



ombud

NEW BRUNSWICK • NOUVEAU-BRUNSWICK

ANNUAL REPORT

2023 • 2024

Annual Report 2023-2024

Published by :

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

January 2025

ISBN – 978-1-4605-4080-0

Printed in New Brunswick



January 2025

HON. FRANCINE LANDRY

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

Madam Speaker,

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 Office of the Ombud for New Brunswick for the period from April 1, 2023 to March 31, 2024.

Respectfully submitted,

MARIE-FRANCE PELLETIER

Ombud for New Brunswick

TABLE OF CONTENTS

MESSAGE FROM THE OMBUD	5
THE YEAR AT-A-GLANCE	6
Financial information	6
Human resources information	6
Workload overview	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
RECOMMENDATIONS MONITORING	14
WHO WE ARE AND WHAT WE DO	15
Vision, mission and values	15
Roles and responsibilities of the Ombud	16
Mandates	17
How we work	17
STATISTICAL INFORMATION	18
All mandates combined	19
Administrative Fairness	20
Information and Privacy	27



MESSAGE FROM THE OMBUD

I concluded last year's Annual Report message by noting that our office was headed in a period of renewal as we were working towards fully realizing the oversight roles with which we have been entrusted. The theme of renewal certainly held true throughout the 2023-2024 fiscal year.

During the year, we were able to advance some important priorities for our office. The backlog of information and privacy files accumulated prior to 2023 was eliminated and we also made progress on files and investigations in other parts of our mandate. We took some initial steps to improve awareness about our office and share our expertise. For example, we made information about our mandates more readily available on our website, conducted site visits and meetings with officials in selected provincial correctional and health facilities, hosted a workshop with right to information coordinators, and provided a submission to the Child and Youth Advocate on privacy related questions during his review of Policy 713.

Additionally, a major milestone in raising awareness about our office occurred in February 2024 when I was invited to appear before the Standing Committee on Procedure, Privileges and Legislative Officers. For the first time in many years, members of that Committee invited all Legislative Officers to appear to discuss their latest annual reports. This was a welcomed opportunity to provide committee members, as well as members of the public, a glimpse into the important work we do as

an office. I appreciated the thoughtful questions posed by Committee members that, from my perspective, led to fruitful discussions about our role and the types of complaints we receive.

While we were working on these important priorities, we were also ramping up our office's capacity and operations. Having received an important funding increase to correct a decade-old chronic underfunding of our office, we embarked on an ambitious recruiting drive to fill several key positions made possible by this new funding. This was no small feat for a small office such as ours.

As we look towards the coming year, I anticipate we will make further strides in our capacity to serve those who contact us for help, as well as bringing issues to light along with sensible solutions to ensure that fairness, transparency and accountability continue to be at the forefront throughout the provincial public sector.

MARIE-FRANCE PELLETIER

Ombud for New Brunswick

THE YEAR AT-A-GLANCE

FINANCIAL INFORMATION

Budget and expenditures for fiscal year 2023-2024

EXPENDITURE	BUDGET	ACTUAL (\$)
COMPENSATION AND BENEFITS	2,315,400.00	1,677,346.92
OTHER SERVICES	498,700.00	367,214.86
MATERIALS AND SUPPLIES	10,200.00	12,194.75
PROPERTY AND EQUIPMENT	16,600.00	34,529.02
DEBT AND OTHER CHARGES	100.00	0.00
TOTALS	2,841,000.00	2,091,285.55

As with previous years, the office's largest expenditure went to salaries and benefits, while the remainder of our budget went to other operational costs. These included consultation services, office renovations and furniture, office lease, registration fees, and translation. Given our growing workforce, we took the opportunity to partially renovate one of our office spaces to create more workspaces for permanent employees and temporary workers such as students and interns. We also invested

in occupational health and safety equipment and security enhancements to some of our workspaces.

Our office received an important funding increase in 2023-2024. As we worked diligently to ramp up our operations in keeping with these additional funds, there were two areas where expenditures were under budget due to the following factors: delays in being able to fill positions, and delays in procuring a new case management system.

