



Committed to Listening

National Capital Commission Ombudsman

Annual Report 2011

What Is an Ombudsman?

The word *ombudsman* is of Swedish origin. In Sweden, the role was established to create an avenue for addressing individual complaints made against public agencies.

An ombudsman is an independent, objective officer who deals with complaints against government agencies or other organizations, in the public or private sector. A complaint is addressed to an ombudsman if a government agency or organization has been unwilling or unable to resolve the complaint to the satisfaction of the public or the individual complainant.

An ombudsman receives complaints through formalized and standardized intake processes. The ombudsman must first assess whether or not a complaint falls under the office's jurisdiction and if it has merit. An ombudsman must work independently and impartially, meaning that the ombudsman holds no interest in the outcome of a dispute, other than to leave the parties involved feeling that the process was transparent, neutral, accessible, easy to understand and fair. Resolution is most often achieved by establishing trust and communication, coupled with the ombudsman's judgment about what are fair and reasonable actions between the parties.

An ombudsman has the discretion to act informally, and will advise the parties involved about the receipt of a complaint. Most often, the reason for the complaint is not due to agency fault, and the dispute is resolved through discussion.

When appropriate, the ombudsman will make non-binding recommendations about how to resolve a dispute. The decision to implement any recommendations rests entirely with those appointed to manage the agency.

The ombudsman is not an advocate for the complainant or for the NCC.

Strategic Goals Achieved in Year Three

Service access

Complaint processing

Sound analysis of issues

Data capture and sorting

Resolution of complaints

Public reporting

Continuous improvement of knowledge and skills

Education

Adherence to terms of reference, ethical standards, policies, procedures and values

Mandate

The ombudsman, within the limitations of the mandate, provides members of the public with an independent, confidential, neutral, fair and equitable mechanism for resolving complaints relating to the activities of the National Capital Commission (NCC), when avenues internal to the NCC have been exhausted.

Mission

The mission of the ombudsman is to listen carefully and with an open mind to concerns and complaints raised by members of the public. When deemed appropriate, the ombudsman will intervene or investigate, on a confidential basis, with a view to resolving complaints. The complaints are considered fairly and with impartiality.

December 31, 2011

National Capital Commission Board of Directors

Dear Members of the Board,

I am pleased to submit the *National Capital Commission Ombudsman Annual Report 2011*. This third annual report explains the mandate of the ombudsman and how the mandate is discharged, in addition to summarizing the activities of the office of the NCC Ombudsman during its third year of operations, from November 1, 2010, to December 31, 2011. Ombudsman services were delivered throughout 2011 in an effort to give members of the public a chance to be heard and to help the NCC ensure that disputes are addressed in a fair manner.



Yours truly,

A handwritten signature in dark ink that reads "Laura Bruneau".

Laura Bruneau
NCC Ombudsman

“Thank you for your continued follow-up and assistance. I have to state it is refreshing to see how conscientious you are being, and that is truly appreciated.”

How to contact
the NCC Ombudsman
confidentially

TELEPHONE

613-947-4330
1-877-947-4330 (toll-free)
613-947-4339 (TTY)
1-877-947-4339 (toll-free TTY)

FAX

613-947-4311

MAIL

NCC Ombudsman
311-40 Elgin Street
Ottawa ON K1P 1C7

EMAIL

info@ombudsman.ncc-ccn.ca

www.ombudsman.ncc-ccn.ca

The Year in Review

Ombudsman services were first introduced in April 2009 for members of the public seeking independent recourse to resolve their complaints relating to NCC activities. During the first year of operations, strategic objectives were set and achieved to establish an operational framework and launch the office, as well as build awareness and understanding in the public domain, through the use of plain language and an easy-to-follow complaint process. The second year of operations was directed at initiating the ombudsman's role in dispute resolution.

The annual budget for the office is approved by the NCC board of directors and administered by the NCC's corporate secretariat. In 2011, the office of the NCC Ombudsman employed one full-time person. The Ombudsman, a part-time independent contractor, worked roughly one day a week. All operations and services are handled by the office of the NCC Ombudsman, except for corporate services, which include financial management, human resources, information technology and access to information.

