



ombud

NEW BRUNSWICK • NOUVEAU-BRUNSWICK

ANNUAL REPORT

2022 • 2023

Annual Report 2022-2023

Published by :

Ombud New Brunswick
P.O. Box 6000
Fredericton, New Brunswick
E3B 5H1
CANADA

February 2024

ISBN – 978-1-4605-3842-5

Printed in New Brunswick



February 1, 2024

HON. BILL OLIVER

Speaker of the Legislative Assembly of New Brunswick
Fredericton, New Brunswick
E3B 1C5

Mr. Oliver,

Pursuant to subsection 25(1) of the *Ombud Act*, section 64.3 of the *Right to Information and Protection of Privacy Act*, section 65.3 of the *Personal Health Information Privacy and Access Act*, section 20 of the *Public Interest Disclosure Act*, and section 36 of the *Civil Service Act*, I am pleased to present the Annual Report of the Ombud for New Brunswick for the period from April 1, 2022 to March 31, 2023.

Respectfully submitted,



MARIE-FRANCE PELLETIER

Ombud for New Brunswick

TABLE OF CONTENTS

TRANSMITTAL LETTER	3
MESSAGE FROM THE OMBUD	5
THE YEAR AT-A-GLANCE	6
Financial information	6
Human resources information	6
Overview of caseload	8
HIGHLIGHT OF THE YEAR'S KEY ACTIVITIES	9
Administrative Fairness	9
Information and Privacy	9
Wrongdoing	10
Operations	10
SPOTLIGHT ON INFORMAL CASE RESOLUTION	11
Administrative Fairness	11
Information and Privacy	12
WHO WE ARE AND WHAT WE DO	14
Vision, mission and values	14
Roles and responsibilities of the Ombud	15
Mandates	16
How we work	17
STATISTICAL INFORMATION	18
All mandates combined	19
Administrative Fairness	20
Information and Privacy	27



MESSAGE FROM THE OMBUD

During my first full year as Ombud for New Brunswick, our office began to tackle some of the challenges it had faced in previous years in delivering on its important oversight responsibilities. New Brunswick had once been a trailblazer by being one of the first jurisdictions in the country to create the position of Ombudsman for the province in 1967, as well as being one of the first jurisdictions in the country to recognize a legislated right to information for its citizens in 1978.

Unfortunately, over the course of several years, the office's ability to deliver fully on its mandate was slowly eroded. What resulted was an office saddled with a backlog of cases and certain important functions being insufficiently addressed, such as raising awareness about our role or working with public sector organizations to help them avoid the types of issues that lead to complaints.

Faced with these challenges, we took the first steps on our path to transform and modernize our office. We restructured the way we work to make sure we could respond to simple enquiries and complaints more quickly, while also making sure that we could deal with more complex complaints thoroughly within reasonable timelines. We addressed our backlog of information and privacy files and also made progress in advancing certain long-standing administrative fairness files.

Despite these quick successes, it became apparent that no amount of restructuring or found efficiencies could

keep the office afloat and make up for the insufficient resources allocated to the office. We conducted a thorough comparative analysis of our funding and workload, which demonstrated that our office had been chronically underfunded for over a decade or more. With this research in hand, we developed an ambitious funding proposal to correct this situation. On February 21, 2023, we learned that the Legislative Administration Committee had recommended the full funding increase we requested. This funding was later approved with the adoption of the provincial budget.

As one of our employees put it, this increased funding is transformational for our office. For the first time in many years, my team felt that the important work they do was seen and truly valued by our province's legislators.

We are in a true period of renewal towards being able to fully realize the oversight roles with which we have been entrusted. While there is no doubt we have a lot of work left to do, we are steadfast in our vision of becoming agents of positive change for the province we call home.

MARIE-FRANCE PELLETIER

Ombud for New Brunswick

THE YEAR AT-A-GLANCE

FINANCIAL INFORMATION

Budget and expenditures for fiscal year 2022-2023

EXPENDITURE	BUDGET	ACTUAL (\$)
PERSONAL SERVICES	\$1,645,698	\$1,425,380
OTHER SERVICES	\$193,902	\$302,403
MATERIALS AND SUPPLIES	\$7,700	\$9,573
PROPERTY AND EQUIPMENT	\$10,600.00	\$24,968.18
DEBT AND OTHER CHARGES	\$100	-
TOTAL	\$1,858,000	\$1,762,325

The greatest proportion of our budget was spent on salary and benefits (81%), while other expenditures accounted for 19% of our costs. These other operational

costs included office lease costs, training, consultation services, translation, and membership fees.

HUMAN RESOURCES INFORMATION

Number of employees at March 31, 2023

STATUS	NUMBER OF EMPLOYEES	NUMBER OF FTE'S
FULL-TIME PERMANENT	12	12
PART-TIME PERMANENT	3	1.9
TERM, CASUAL ETC.	4	2
TOTAL*	19	15.9

