 edition of *Canadian Government Executive* magazine.

- The Commissioner moderated a discussion on multilingualism and its impact on the vitality of the French language at the international Francophonie event, the Forum mondial de la langue française, held in Québec City. OCOL also added a communications officer position in Montréal, in part to more effectively reach young people and newcomers. These two target audiences will play a major role in advancing linguistic duality in the coming years.

- The Commissioner underscored the 20th anniversary of the entrenchment of section 16.1 in the *Canadian Charter of Rights and Freedoms* during a press conference in Fredericton, in the presence of the Commissioner of Official Languages for New Brunswick Michel Carrier and New Brunswick Premier David Alward. It was important to celebrate the entrenchment of this

provision that constitutionalized the principle of substantive equality of Anglophones and Francophones in New Brunswick.

- The Commissioner signed a memorandum of understanding with his New Brunswick colleague, Commissioner of Official Languages Michel Carrier, and another with the French Language Services Commissioner of Ontario, François Boileau. The goal of these memoranda is to enhance cooperation and thus optimize the help and support these offices provide to citizens, communities, and organizations. These documents will also lead to greater cooperation in developing studies and promotional activities. They are also symbolic gestures of commitment to the shared values of the organizations involved. For example, the three commissioners have joined efforts to conduct a study on the bilingual capacity of the superior court judiciary in the provinces and territories.

Program 3: Internal Services[6]

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, Material 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 – For Internal Services ($ thousands)

Total Budgetary Expenditures (Main Estimates) 2012-13	Planned Spending 2012-13	Total Authorities (available for use) 2012-13	Actual Spending (authorities used) 2012-13	Difference (Planned vs. Actual Spending)
7,184	7,579	8,373	8,318	(739)

The information management/information technology (IM/IT) investment project was under Internal Services. Actual spending was higher than planned spending since internal reallocation of funds from the Protection of Language Rights and Promotion of Linguistic Duality programs as well as the operating budget carry forward was directed to the Internal Services program to fund the project. In addition, less severance liquidation payments were required in this year.

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[6] Given the legislated requirement to pursue court action under the Act, legal services are excluded from Internal Services at OCOL and form part of Program 1 – Protection of Language Rights. In addition, given its specific mandate, OCOL's communications services are not included in Internal Services but rather form part of Program 2 – Promotion of Linguistic Duality.

Human Resources (FTEs)

Planned 2012-13	Actual 2012-13	Difference 2012-13
53.0	49.0	4.0

Performance Analysis and Lessons Learned

Internal Services support OCOL's first two program activities. OCOL has made progress on its management priority of strengthening its organizational capacity by applying sound management principles and practices in support of its organizational priorities. The table of priorities in Section I of this report presents the main accomplishments leading to progress in this regard. Aside from these achievements, OCOL has undertaken the following initiatives to help the organization attain its strategic outcome.

OCOL updated its governance mechanisms to reflect its independent status:

- To continue improving planning and access to financial and non-financial information, focus has been placed on harmonizing human resources and strategic planning needs. Thus, each sector prepared a human resources plan that supports OCOL's strategic human resources management plan. The enhanced consultation process to identify human resources needs and priorities led to OCOL's increased capacity to manage its work force and the assurance that it possesses the skill sets required to carry out its mandate.

- Evaluation of the performance measurement framework was inconclusive. OCOL must revise its approach in 2013-14 to make it more relevant for evaluating results in the protection of language rights and the promotion of linguistic duality.

OCOL pursued its optimization initiatives to maintain organizational efficiency while creating a healthy work environment during a period of change:

- The 2013-16 IM/IT strategic plan was approved by the Executive Committee. OCOL is taking part in an initiative to develop a shared case management system geared to small organizations. Even though this initiative is behind schedule, OCOL will go ahead with IM/IT investments in 2013-14 and continue with activities to implement its integrated solution. The project to standardize its Web platform will begin at the same time as activities related to the case management system.