HUMAN RESOURCES INFORMATION

Number of employees

STATUS	2022-2023	2023-2024
FULL-TIME PERMANENT	12	17
PART-TIME PERMANENT	3	2
TERM, CASUAL ETC.	4	2
TOTALS*	19	21

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

Number of Full-Time Equivalent positions (FTEs)

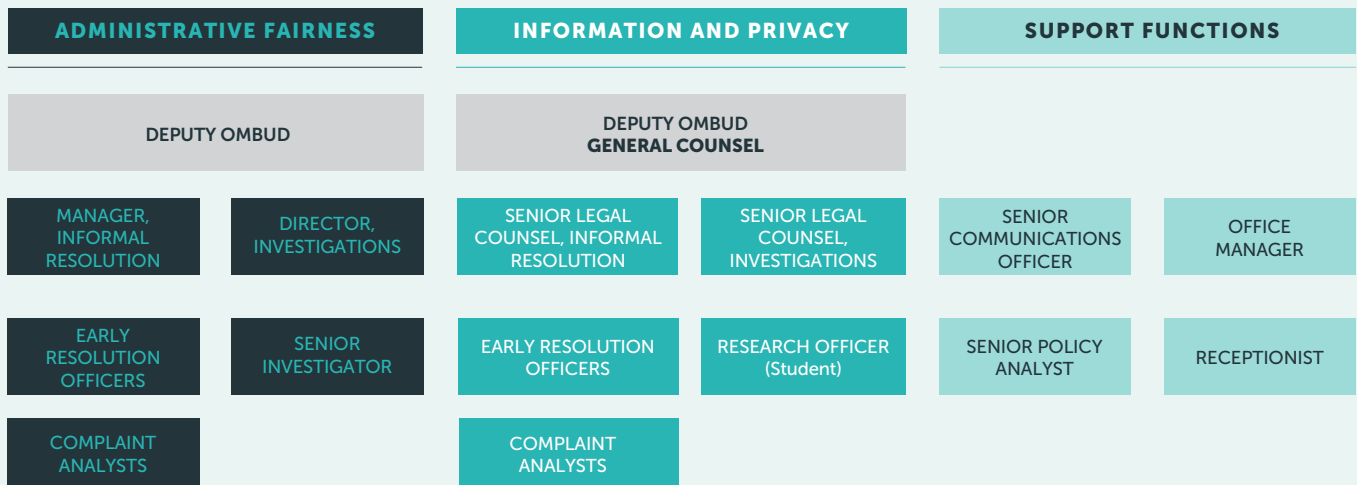
STATUS	2022-2023	2023-2024
FULL-TIME PERMANENT	12	17
PART-TIME PERMANENT	1.9	1.3
TERM, CASUAL ETC.	2	1.3
TOTALS*	15.9	19.6

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

The number of full-time employees has seen remarkable growth since last year, with an additional 5 full-time permanent employees. The focus of the office was growing the team in strategic positions to help advance our mission and mandates. Overall, we completed nearly

a dozen hires for new and existing vacant positions throughout the year, using open competitions, in-office competitions, candidate pools from previous competitions and direct staffing at-level.

ORGANIZATIONAL CHART at March 31, 2024



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*.

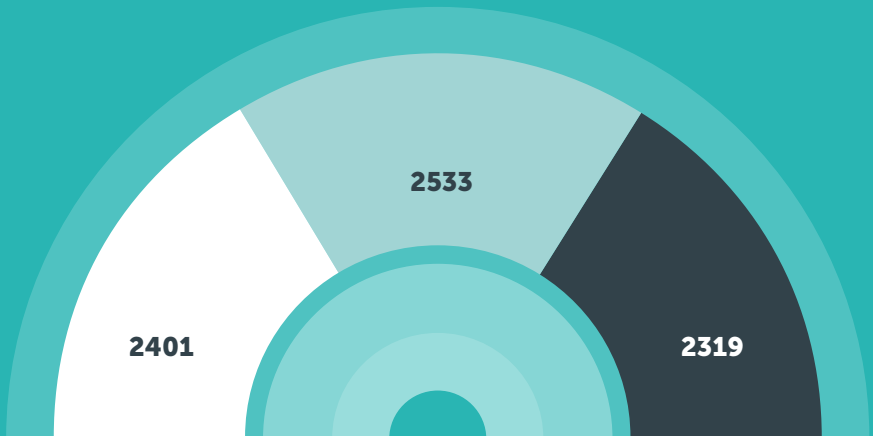
Public affairs section
Responsible for communications, awareness, outreach, public education, strategic planning, and policy.
Operations Section
Responsible for administration and operational management services.

