

## **AUDIT REPORT**

# **Assessment of the Implementation of the 2019 Addendum to the 2006 Canadian Human Rights Settlement Agreement**

## **Canada Research Chair Program**



Social Sciences and Humanities  
Research Council of Canada

Conseil de recherches en  
sciences humaines du Canada

**Canada**

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## EXECUTIVE SUMMARY

### Background

The Canada Research Chairs Program (the ‘Program’) invests approximately \$311 million per year in grants to Canadian postsecondary institutions to fund research professorships through 2,285 Canada Research Chairs. This is to attract and retain a diverse cadre of world-class researchers, to reinforce academic research and training excellence in Canadian postsecondary institutions.

In 2006, a Settlement Agreement was signed between the Government of Canada and a group of eight academics, requiring the Program to implement specific measures to increase the representation of individuals from the four designated groups as identified in the Employment Equity Act: women, visible minorities, persons with disabilities and Aboriginal Peoples. The Program currently defines the four designated groups as: women and gender minorities, racialized individuals, persons with disabilities and Indigenous Peoples. These current terms will be used in the rest of the report.

In 2019, an [Addendum](#) to the 2006 Settlement Agreement was signed, specifying legally binding requirements for the Program, to align with Equity, Diversity and Inclusion (EDI) best practices. The Addendum identified specific requirements for the Program and for post-secondary institutions to continue to participate in the Program. The Addendum includes requirements for monitoring and enforcement measures for the Program to implement.

In 2021, a Canadian Human Rights Settlement [Agreement](#) was reached between the Program and an individual who filed a complaint with the Canadian Human Rights Tribunal in 2017. The 2021 Settlement Agreement includes consequences that the Program must impose on institutions who did not meet their EDI requirements.

### Why It Is Important

The measures included in the 2019 Addendum identify specific actions to address systematic barriers that have led to the underrepresentation of individuals from the four designed groups in the selection of chairholders under

the Program. If Canada is going to reach its full potential for research excellence, there needs to be diversity of perspectives to tackle issues and respond to challenges effectively. Therefore, it is critical that researchers do not face systemic barriers in accessing and benefiting from the Program.

The 2019 Addendum requires that an internal audit be carried out three years after it is signed to formally assess the progress of its implementation. In addition, the 2021 Settlement Agreement requires the internal audit to assess the implementation of the consequences tied to the EDI requirements for institutions. Ensuring that the Program has made progress in implementing the measures included in the Addendum is important to ensure that the benefits of EDI best practices are realized to achieve the objectives of the Program: a world-class and impactful Canadian research ecosystem.

## **Authority**

The Assessment of the Implementation of the 2019 Addendum to the 2006 Canadian Human Rights Settlement Agreement is an assurance engagement included in the approved 2022-25 NSERC and SSHRC Risk-Based Audit Plan.

## **Audit Objective and Scope**

The objective of this audit engagement was to assess the progress of the Program's implementation of the requirements of the 2019 Addendum to the 2006 Canadian Human Rights Settlement Agreement.

The scope of this assessment included the measures taken by Program to implement the requirements of the 2019 Addendum and the 2021 Canadian Human Rights Settlement Agreement. The assessment examined the period between June 2019 and December 2022.

## **Summary of Key Findings**

The Program is responsible for implementing and monitoring the requirements in the 2019 Addendum and the 2021 Settlement Agreement. The requirements address equity targets<sup>1</sup>, EDI action plans<sup>2</sup> and EDI public accountability and

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<sup>1</sup> Equity Target: Institutions are required to implement incremental equity targets based mainly on Canada's population (2016 Census), for each of the four designated groups, as follows: women and gender minorities 50.9%, racialized individuals 22%, persons with disabilities 7.5% and Indigenous Peoples 4.9% over 2021 to 2029.

transparency<sup>3</sup>, and consequences when requirements are not met by institutions which are funding recipients under the Program.

The 2019 Addendum and the 2021 Settlement Agreement comprise 85 distinct requirements that were separately assessed. The assessment is based on the evidence of the progress of implementation of each of the 85 requirements up to December 31, 2022. The implementation status of each of the 85 requirements is provided in Appendix I of this report. The following is a summary of the assessment of the progress made in the implementation of the 85 requirements.

Table I: Status of the Implementation of the 2019 Addendum and the 2021 Settlement Agreement Requirements		
Status	Definition	Number of requirements and related percentage
Complete	All elements of the requirement are complete to-date	67 (79%)
In-progress	Elements of the requirement are currently (i.e., at the time of this assessment) being worked on	7 (8%)
Not started	Work and completion of the requirement is not started	11 (13%)
Not met	Elements of the requirement have not been adequately addressed	0 (0%)
Total	Total number of distinct requirements included in the Assessment	85 (100%)

Overall, the Program has made significant progress on implementing the requirements. The assessment found that the Program is continuously monitoring the progress in terms of compliance with the requirements and that enforcement measures were taken and implemented when institutions failed to meet the compliance requirements.

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<sup>2</sup> EDI action plan: Institutions are required to develop an action plan to identify and address systemic barriers to sustain the participation of and/or address the underrepresentation of individuals (based on the institution's equity target gaps) from the four designated groups (women, racialized individuals, persons with disabilities and Indigenous Peoples) among their chair allocations.

<sup>3</sup> EDI public accountability and transparency: Institutions are required to publish on their websites information related to the management of their chair allocations, including their equity targets and their EDI action plans.

The Program would benefit by developing a roadmap outlining the path forward to implement the remaining requirements. Secondly, the Program should develop a methodology for the risk-based monitoring of Chair nominations and define which additional measures can be enforced if an institution repeatedly fails to meet the required targets.

### **Overall Conclusion**

The Program made significant progress in the implementation of the 2019 Addendum and the 2021 Settlement Agreement requirements. The Program monitors the progress in terms of compliance with the requirements and enforcement measures were taken and implemented when institutions failed to meet the compliance requirements.

## 1. BACKGROUND

The Canada Research Chairs Program (the “Program”) stands at the center of a strategy to make Canada one of the world's top countries in research and development. It invests approximately \$311 million per year to attract and retain a diverse cadre of world-class researchers, to reinforce academic research and training excellence in Canadian postsecondary institutions.

In 2000, the Government of Canada created a program to provide funding to establish research professorships—Canada Research Chairs—in eligible degree granting [institutions across the country](#). There are currently 2,285 Canada Research Chairs allocated within the Program to promote research excellence in engineering and the natural sciences, health sciences, humanities, and social sciences. These researchers improve our depth of knowledge and quality of life, strengthen Canada’s international competitiveness, and help train the next generation of highly skilled people through student supervision, teaching, and the coordination of other researchers’ work.

In 2003, a group of eight academics from across Canada filed human rights complaints alleging the Program discriminated against individuals who are members of protected groups under the *Canadian Human Rights Act*. In 2006, a settlement agreement was signed requiring the Program to implement specific measures to increase the representation of individuals from the four designated groups: women, racialized individuals, persons with disabilities and Indigenous Peoples. In 2017, the agreement was made a federal court order at the request of the equity-seeking plaintiffs because they considered that not enough progress had been made over the preceding 11 years in improving representation and addressing the systemic barriers within the Program. In 2018, mediation between the Program, the equity-seeking plaintiffs and the Canadian Human Rights Commission was held in lieu of federal court proceedings, and an Addendum to the 2006 Settlement Agreement was subsequently signed in May of 2019.

The 2019 [Addendum](#) outlines the new terms of the revised agreement. These new terms were developed collaboratively between the parties and update the original settlement agreement to align with EDI best practices. These new terms include requirements for institutions to set and meet equity targets principally based on Canada’s population for the four designated groups and comply with transparency and accountability measures. Overall, they build on the Program’s current EDI measures and ensure that the objective of attracting and retaining a

diverse cadre of world-class researchers at Canadian postsecondary institutions to reinforce excellence in research and training is achieved.<sup>4</sup>

In 2021 a Canadian Human Rights Settlement Agreement was reached between the Program and an individual who filed a complaint with the Canadian Human Rights Tribunal in 2017. The 2021 Settlement Agreement stipulates specific consequences for institutions that do not meet the Program's EDI requirements.

The 2019 Addendum requires that an internal audit be carried out three years after it is signed to formally assess its implementation. Ensuring that the Program has made progress in implementing the measures included in the 2019 Addendum and the 2021 Settlement Agreement is important to ensure that the benefits of EDI best practices and measures will be realized to support the achievement of the objectives of the Program: a world-class and impactful Canadian research ecosystem.