- A sustainable financial model was developed to enable OCOL to respect the principles of the government's deficit reduction action plan. In addition, the recommendations of the action plan from OCOL's A-base review have been implemented. The financial model is supported by a multi-year financial strategy that will ensure reimbursement of the move to 30 Victoria Street

and the repayment of funds to OCOL's program sectors to ensure the sustainability of its mandate.

– OCOL continued to explore the sharing of services with other agents of Parliament, more specifically for the internal audit function and the library. There is clearly interest in the possibility of shared services, because they provide agents of Parliament with potential avenues to enhance efficiency and effectiveness.

– As a follow-up to the 2011 Public Service Employee Survey, OCOL developed an organizational communications strategy for each sector, whose representatives then prepared an action plan based on the survey results. As of March 31, 2013, nearly 80% of the planned actions had been implemented to provide an empowering workplace where personnel are committed and eager to attain organizational results.

Section III: Supplementary Information

Financial Highlights

In the previous sections, OCOL reports its actual spending based on government funding as in the Public Accounts of Canada. In the current section, the financial information is presented on an accrual accounting basis as used for the preparation of its financial statements.

Condensed Statement of Operations and Net Financial Position

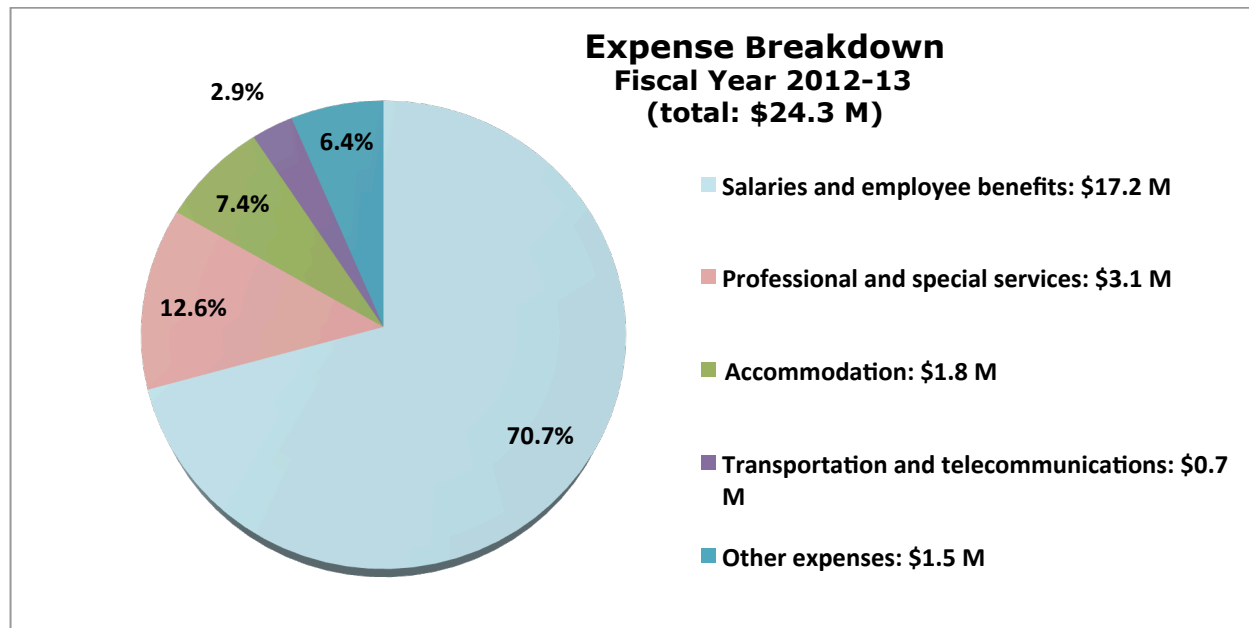| **Office of the Commissioner of Official Languages** **Condensed Statement of Operations and Net Financial Position (Audited)** **For the Year Ended March 31, 2013** **($000)**					
	2012–13 Planned Results	**2012–13 Actual**	**2011–12 Actual**	**$ Change (2012–13 Planned vs. Actual)**	**$ Change (2012–13 Actual vs. 2011-12 Actual)**
Total expenses	24,515	24,266	24,479	249	(213)
Total revenues	-	-	-	-	-
Net cost of operations before government funding and transfers	24,515	24,266	24,479	249	(213)
Net financial position	(1,315)	(1,434)	(1,461)	119	27

Compared to the previous fiscal year, expenses decreased by 1%, mainly attributable to a decrease in salary expenses. In 2011-12, changes to conditions of employment for executives and certain employee groups had resulted in increased expenses related to the payment of accumulated severance benefits.