OVERVIEW OF WORKLOAD VOLUMES

ALL MANDATES INCLUDED

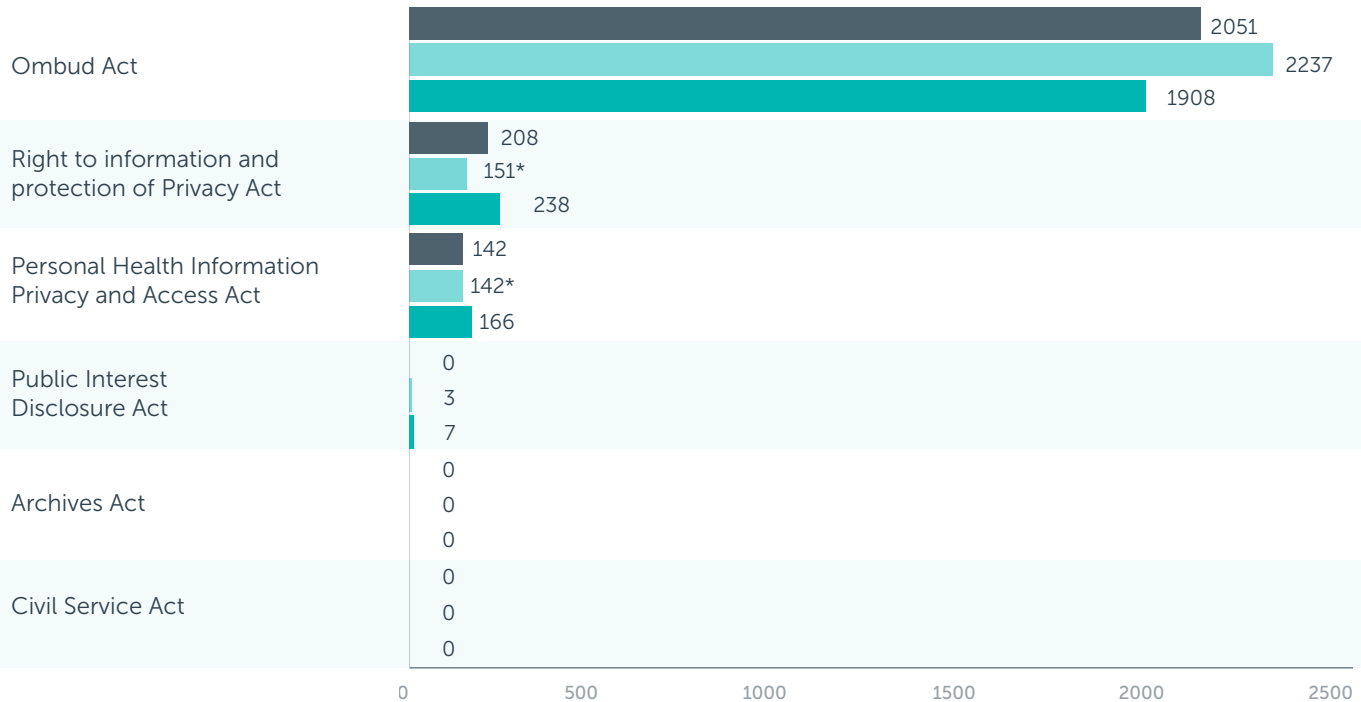
TOTAL NUMBER OF NEW FILES

- 2021 - 2022
- 2022 - 2023
- 2023 - 2024



OVERVIEW OF WORKLOAD VOLUMES

TOTAL NUMBER OF FILES | BY LEGISLATION



- 2021 - 2022
- 2022 - 2023
- 2023 - 2024

* This number was revised following the publication of the 2022-2023 Annual Report

HIGHLIGHTS OF THE YEAR'S KEY ACTIVITIES

ADMINISTRATIVE FAIRNESS

In 2023-2024, there was a decrease in the number of administrative fairness files opened compared to the previous year. This decrease is in keeping with the usual fluctuations in our caseload from year to year. Complaints and inquiries related to fair public sector processes, decisions and services continue to constitute the overwhelming majority of the files we handle in any given year. In 2023-2024, administrative fairness complaints and enquiries represented 82% of our overall workload.