## **2. AUDIT OBJECTIVE AND SCOPE**

The objective of this engagement was to assess the progress of the Program's implementation of the requirements of the 2019 Addendum to the 2006 Canadian Human Rights Settlement Agreement.

The scope of this assessment included the measures taken by the Program and institutions to implement the 2019 Addendum from June 2019 to December 31, 2022.

## **3. AUDIT METHODOLOGY**

The audit was conducted internally by the Corporate Internal Audit Division. The audit team used the following methodology in the conduct of audit work.

- Reviewing key documents such as:
  - The 2006 Settlement Agreement;
  - The [2019 Addendum](#) to the 2006 Canadian Human Rights Settlement Agreement;
  - The 2021 Settlement Agreement;

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<sup>4</sup> Source: [Equity, Diversity and Inclusion Requirements and Practices \(chairs-chaire.gc.ca\)](#)



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- Governance committee documents and internal briefings
- Program publications;
- Post secondary institutions publications;
- Documents provided by the Program to satisfy the Addendum requirements;
- Interviews with management;
- Interviews with institutions and equity seeking plaintiffs; and
- Review of random samples<sup>5</sup> of Program and institutional artifacts, documents and websites for compliance with requirements

This audit conforms with the Institute of Internal Auditors' *International Professional Practices Framework*, in accordance with the Government of Canada's *Policy on Internal Audit*, as supported by the results of the quality assurance and improvement program. These standards require that sufficient and appropriate audit procedures be conducted, and that evidence be gathered to provide a high level of assurance on the findings contained in this report. The audit conclusions are based on the audit findings against the requirements in Appendix I and the audit criteria in Appendix II.

Katherine Ludwig, Chief Audit Executive  
Corporate Internal Audit Division, NSERC and SSHRC

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<sup>5</sup> The audit methodology included a statistical sample based on the number of participating institutions, with a margin of error of +/- 10%, 9 times out of 10. The population for participating institutions was generally 78 and a random sample of 11 were examined. A separate random sample was selected from among the 78 institutions for each test. The population for nominations was 362 and a random sample of 13 were examined.

## 4. AUDIT OBSERVATIONS

### 4.1 Overall Results

The 2019 Addendum and the 2021 Settlement Agreement comprise 85 distinct requirements that were separately assessed. The assessment is based on the evidence of the progress of implementation of each of the 85 requirements up to December 31, 2022. The implementation status of each of the 85 requirements is provided in Appendix I of this report. The following is a summary of the assessment of the implementation of the 2019 Addendum requirements and the 2021 Settlement Agreement.

Status	Definition	Number of requirements and related percentage
Complete	All elements of the requirement are complete to-date	67 (79%)
In-progress	Elements of the requirement currently (i.e., at the time of this assessment) being worked on	7 (8%)
Not started	Work and completion of the requirement is not started	11 (13%)
Not met	Elements of the requirement have not been adequately addressed	0 (0%)
Total	Total number of distinct requirements included in the Assessment	85 (100%)

The Program has made significant progress in the implementation of the 2019 Addendum and the 2021 Settlement Agreement requirements. As of December 31, 2022, the Program has completed 67 of 85 (79%) of the requirements. Out of the remaining 18 that are not complete, 7 (8%) are in progress and 11 (13%) are not started. Of the eleven (11) requirements that are not started, two (2) of them can only be completed at a future date as stipulated by the addendum.

Given that the 2019 Addendum and the 2021 Settlement Agreement are legally binding agreements and that EDI measures are critical to the success of the

Program, the Program should continue its progress in implementing the requirements. Therefore, the Program should prioritize the remaining requirements based on complexity and develop a roadmap to ensure they are all completed.

**Recommendation:**

The associate vice-president, TIPS, should develop a plan to complete the 2019 Addendum and the 2021 Settlement Agreement requirements, which includes action items, roles and responsibilities, and timelines.

**4.2 Equity Targets****4.2.1 Program has set equity targets aligned with the 2019 Addendum**

The Addendum requires the Program to set equity targets for the four designated groups: women, visible minorities, persons with disabilities and Indigenous Peoples. However, the terminology used by the Program to define the four designated groups has changed over time. The Program currently defines the four designated groups as: women and gender minorities, racialized individuals, persons with disabilities and Indigenous Peoples. These definitions are refined over time to reflect the spirit of the Addendum and the preferred language of underrepresented communities.

With the exception of persons with disabilities, the Addendum specifies the equity targets are to be based upon the 2016 Census and reflect representation in the Canadian population. The assessment validated that the equity targets were consistent with 2016 Census data. In March 2021, the Program revised its equity target-setting methodology to be based upon population statistics in the 2016 Census.

The Program developed and updated its methodology on equity target-setting and required institutions to set incrementally higher equity targets at interval deadlines (of December 2022, December 2025, December 2027 and the final equity targets for December 2029). The assessment found that management undertook consultations with institutions and performed a thorough analysis of representation data in doing its due diligence to establish the Program guidance and target ranges.

Institutions submitted their equity target plans to the Program in June 2021. The Program developed an equity tool to assist institutions in setting their incremental equity targets based on their respective Chair allocations.

The Program periodically uses the self-identification data it collects from chairholders to calculate the actual representation of individuals from the four designated groups for each participating institution and for the Program as a whole. The report of actual representation, which is aggregated to protect the privacy of chairholders, provides institutions with insight into their progress in achieving their equity targets.

Table II includes the representation as of September 2022 for the Program compared to the December 2029 equity targets.

Table II: Program level representation in September 2022 compared to 2029 equity targets

Four Designated Groups	September 2022 Program Representation <sup>6</sup>	December 2029 Equity Targets
Women and gender minorities*	44.3%	50.9% (source: 2016 Census)
Racialized individuals	24.9%	22.0% (source: 2016 Census)
Persons with disabilities	6.1%	7.5%**
Indigenous Peoples	3.8%	4.9% (source: 2016 Census)

The following footnotes are included in the [Target Setting Methodology](#)<sup>7</sup>:

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Source: Program representation statistics

[https://www.chairs-chaies.gc.ca/about\\_us-a\\_notre\\_sujet/statistics-statistiques-eng.aspx#4](https://www.chairs-chaies.gc.ca/about_us-a_notre_sujet/statistics-statistiques-eng.aspx#4)

<sup>7</sup> Ibid

\*Individuals who self-identify as women, transgender, gender-fluid, nonbinary and Two-Spirit contribute to the Program's equity targets and are reported in the Program statistics in the category in which they self-identify.

\*\*The target of 7.5% (versus 14% in the 2016 Census) for persons with disabilities acknowledges that low self-identification rates could impact the ability to achieve a higher target, due to the reluctance of individuals with disabilities to self-identify in an employment setting. This percentage will be reviewed in 2024.

The following observations were made regarding equity targets:

1) Women and gender minorities

The assessment found that the 2019 Addendum does not specifically include equity targets for gender minorities such as individuals who are two-spirit, non-binary and transgender. The Program has proactively chosen to expand its equity targets for gender to be inclusive of gender minorities in order to mitigate potential systemic barriers for these individuals in the Program's equity efforts.

2) Persons with Disabilities:

The target for persons with disabilities was set at 7.5% as specified in the 2019 Addendum and is not based on the 2016 Census (14%). The Addendum requires the Program to review its equity targets for persons with disabilities five years after its signature (2024). The lower percentage target of 7.5% was set due to the very low representation of persons with disabilities in the Program at the time the Addendum was signed (1.6%). Secondly, the percentage target was set at 7.5% in recognition of the challenges in self-identification within the Program due to social stigma more generally within academia and research. However, the percentage target of 7.5% being used in the Program is higher than the labour market representation (LMR) of persons with disabilities since the LMR percentage would be higher if systemic barriers in employment for these individuals did not exist.

The assessment found that the Program has not commenced work on reviewing the target as this work is not due until 2024; progress and completion of the review of the target for persons with disabilities will be subject to a future audit.

### 3) Sexual orientation

While there is a requirement for the Program to collect data regarding sexual orientation, there is no requirement to set equity targets. The assessment found that the Program developed and implemented a self-identification form that includes a question on sexual orientation in June of 2020. The Program has not been able to identify a reliable Canadian source of data on sexual orientation upon which to better understand the current representation in the Program.

### 4) Indigenous Peoples

The 2019 Addendum set the equity target for representation of Indigenous Peoples in the Program at 4.9%, per the 2016 Census, and requires the Program to engage with Indigenous communities to reassess and revise the target-setting approach as required.

The assessment found that the target for Indigenous Peoples was set at 4.9% and that the target has not been subsequently increased or otherwise adjusted. Formal engagement by the Program with Indigenous communities to reassess and revise the target-setting approach has not commenced; reassessment and revision of the target-setting approach will be subject to a future audit.