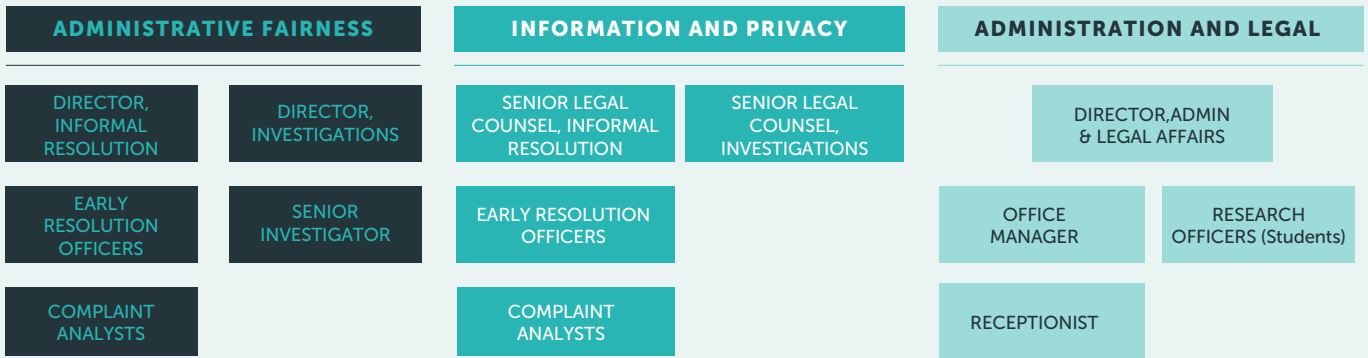
* Total does not include employees on secondment or long-term leave

During the year, we conducted three open competitions to fill vacant permanent, term and casual positions. As a result, we were able to hire two permanent employees, one term employee and two students to work during the summer break as well as part-time during the academic

year. Through a partnership with the Office of the Child, Youth and Seniors' Advocate, we were able to share the services of our receptionist throughout the year, as well as that of a senior legal counsel for the last quarter of the fiscal year.

ORGANIZATIONAL CHART

at March 31, 2023



Administrative Fairness Section
Responsible for complaints and investigations under the **Ombud Act** and **Civil Service Act**. Assists with complaints under the **Public Interest Disclosure Act**.

Information and Privacy Section
Responsible for complaints, notifications, investigations or audits under the **Right to Information and Protection of Privacy Act**, the **Personal Health Information Privacy and Access Act** and the **Archives Act**. Assists with complaints under the **Public Interest Disclosure Act**.

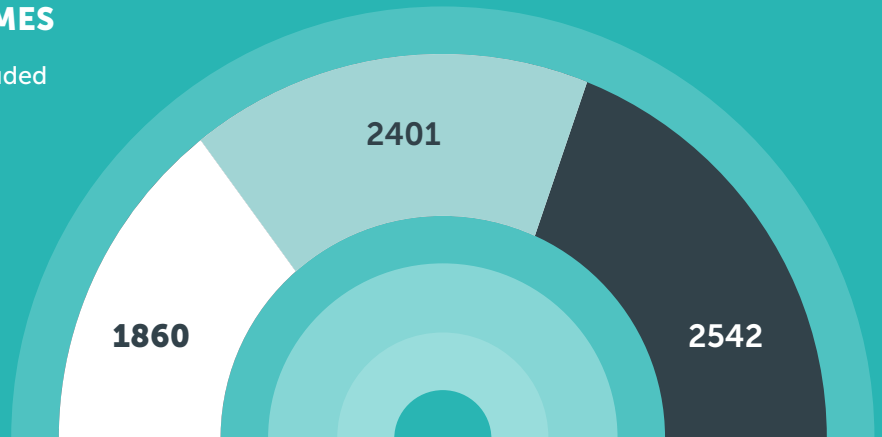
Administration and Legal Section
Responsible for administration and management services, legal affairs and research support.

OVERVIEW OF CASELOAD

OVERVIEW OF WORKLOAD VOLUMES

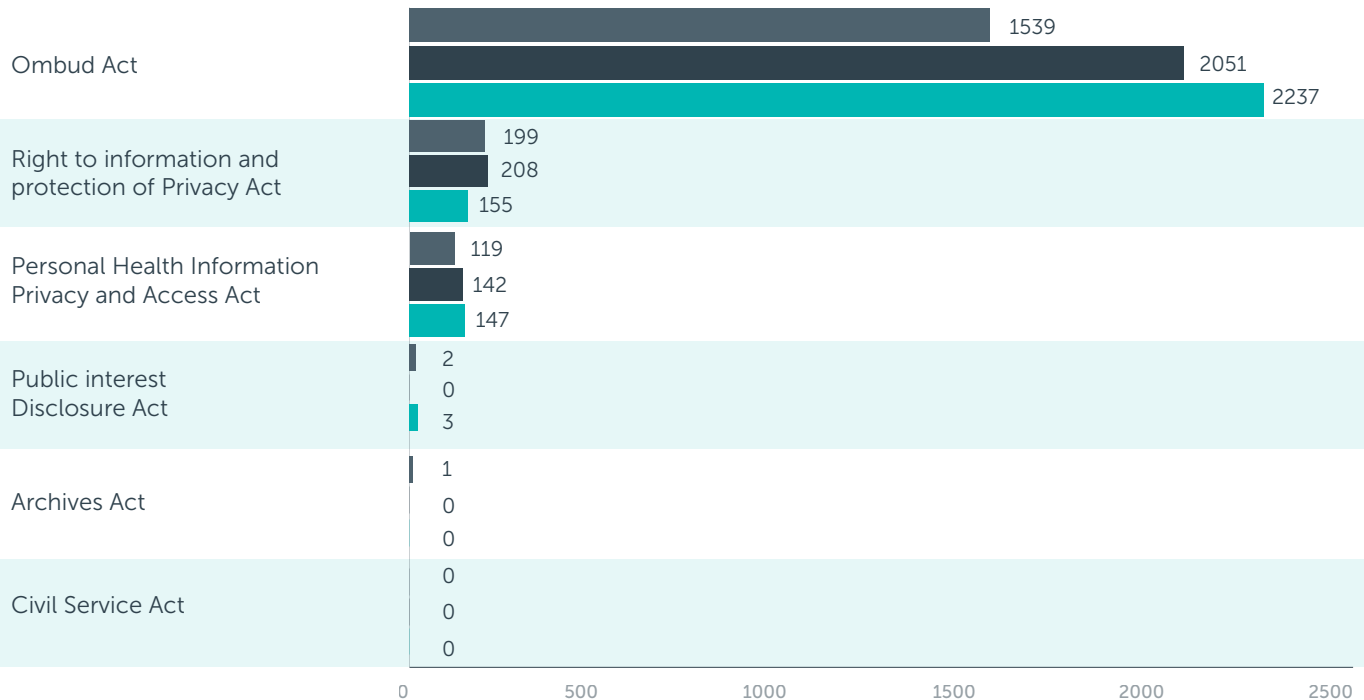
Total number of new files | All mandates included