The provincial correctional sector remains an important source of complaints we receive. We noted a number of complaints related to access to medical care this year. Access to physician and other allied health professional services in correctional centres has proven to be challenging for Adult Custody Services (ACS) in the Department of Justice and Public Safety. An increase in the number of incarcerated individuals coping with addictions and mental health problems has exacerbated the problem.

We conducted several site visits of correctional centres and engaged in discussions with ACS as they worked to implement best practices related to living conditions. Our goal is to ensure the incarcerated population is treated fairly and with dignity. Our ongoing and open dialogue with ACS assists us in understanding the evolving dynamics that impact the incarcerated population and ACS staff.

We also continued to see issues related to challenges in psychiatric settings. We toured healthcare facilities, meeting with patients and healthcare officials. We heard about the challenges they face, particularly in addressing appropriate housing placements for patients with complex psychiatric behaviours/needs who have been hospitalized

for extended periods. We had discussions regarding reintegration into the community after individuals have been stabilized in hospital facilities. The importance of collaboration and cooperation between system partners has been a focal point of these discussions.

The trend of local governance complaints, particularly related to alleged conflict of interest and code of conduct violations also continued. The new *Local Governance Commission Act* received Royal Assent in this fiscal year and is to be operational in the 2024-25 year. We have established a committee to work with the new Local Governance Commission to ensure we can better collaborate within our respective mandates and continue to help New Brunswickers navigate local governance matters.

The Administrative Fairness team experienced the benefit of internal restructuring and new personnel this year, allowing staff to make progress on an existing backlog of files. Additionally, we were pleased to partner with the *Université de Moncton* to host interns in their criminology program. Our oversight responsibilities related to provincial correctional centers provided valuable experience to these interns and we have, in turn, benefited from their perspectives.

INFORMATION AND PRIVACY

There was an increase in the total number of information and privacy files in 2023-2024 compared to the previous fiscal year. However, we are still not reaching pre-pandemic workload numbers. Despite this increase, as of January 2024 our office has been able to conclude most files within six months of receipt, except for a small number of more complex investigation files which have been concluded in under 12 months (our internal target

for completing investigation files). Given our progress on this front, our next milestone will be to be able to meet our legislated deadlines on a consistent basis.

As part of his review into the Department of Education and Early Childhood Development Policy on Sexual Orientation and Gender Identity Policy (Policy 713), the Child and Youth Advocate consulted our office on some of the policy's privacy related issues. In August 2023, we provided a submission to the Advocate that outlined childrens' privacy rights protection provincially, as well as under federal and international law. A copy of our submission is available on our website.

During Right to Know Week in September 2023, we offered a workshop to access to information coordinators within the provincial government, as well as some municipalities. This was the first gathering of this kind since the pandemic and participants appreciated being able to meet and discuss opportunities and challenges related to access to information.

WRONGDOING

Though the number of public interest disclosures made to our office continues to be minimal, there was an increase in the number of contacts to our office related to the *Public Interest Disclosure Act* (PIDA). In 2023-2024 we received seven enquiries compared to three, zero and two in the three previous years. Most of these enquiries were deemed to fall outside the parameters of PIDA.

Despite the low number of enquires, we continued our internal restructuring efforts to ensure we can be well equipped to conduct any future investigations under this legislation. We therefore created a new responsibility center within the office to handle these matters from intake, to informal resolution to investigation. At the same

time, this allows us to further reinforce the confidentiality surrounding the handling of these often delicate files.

Finally, our office participated in the establishment of a working group on public integrity within the *Association des Ombudsmen et médiateurs de la Francophonie*. This new network will allow us to contribute to and benefit from international best practices in this sector.