#### **4.2.2 Institutions have set equity targets for the four designated groups in alignment with the methodology prepared by the Program.**

The 2019 Addendum requires institutions to set equity targets for representation of Chairs for each of the four designated groups. These targets must be increased incrementally over a 10-year period to ensure the population level targets included in the 2019 Addendum are met by December 2029.

In April 2020, the Program implemented an EDI stipend of up to \$50,000 for institutions that participate in the Program. These funds are expected to help successfully implement the 2019 Addendum during the ten-year window to meet increased equity targets.

The assessment confirmed for a sample of institutions that they had set incrementally higher equity targets and that large category institutions set targets

by tier, according to the methodology required by the Program and in accordance with the 2019 Addendum requirements.

The assessment found that:

- There are 73 institutions required to set equity targets. Out of a sample of 11 institutions, all institutions (100%) had set incrementally higher targets consistent with the methodology established by the Program, including interval dates and within the range provided by the Program.
- There are 16 large category institutions that must set equity targets at the Tier 1 and Tier 2 levels. All 16 institutions (100%) set equity targets at the Tier 1 and Tier 2 level according to requirements of the 2019 Addendum.

The assessment concluded that institutions set equity targets following the Program target-setting methodology, reported these targets to the Program and published their equity targets on their respective program reporting and accountability websites.

The first formal reporting exercise of institutional representation compared with equity targets is expected in Spring 2023, based on the equity targets set for December 2022. If equity targets are not met, the Program will impose consequences on the institutions. As this exercise was not completed at the end of the examination phase, the results of this exercise will be included as part of a future audit.

To conclude, the assessment found that the Program implemented specific requirements for institutions to set incrementally higher targets over the 10-year period to ensure the 2029 population level targets for each of the four designated groups are achieved. Institutions set targets consistent with the policies of the Program and the requirements of the 2019 Addendum.

#### **4.2.3 Self-identification data is collected based on best practices and analyzed to monitor the level of representation within the Program.**

**Large category:**  
Institutions have a minimum of 40 Chairholders.

**Tier 1:** Institutions receive \$200,000 annually for seven years and renewable once.

**Tier 2:** Institutions receive \$100,000 annually for five years, with an additional \$20,000 annual research stipend for first-term Tier 2 Chairs. Chair is renewable once.

The 2019 Addendum requires the Program to collect self-identification representation data for the four designated groups and the LGBTQ+ community on a disaggregated basis and monitor the level of representation for individuals from these groups in the Program.

The assessment considered the extent to which the Program implemented processes to collect and monitor the self-identification data provided on a confidential basis by chairholders. The assessment included interviews with program management and examined program artifacts including program literature, communications with institutions, system functionality and source data.

The Program used a process that allowed chairholders and nominees to confidentially self-identify through the online Convergence platform (used by individuals participating in the Canada Research Chair Program). The Program's process allows chairholders and nominees to provide self-identification information and to update their self-identification information at any time. The Program conducted a survey in the Fall of 2019, encouraging chairholders to update their self-identification data. Chairholders also have the opportunity to periodically update their self-identification data in the Convergence Platform during their term.

The Program collects representation data on a disaggregated basis through options provided in the self-identification form. For instance, in addition to self-identifying as an Indigenous person, a chairholder can be more specific about their identity as First Nations, Métis or Inuit.

The assessment found that the Program reports representation data at the program-level for the four designated groups on an intersectional<sup>8</sup> basis. For instance, a chairholder may self-identify as belonging to more than one designated group and individuals are reported in all groups in which they self-identify.

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<sup>8</sup> The following definition 'intersectionality' is included on the Program's [Creating an Equitable, Diverse and Inclusive Research Environment: A Best Practices Guide for Recruitment, Hiring and Retention](#) web page:

Intersectionality: A theoretical framework that was developed by professor Kimberlé Crenshaw in 1989 in a paper for the University of Chicago Legal Forum entitled "[Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics](#)" to explain how African-American women face overlapping disadvantages and discrimination related to sexism and racism. This approach or lens is a best practice and assists researchers to better understand and address the multiple barriers and disadvantages that individuals with intersecting social identities, such as race, gender, sexuality and class, face. Using an intersectional approach to develop policies and research projects helps to better identify and address systemic barriers.



The assessment found that the Program has addressed the requirement to update Program materials and uses best practices to reflect individuals that belong to more than one of the four designated groups on an intersectional basis, subject to the *Privacy Act*. The Program monitored the representation of the four designated groups and periodically reported the aggregate anonymized information back to institutions. It was also evident that the data was collected based on best practices (on an intersectional basis, promoting and providing options for chairholders and nominees to report, etc.) and analyzed to monitor the level of representation.

The assessment found that the Program's public-facing web page includes 'best practices' around collecting data, disaggregated data, key principles, recruitment, hiring and retention and ensuring EDI language is up-to-date (EDI language is always evolving).

Program literature clarified the importance of ensuring confidentiality for chairholders and nominees, and that the representation choices available under each designated group reflect current terminology and range of choices in order to ensure the accuracy of representation.

The Program provides summary reporting on representation to institutions but does not share individual personal-level data of chairholders and nominees with institutions. Self-identification statistics are reported by the Program in aggregate. To protect the privacy of individuals, if the number of individuals who self-identified within one of the four designated groups is less than five, the statistics related to that group are not publicly reported.

In addition to collecting representation data of the four designated groups within the Program, the assessment considered the extent to which the Program had processes to collect and monitor the self-identification data related to representation of the LGBTQ+ community within the Program.

The assessment found that the Program's collection of disaggregated data related to the LGBTQ+ community is a work-in-progress. There are challenges with the current dataset on the representation of the LGBTQ+ community in Canada, as the Program has not identified sufficient LGBTQ+ representation data from Statistics Canada or other credible and objective source. The Program added a question on sexual orientation to the self-identification form in June 2020 to improve monitoring of the representation of persons from the LGBTQ+

community. To date, the Program still does not have a full data set for the LGBTQ+ community as not all Chairholders have self-identified using the June 2020 form. Additional work is required to better understand the full representation of individuals from the LGBTQ+ community in the Program.

### **4.3. Accountability, Compliance and Enforcement**

#### **4.3.1. Program literature is reviewed and updated according to the requirements of the 2019 Addendum.**

The Program is required to review and update the program literature regularly, including review of the Program's evaluation criteria, program literature, peer review literature and nomination packages.

A specific requirement in the 2019 Addendum is for the Program to develop and provide institutions with an evergreen best practice guide for EDI, including guidance for promoting EDI in the policies and procedures for recruiting, hiring and supporting institutions. The best practices guide is updated periodically (last update was March 2021). The Program also reviews the entire Chairs website periodically and the equity pages annually.

The Program has developed, maintained, and implemented a communication strategy to highlight the research excellence of chairholders from the underrepresented groups and to promote the links between EDI and research excellence.

When 250 chairs were added to the Program as part of Budget 2018, revisions were made to formally incorporate EDI into the highest-level objective of the Program "to attract and retain a *diverse* cadre of world-class researchers".

#### **4.3.2. Institutions comply with EDI action plan requirements**

All institutions with five or more chair allocations must develop and implement an institutional EDI action plan as an eligibility requirement of the Program. This plan must guide institutional efforts to identify and address systemic barriers to sustain

the participation of and/or address the underrepresentation of individuals from the four designated groups among their chair allocations.<sup>9</sup>

Institutions were required to submit EDI action plans prior to the signing of the 2019 Addendum as part of the Program's EDI action plan, launched in 2017. Institutions were required to submit EDI action plans in December 2018 for review by an external panel in three phases. At the conclusion of the Phase Two review in the Spring of 2020, there were still fifteen institutions that did not satisfy the requirements of the EDI action plans. The Program has continued to review institutional responses to the recommendations from the Phase 3 review in Spring of 2021 and [all but one institution had addressed all recommendations](#). For non-compliant institutions, the peer review decisions for all their nominations (and, where applicable, associated funding for chair awards) will be withheld until the EDI action plan is resubmitted and found to be compliant.<sup>10</sup>

The assessment found that:

- There are 54 institutions required to develop EDI action plans and make these EDI action plans publicly available on their respective public accountability and transparency web page. Out of a sample of 11 institutions, all institutions (100%) had developed EDI action plans and made the Plans and the annual progress reporting available on their website.

Overall, institutions meet the compliance and accountability requirements of EDI action plans and the Program is managing any exception. The Program continues monitoring the implementation of these plans through annual reporting.

