

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

# **STRATEGIC PLAN 2012 – 2015**

Tell us.

You are protected.

## Introduction

This is the first strategic planning exercise carried out under the second permanent Commissioner of the Office of the Integrity Commissioner of Canada (PSIC). PSIC personnel at all levels were engaged in the production of this plan.

This document outlines the strategic direction of the Office of the Public Sector Integrity Commissioner of Canada (the Office) for the next three years. Since its creation, the Office has gained a clear understanding of the challenges of implementing a new legislation and is ready to proceed to the next proactive stage by formulating future plans. This strategic plan defines the Office's operating landscape, where we will be positioned in three years and the key result areas that will make this possible. The plan is intended to be a flexible and adaptable tool to guide us towards our goals in an ever-changing environment. It builds on the successes and lessons learned by the organization since its inception. And, most importantly, it leverages the high degree of competency and professionalism of its employees.

## Vision

As a trusted organization where anyone can disclose wrongdoing in the federal public sector confidentially and safely, the Office of the Public Sector Integrity Commissioner of Canada enhances public confidence in the integrity of public servants and public institutions.

## Mission

The Office provides a confidential and independent response to:

- disclosures of wrongdoing in the federal public sector from public servants or members of the public; and
- complaints of reprisal from public servants and former public servants.

## Guiding Principles

Given the sensitive and challenging nature of the situations faced by individuals who contact the Office, our work is guided by the following principles:

- **Accessibility** – We are visible, approachable, our processes are transparent and we are forthcoming about our results.
- **Independence** – We make our decisions impartially, independently and in accordance with the law.
- **Action-oriented** – We take action on every file in a fair, rigorous and timely manner respecting the rights of all parties.
- **Confidentiality** – We protect the confidentiality of the identity of disclosers and of information disclosed to the extent possible under the law.

## Values

The Office operates under a set of values that defines who we are and how we interact with our clients and stakeholders:

- Integrity in our actions and processes
- Respect for our clients and our employees
- Fairness in our procedures and our decisions
- Professionalism in the manner we conduct ourselves and our work

## Strategic Context

The Office is an independent agency of Parliament created in 2007 under the *Public Servants Disclosure Protection Act* (PSDPA or the *Act*). It is an organization composed of approximately 35 employees serving over 400,000 public servants. The Office is one element of a larger public sector integrity landscape that includes the Treasury Board Secretariat (TBS), which is responsible for promoting ethical practices and disseminating knowledge about the *Act*, as well as each Department and Agency, which are accountable for establishing their own internal disclosure mechanisms.

The Office's environment is a complex one that reflects its sensitive mandate. The work requires a high degree of care as the cases can directly impact the lives and reputations of individuals and organizations. While everyone in the public sector is in favour of integrity, there remains an undercurrent of apprehension at the very mention of disclosure of wrongdoing. The PSDPA challenges the current culture of silence and, in some areas, has provoked a "not in my backyard" reaction to the possibility of an investigation into alleged wrongdoing. There is also a cultural misconception that whistleblowers are disgruntled or poor performing employees. The *Act* is broad, granting considerable powers to the Office, which are exercised judiciously and responsibly. The Office continues to evolve the ways in which it implements its mandate as cases come in and as precedents are established.

Disclosing wrongdoing is, by its very nature, difficult, even with the protection offered by the *Act*. This can be explained by a number of factors, including:

- Perception of personal risks (loss of job, damage to reputation and career, impact on personal relationships, fear the process will be protracted and costly);
- Lack of confidence that a meaningful change or resolution will occur as a result of coming forward;
- Influence of organizational cultures that do not encourage openness and disclosures;
- Support structures that are not fully tested; and
- Confusion as to where to go to make a disclosure due to the number of parties involved in implementing the *Act* and the number of other organizations with similar or potentially overlapping mandates.

The Office endeavours to perform its duties under the *Act* with sensitivity, respect and compassion for the individuals facing such challenges.

The *Act* is relatively new. Over time, as the Office and others in the public sector integrity regime gain experience and understanding of the *Act*'s implementation, the processes and

operations around the Act may be subject to change (e.g., Tribunal decisions may impact the operations of the Office).

An independent review of the legislation, its administration and operation, to be called by the Treasury Board Secretariat, should be launched in the 2012-13 fiscal year. It will be essential for the Office to be ready to support this five-year review with relevant performance information, including recommendations for legislative amendments and operational/policy reform.

## Environmental Scan

Overall, the Office is likely to experience an increase in workload, an increased focus on operations and an increased need to clarify and communicate its role in the next three years.