OPERATIONS

Our efforts towards the modernization and transformation of our office continued as we began to implement the budget increase received. As a result, we were able to create and staff our Public Affairs Section which will enable us to better communicate and engage with the public and our various stakeholders, as well as shore up our capacity for policy analysis. Our new website went live in February 2024 and we also activated a new email address for our office. We can now be reached at ombud@ombudnb.ca. Though our old email address ending with @gnb.ca remains active so as not to miss any important communications from citizens, our new email address reinforces that we are an independent office from government.

We continued to invest in professional development for our employees by holding all-staff training sessions on plain language writing, trauma-informed practices, planning and prioritizing work, and best practices in informal resolution. Our management team also participated in leadership training to help us maintain a positive work environment for our employees. Our office continued to benefit from collaborations with our colleagues across the country and internationally through participation in webinars and other meetings to keep up to date with best practices in our field.

SPOTLIGHT ON INFORMAL CASE RESOLUTION

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

ADMINISTRATIVE FAIRNESS | *INADEQUATE MONITORING CELL*, Adult Custody Services (ACS) Department of Justice and Public Safety

Our office received a complaint from an individual in provincial custody about their living conditions. This person had been placed in a small admission cell for two days. These cells have no access to running water, toilets, or a bed. A makeshift sleeping arrangement was provided by placing a mattress on the floor. ACS personnel explained these temporary living conditions as a means of keeping the individual under intensive supervisions after the individual threatened self-harm. Following the isolation period, the individual was sent for a psychological assessment.

Though well-intentioned, the use of an admission cell for closer supervision did not allow for usual amenities or proper hygiene and could potentially negatively impact behaviour and overall well-being. We discussed our concerns with ACS officials who were receptive to our office's suggestions that other techniques be considered to de-escalate situations involving mental health. The objective is to ensure that the needs of individuals in custody can be met through appropriate living conditions and mental health assessments and treatment when needed so as to reduce the risk of further deterioration. We have not received further complaints of this nature to date.

ADMINISTRATIVE FAIRNESS | *INTERDEPARTMENTAL COLLABORATION, SEPTIC SERVICE INSTALLATION*

Department of Environment and Local Government;
Department of Justice and Public Safety

A complainant contacted our office about a septic system installation that was not carried out by a licensed technician. This meant that a notice of installation could not be provided to the Department of Justice and Public Safety (JPS) for inspection and approval.

Once the proper parties were made aware of the situation, the Department of Environment and Local Government (ELG) contacted JPS with a request that each department send their necessary inspectors to the site.

The inspection revealed that the septic system was located on a wetland and needed to be moved. While one department (JPS) was working with the complainant towards potential approval of the existing septic system in its original location, the other department (ELG) informed the complainant that the existing septic system would need to be removed entirely. These disconnected approval mechanisms led to frustration and confusion.

Our office contacted both JPS and ELG representatives to discuss the lack of a formal or standardized collaborative process for these types of requests. Both departments recognized the need for a formalized collaboration and agreed to meet to initiate the creation of a new procedure for properties in high-

water or flood zones. This aims to develop clearer expectations and responsibilities so that both departments and clients understand the steps and proper approvals.

ADMINISTRATIVE FAIRNESS | LATERAL VASCULAR NECK RESTRAINT (LVNR) TRAINING Inspection and Enforcement Branch (IEB), Department of Justice and Public Safety

Conservation officers contacted our office to express concern for a potential risk to their health and safety. They explained that mandatory training to meet recertification requires them to experience the application of a lateral vascular neck restraint (LVNR) technique. This technique aims at rendering another individual unconscious within seven to 15 seconds, to be used in a situation where an officer must regain control of a subject during an altercation. Upon release of pressure, the individual should regain consciousness within 30 seconds.

This technique is considered an important self-defence mechanism for conservation officers as they may work alone in remote locations and may encounter violent struggles requiring them to defend themselves. At the time of the complaints, the mandatory use of force training for specific units with the IEB at the Department of Justice and Public Safety required conservation officers to perform and have the LVNR technique applied on them by other conservation officers.