- 2020-2021
- 2021 - 2022
- 2022 - 2023



OVERVIEW OF WORKLOAD VOLUMES

TOTAL NUMBER OF FILES | *BY LEGISLATION*



- 2020 - 2021
- 2021 - 2022
- 2022 - 2023

HIGHLIGHTS OF THE YEAR'S KEY ACTIVITIES

ADMINISTRATIVE FAIRNESS

In 2022-2023, our office continued to see a high volume of administrative fairness complaints. Complaints emanating from correctional institutions represented the largest proportion of complaints to our office in the fiscal year. We worked with corrections to highlight cultural competency for staff, with an example being the ability of Indigenous inmates to conduct smudging ceremonies. Our office undertook reviews of living conditions for inmates in various institutions, based on complaints related to mould, pest control issues and plumbing in older facilities. We continued to review use of force complaints from provincial inmates.

During the year, we noticed an increasing number of complaints regarding NB Housing. We have undertaken reviews of housing eligibility policies and processes both in respect of first-time tenants and reallocation of units based on family size. Our office continued to receive a number of complaints regarding local governments, most notably with respect to conflict of interest and codes of conduct. We note that those matters will eventually fall under the purview of the new Local Governance Commission, which was in the planning stage during this fiscal year.

INFORMATION AND PRIVACY

The Information and Privacy Section in our office saw a slight decrease in the overall number of files opened in 2022-23 compared to the previous fiscal year. Nonetheless, our team was very busy tackling a file inventory of approximately 121 open files from previous years, some of which dated back to 2018. We devised a plan to clear the backlog of oldest files first. As of March 31, 2023, there were 78 files carried forward to the new fiscal year (2023-24). Of those, only 17 had been opened in prior fiscal years (before 2022-23): one was opened in 2019-20, three were from 2020-21, and 13 were from 2021-22. All other files carried forward into the new fiscal year (61) were opened in 2022-23.

In the Fall of 2022, our office produced a submission as part of the government's RTIPPA legislative review consultation process. To inform our submission, we conducted a jurisdictional scan of key provisions in right to information and privacy legislation in other provinces and territories to compare them with New Brunswick's legislation and offer recommendations on how RTIPPA could be improved.

WRONGDOING

One of the important functions our office shares with most other ombudsman offices in Canada is the oversight of public interest disclosure legislation and the investigation of complaints from “whistleblowers” within the public service. While the *Public Interest Disclosure Act* (PIDA) was adopted over 15 years ago, each year our office receives very few inquiries under this *Act*. 2022-2023 was no exception as we received three inquiries under PIDA. In each cases, no formal complaints or investigations ensued.

OPERATIONS

Our office underwent a major restructuring exercise that involved the creation of new position descriptions and a classification exercise to ensure our employees were being compensated at an appropriate level to aid with recruitment and retention. We also adopted a remote work policy to formalize this practice within our office.

Significant effort was invested in our employee’s professional development, which like in many other organizations, had been limited during the previous years due to the pandemic. In March 2023, we organized two days of in-person training with sessions ranging from best practices in early resolution of files, how to de-escalate conflictual situations, and investigation techniques. We were particularly pleased to invite other legislative offices to benefit from this training and welcomed staff from the Office of the Official Languages Commissioner, of the Office of the Child, Youth and

Seniors’ Advocate and of the Office of the Consumer Advocate for Insurance, to participate in these sessions.

We also greatly benefitted from webinars and other virtual conferences offered by our colleagues in other parts of the country through the Canadian Council of Parliamentary Ombudsman, the Federal-Provincial-Territorial Information and Privacy Commissioners, and the Forum of Canadian Ombudsman. Finally, we also supported some of our employees in participating in French language training.

In the Fall of 2022, we undertook a meticulous analysis of the office’s resources and workload, including a comparative analysis with other similar Ombuds and Information and Privacy Commissioners’ offices across the country, as well as other legislative offices in New Brunswick. The result of our analysis showed that our office had indeed been chronically underfunded for over a decade or more, and it required a substantial influx of resources to bring it up to par with our colleagues in other parts of the country.

Equipped with this information, we developed an ambitious funding proposal to correct this chronic underfunding, but more importantly to allow us to fulfill our mandate more fully. On February 21, 2023, we learned that the Legislative Administration Committee had recommended the full funding increase we requested. This funding was later approved with the adoption of the provincial budget for the fiscal year 2023-2024.

SPOTLIGHT ON INFORMAL CASE RESOLUTION

The following are case summaries that provide examples of the types of assistance we provided last year through our early and informal resolution process.