- Many of the issues noted in the environmental scan are likely to increase the workload of the Office as a result of increased awareness, increased willingness to report wrongdoing and the increased number of mechanisms by which to report wrongdoing.
- The Office may require additional focus on operations in this Strategic Plan period to ensure issues are addressed efficiently. This might include consideration of issues such as how to deal with exigent circumstances including surges or backlogs in cases, how to balance efficiency, flexibility and thoroughness in completing cases, how to prioritize resource allocation, how to ensure the role of the Office is clear both in the Office and in the public sector more broadly; and how to retain staff. As the experience of the Office grows, procedures, policies and operations will be refined and integrated into long-term processes.
- It will be important for the Office to clarify its role and to clearly communicate it both within the Office to ensure that processes, policies and procedures accurately reflect and support the roles and responsibilities of the Office; and outside the Office to the public service more generally to ensure that public servants are aware of the types of issues that could be reported to the Office, and confident in the Office's ability to address them.

The following key environmental characteristics were identified and considered (see Annex A for additional details):

- |  |  |
|--|--|
| • Introduction of the new Values and Ethics Code for the Public Sector | • Resistance to whistleblowing   |
| • Current political environment  | • Shared Agent of Parliament issues  |
| • Implementation of Five-Year Review                                   | • Challenge of developing meaningful performance measures  |
| • Challenge of ensuring appropriate human resources                    | • Characteristics of enabling legislation  |
| • Climate of economic restraint  | • High turnover of Senior Officers and differences between departments in the implementation of the <i>Act</i> |
| • Changing public service demographics                                 | • OAG report and increased public scrutiny   |
| • Use of social media technology                                       | • Shift to centralization of services  |
| • Manage corporate knowledge   |  |
| • Increase in provincial, national and international integrity regimes |  |

## Key Result Areas

The Office has chosen to focus its resources and efforts on the following Key Result Areas over the next three years. These areas were selected after a thorough consideration of the environmental scan and the Corporate Risk Profile.

<b>Key Result Area 1:</b>	<b>Disclosure and reprisal management function that is timely, rigorous, independent and accessible</b>
<b>Objective:</b>	Ensure that the operations of the program are well managed and firmly rooted in the Office's values and guiding principles
<b>Link to Corporate Risks:</b>	Information management and security; effectiveness of strategies and processes; awareness and trust
<b>High Level Activities:</b>  1.1 Complete the standardization, documentation and implementation of operational processes to ensure rigour, timeliness and accessibility. 1.1.1 Develop a process map to maximize efficiency and accessibility. 1.1.2 Develop, implement and communicate service standards. 1.1.3 Develop and implement a quality assurance process. 1.1.4 Implement a case management system that responds to the Office's current and ongoing needs. 1.1.5 Provide ongoing training in substantive investigative skills and techniques and incorporate these into ongoing operational practices 1.2 Identify, develop and implement key operational policies on matters such as accessibility, information management, decision-making and client communications. 1.3 Ensure that the Office's security, privacy and confidentiality standards and protocols meet or exceed current Government policies.	

<b>Key Result Area 2:</b>	<b>Engagement of key stakeholders</b>
<b>Objective:</b>	Increase awareness of and trust in the Office as a safe place to disclose wrongdoing, to discourage reprisals and to provide a deterrent for wrongdoing
<b>Link to Corporate Risks:</b>	Awareness and trust
<b>High Level Activities:</b>  2.1 Develop and implement an outreach and engagement strategy. 2.1.1 Continue engagement of key stakeholders through the PSIC Advisory Committee. 2.1.2 Clearly communicate the rationale for PSIC decisions and operational outcomes to key stakeholders in a relevant, accurate, clear and transparent way. 2.1.3 Modernize and maximize communication approaches.	

<b>Key Result Area 3:</b>	<b>Meaningful performance information</b>
<b>Objective:</b>	Implement a performance measurement strategy to assess, support and communicate our effectiveness
<b>Link to Corporate Risks:</b>	Performance reporting; awareness and trust
<b>High Level Activities:</b> 3.1 Improve, implement and communicate our performance management results to ensure that the Office invests its efforts efficiently and demonstrates value. 3.1.1 Develop a strategy to collect, analyze and report data including a review of current statistical data collection methods and tools to ensure data integrity. 3.1.2 Strengthen effectiveness measures by developing tools such as questionnaires to evaluate stakeholder satisfaction and awareness. 3.2 Support the preparation of the five-year review. 3.2.1 Document and communicate the Office's observations and experiences in implementing the PSDPA, including recommendations for legislative amendment and operational/policy reform 3.2.2 Develop and implement a research strategy that includes an international component.	