Based on a national and international scan of best practices, our office found that there is no current consensus on the use of the LVNR technique. However, the research indicates that those who authorize the use of this technique tend to conduct training through simulation exercises with peers. Despite the ongoing

debate, the practice has not been banned at the federal level and provincial officials indicated that New Brunswick will continue to use the technique in training so long as federal counterparts do the same.

Through our discussions, the IEB indicated to us that they made amendments to their Use of Force Policy clarifying the requirements for when to release compression while using the technique. The Branch also issued a new directive stating that if an officer loses consciousness after the LVNR technique is applied in training, they must undergo a medical assessment. Most importantly, while participation in the training remains mandatory, officers can now refuse to have the technique applied to them as they are only required to be able to demonstrate appropriate application of the technique on a consenting participant. Our office will continue to monitor the situation should federal practices be altered.

INFORMATION AND PRIVACY | REFUSAL TO DISCLOSE RECORDS City of Fredericton

An Applicant requested a copy of a Fire Service Review draft, its final report, and related confidential public and employee surveys conducted as part of the project. The City of Fredericton elected to withhold the records in full on the basis that it could be an invasion of a third party's privacy.

Our office reviewed the complaint and noted that some potential identifying information related to personal recommendations or evaluations remained. We proposed that the City of Fredericton could issue a revised response disclosing the records but redacting remaining information that could be perceived as personal opinions. They agreed to issue a revised response with suggested redactions but deleted the

entire column rather than potential personal identifiers. Their reason was that even with those personal identifiers removed, individuals could still be identified based on context and content details.

In the end, the City of Fredericton informed our office that they would be publishing the requested Fire Service Report online in a timely manner. Once the revised response was issued with redaction, the Applicant confirmed that the content received was satisfactory to resolve their complaint, pending publication of the anticipated report.

INFORMATION AND PRIVACY | *UNAUTHORIZED COLLECTION OF PERSONAL INFORMATION*

Service New Brunswick (SNB)

An individual filed a complaint with our office after Service New Brunswick requested to see a copy of their spouse's Will in full in order to remove the deceased person's name from their vehicle registration. The complainant informed SNB that they would be comfortable sharing only the first and last page of the Will with the public body, providing the name of the executor and signatures. The complainant did not wish to share the remaining information in the document to modify the vehicle registration.

Our office contacted SNB representatives to discuss the matter and it was determined that the employee who asked for the copy of the Will did not have proper training and knowledge about the established document requirements to process the request. SNB advised us that the issue would be addressed by providing additional training for staff.

The complaint was informally resolved with the promise of additional staff training, and the complainant being

able to have their request processed using only the necessary information.

INFORMATION AND PRIVACY | *FEES TO ACCESS PERSONAL HEALTH INFORMATION* *Custodian of personal health information*

An applicant filed a complaint alleging that fees charged by a custodian to obtain copies of a medical chart were excessive.

The *Personal Health Information Privacy and Access Act* (PHIPAA) outlines the fees that custodians may charge for both photocopies (\$0.25 per page) and time spent preparing documents (\$15 per hour after the first two hours). During our discussions with the custodian, they indicated they were not aware of PHIPAA or its established fees.

Following the information we provided to the custodian about the applicable fees, the cost for a copy of the medical chart went from \$194 to \$5.00, which the custodian then waived for the client. The applicant was satisfied with the outcome and the complaint was informally resolved.

RECOMMENDATIONS MONITORING

For the first time in 2023-2024, our office has initiated an internal monitoring process to examine how public organizations are responding to and implementing recommendations made by the Ombud at the conclusion of an investigation. We are now monitoring all recommendations made after January 1, 2022, which coincides with the start of the current Ombud's appointment in this role. As we are taking our first steps in reviewing the implementation of the Ombud's recommendations, we will continue to refine our processes towards establishing a systematic monitoring function in our office over time. Our goal is to report our monitoring results annually, and this new section of our Annual Report is our first opportunity at doing so.

Since January 2022, the Ombud (or her delegates) has completed investigation reports with recommendations

under the *Right to Information and Protection of Privacy Act*. The table below provides an overview of the responses we received from the public bodies following the Ombud's recommendations.

Of the seven reports issued:

- four show that public bodies accepted all recommendations
- one shows partial acceptance of recommendations
- two show that public bodies rejected all recommendations made

We will continue to work with all public bodies to impress upon them the importance of adhering to the Ombud's recommendations as a means to build public trust in their institutions.