ADMINISTRATIVE FAIRNESS | *EVICTION FROM NB HOUSING UNIT DUE TO NON-RESIDENCE*

Our office was contacted by a complainant who was being evicted from their NB Housing unit, due to a period of non-residence in the unit. The complainant explained that they did still require the NB Housing unit and had been absent temporarily to care for an ill family member.

NB Housing advised our office that a notice had been attached to the complainant's door and they had not received contact. The complainant advised that contact had now been made with NB Housing and that a supervisor was reviewing the file. The complainant was fearful that they would be evicted without being able to address their absence from the unit.

Our office confirmed with NB Housing that the matter was in the first stage of a three-level review process and that eviction was on hold pending the completion of the process. The full review process was outlined to our office, and we explained the process to the complainant. The complainant would be able to request level two and three reviews, if dissatisfied with the first stage decision.

As the complainant had an available avenue of recourse, we advised that we would be closing our file. The complainant was further advised that they could return to our office after completion of the full process. While our office does not have the power to overturn decisions of an authority, we can review a completed process to ensure administrative fairness and verify that all process steps were followed.

ADMINISTRATIVE FAIRNESS | *ELIGIBILITY TO THE PROVINCIAL DAYCARE SUBSIDY*

Our office received a complaint from a person who had recently immigrated to Canada and was attempting to apply for the provincial daycare subsidy. The complainant was advised by the Department of Social Development (DSD) that they were ineligible and could not apply for the subsidy until they had been a resident in the province for three months.

Our office contacted officials with DSD and reviewed the applicable policies. We determined that the relevant policy had been updated to remove the three-month waiting period. An applicant must now simply provide proof of residence in New Brunswick, or proof that they have applied for or received a Medicare number.

Upon further investigation, it was determined that the DSD screener had been using an out-of-date criteria sheet. The complainant was advised that they did qualify

for the subsidy and their application was screened in. The Department rectified the administrative issue by removing the outdated criteria sheets and ensuring staff received the updated information.

ADMINISTRATIVE FAIRNESS | *ABILITY TO PARTICIPATE IN SMUDGING RITUAL*

An individual complained to our office about their inability to partake in a smudging ritual following the passing of a fellow inmate. The significance of this spiritual practice in their cultural beliefs was paramount, and its omission during such a critical time was distressing for them.

Our office spoke with officials in Adult Custody Services, who responded quickly, and the complainant was able to engage in the smudging ritual. This prompt resolution allowed the complainant to honor their traditions and find solace during a period of grieving and emotional upheaval.

ADMINISTRATIVE FAIRNESS | *SUPPORTING INDIVIDUALS RELEASED FROM CORRECTIONAL FACILITIES DURING HOLIDAY PERIODS*

In November 2022, we became aware that individuals in certain provincial correctional facilities were having difficulty setting up appointments in order to access certain supports that would assist them in a successful release free from recidivism. This situation also followed the highly publicized and most unfortunate death of an individual shortly after his release from a provincial correctional facility. We began looking into the steps taken for the release of individuals to ensure they are not placed

in a precarious position, especially when usual supports are not available due to office closures over the holidays.

Our office invited officials from the Department of Public Safety and the Department of Social Development to discuss this challenge to determine if a stopgap solution could be explored. As a result, a list was drawn of individuals being released over the holiday period and plans were made for their release. This initiative served to eliminate barriers associated with poverty and homelessness for a population that often can be overlooked, but that still requires assistance to meet basic needs without having to face unfair procedural delays.

INFORMATION AND PRIVACY | *ACCESSING PANDEMIC ADVICE BACKGROUND MATERIALS*

An applicant filed a complaint related to a Department's response to their access to information request seeking all records supporting the advice that masks stop or slow the spread of COVID-19. The Department's initial response was to provide two links to federal websites. The applicant was not satisfied with this and filed a complaint with our office.

During the informal resolution process, the Department was asked to conduct a proper search for records, which it had not done initially, and which subsequently revealed over 200 pages of records. The records were provided to the applicant, with redactions made pursuant to the legislation's section 16 (relevance), 21 (third party personal information) and 26 (advice to a public body). The applicant was not happy with the redactions, and the Department was asked to reconsider some of those

redactions. It did so and as a result a revised response was sent to the applicant.

After further discussions on the revised response, the Department was asked again if it would consider disclosing more of the redacted records. In the end, the Department agreed to provide more of the redacted content. The applicant was satisfied with this second revised response and the file was informally resolved.

INFORMATION AND PRIVACY | *INAPPROPRIATE DISCLOSURE OF PERSONAL HEALTH INFORMATION*

A complainant to our office alleged that a health care custodian had shared their personal health information without consent as part of a health services referral for the complainant's child. The custodian acknowledged that it did not have consent to share the information in question.

Following our office's informal resolution efforts, the health care custodian agreed to return to its prior practice of insisting upon written consent being obtained prior to the release of personal health information and they undertook to develop a new policy to guide the process of personal health information collection and disclosure during a health services referral process. They further agreed to ensure that the new policy will be reviewed annually by all staff. The complainant was satisfied with this outcome and the file was informally resolved.

WHO WE ARE AND WHAT WE DO

VISION, MISSION AND VALUES

OUR VISION

WE ARE AGENTS OF POSITIVE CHANGE.

Ombud New Brunswick serves as a path towards a public sector where people are treated fairly, where information is shared appropriately, and where the public service is protected from favouritism and wrongdoing.

OUR MISSION

WE HELP FIND SOLUTIONS.

Ombud New Brunswick assists people and public sector organizations with their concerns by conducting impartial investigations, making recommendations and providing guidance to ensure people are treated in a consistent, fair and reasonable manner and that their rights to information and privacy are protected.