The Addendum will require Institutions with less than five chair allocations to develop and implement a simplified EDI action plan. These simplified requirements have yet to be established.

#### **4.3.3. Institutions comply with EDI public accountability and transparency requirements**

Public accountability and transparency requirements outline the specific information related to administering the Program that institutions must clearly

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<sup>9</sup> Source: [Results of formal review of institutional equity, diversity and inclusion action plans \(chairs-chaires.gc.ca\)](#)

<sup>10</sup> [https://www.chairs-chaires.gc.ca/program-programme/equity-equite/results\\_of\\_formal\\_review-resultats\\_de\\_l\\_evaluation\\_officielle-eng.aspx](https://www.chairs-chaires.gc.ca/program-programme/equity-equite/results_of_formal_review-resultats_de_l_evaluation_officielle-eng.aspx)

publish on their websites to be eligible for the Program. These requirements cover information that is generated by institutions, such as incremental equity targets and their EDI action plan and related progress reports. They are also required to provide or link to program-level information such as the 2019 Addendum and the program-level representation statistics.

The assessment found that:

- There are 78 institutions required to disclose their public accountability and transparency information on their respective web page. Out of a sample of 11 institutions, all institutions (100%) published their public accountability and transparency information on their respective web page.
- There are 78 institutions required to provide a link to the 2019 Addendum and to the Program statistics data on their respective web page. Out of a sample of 11 institutions, all institutions (100%) had either provided the 2019 Addendum or a link to the Addendum on the Program website and published a link to the Program statistics data on their respective web page.

The Program disclosed on its website that all institutions were complying with EDI public accountability and transparency, [reporting one exception](#)<sup>11</sup>. For this specific case, all nominations for this institution (and, where applicable, associated funding for chair awards) will be withheld until the public accountability requirements are met.

Overall, institutions meet the compliance and accountability requirements for EDI public accountability and transparency included in the 2019 Addendum and the Program is managing any exception.

#### **4.3.4. Institutions comply with recruitment and nomination requirements**

The Addendum also requires the institutions to comply and the Program to monitor compliance with requirements applicable to recruitment and nomination activities to fill chair positions. The Program website clearly states all the steps and requirements in the recruitment and nomination process for chairholders.

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<sup>11</sup> <https://www.chairs-chaire.gc.ca/program-programme/equity-equite/consequences-eng.aspx>

The Program has identified certain points in the process where the institution must provide information for review including each job posting, the mid-point attestation and the final attestation. The requirement for attestations by a senior institutional official clearly puts the onus on the institution to monitor their own processes and compliance with the EDI requirements of the Addendum. The final attestation has been integrated as the final step for online submission by institutions of nominations.

The assessment found that:

- There were 362 nominations since the mid-point attestation process was implemented in January 2022. Institutions were required to provide certification of the mid-point attestation in advance of the evaluation of each nomination. Out of a sample of 13 nominations, certification was provided for all 13 (100%) nominations.

In order to monitor the compliance of institutions the Program implemented a process to review the job postings and mid-point attestations for compliance before the nomination can proceed. The current process used by the Program considers specific documents for each nomination. This process is not efficient and does not address the 2019 Addendum requirements to undertake a randomized review of nominations from all institutions.

The Addendum also requires the Program to identify institutions which repeatedly fail to meet the recruitment and nomination requirements and to carry out monitoring activities of such institutions. To date, the Program has not developed a monitoring plan for institutions that repeatedly fail the recruitment and nomination requirements. A monitoring plan, which includes a definition of 'repeatedly fail', would be useful to guide future work of the Program to implement the requirements of the 2019 Addendum.

### **Recommendation**

The associate vice-president, TIPS, should develop a methodology for the risk-based monitoring of Chair nominations that includes:

- a process for the randomized review of nominations, as required in the Addendum;

- a definition of institutions that “repeatedly fail” to meet the recruitment and nomination requirements of the Program; and
- a plan for targeted monitoring of institutions that repeatedly fail to meet the recruitment and nomination requirements.

#### **4.3.5. The Program can implement enforcement measures when requirements are not met**

The 2019 Addendum and the 2021 Settlement Agreement include consequences for institutions that do not meet the Program requirements for EDI. The Program has set specific deadlines for institutions to meet in terms of equity targets, EDI action plans and public accountability and transparency requirements. The Program also reviews the institutional documents for compliance.

In the case of an institution not meeting these deadlines or Program requirements, the institution’s ability to fill Chair positions will be impacted. Institutions may not be permitted to submit new nominations to the Program (other than in cases where a nomination contributes to meeting their equity targets) or peer review decisions for all nominations (and, where applicable, associated funding for chair awards) may be withheld until the respective institution is in compliance with the Program requirements.

Overall, as noted under 4.2.2, enforcement measures are implemented when institutions fail to meet Program requirements.

Other enforcement measures may also be implemented at the discretion of the Program’s governance committees; however, a clear definition of the level of non-compliance that would trigger additional consequences has not been established. Information on the nature of the failure and the consequence is provided on the Program website but consolidating the requirements that are subject to enforcement, the nature of the related consequences and the roles and responsibilities for imposing and for removing consequences into a comprehensive framework would provide clarity.

#### **Recommendation**

The associate vice-president, TIPS, should develop a comprehensive framework that defines the criteria of non-compliance and the associated consequences in

terms of nominations, peer review, funding for chairs and re-allocation of chairs, including roles and responsibilities for imposing and removing consequences.

## **5. OVERALL CONCLUSION**

The Program made significant progress in the implementation of the 2019 Addendum and the 2021 Settlement Agreement in the period between June 2019 and December 31, 2022, and is continuing monitoring their progress. Significant efforts have been made to improve EDI in the Program and institutions are generally meeting their compliance and accountability requirements.

Appendix I summarizes the progress of each requirement included in the 2019 Addendum and the 2021 Settlement Agreement.

The Corporate Internal Audit Division would like to acknowledge and thank management and staff for their support throughout the conduct of this audit.

## **6. AUDIT TEAM**

Chief Audit Executive:	Katherine Ludwig
Internal Audit Principal:	Mohamed Ayachi
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## APPENDIX I – Detailed Status of the 2019 Addendum and 2021 Canadian Human Rights Settlement Agreement Requirements

The following table provides the definition of the status for each requirement of 2019 Addendum to the 2006 Canadian Human Rights Settlement Agreement and the 2021 Canadian Human Rights Settlement Agreement.

Table III: Definition of the status for each requirement	
Status	Definition
Complete	All elements of the requirement are complete to-date
In-progress	Elements of the requirement are currently (i.e., at the time of this assessment) being worked on
Not started	Work and completion of the requirement is not started
Not met	Elements of the requirement have not been adequately addressed

The following is a summary of the status of the implementation of the 2019 Addendum and 2021 Settlement Agreement requirements:

### Status of the Implementation of the 2019 Addendum Requirements

Complete	67	(79%)
In-progress	7	(8%)
Not started	11	(13%)
Not met	0	(0%)
Total	85	(100%)



Of the eleven (11) requirements that are not started, requirement #10 below (2019 Addendum requirement 8) must be completed after the 2029 deadline and requirement #6 below (2019 Addendum requirement 5) must only be completed in 2024.

The following tables IV and V provide the audit assessment of the requirements of the 2019 Addendum to the 2006 Canadian Human Rights Settlement Agreement (requirement 1 to 42) and the 2021 Canadian Human Rights Settlement Agreement (requirement 1 to 8), which comprise a total of 85 distinct requirements. The tables include a unique assessment number (a control number from 1 to 85, assigned by the audit), the requirement number and corresponding text from the 2019 Addendum and 2021 Settlement Agreement, the audit criterion number related to each requirement, the status of the requirement assessed by the audit (based on Table III) and a description of the assessed status.

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
#1	1	The Program shall, from December 2019 to December 2029 (the “10-year period”), increase institutional targets for representation of women, visible minorities (members of groups that are racially categorized), persons with disabilities, and Indigenous Peoples (the “Four Designated Groups” or “FDG”), to reflect representation within the Canadian population using the methodologies set out in the section “Data Used to Set Targets”.	1.1	Complete	Targets were established for representation of the four designated groups over the 10-year period, consistent with the methodologies set out in the “Data Used to Set Targets” section of the Addendum.