In addition to responding to contacts from the public, this third year saw much time devoted to further establishing appropriate and productive relationships within the NCC. The objective was to achieve a thorough and detailed understanding of the ombudsman role within the NCC. This resulted in changes to the terms of reference, internal reporting and administrative processes.

The Ombudsman conducted intake interviews, as well as impartial reviews of unresolved complaints submitted by the public. In most cases, the outcome was to facilitate access for the complainant to relevant assistance within the NCC, as well as to help people navigate within the NCC. In certain cases, intervention by the Ombudsman was necessary, and led to the resolution or conclusion of disputes. The office of the NCC Ombudsman continues to mature, and to make progress toward realizing its full potential, and strengthening trust and collaboration between the NCC and the public.

***"Thank you for your timely response.
I appreciate the clarity of the process
for NCC complaints."***

Below are three examples of complaints where the Ombudsman intervened.

1 A complaint was filed about property maintenance of NCC land that was abutting private land. After the Ombudsman requested an on-site visit with key NCC representatives, the NCC property was extensively cleared and cleaned to the satisfaction of all parties involved.

2 A file involving the dumping of contaminated soil on NCC land led to the filing of a complaint. The soil had been dumped on NCC land at the direction of the complainant, but without the NCC's prior consent. A notice of infraction was issued to the complainant. The complainant confirmed a willingness to comply regarding the removal of the soil, but asserted that, while the NCC had initially offered to remove the dirt, it was in fact now ordering the removal of the soil at the complainant's personal expense. The Ombudsman visited the site, met with the complainant and, after coaching the complainant to pursue removing the soil, the soil was removed at no expense to either party. The NCC notice of infraction was revoked, and the dispute was resolved to the satisfaction of both the complainant and the NCC.

3 A complaint was filed about the NCC's decision to rehabilitate a trail with a new and different top dressing. Independent research findings revealed that expert trail makers supported the use of this new top dressing for trail conditions found in the Capital Region. This objective data was shared with the complainant in an effort to confirm expert support of the NCC's choice. In response to the complaint, the NCC nevertheless questioned its choice, and confirmed that this exact top dressing would be avoided in the future.

Core Services

When a complaint is received, action is taken based on what is deemed appropriate to the circumstances of each individual. At the outset, the ombudsman confirms that the complainant has discussed the complaint with the NCC directly and, if unresolved within NCC internal redress, the ombudsman proceeds with intake processes.

By way of direct contact, the ombudsman offers problem solving through coaching, informal intervention that embraces identification, internal consultation, collaboration and effective resolution of disputes. Pursuing this type of service is intended to assist in the longer term with building healthy, balanced relationships between the NCC and citizens.

It is important to ensure that complaints are addressed in a comprehensive, impartial and independent manner. Timely completion of complaint reviews is an objective, as is developing mutual and inclusive relationships to achieve better understanding and respect among all parties. The use of technology greatly enhanced workplace efficiency and document management.

Numbers at a Glance

In the year 2011, there were 101 contacts with the NCC Ombudsman.

CLASSIFICATION	NO. OF CONTACTS	PRACTICAL RESULT
Level 1	21	Referred to external department or entity due to a mistaken belief that NCC was involved.
Level 2	76	Referred to NCC Contact Centre after it was found that internal redress avenues were not called upon or not fully exhausted.
Level 3	4	Ombudsman file opened for examination or intervention.

The NCC Ombudsman represents a second level of dispute resolution. In responding to contacts to date, the Ombudsman has encouraged complainants and coached them, when appropriate, to resolve their concerns through the NCC's Contact Centre.

Complaint Types

Occupy Ottawa

Rideau Canal

Property maintenance

Land development

Pathway safety

Greenbelt trails

Winterlude

Contact Method

Email 60%

Telephone 33%

Letter/fax 5%

In person 2%

Complaint Handling

The complaint resolution process encourages the NCC to resolve complaints without redress to the ombudsman. Complaints must first be raised with the NCC's Contact Centre. Only when the NCC itself has rendered a decision or responded to a complaint may the complainant choose to appeal to the ombudsman. The ombudsman works informally and independently of the NCC administration to assess the merits of a complaint and resolve disputes.

Level 3