RECOMMENDATION MONITORING - RTIPPA				
Public Body	Type of File	Date Report Issued	Summary of Issues in Report	Public Body Responses to Recommendations
Ambulance NB (EM/ANB)	Self-reported privacy breach	2023.05.10	Notification of privacy breach involving the unauthorized access to personal information (snooping)	Accepted all recommendations
Justice and Public Safety	Access complaint	2023.06.30	Access to recordings of personal conversations	Accepted all recommendations
Justice and Public Safety	Access complaint	2023.08.31	Access to briefing materials and Cabinet information involving a new correctional facility in Fredericton	Partially accepted recommendations
Social Development	Access complaint	2023.08.31	Access to audit reports subsequently attached to Cabinet documents involving the housing management program in the South-West Zone	Rejected all recommendations
Health	Access complaint	2023.09.15	Access to information involving the review into a mystery neurological disease	Rejected all recommendations
Transportation and Infrastructure	Access complaint	2023.09.30	Access to information involving a lease for the NB Museum	Accepted all recommendations
Environment and Local Government	Access complaint	2023.12.04	Access to information involving the operating license for a fish processing plant	Accepted all recommendations

WHO WE ARE AND WHAT WE DO

VISION, MISSION AND VALUES

OUR VISION

WE ARE AGENTS OF POSITIVE CHANGE.

Ombud NB 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 NB 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 NB 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 Royal Canadian Mounted Police (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. EROs 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. CAs 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, SIs may conduct interviews with complainants and other individuals involved with a complaint.