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
#2	2	The Program shall require that institutions set revised, incrementally higher, targets over the 10-year period at intervals specified by the Program, so that institutions progress toward and meet the December 2029 targets set out in the section "Data Used to Set Targets".	1.1	Complete	<p>The Program had a well-supported methodology for setting incremental targets and institutions set incrementally higher targets that progressively increase targets to those in the "Data Used to Set Targets" section of the Addendum.</p> <p>The assessment found that 11 of 11 (100%) institutions sampled set target percentages (%) that are consistent with the intervals established for the Program.</p>
#3	3	The Program shall not restrict an institution from exceeding its targets for any of the four designated groups.	1.1	Complete	<p>For 11 of 11 (100%) samples, none of the targets set by any of the institutions exceeded the "upper-level" targets. The Program reported the actual number of chairs for institutions in June 2021. Based on the significant number of institutions that exceeded the 2029 targets, it was evident that institutions were aware that there was no</p>

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
					restriction to exceeding the targets for any of the four designated groups.
#4	4	Targets shall be based on general Canadian population representation for women and visible minorities using the 2016 census data to be reached over the 10-year period. These figures are 50.9% for women and 22% for visible minorities, subject to adjustment for subsequent census data, as available, or otherwise as set out in paragraph 8 below.	1.1	Complete	The Program established targets for women and racialized individuals, consistent with the 2016 Census Data and the requirements of the 2019 Addendum.  No adjustments have been made to the targets, to-date as the review is only required after December 2029.
#5	5	Targets for persons with disabilities shall be set at 7.5% to be reached over the 10-year period.	1.1 1.2	Complete	The Program set the target for Persons with Disabilities at 7.5%.
#6		This goal shall be subject to review and revision by five years from the signing of this Addendum, to assess progress, and may be increased at the Program's governance committees' discretion. If the Program's governance committees consider that there is inadequate		Not started	The Program is required to review and potentially revise the target within 5 years of the signing of the Addendum (2024); the Program confirmed that a review is neither required at this time, nor has one

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
		progress, the Program shall conduct an analysis based on engagement with stakeholders representing persons with disabilities on the challenges that exist for this group within the Program. The review and any revision of the target shall take into account the results of the stakeholder engagement (and prior engagement), progress made in representation of persons with disabilities within the Program (including nomination rates and overall representation), available and relevant data from the Canadian Survey on Disability, and other relevant information. Input may be sought from the Complainants and/or the CHRC.			been undertaken.
#7	6	The Program shall engage in discussions with representatives of Indigenous communities, and re-assess and revise as required the management of the target setting approach for Indigenous peoples within the Program.	1.1 1.2	Not started	Engagement with representatives of Indigenous communities and a re-assessment and revision of the target has yet to commence – there is no specific prescribed timeline to complete this element of the Requirement in

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
					advance of the 2029 deadline.
#8		In the interim, 2016 census data shall be applied for target setting with respect to Indigenous Peoples. This figure is 4.9%.		Complete	The Program set the interim target for Indigenous Peoples at 4.9%.
#9	7	The Program shall require that institutions within the Program's "large category" (as defined by the Program) set and meet targets at the Tier 1 and Tier 2 levels, and not aggregated across the two levels.	1.1	Complete	The Program ensured that the CRC Program's "large category" institutions have been instructed to set and meet targets at the Tier 1 and Tier 2 levels.  The assessment found that 16 of 16 (100%) of the "large category" institutions (i.e., institutions with 40 or more Chairs) set targets at the Tier 1 and Tier 2 level consistent with the Addendum requirements.
#10	8	The Program's equity target data shall be reviewed and revised after the 10-year period and every five years thereafter, provided that adequate updated data, including but not limited to census data, is available.	1.1	Not started	The Program is required to review and revise the equity data after the 10-year period (December 2029) and every five years thereafter. It is reasonable that initial work on performing this review and revision

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
					has not commenced 7-8 years in advance.
#11	9	The Program shall monitor and enforce the target deadlines. The Program may withhold peer review of new nominations for non-compliant institutions in cases where the nomination would not help to meet the institution's equity targets, as stipulated by the Program's governance committees.	2.3	Complete	The Program identified and managed non-compliance.  In January 2022, the Program introduced additional requirements for new nominations of Chairholders to ensure that equity targets are considered. In addition, the 2021 Agreement includes consequences that must be imposed on institutions when equity targets are not met.
#12	10	The Program may permit a minus 10% variance (rounded up to a minimum of one chair) of the targets of an institution on an exceptional and limited basis within the Program's monitoring and enforcement processes. This variance acknowledges potential challenges faced by institutions in meeting targets such as (but not limited to): institutions not having	2.3	Not started	The Program intends to develop the methodology for applying the minus 10% before the December 2023 requirement.  The Program has not applied the variance since the 2019 Addendum was signed.

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
		empty allocations to address their gaps within the timelines specified; the Program's re-allocation process, which may see institutions lose allocation(s) every few years; early terminations of chairs (e.g., retirements, departures to other institutions, etc.); and self-identification being an individual's choice.			
#13	11	Institutions that consistently do not meet required targets may face additional measures, to be determined at the discretion of the Program's governance committees.	2.3	Not started	The first target reporting deadline has not passed as of the completion of the assessment fieldwork. The Program has not applied the variance since the 2019 Addendum was signed.  The Program intends to develop a methodology for applying "additional measures" prior to the end of December 2023, including the minus 10% variance mechanism in Requirement 10.
#14	12	The Program shall, using best practices, collect disaggregated self-identification	1.2	Complete	The Program collected self-identification data from chairholders

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
		data from nominees and chairholders with respect to gender identity or expression, disability, Indigenous, race, and sexual identities, and sexual orientation, and publicly report such data on an intersectional basis subject to the federal <i>Privacy Act</i> .			and nominees on a disaggregated basis, with respect to gender identity or expression, disability, Indigenous, race, and sexual identities, and sexual orientation.  The Program publicly reported data on an aggregated intersectional basis.
	13	The Program shall, by updating available Program materials and using best practices:			
#15	13a	encourage nominees and chairholders to self-identify to the Program in all groups that apply to them;	2.2	Complete	The Program literature included multiple Frequently Asked Question (FAQ) pages explaining the importance for chairholders and nominees to self-identify to the Program, while clarifying that chairholders and nominees had the option to not specifically identify their representation – the “ <i>I prefer not to answer</i> ” option.



Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
#161	13b	conduct on-going surveys to refresh the Program's data, and provide active chairholders with opportunities to periodically update their self-identification data during their terms; and	1.2 2.2	Complete	<p>The Program conducted a survey in the Fall 2019 and intends to conduct a subsequent survey after updating the self-identification form.</p> <p>The Program provides active chairholders with opportunities to update their self-identification data during their terms.</p>
#17	13c	individuals that belong to more than one of the designated groups shall be reflected in all groups as applicable within the Program's data on an intersectional basis subject to the federal <i>Privacy Act</i> .	1.2	Complete	The Program updated program materials and used best practices to reflect individuals that belong to more than one of the designated groups on an intersectional basis and consistent with the federal <i>Privacy Act</i> .
#18	14	Within twelve months of the signing of the Addendum and thereafter, the Program's self-identification form shall include the option for nominees and chairholders to self-identify as "white".	2.2	Complete	The self-identification form includes the option for nominees and chairholders to self-identify as "white".

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
#19	15	Within twelve months of the signing of the Addendum and thereafter, the Program's self-identification form shall include a question on gender identity or expression and sexual identity and orientation.	2.2	Complete	The self-identification form includes a question on gender identity or expression and sexual identity and orientation.
#20	16	The Program shall continue to collect self-identification data on a disaggregated basis by available means (e.g., the self-identification form). The Program shall continue to monitor the level of representation within the Program.	1.2	Complete	The Program collected self-identification data from chairholders and nominees on a disaggregated basis.  The Program monitored the representation of the four designated groups and periodically reporting the aggregate anonymized information back to institutions.
#21	17	The Program shall, using the data collected, monitor the nomination rates and level of representation of the LGBTQ+ community within the Program, gather and implement sound approaches to increase representation by LGBTQ+ chairholders in the Program, and require	1.2	In-progress	The Program is collecting self-identification data from chairholders and nominees on a disaggregated basis.  The Program is still in the process of collecting a sufficient amount of data

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
		institutional initiatives to implement such approaches (e.g., within their equity, diversity and inclusion action plans ["EDI action plans"]).			upon which to determine representation of the LGBTQ+ community in the Program, having only started data collection in June 2020 (it does not yet have a full dataset of all chairholders).  The Program must also identify a credible and objective source of LGBTQ+ representation statistics.
#22	18	The Program shall revise its Best Practices Guide to include measures encouraging the nomination and retention of LGBTQ+ nominees and chairholders.	2.2	Complete	The Program has prepared and published a best practices guide for recruitment, hiring and retention that include the EDI practices which consider LGBTQ+ researchers. The guide will be updated periodically.
#23	19	Subject to the federal <i>Privacy Act</i> , the Program shall make biennial public reports on representation at the Program level, on a disaggregated and intersectional basis. The Program shall require that institutions provide a link to	2.1	Complete	The program reports publicly twice a year on the representation of the four designated groups on an "intersectional" and disaggregated approach.  The assessment found that 11 of 11