Condensed Statement Financial Position

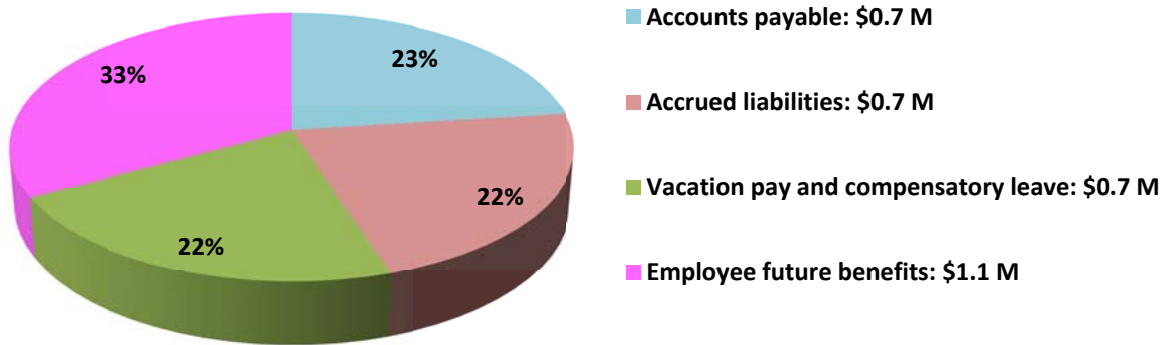<table>
<tr><td colspan="4">Office of the Commissioner of Official Languages
Condensed Statement of Financial Position (Audited)
As at March 31, 2013
($000)</td></tr>
<tr><td></td><td>2012-13</td><td>2011–12</td><td>$ Change</td></tr>
<tr><td>Total net liabilities</td><td>3,237</td><td>4,065</td><td>(828)</td></tr>
<tr><td>Total net financial assets</td><td>1,420</td><td>1,809</td><td>(389)</td></tr>
<tr><td>Net debt</td><td>1,817</td><td>2,256</td><td>(439)</td></tr>
<tr><td>Total non-financial assets</td><td>383</td><td>795</td><td>(412)</td></tr>
<tr><td>Net financial position</td><td>(1,434)</td><td>(1,461)</td><td>27</td></tr>
</table>

OCOL's net financial position improved by 2% in 2012–13, mainly due to a decrease in future benefits and the fact that some employees received severance payments during the fiscal year.

Financial Highlights – Charts and Graphs

Expense Breakdown
Fiscal Year 2012-13
(total: $24.3 M)

2.9%
6.4%
7.4%
12.6%
70.7%

- Salaries and employee benefits: $17.2 M
- Professional and special services: $3.1 M
- Accommodation: $1.8 M
- Transportation and telecommunications: $0.7 M
- Other expenses: $1.5 M

Liabilities at March 31, 2013 by Type
(total: $3.2 M)

- ■ Accounts payable: $0.7 M
- ■ Accrued liabilities: $0.7 M
- ■ Vacation pay and compensatory leave: $0.7 M
- ■ Employee future benefits: $1.1 M

Assets at March 31, 2013 by Type
(total: $1.8 M)

Financial assets:

- ■ Due from Consolidated Revenue Fund: $1.3 M

- ■ Accounts receivable and advances: $0.1 M

Non-financial assets:

