



# Annual Report 2012

National Capital Commission Ombudsman



# 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 complainant.

The ombudsman must 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. Where possible, 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.**

## 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, 2012

*National Capital Commission Board of Directors*

Dear Members of the Board,

I am pleased to submit the *National Capital Commission Ombudsman Annual Report 2012*. This fourth 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 fourth year of operations. Ombudsman services were delivered throughout 2012 with the objective of giving members of the public a chance to be heard and helping the NCC ensure that disputes are addressed in a fair manner.



Yours truly,

A stylized, handwritten signature in black ink, appearing to read 'Ellen Fry'.

Ellen Fry  
NCC Ombudsman

**“I am extremely impressed with how “hands-on” and practical you are as the Ombudsman! I wish there would be many more like you, so proactive and helpful”**

**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](mailto:info@ombudsman.ncc-ccn.ca)

[www.ombudsman.ncc-ccn.ca](http://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 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.

In its fourth year of operations, the office of the NCC Ombudsman continued to grow and mature. In June 2012 Ellen Fry became the new NCC Ombudsman, bringing to the office her considerable experience in ombudsman work, dispute resolution and government operations.

In 2012 the Ombudsman, a part-time independent contractor, worked approximately one day a week. The office of the Ombudsman also employed one full-time administrative person. The annual budget for the office is approved by the NCC Board of Directors. All operations and services are handled directly by the office of the NCC Ombudsman, except for general corporate services.

“Thank you very much. I appreciate your quick response.”

“So nice to talk to someone who will listen.”

Below are three examples of complaints where the Ombudsman intervened.

**1** A business complained about a number of service issues concerning its lease with the NCC. After the Ombudsman gave neutral recommendations on how to resolve these issues, the business and the NCC were able to agree on a complete resolution.

**2** An individual complained that the NCC interrupted an activity for her family and friends on NCC land, telling her incorrectly that it was not permitted. She was concerned that the NCC's action might have been influenced by the fact that she was a member of a visible minority group. The NCC apologized for its error and the Ombudsman was able to provide information that completed the resolution of her concern.

**3** An individual complained about an NCC policy concerning NCC property. The Ombudsman determined that the NCC had given him two different NCC policies, made at different times, without explaining the relationship between the two. The Ombudsman also determined that the NCC had not given a complete response to his Access to Information request. NCC management accepted the Ombudsman's recommendation to correct these two problems.

## Core Services

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

The Ombudsman's goal is to resolve complaints in a fair way, using the simplest, least adversarial process possible. The Ombudsman uses the approach that best suits the circumstances of each individual complaint.

If a complaint cannot be resolved through agreement between the complainant and the NCC or other informal processes, the Ombudsman writes a report recommending the action the NCC should take concerning the complaint. Both the complainant and the NCC receive copies of the Ombudsman's report.

## Complaint Types

Operation of NCC policies and procedures

Lease service issues

NCC property maintenance

Other issues about NCC operations and service

## Contact Method

Email 115

Telephone 62

In person 1

## Numbers at a Glance

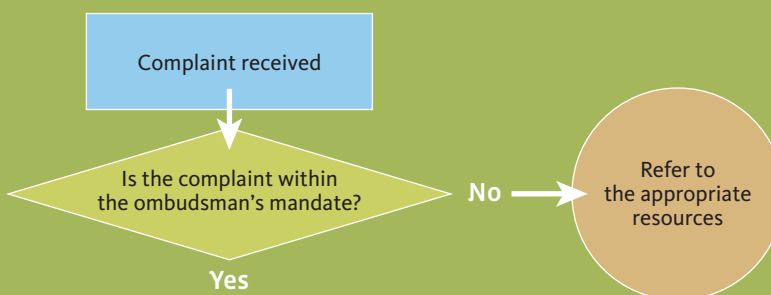
In 2012, there were 178 contacts by the public with the NCC Ombudsman.

TYPE OF INQUIRY	NO. OF INQUIRIES	ACTION
Issue outside the NCC mandate	17	Referred to a more appropriate organization
Issue within the NCC mandate, but NCC internal resolution has not yet been tried Inquiry about the Ombudsman's role	157	Explained the Ombudsman's role and referred to NCC Client Services
Issue for Ombudsman investigation	4	Investigated the complaint and recommended resolution (a total of 8 complaint issues)

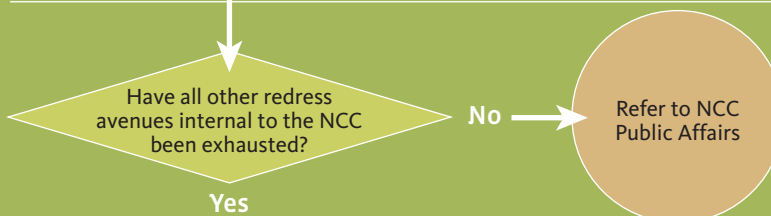
## Complaint Handling

The complaint resolution process encourages the NCC to resolve complaints without redress to the Ombudsman. Complaints must first be raised with the NCC internally. Only after this 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 1



### Level 2



### Level 3