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
		this data on their public accountability and transparency web pages.			(100%) institutions sampled provided a link to the Program statistic data on their public accountability and transparency web pages.
#24	20	The Program shall continue to report the target goals set for each participating institution.	2.1	Complete	The Program reported on the target goals by each participating institution.
#25	21	The Program shall, subject to the federal <i>Privacy Act</i> , report on institutional representation and target gaps on a disaggregated and intersectional basis.	2.1	Complete	The published reports are presented on a disaggregated and intersectional basis.
#26	22	The Program shall continue to require that institutions meet annual public accountability and transparency requirements, with the required information being made available on their public websites as stipulated by the Program.	2.1	Complete	The Program required institutions to meet annual public accountability and transparency (PAT) requirements.  The assessment found that 11 of 11 (100%) of the institutions sampled in the audit made available the required information on their PAT web pages.
#27	23	The Program shall continue to require	2.1	Complete	The Program requires that all the

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
		that institutions develop and implement an EDI action plan.			institutions with 5 or more chairs must continue to meet the EDI action plan requirements.  The assessment found that 11 of 11 (100%) of the institutions sampled have developed and progressively implemented EDI action plans.
#28	24	The Program shall continue to require that institutions make their EDI action plans publicly available on their public accountability and transparency web pages.	2.1	Complete	The assessment found that 11 of 11 (100%) of the institutions sampled made their EDI action plans publicly available on their PAT web pages.
#29	25	EDI action plan requirements for institutions with fewer than five chair allocations shall be adapted to reflect the capacity of these smaller sized institutions while maintaining a strong commitment to the principles of EDI.	2.1 2.2	In-progress	The Program is gathering lessons learned from implementation of EDI action plans in medium and large institutions and has planned consultations with smaller institutions to inform these requirements.
#30	26	The Program shall continue to engage an external EDI panel in the review of all	2.1	Complete	The Program formed the Equity, Diversity, and Inclusion External

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
		institutional EDI action plans as stipulated by the Program's governance committees. The institutional results of the external review of the EDI action plans shall be made publicly available.			<p>Review Committee to review the institutional EDI action plans for larger institutions.</p> <p>The results of the Panel reviews and follow up of the EDI action plan for each institution is published on the Program website.</p>
#31	27	The Program shall continue to require that institutions report annually on their progress in implementing their EDI action plans, both to the Program and on their institutional public accountability and transparency web pages	2.1	Complete	<p>Reports on institutions' progress in implementing their EDI action plans are required annually. The Program publishes the institutions' EDI action plan review results. Also, the assessment found that 11 of 11 (100%) of the institutions sampled have plans and corresponding annual progress reports available on the institutions' public accountability web pages.</p>
#32	28	The Program shall publish this Addendum on the Program website and shall require institutions to either publish or provide a	2.1	Complete	<p>The Addendum is published on the Program website.</p> <p>The assessment found that 11 of 11</p>

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
		link to the Addendum on their public accountability and transparency websites.			(100%) institutions sampled either publish or provide a link to the Addendum on their public accountability and transparency websites.
#33	29	The Program shall continue to require that institutions follow the Program's recruitment and nomination requirements for every nomination.	2.1	Complete	The Program literature clearly states the recruitment and nomination requirements that must be followed for the institution generally and for each nomination (other than renewals).
	30	The Program shall require that institutions provide the following for each new nomination (i.e., nominations other than renewals):			
#34	30a	The Program shall require that institutions continue to provide a link to all chair advertisements to the Program on the day that they are posted. If the Program finds that an advertisement does not meet the requirements for chair postings,	2.1	Complete	The Program requires institutions to provide a link to all chair postings. The CRCP reviews each posting for all requirements and monitors that institutions revise and repost any advertisement that do not meet all

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
		it shall require that the institution revise and repost the advertisement for a minimum of thirty days before the recruitment process may proceed.			requirements.
#35	30b	The Program shall require that institutions, before proceeding to the nomination stage to fill an empty chair allocation, submit to the Program a “mid-point attestation” by a senior university official, using a form provided by the Program. The attestation shall confirm that the institution has complied with the Program’s requirements for the recruitment and nomination stages completed to that point (i.e., Candidate Search and Committee Review stage).	2.1	Complete	The Program required senior university official(s) to provide a mid-point attestation, on a form provided by the Program.
#36	30c	The Program shall continue to require that all nomination packages for new nominations submitted by institutions include a final certification by a senior university official, using a form provided	2.1	Complete	The Program has incorporated the final certification as a module in the Convergence system used to transmit all nominations to the Program. Attesting to compliance with all



Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
		by the Program and attesting that the institution's recruitment and nomination process complied with all Program requirements.			Program requirements is acknowledged in the submission of the nomination.
#37	30d	The Program shall not proceed with the evaluation of a nomination and the nomination shall be withdrawn if an institution fails to provide the required certifications.	2.1	Complete	<p>The Program designed and implemented a process to obtain certification of attestations prior to proceeding with the evaluation of a nominations.</p> <p>The assessment found that 13 of 13 (100%) of institutions sampled provided certification of the mid-point attestation in advance of the evaluation of the respective nomination.</p>
#38	31	The Program shall continue to carry out regular monitoring exercises to ensure that institutions fully meet the Program's requirements... Based on the results of its monitoring exercises, the Program may refuse a nomination and require that	1.2	Complete	The Program designed and implemented the monitoring component of the requirement and the regime to refuse nominations.

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
		the institution re-advertise the Chair position and conduct a new recruitment and nomination process.			
#39		The Program shall continue to carry out regular monitoring exercises to ensure that institutions fully meet the Program's requirements, <i>including a randomized review of the recruitment processes of a sub-set of nominations each nomination cycle.</i>		Not started	The Program has yet to develop a "randomized review of the recruitment processes of a sub-set of nominations each nomination cycle".  There is no specific prescribed timeline to complete this component of the Requirement in advance of the 2029 deadline.
	32	The Program shall continue to implement its efforts to promote compliance with equity targets and EDI action plans, including:			
#40	32a	continuing to ensure that the Program's requirements take into consideration career interruptions for Tier 2 Chair eligibility and that Chair postings and advertisements specifically mention these	2.1	Complete	The Program requirements for consideration of career interruptions in relation to Tier 2 Chair eligibility is included on the Program website. The review of job posting includes

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
		measures;			ensuring reference is made to the process to provide the relevant information on career interruptions.
#41	32b	continuing to issue open letters to institutions from time to time to inform on progress, communicate changes, encourage initiatives, and promote EDI;	2.2	Complete	The Program issues open letters to call attention to major announcements.
#42	32c	continuing to update the publicly available EDI Best Practices Guide to assist institutions;	2.2	Complete	The EDI Best Practices Guide is available on the Program website. The Guide is updated regularly (last update was March 2020).
#43	32d	maintaining EDI as part of the key responsibilities for senior Program positions;	2.1	Complete	The job description for Senior positions within TIPS includes references to EDI as a major responsibility.
#44	32e	continuing to monitor exit surveys and progress reports submitted by chairholders to identify systemic barriers, and attempting to address such barriers, as required, within institutions' EDI action	1.2	Complete	The Program implemented a process to monitor exit surveys and progress reports.

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
		plans;			
#45	32f	maintaining an EDI Advisory Committee with a mandate to advise Program' governance committees on EDI measures for the Program;	2.1	Complete	The EDI Advisory Committee meets annually and advises the Steering committee and Management committee of Program on EDI matters for all granting programs.
#46	32g	continuing to require all institutions to provide EDI related training (e.g., unconscious bias) to all key individuals involved in the recruitment and nomination processes of the Program;	2.2	Complete	The midpoint attestation form required for each new nomination includes attestation to continuing EDI training by nomination committee members.  Training for administrators and faculty involved in the recruitment and nomination processes is a requirement of institutional EDI action plans.
#47	32h	requiring all governance committee members and Program staff to undertake annual EDI training;	2.1 2.2	Complete	EDI training for governance committee members is required in the Terms of Reference (TOR) for each committee. All SSHRC staff have a requirement for basic EDI training.