OUR VALUES

WE ARE INDEPENDENT, IMPARTIAL, AND RESPONSIVE.

Ombud New Brunswick strives to live up to the following values in the accomplishment of our work:

CONFIDENTIALITY

We conduct our investigations on a confidential basis while providing information about how public sector organizations can improve their work.

FAIRNESS

Our investigations are fair to all those involved.

IMPARTIALITY

Our investigations are impartial so that everyone can have confidence in the solutions we recommend.

INDEPENDENCE

We are free from outside influence, whether it be from politicians, media, or stakeholders.

RESPECT

We treat people with respect and dignity.

ROLES AND RESPONSIBILITIES OF THE OMBUD

The Ombud is an independent officer of the Legislative Assembly who is there to help make sure the government or other types of public organizations are treating people fairly and following the rules. The Ombud’s work promotes Fairness, Transparency and Accountability within the public sector.

People can make a complaint to the Office of the Ombud (also called Ombud NB) if:

- they feel they may have been treated unfairly by a public organization; or
- they are not satisfied with how a public organization has handled a request for information; or
- they think their personal information has not been handled properly by a public organization or by a health care provider in the case of their personal health information; or
- they want to disclose a situation involving the public service that may potentially be unlawful, dangerous to the public, or injurious to the public interest.

Our office can respond to enquiries, facilitate the resolution of issues and conduct investigations into the complaints and notifications we receive. Our services are free and confidential. We are impartial and independent from government. We don’t take sides, but we help find practical solutions to the problems people have encountered with the government or other types of

public organizations. The Ombud has the authority to make recommendations and issue public reports to shed light on some of the matters we’ve encountered during our investigations.



OUR OFFICE CAN LOOK INTO COMPLAINTS INVOLVING:

- provincial government departments
- agencies, boards and commissions responsible to the provincial government
- local governments
- district education councils and school districts
- community colleges
- regional health authorities
- universities (for access to information and privacy complaints only)
- custodians of personal health information (for personal health information complaints only)



OUR OFFICE CANNOT INVESTIGATE COMPLAINTS CONCERNING:

- judges and the courts
- the federal government or its agencies (including the RCMP)
- private companies and individuals
- members or officers of the Legislative Assembly

MANDATES

Ombud NB has a broad legislated jurisdiction in four main areas under six different Acts:

- Administrative Fairness (*Ombud Act*)
- Information and Privacy (*Right to Information and the Protection of Privacy Act, Personal Health Information Privacy and Access Act, Archives Act*)
- Wrongdoing (*Public Interest Disclosure Act* – also known as whistleblower legislation)
- Favouritism (*Civil Service Act*).

ADMINISTRATIVE FAIRNESS

Ombud NB receives and investigates complaints from individuals who have had difficulty or feel they have been treated unfairly in their interactions with public authorities. The Ombud's role is to ensure fairness in administrative processes and policies.

INFORMATION AND PRIVACY

Ombud NB receives and investigates complaints from individuals who are not satisfied with how a public body handled their request for information or if they think their personal information and personal health information has been mishandled.

Ombud NB is also responsible for reviewing whether someone should be granted access to certain public records held in the Provincial Archives.

WRONGDOING

Ombud NB has the authority to investigate complaints from current employees of the public service respecting matters that are potentially unlawful, dangerous to the public or injurious to the public interest.

FAVOURITISM

Ombud NB may investigate allegations of favouritism made by unsuccessful candidates in the hiring process for appointments to the civil service.

HOW WE WORK

As an office, one of our objectives is to try to resolve complaints informally and as early as possible. We believe everyone benefits from a complaint process that is genuinely geared to finding practical solutions to resolve the problems people have encountered.

Individuals who contact our office will typically interact with the following types of employees:

- **EARLY RESOLUTION OFFICERS (ERO)**

An ERO is responsible for responding to and screening general enquiries and facilitating the early resolution of complaints when possible. ERO's help to determine whether our Office has the authority to resolve the complaint. If not, they will assist the complainant in finding the places where they might be able to get additional help.

- **COMPLAINT ANALYSTS (CA)**

If a complaint cannot be easily resolved through the early resolution process or if the issues are more complex (for example if it involves a number of people or agencies), the complaint will be transferred to a CA. CA's are responsible for conducting more in-depth analysis of a complaint and continue to try to resolve the matter informally when possible.

- **SENIOR INVESTIGATORS (SI)**

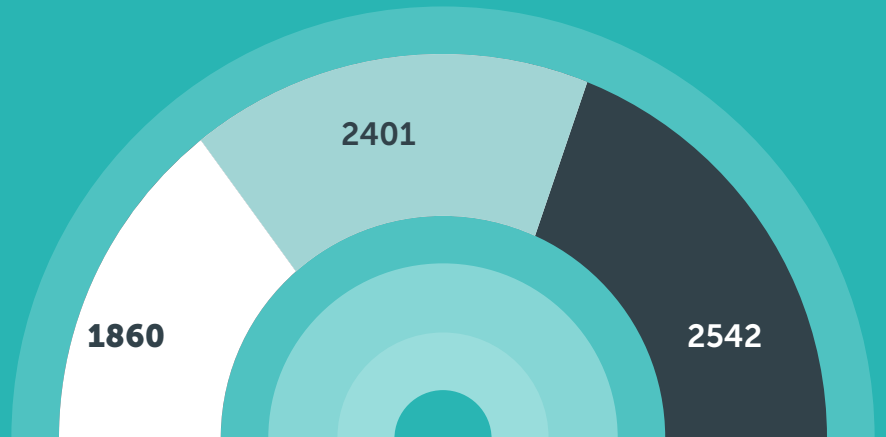
An SI is responsible for conducting formal or systemic investigations or audits. These types of investigations and audits can result in public reports and represent some of Ombud NB's most challenging and publicly visible work. As part of these investigations, SI's may conduct interviews with complainants and other individuals involved with a complaint.