<b>Key Result Area 4:</b>	<b>Human resource capacity that meets organizational needs</b>
<b>Objective:</b>	Recruit, retain, train and engage individuals with the necessary competencies to fulfill the Office's mandate
<b>Link to Corporate Risks:</b>	Capacity to meet growth; compliance with authorities
<b>High level activities:</b> 4.1 Identify and assess the competencies the organization needs to succeed. 4.1.1 On an ongoing basis, conduct gap assessments and determine how to acquire required competencies (staffing, training). 4.2 Develop and implement an engagement and retention strategy (including strategies to address issues such as career progression, employee engagement, mentorship, leveraging internal capacity, seeking external capacity when necessary and ensuring the organization is an employer of choice). 4.2.1 Engage staff in ongoing assessment of the Office's organizational structure. 4.2.2 Ensure that we provide staff with the right tools and technology to be responsive to organizational requirements. 4.3 Develop and implement an internal code of values and ethics.	

## Annex A: Environmental Scan

- ***Introduction of new public sector code of ethics*** – The new Values and Ethics Code for the Public Sector will be in force on April 2, 2012. Following its implementation, every public servant must respect and follow this behavioural code, and each department and agency must ensure that it has a code of conduct in place. The Office will be responsible for investigating any alleged serious breach of the Public Sector Code.  
**Impact:** Implementation of the Public Sector Code will raise awareness in the public service of the types of issues that might be reported to the Office and thus, may result in an increased workload for the Office.
- ***Implementation of the Five-Year Review*** – An independent review of the Act, its administration and operation, will be conducted beginning in the 2012-13 fiscal year. This five-year review is expected to include the tabling of a Bill to amend the Act.  
**Impact:** The Office must be ready to support the upcoming independent review and inform Parliament with recommendations regarding operations, legislative amendments and machinery of government considerations which are supported by practical experience, expertise and an established body of knowledge.
- ***Challenge of ensuring appropriate human resources*** – There are challenges sourcing and retaining individuals with the right mix of skills. With the impending retirement of a significant number of public servants, the labour market for key skilled positions, such as investigators, will likely become even more competitive.  
**Impact:** As much of the Office's work is case driven, it can be difficult to predict the timing and volume of workloads. The Office endeavours to address files in the order in which they have been received. However, exigent circumstances may require prioritization. To make the best use of limited staff, the Office must determine the correct balance of generalists and specialists, and of indeterminate and casual/contractors (recognizing that the use of contractors is more scalable but, similar to new employees, requires initial investments of time and effort). Within the next two years, the Office may need to consider increasing its resources to meet demand. The Office must consider strategies to attract and retain staff, including ensuring clear and stable organizational direction on an ongoing basis.
- ***Climate of Economic Restraint*** – Recent government-tabled budgets have called for significant public service budget cuts, program reviews and the elimination of many GIC positions. Budget releases over the next few years will likely be consistent in tone.  
**Impact:** The Office must be able to demonstrate its value and uniqueness in an unstable environment. There is also the potential for increased disclosures of wrongdoing or reprisal complaints related to HR issues arising from government-wide budget reductions.
- ***Changing public service demographics*** – Canada as a whole is becoming more diverse. This is reflected in the public sector where the makeup is becoming more multicultural, is more gender-balanced and is aging, with many public servants eligible to retire in the near future. As individuals retire, the composition of the public service will include individuals from

a greater number of generations at the same time (e.g., the perspective of Generation Y regarding issues such as privacy, deference to authority and reliance on technology may change the way that business is undertaken in government and the way that new cases are identified to the Office).

**Impact:** The increase in diversity and the wide spectrum of cultures and viewpoints in government (including diversity as a result of immigration but also considering the diversity of cultures and generations that exist within government) will increase case complexity and require that outreach and engagement efforts be more tailored and targeted. The Office's intake and investigation functions may also be affected as this trend could increase the complexity and variety of cases and inquiries received. Continuous education on the *Act* will be required as more public servants retire and are replaced. A systematic process to provide ongoing diversity training for Office staff will also be required. The Office must also continue to ensure that its human resources reflect a range of backgrounds and experience.

- ***Use of social media technology*** – The use of social media (such as blogs, Facebook and Twitter) by Canadians, public servants and the government itself is becoming a prevalent means of communicating and interacting.

**Impact:** These technologies can blur the division between the professional and private lives of public servants. As these technologies are more commonly used in an office context, the number of reports of wrongdoing registered with the Office may increase. The Office must consider whether, how and to what extent the use of such tools affects the way complaints are accepted and processed. The Office is also faced with the challenge of determining the most appropriate way to leverage these technologies to communicate and interact with Canadians and public servants.

- ***New technology to support the Office*** – New technologies are emerging that could better help the Office manage its corporate knowledge (i.e., information management) as well as its administration, accessibility, case management and performance statistics.

**Impact:** The Office must carefully consider the appropriate technologies for investment in order to ensure that they support its future strategic needs and objectives, including tools to develop and retain corporate knowledge. *<NOTE: This item may be more appropriately considered in the discussion of KRA 4.>*

- ***Increase in provincial, national and international integrity regimes*** – Media and public interest has precipitated the establishment of integrity regimes at provincial and municipal levels, as well as in other countries. These regimes vary in terms of legislation, mandate, powers, jurisdiction and organizational structures.