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
					Additional annual training is provided to TIPS staff.
#48	32i	undertaking a review of the Program's literature and adding EDI considerations where necessary;	2.2	Complete	<p>The Program website includes links to EDI considerations for all parts of the Program.</p> <p>The Program website is reviewed periodically and the EDI pages are reviewed annually.</p>
#49	32j	monitoring success rates on a regular basis to monitor for systemic barriers;	1.2	Complete	<p>The Program gathers and analyzes data to determine the representation (success rates) among the Chairs on a regular basis.</p> <p>Several in-depth studies to analyze success rates and systematic barriers within the nomination process are in the planning stage.</p>
#50	32k	requiring that EDI measures be included in all formal evaluations of the Program; and	2.1 2.2	Complete	The 2022 Evaluation of the Program includes analysis and reporting specifically on EDI measures.

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
#51	32I	adding the recognition of different research approaches as needed (e.g., Indigenous ways of knowing, research-creation, clinical research) and career pathways within the assessment of productivity guidelines for nominees to Chair positions.	2.2	Complete	Nomination guidance and Peer Review guidelines have been updated to consider different research approaches and career pathways.
#52	33	The Program shall identify participating institutions that repeatedly fail to meet the Program's recruitment and nomination requirements for Canada Research Chairs, and	2.3	Not started	The Program has not defined "repeatedly fail to meet".  There is no specific prescribed timeline to complete this element of the Requirement.
#53		the Program shall engage in targeted monitoring activities of such institutions and address compliance and enforcement as needed.		Not started	The Program has not engaged in targeted monitoring activities of institutions over and above the regular monitoring in Requirement 31.  There is no specific prescribed timeline to complete this element of the Requirement.

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
#54	34	The responsibility of implementing the Settlement Agreement and this Addendum in good faith shall be added to the terms of reference of the Program's governance committees.	2.2	Complete	The responsibilities listed in the TORs for the Program Steering Committee and Management Committee were amended in January 2021 to include: Implement in good faith the 2006 Canadian Human Rights Settlement Agreement and its 2019 Addendum for the Canada Research Chairs Program.
#55	35	A formal assessment of the implementation of the Settlement Agreement and this Addendum shall be conducted by the Program's internal audit team of the Social Sciences and Humanities Research Council (or by an external audit team) three years after the Addendum is signed and every five years thereafter with the resulting report to be made publicly available.	2.1	Complete	This publicly available report provides a formal assessment of the progress made in the implementation as of June 2019 to December 31, 2022.
#56	36	The Program shall hire an external consultant to complete an Equity (GBA+)	2.1	Complete	The 2022 Evaluation report and two external reports commissioned by the

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
		analysis of the Program. The analysis shall include a review of broader systemic issues within the academy which impact the Program.			Program will consider aspects of Equity within the Program.
#57	37	Institutions that do not meet EDI action plan requirements shall have their peer review withheld for all new nominations other than those that help meet targets, at the discretion of the Program's governance committees.	2.3	Complete	Consequences are clearly articulated in the Program literature regarding the steps it would take regarding institutions not meeting their EDI action plan requirements. Consequences are enforced appropriately by the Program.
#58	38	Institutions that are found not to meet public accountability and transparency requirements or EDI action plan requirements shall be subject to additional measures to enforce compliance, at the discretion of the Program's governance committees.	2.3	Complete	The Program has set a consequences framework for institutions that do not meet the Program's EDI requirements including EDI action plan and PAT requirements. Also, consequences are enforced appropriately.
	39	The Program shall:			



Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
#59	39a	require all nominees to include information regarding EDI training strategies in their nomination package;	2.2	Not started	The Program validated that the implementation of this requirement will be done in 2023-24.
#60	39b	require institutions to address EDI requirements related to the institutional environment and support (e.g., mentorship) in the nomination package;	2.2	Not started	The Program validated that the implementation of this requirement will be done in 2023-24.
#61	39c	add a question to the chairholder progress report to monitor the EDI requirements within the chairholder's training plan as outlined in the nomination package;	2.2	In-progress	The Program reporting tools are updated and translated and will be implemented to institutions in early 2023.
#62	39d	add a question to the chairholder progress report that allows chairholders to report to the Program on potential systemic barriers;	2.2	In-progress	The Program reporting tools are updated and translated and will be implemented to institutions in early 2023.
#63	39e	add a section to the institutional EDI action plan progress report template regarding addressing systemic barriers	2.2	Complete	In developing their action plans, institutions are required to identify the specific systemic barriers and/or

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
		more broadly within institutions;			challenges that are faced by underrepresented groups at the respective institution. The added section E into the progress report template addresses efforts made by institutions to address systemic barriers broadly within the institution.
#64	39f	require that institutions, in their EDI action plans, develop a plan to adopt best practices for applying an intersectional lens in implementing EDI measures and to report publicly on the representation within their chair allocation on an intersectional basis, while respecting the federal <i>Privacy Act</i> ,	2.2	In-progress	The best practices guide developed by the Program asks institutions to consider, while preparing organizational allocation and planning, the review of current policies, practices and procedures through an EDI an intersectional lens to identify potential gaps, areas for improvement and areas of strength in the recruitment and retention of underrepresented groups. Also, the institutions are required to monitor with an intersectional lens.
#65	39g	conduct a review of the Program's	2.2	In-	Even though the EDI objectives are

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
		evaluation criteria, Program literature, peer review literature, and nomination packages with the goal of supporting and promoting an inclusive view of research excellence;		progress	embedded in the program literature with the goal of supporting and promoting an inclusive view of research excellence, the Program is aiming to complete an additional review in 2024.
#66	39h	provide additional training for the College of Reviewers and peer review committee members regarding unconscious bias, an inclusive view of research excellence, and recognizing all types of career paths; and	2.2	In-progress	Training is planned to be launched in 2024.
#67	39i	add best practices for applying an intersectional lens in implementing EDI measures to the Program's EDI Best Practices Guide.	2.2	Complete	The best practices guide developed by the Program asks institutions to consider, while preparing organizational allocation and planning, the review of current policies, practices and procedures through an EDI and intersectional lens to identify potential gaps, areas for improvement and areas of strength in

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
					the recruitment and retention of underrepresented groups.
#68	40	The Program shall develop, maintain, and implement a communications strategy to promote the self-identification of individuals from underrepresented groups who participate in the Program, to highlight the research excellence of individuals from underrepresented groups who participate in the Program, and to promote the links between EDI and research excellence.	2.2	Complete	Program puts in place communication tools and mechanism to demonstrate how it is important that the participation of nominees and potential chairholders to the Program be reflected within the Program's statistics.
#69	41	The Chair Program's annual EDI institutional award shall be renamed the "Robbins-Ollivier Award for Equity, Diversity, and Inclusion Excellence" and include a research grant to the institution.	2.2	Complete	The Program has launched the inaugural Robbins-Olivier Award for Excellence in Equity (March 2022). the Program Steering Committee approved that the award be valued at \$100,000 and that three awards be conferred annually.
	42	The Parties further agree that:			

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
#70	42a	this Addendum was originally prepared in English. A French translation will be prepared by the Respondent and made public with this Addendum. Should any conflict arise between the originally prepared English version and any translation, the originally prepared English version will take precedence;	2.2	Complete	The 2019 Addendum is publicly available in English and French.
#71	42b	this Addendum to the Settlement Agreement shall be in effect and have force as of the latest date of signing;	2.2	Complete	The Addendum is in effect and have force as of the latest date of signing.
#72	42c	this Addendum shall be a public document in its entirety, including the original Settlement Agreement;	2.2	Complete	The 2019 Addendum is publicly available in English and French, including the 2006 original Settlement Agreement.
#73	42d	this Addendum may be signed separately by the parties, all signed versions to be identical in force and effect;	2.2	Complete	The 2019 Addendum is signed by all parties and is publicly available.
#74	42e	should there be disagreement between	2.2	Complete	There were no disagreements that

Table IV: Assessment of 2019 Addendum Requirements					
Assessment #	2019 Addendum Requirement		Related Criterion	Assessed Status	Description of the status
		the parties in respect of the terms of, or compliance with, this Addendum or the Settlement Agreement, the parties agree to participate in constructive discussion prior to taking other steps;			involved discussions between parties in the period under audit.
#75	42f	this Addendum may be revised upon written agreement and consent of all parties;	2.2	Complete	There were no changes or revisions to the 2006 Settlement Agreement or the 2019 Addendum in the period under audit.
#76	42g	the terms and conditions of this Addendum are as between the signatory Parties only, and may not be assigned, transferred, or otherwise passed to any individual or entity; and	2.2	Complete	Terms and conditions of the Addendum and its implementation are the main responsibility of the Program and are not assigned, transferred, or passed to others.
#77	42h	the terms of this Addendum do not preclude the Program from implementing additional, complementary measures, as deemed necessary, to increase the level of EDI within the Program and promote best practices.	2.2	Complete	The Program is adapting and improving tools and approaches to increase the level of EDI and promote best practices.