STATISTICAL INFORMATION

ALL MANDATES COMBINED

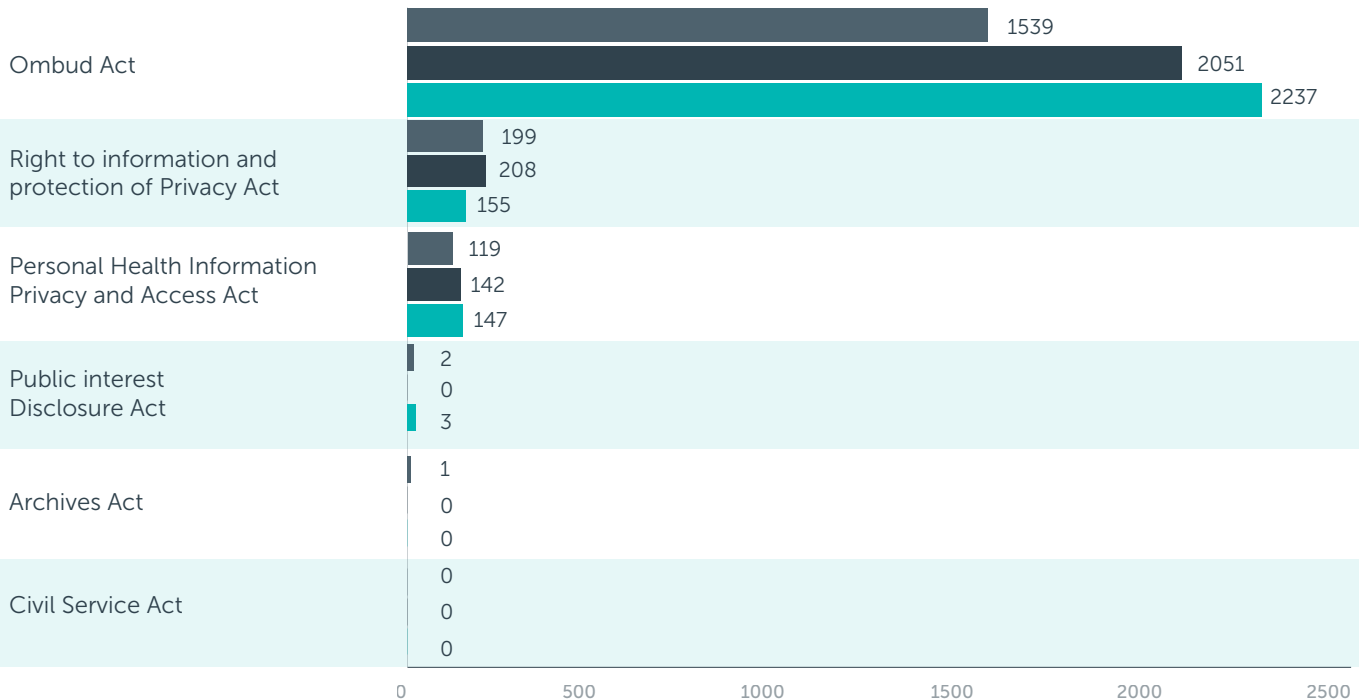
TOTAL NUMBER OF NEW FILES

- 2020-2021
- 2021 - 2022
- 2022 - 2023



OVERVIEW OF WORKLOAD VOLUMES

TOTAL NUMBER OF FILES | *BY LEGISLATION*



- 2020 - 2021
- 2021 - 2022
- 2022 - 2023

STATISTICAL INFORMATION

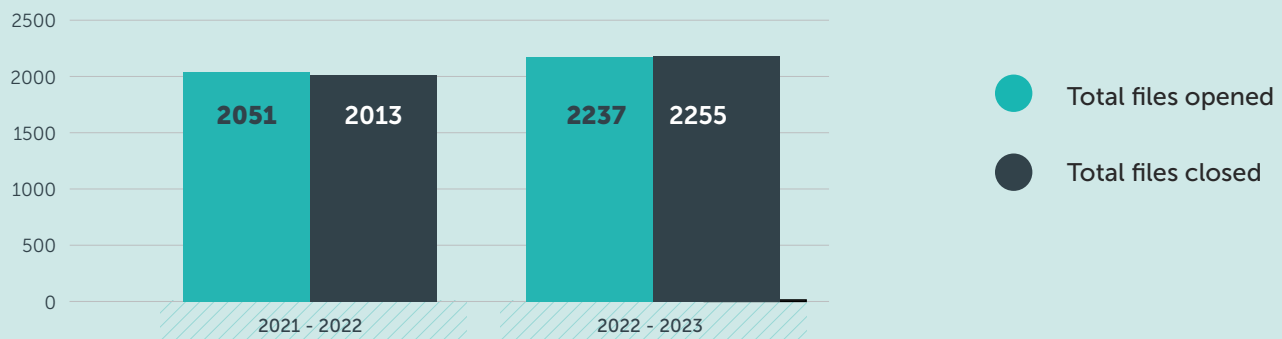
ADMINISTRATIVE FAIRNESS

OVERVIEW OF WORKLOAD VOLUMES

TOTAL NUMBER OF NEW FILES



TOTAL NUMBER OF FILES OPENED AND CLOSED



TOTAL NUMBER OF FILES OPENED | *BY ORGANIZATION*

	2021-2022	2022-2023
Agriculture, Aquaculture and Fisheries	0	3
Ambulance NB	0	2
Attorney General	1	1
Education and Early Childhood Development	30	20
Executive Council Office	2	3
Environment and Local Government	15	12
Finance and Treasury Board	12	10
Financial and Consumer Services Commission	2	3
Health	291	247
Immigration	0	2
Justice	19	25
Labour and Employment Board	1	1
Legal Aid	13	9
Municipalities	47	52
NB Human Rights Commission	11	4
NB Liquor Corporation	6	1
NB Police Commission	5	16
NB Power Corporation	24	27
Natural Resources and Energy Development	5	2
Office of the Comptroller	1	0
Office of Human Resources	3	0
Others	640	713
Post-Secondary Education, Training and Labour	17	19
Public Safety	563	684
Social Development	174	183
Service New Brunswick	90	108
Tourism, Heritage and Culture	7	4
Transportation and Infrastructure	25	27
WorkSafe NB	47	59
TOTAL	2051	2237

TOTAL NUMBER OF FILES | BY RESOLUTION STAGE

	2021-2022	2022-2023
General enquiries	1017	1347
Non jurisdiction	550	595
Reviews and investigations	484	295
TOTAL	2051	2237


GENERAL ENQUIRIES: means contacts to our office that can be responded to quickly by providing information or assistance of a general nature.


NON JURISDICTION: means that our office does not have jurisdiction over the matters brought to our attention, but we attempt to redirect the individual to the appropriate place for assistance.


REVIEWS AND INVESTIGATIONS: means that our office examined the matter through informal resolution or investigations.

TOP TYPES OF COMPLAINTS | BY ORGANIZATION

Only organizations with 10 or more complaints have been included. Complaints involving local governments have been compiled under "Municipalities".

 EDUCATION AND EARLY CHILDHOOD DEVELOPMENT (INCLUDING SCHOOL DISTRICTS)	2022-2023
Employment	4
Administration	2
Children with Special Needs	2
Appeal Process	1