- ■ Tangible capital assets: $0.4 M
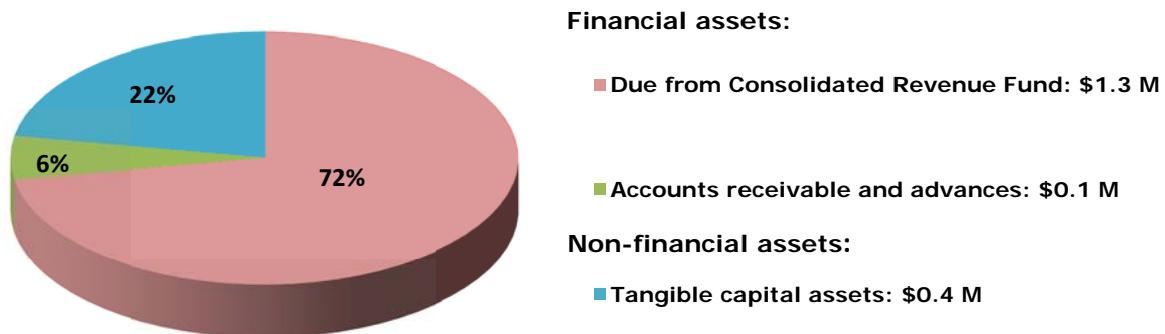
Audited financial statements are available on OCOL's Web site.[ix]

List of Supplementary Information Tables

Electronic supplementary information tables listed in the *2012–13 Departmental Performance Report* can be found on OCOL's Web site.[x]

- Internal Audits and Evaluations
- Report on User Fees

Tax Expenditures and Evaluations Report

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance publishes cost estimates and projections for these measures annually in the *Tax Expenditures and Evaluations* publication.[xi] The tax measures presented in the *Tax Expenditures and Evaluations* publication are the sole responsibility of the Minister of Finance.

Section IV: Other Items of Interest

Organizational Contact Information

For further information, visit OCOL's Web site[xii] or contact one of the following offices:

HEADQUARTERS

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K1A 0T8

Tel.: 613-996-6368 or
    1-877-996-6368
TTY: 1-800-880-1990
Fax: 613-993-5082
E-mail: information@ocol-clo.gc.ca
www.twitter.com/OCOLCanada
www.facebook.com/officiallanguages

REGIONAL OFFICES

Atlantic Region
Moncton
    Tel.: 506-851-7047 or
       1-800-561-7109
    Fax: 506-851-7046

Quebec Region
Montréal
    Tel.: 514-283-4996 or
       1-800-363-0628
    Fax: 514-283-6677

Ontario Region
Toronto
    Tel.: 416-973-1903 or
       1-800-387-0635
    Fax: 416-973-1906

Sudbury
    Tel.: 705-671-4101 or
       1-888-272-3704
    Fax: 705-671-4100

Manitoba and Saskatchewan Region
Winnipeg
    Tel.: 204-983-2111 or
       1-800-665-8731
    Fax: 204-983-7801

Regina
    Tel.: 306-780-7866 or
       1-800-665-8731
    Fax: 306-780-7896

Alberta, British Columbia, Northwest Territories, Yukon and Nunavut Region
Edmonton
    Tel.: 780-495-3111 or
       1-800-661-3642
    Fax: 780-495-4094

Vancouver
    Tel.: 604-666-5802 or
       1-800-661-3642
    Fax: 604-666-5803

Endnotes

[i] http://www.ocol-clo.gc.ca/html/audit_verification_092012_e.php

[ii] http://www.ocol-clo.gc.ca/twolanguages_deuxlangues/index_e

[iii] http://www.ocol-clo.gc.ca/html/aip_vpe_2012_e.php

[iv] http://www.ocol-clo.gc.ca/html/ams_vge_2012_e.php

[v] http://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html

[vi] http://www.ocol-clo.gc.ca/docs/e/ar_ra_2011_12_e.pdf

[vii] http://www.ocol-clo.gc.ca/html/audit_verification_052012_e.php

[viii] http://www.ocol-clo.gc.ca/html/lr_dl_2009_11_e.php

[ix] http://www.ocol-clo.gc.ca/html/finstate_etatsfin_1112_e.php

[x] http://www.ocol-clo.gc.ca/html/dpr_rmr_2011_12_p5_e.php#s3.4

[xi] http://www.fin.gc.ca/taxexp-depfisc/2012/taxexp12-eng.asp

[xii] http://www.ocol-clo.gc.ca/