Table V: Assessment of the 2021 Settlement Agreement Requirements					
Assessment #	2021 Settlement Agreement Requirement		Related Criterion	Assessed Status	Description of the status
#78	1	The Program shall use an enforcement by default' approach when implementing consequences on institutions for not meeting its equity, diversity and inclusion (EDI) requirements. The Program may, in extraordinary circumstances and/or events reasonably outside of the control of an institution, provide an extension to an institution for meeting its requirements for a period not to exceed twelve months.	2.3	Complete	Please refer to the requirements # 9, 10, 11, 31, 33, 37 and 38.
#79	2	The Program shall monitor and enforce its equity targets at each of the staggered deadlines set by the Program (December 2022) December 2025, and December	2.3	Complete	Please refer to the requirements # 1, 2, 3, 9, 10, 11, 20, 21 and 37.

Table V: Assessment of the 2021 Settlement Agreement Requirements					
Assessment #	2021 Settlement Agreement Requirement		Related Criterion	Assessed Status	Description of the status
		2027), within the period leading up to the final deadline (December 2029) for meeting the population level targets as stipulated in the 2019 Addendum. Where equity targets are not met at each of the staggered deadlines, institutions will be limited to submitting new nominations to the Program only in cases where the candidates self-identify as belonging to one or more of the four designated groups.			
#80	3	Where institutions do not meet the final deadline for meeting their population-based equity targets as stipulated in the 2019 Addendum, the Program will reduce the number of chairs allocated to such institutions. By December 2023 the Program's governance committees will establish and publish on its website the amount of the reduction and the period of time that the consequence for not meeting the final deadline will be applied.	2.3	Not started	By December 2023 the Program's governance committees will establish and publish on its website the amount of the reduction and the period of time that the consequence for not meeting the final deadline is applied.



Table V: Assessment of the 2021 Settlement Agreement Requirements					
Assessment #	2021 Settlement Agreement Requirement		Related Criterion	Assessed Status	Description of the status
#81	4	Where institutions do not meet the EDI action plan requirements by the final review stage of the peer review process for action plans to be finalized by May 28, 2021, the peer review decisions (and where applicable their associated funding for chair awards) for all nominations submitted to the Program shall be withheld, until those requirements are met.	2.3	Complete	Please refer to the requirements # 37 and 38.
#82	5	Institutions that do not meet public accountability and transparency requirements shall have the peer review decisions (and where applicable their associated funding for chair awards) for all nominations submitted to the Program withheld, until those requirements are met.	2.3	Complete	Please refer to the requirements # 37 and 38.
#83	6	The Program will publish on its website the specific consequences for failure to comply with its EDI requirements by July	2.3	Complete	Please refer to the requirements # 37 and 38.

Table V: Assessment of the 2021 Settlement Agreement Requirements					
Assessment #	2021 Settlement Agreement Requirement		Related Criterion	Assessed Status	Description of the status
		4, 2021, other than where the deadline for publishing the details is December 2023 per paragraph 3 above.			
#84	7	The Program will dedicate a page on its website to publicly identify institutions which have consequences imposed against them for noncompliance with the EDI requirements in paragraphs 2--5, and for what reason, in a manner that is aligned with the federal <i>Privacy Act</i> . The page will be updated within 60 days as consequences are enforced and/or lifted.	2.3	Complete	Please refer to the requirements # 37 and 38.
#85	8	The implementation of consequences will be formally audited as part of the Program's audit which is planned for 2022-2023. The audit of the report will be made public on the Program's website.	2.1	Complete	Please refer to the requirements # 35, 37 and 38.

## APPENDIX II – AUDIT LINES OF ENQUIRY AND CRITERIA

The following areas of examination and the associated criteria were derived during the audit planning phase.

### 1. Data Management

- 1.1. Equity targets are set using the data sources required by the 2019 Addendum.
- 1.2. Self-identification data is collected based on best practices and analyzed to monitor the level of representation within the Program.

### 2. Accountability, Compliance and Enforcement

- 2.1. The Program meets the compliance and accountability requirements included in the 2019 Addendum.
- 2.2. Program literature is reviewed and updated according to the requirements of the 2019 Addendum.
- 2.3. Enforcement measures are implemented when equity targets, EDI action plan, public accountability and transparency requirements are not met.

## APPENDIX III – MANAGEMENT RESPONSE TO 2023 AUDIT RECOMMENDATIONS

### Covering Memo

The [Canada Research Chairs Steering Committee](#) is pleased the audit has found that strong progress has been made in implementing the 85 commitments of [the 2019 Addendum](#) ('the Addendum') to the 2006 Canadian Human Rights Settlement Agreement in the three and a half years since its signing in May 2019. This finding is directly aligned with program management's steadfast commitment towards addressing the [persistent inequities and barriers](#) that have led to the long-standing underrepresentation of researchers who are women, gender minorities, racialized, Indigenous, disabled and who are part of the 2SLGBTQIA+ communities, in both the Canada Research Chairs Program (CRCP) and the research ecosystem more broadly.

To successfully implement the Program's [EDI action plan launched in 2017](#) and the 2019 Addendum, the Program has relied on participating institutions to do their part to identify and redress the systemic barriers in their policies and processes by developing and implementing their institutional EDI action plans for the CRCP, meeting their equity targets and meeting the Program's other public accountability and transparency requirements. That such strong progress has been made in implementing the Addendum in the context of a years-long, world-wide global pandemic demonstrates the collective willingness to work together towards greater equity. This collaboration has led to [strong progress being made in increasing the longstanding underrepresentation](#) in the Program over a short period of time. These historically high levels of participation of individuals from underrepresented groups in the Program demonstrate the full breadth of excellent research talent available in the ecosystem that was previously not being tapped into and valued. These results also demonstrate how actively identifying and addressing systemic barriers is critical to the excellence of Canada's research ecosystem. Despite the progress made in addressing the underrepresentation in the program, the tri-agencies understand that the numbers tell only one part of the story. Further efforts are needed across the research ecosystem to continue to address the barriers that negatively impact the lived experiences of researchers who are women, gender minorities, racialized, Indigenous, disabled and who are part of the 2SLGBTQIA+ communities.

In alignment with the audit’s findings, program management recognizes the importance of engagement and of clarifying roles, responsibilities and timelines more fully in the coming years.

The following table is the Canada Research Chairs Management Response Action Plan to the audit recommendations, and includes columns for the recommendation number, the Recommendation text, the Management Response, the management lead for the action and a target date for the completion of each action.

Table VI: Management Response Action Plan				
Item	Recommendation	Management Response	Lead	Target Date
1	The associate vice-president, TIPS, should develop a plan to complete the 2019 Addendum and the 2021 Settlement Agreement requirements, which includes action items, roles and responsibilities, and timelines.	Agree.  The program will develop a roadmap to identify the roles, responsibilities, and timelines of the ongoing and outstanding measures of the Addendum more clearly.	Director, Performance, Equity and Diversity	2024-25  Q4
2	The associate vice-president, TIPS, should develop a methodology for the risk-based monitoring of Chair nominations that includes: <ul style="list-style-type: none"> <li>• a process for the randomized review of nominations, as required in the Addendum;</li> <li>• a definition of institutions that “repeatedly fail” to meet the recruitment and nomination requirements of the Program; and</li> </ul>	Agree.  The program currently monitors participating institutions for compliance on a large number of activities. The program will, as is recommended, develop a risk-based monitoring approach for the review of recruitment processes and, as part of this approach, identify a definition for “repeatedly fail”.	Director, Programs	2024-25  Q4

	a plan for targeted monitoring of institutions that repeatedly fail to meet the recruitment and nomination requirements.			
3	The associate vice-president, TIPS should develop a comprehensive framework that defines the criteria of non-compliance and the associated consequences in terms of nominations, peer reviews, funding for chairs and re-allocation of chairs, including roles and responsibilities for imposing and removing consequences.	<p>Agree.</p> <p>The Program already has an established <a href="#">framework</a> which outlines the Program's consequences for non-compliance as is required of the <a href="#">2021 agreement</a>. The program is currently working towards identifying the additional consequences that will be imposed in cases where institutions do not meet their population level equity targets by the December 2029 deadline. As part of this work clarity around the use of the 10% variance will be published on the Program's website prior to December 2023. As part of this update, the Program will also clarify the roles and responsibilities for imposing and removing consequences.</p>	<p>Director, Performance, Equity and Diversity</p> <p>and</p> <p>Director, Programs</p>	<p>2024-25 Q4</p>