Complaints Regarding Staff	1
Student Transfer	1
Transportation	1

 HEALTH <i>(INCLUDING REGIONAL HEALTH AUTHORITIES)</i>		2022-2023
Complaints regarding Staff		54
Medical Treatment		39
Admission-Discharge		15
Mental Health		11
Administration		9
Medicare		9
PPIA-Request Information		4
Placement Services		3
Employment		2
Addiction Services		1

 JUSTICE AND ATTORNEY GENERAL		2022-2023
Administration		4
Complaints regarding staff		2
Support payments and orders		13

 MUNICIPALITIES		2022-2023
Municipal Bylaws		22
Administration		4
Complaints Regarding Staff		3
Permits-Licenses		2
Property Issues		2
Employment		1
Right to Information		1
Roads / Streets		1
Water/Sewage		1
PPIA – Request Information		1

**NB POWER CORPORATION****2022-2023**

Disconnection	5
Billing-Amount / Calculation	4
Service Issues	4
Damage Claims	3
Administration	1
Employment	1

**POST-SECONDARY EDUCATION, TRAINING AND LABOUR****2022-2023**

Community College – Others	3
Employment	3
Grants-Loans	3
Complaint Regarding Staff	2
Student Loans	2
CSA – Request information	1

**PUBLIC SAFETY***(NOT INCLUDING ADULT CUSTODY SERVICES)***2022-2023**

Complaints Regarding Staff	44
Permits / Licenses	13
Administration	4
Employment	3
Coroner Services	1

**PUBLIC SAFETY***ADULT CUSTODY SERVICES***2022-2023**

Medical Appliance	48
Food	31
Prescriptions Requested or Denied	30
Request to see Nurse/Doctor	29
Placement within Institution	28
Cleanliness	20

Correspondence	20
Program Privileges	20
Personal/Inmate Property	18
Recreation	13



SERVICE NEW BRUNSWICK

2022-2023

Residential Tenancies Tribunal	51
Property Assessment	8
Permits/Licenses	7
Complaint Regarding Staff	5
Registry Office - Procedures	5
Employment	3
Property Assessment - Appeal Procedures	3
CSA – Procedures	2
Vital Statistics	2
Administration	1



SOCIAL DEVELOPMENT

2022-2023

Availability	19
Nursing Homes/Residential Services	11
Protection Services	11
Evictions	10
Transfers	9
Complaints Regarding Staff	9
Amount/Calculation	8
Denied	7
Appeal Process	6
Eligibility Criteria	5



TRANSPORTATION AND INFRASTRUCTURE

2022-2023

Road/Bridge Maintenance	16
Property Issues	3
Administration	2
Damage Claims	2
Employment	2
Complaints Regarding Staff	1



WORKSAFE NB

2022-2023

Claim Denied	12
Discontinued/Reduced	7
Amount/Calculation	4
Complaints Regarding Staff	4
Appeals Tribunal	3
Administration	2
Medical rehabilitation	2
Long Term Disability	1