**Impact:** This trend provides opportunities for benchmarking and sharing best practices and research. It also provides leadership opportunities for the Office. However, the Office must be able to effectively articulate its unique role within the Canadian federal public sector. A greater number of integrity regimes may increase the likelihood that incidences will be reported and thus, may result in an increase in workload for the Office. Finally, the interpretation of similar regimes and definitions by external bodies may impact on the Office's interpretation and implementation of the federal regime.



- ***Resistance to whistleblowing*** – Despite the existence of formal mechanisms to facilitate the disclosure of wrongdoing and to protect against and prevent reprisals, there still exists a culture of cynicism and resistance towards the disclosure of wrongdoing within the federal public service.  
**Impact:** The strong influence of organizational culture plays a fundamental role in an individual's decision to disclose wrongdoing. Cynicism and trepidation are also influenced by an individual's perception of the confidentiality offered and the experience of other disclosers. This will impact outreach and engagement strategies to promote the reporting of wrongdoing, to clarify the role of the Office, and to build confidence in the Office.
- ***Shared Agent of Parliament issues*** – There has been a recent trend for the Agents to be considered in the same context when certain common issues arise (e.g. GIC appointment processes, accountability, independence, scrutiny of results).  
**Impact:** The Office must have a solid relationship and understanding with the other Agents of Parliament over shared issues. The organization must be prepared to respond to common issues as they arise in the shared Agent of Parliament landscape.
- ***Challenge of developing meaningful performance measures*** – The nature of the Office's work is complex and does not lend itself easily to performance measurement. Each case is unique. Performance measurement is further complicated as the Office's mandate is shared with other stakeholders. Some of the results that could be attributable to the Office's efforts manifest themselves in other organizations, making them difficult to measure. While TBS publishes an annual report on the PSDPA that includes statistics for these organizations, the timing and methodology used for this report and the Office's Annual Report are not aligned. In addition, a new trend in TBS focusing on efficiency measures has been noted.  
**Impact:** The five-year review, as well as the Annual Reports, requires that the Office present performance data. It is critical that the Office continues to develop meaningful performance information, along with effectively relating key successes and other qualitative information, to demonstrate the relevance of the Office to Parliamentarians and public servants and value for money to the public. The upcoming five-year review may result in the identification of gaps in the Office's current performance measurement structure; these will have to be addressed.
- ***Characteristics of enabling legislation*** – The PSDPA provides for broad powers, but also specific limitations.  
**Impact:** The Office is committed to pursuing disclosures of wrongdoing and reprisal complaints and to taking appropriate action whenever possible. However, the options available to the Office are limited at times by the constraints of the *Act*.
- ***High turnover of Senior Officers and differences between departments in the implementation of the Act*** – Due to attrition and the culture of frequently changing jobs at senior levels, there has been a high degree of turnover among Senior Officers, resulting in a loss of knowledge and expertise. Also, the implementation of the Senior Officer position has

varied across the public sector in terms of training, experience and positioning within the organization.

**Impact:** This has in part led to a lack of uniformity in the application of the PSDPA and the treatment of disclosures of wrongdoing among organizations. Consequently, there has been an increased need for training and support. This could also increase the Office's workload if more individuals choose to disclose directly to the Office rather than through their organization's Senior Officer.

- ***OAG report and increased public scrutiny*** – The OAG's December 2010 report on the former Commissioner has led to increased scrutiny by parliamentarians, the media and non-government organizations.

**Impact:** The Office must continue to be prepared to demonstrate its effectiveness and improvements by addressing any deficiencies identified in the third party review of past files. The Office must also re-establish trust by providing assurances to parliamentarians, public servants and Canadians, through all appropriate means, including reports and through the media, that it provides an effective and trustworthy mechanism for disclosure of wrongdoing and reprisal complaints.

- ***Scrutiny from outside stakeholders*** – NGOs, advocacy groups, the media and other external stakeholders are monitoring the Office with increasing scrutiny. The Office is working with a multi-stakeholder Advisory Committee.

**Impact:** The Office will be required to strategically communicate and engage with external stakeholders on an ongoing and proactive basis and to respond to emerging issues clearly and in respectful and timely manner.

- ***Shift to centralization of services*** – There is increased promotion of shared services provided through PWGSC for small departments and agencies. Some uncertainty exists regarding what services will be available and the degree to which this trend will extend to larger organizations.

**Impact:** This trend has the potential for a complicated and lengthy transition period that may change departmental business processes and practices. There is also the potential for increased disclosures of wrongdoing or reprisal complaints related to HR issues arising from centralization of government services. The Office could also be affected by a request to centralize its services.