STATISTICAL INFORMATION

INFORMATION AND PRIVACY

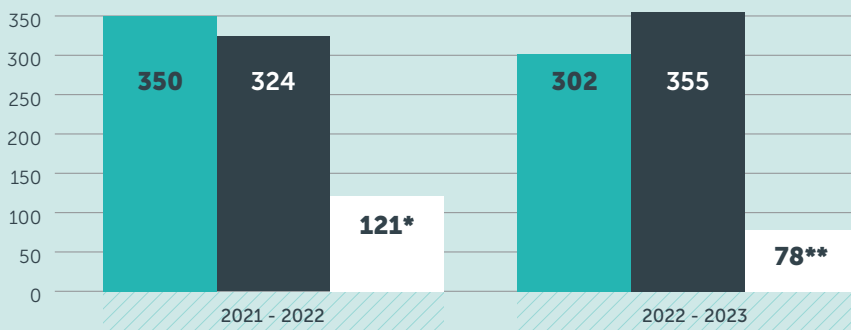
OVERVIEW OF WORKLOAD VOLUMES

TOTAL NUMBER OF NEW FILES

- 2020 - 2021
- 2021 - 2022
- 2022 - 2023



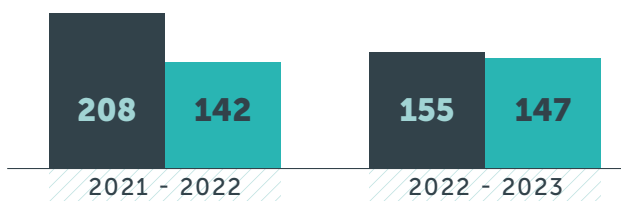
TOTAL NUMBER OF FILES OPENED, CLOSED AND CARRY-OVERS



- Files opened
- Files closed
- Carried over

* carried over into fiscal year 2022-2023
 ** carried over into fiscal year 2023-2024

TOTAL NUMBER OF FILES OPENED | BY LEGISLATION



- RTIPPA
- PHIPAA

RTIPPA: Right to Information and Protection of Privacy Act
 PHIPAA: Personal Health Information Privacy and Access Act

TOTAL NUMBER OF FILES OPENED | BY ORGANIZATION

	2021-2022	2022-2023
Ambulance NB	9	5
Agriculture, Aquaculture and Fisheries	2	-
Education & Early Childhood Development	2	3
Environment & Local Government	1	3
Executive Council	2	1
Finance & Treasury Board	2	1
Health	46	9
Horizon Health Network	29	54
Justice and Public Safety	9	7
Municipalities	21	17
Municipal police forces	4	5
Natural Resources & Energy Development	5	3
NB Human Right Commission	1	
NB Liquor	2	3
NB Power	4	12
Office of the Coroner	-	1
Other Health Care Providers	17	25
Opportunities NB	2	2
Post-Secondary Education, Training & Labour	3	3
Research and Productivity Council	1	-
Regional Development Corporation	1	-
School Districts	10	14
Service NB	4	2
Social Development	7	9
Transportation & Infrastructure	5	6
Universities	9	2
Vitalité Health Network	61	40
WorkSafe NB	2	5

TOTAL NUMBER OF FILES | *BY RESOLUTION STAGE*

	2021-2022	2022-2023
General enquiries	72	45
Non jurisdiction	8	18
Reviews and investigations	270	239
TOTAL	350	302

GENERAL ENQUIRIES:

means contacts to our office that can be responded to quickly by providing information or assistance of a general nature.

NON JURISDICTION:

means that our office does not have jurisdiction over the matters brought to our attention, but we attempt to redirect the individual to the appropriate place for assistance.

REVIEWS AND INVESTIGATIONS:

means that our office examined the matter through informal resolution or investigations.

TYPES OF FILES | *BY LEGISLATION*

	2022-2023	
	RTIPPA	PHIPAA
Access – Content	62	10
Access – No Response	19	3
Access – Self Extension	7	0
Breach Notification	12	97
Ombud Files	0	0
Privacy	4	14
Proposed Program/Legislation	4	1
Request to Disregard	3	0
Time Extension	3	0
Inquiries and Referrals	41	22
TOTAL	155	147

TYPES OF FILES | *BY ORGANIZATION*

RTIPPA		2022-2023					
	Content	No response	Self-Extension	Privacy	Self-Reported Breach	Request to Disregard	Time Extension Application
Ambulance NB	1						
Education & Early Childhood Development	3						
Environment & Local Government	1	1	1				
Executive Council	1						
Finance & Treasury Board	1						
Health	7	2					
Horizon Health Network	1					1	
Justice and Public Safety	3	2		1	1		
Municipalities	9	4	2			1	1
Municipal police forces	3						2
Natural Resources & Energy Development	1	1	1				
NB Liquor			1		1	1	
NB Power	11			1			
Opportunities NB	2						
Post-Secondary Education, Training & Labour		1			2		
Vitalité Health Network	3						
School Districts	3				7		
Service NB		1		1			
Social Development	4	4	1				
Transportation & Infrastructure	4	2					
Universities	1				1		
WorkSafe NB	2	1		1			

PHIPAA		2022-2023					
	Content	No response	Self-Extension	Privacy	Self-Reported Breach	Request to Disregard	Time Extension Application
Ambulance NB					4		
Anglophone School District – East				1			
Anglophone School District – South				3			
Horizon Health Network				3	49		
Office of the Coroner					1		
Other Health Care Providers	9	3		4	9		
Vitalité Health Network	1			2	34		
Worksafe NB				1			





ANNUAL REPORT

2022 • 2023

PUBLISHED BY:

OMBUD NEW BRUNSWICK
P.O. BOX 6000
FREDERICTON, NEW BRUNSWICK
E3B 5H1
CANADA

FEBRUARY 2024
ISBN 978-1-4605-3842-5
PRINTED IN
NEW BRUNSWICK



ombud
NEW BRUNSWICK - NOUVEAU-BRUNSWICK