STATISTICAL INFORMATION

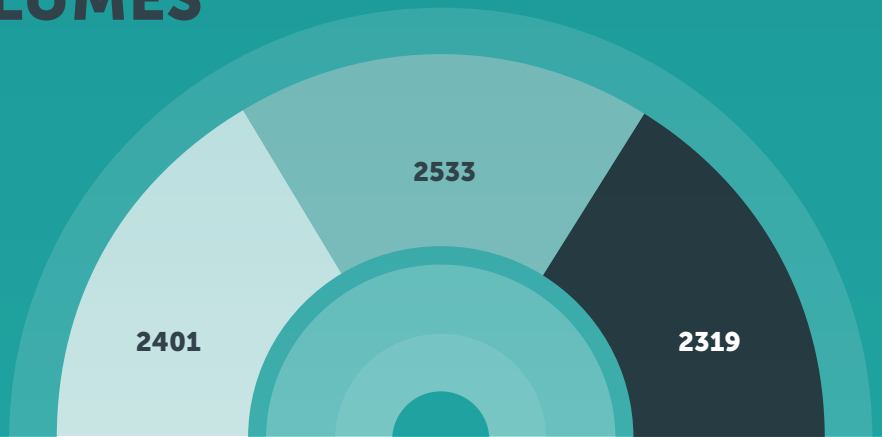
STATISTICAL INFORMATION

OVERVIEW OF WORKLOAD VOLUMES

ALL MANDATES INCLUDED

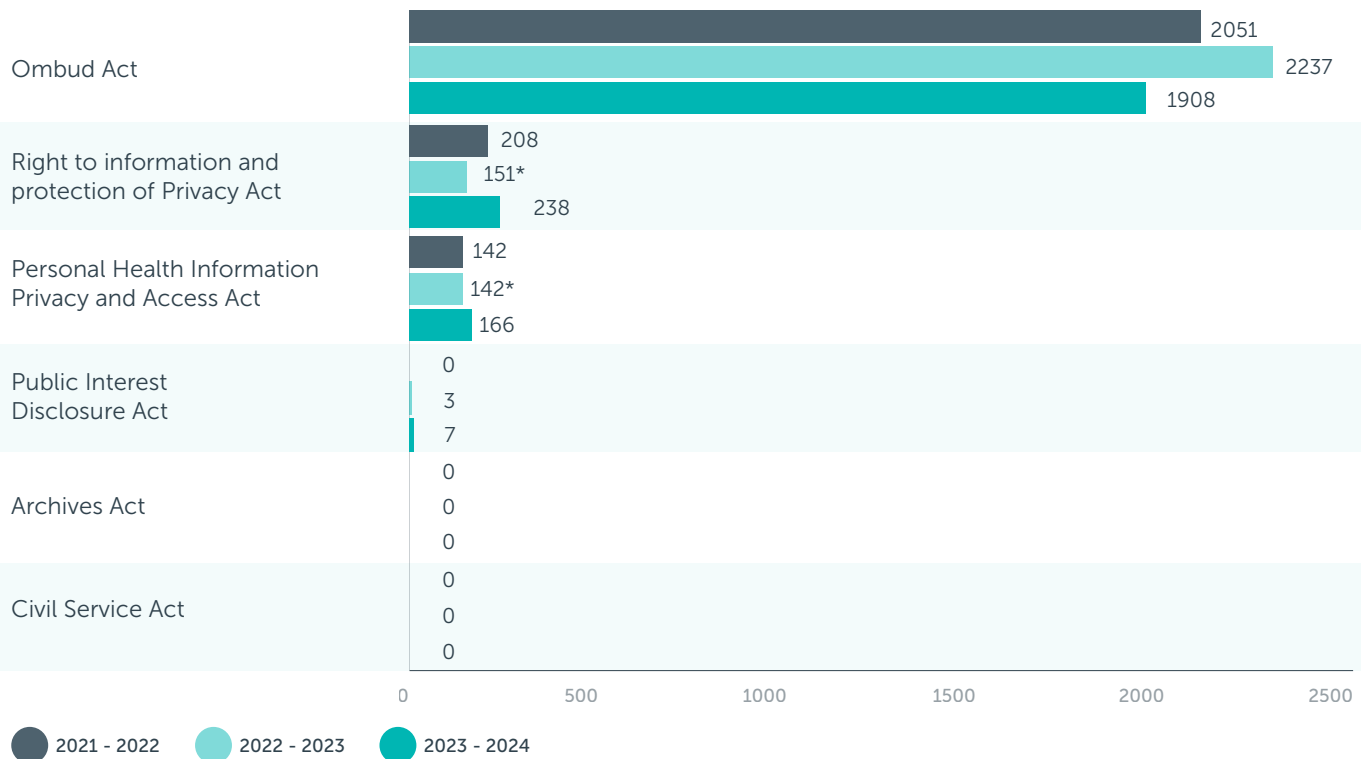
TOTAL NUMBER OF NEW FILES

- 2021 - 2022
- 2022 - 2023
- 2023 - 2024



OVERVIEW OF WORKLOAD VOLUMES

TOTAL NUMBER OF FILES | BY LEGISLATION



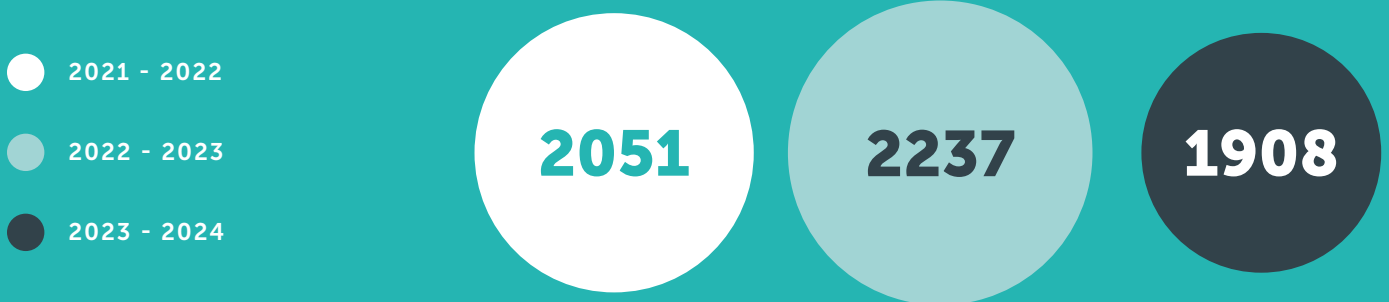
* This number was revised following the publication of the 2022-2023 Annual Report

STATISTICAL INFORMATION

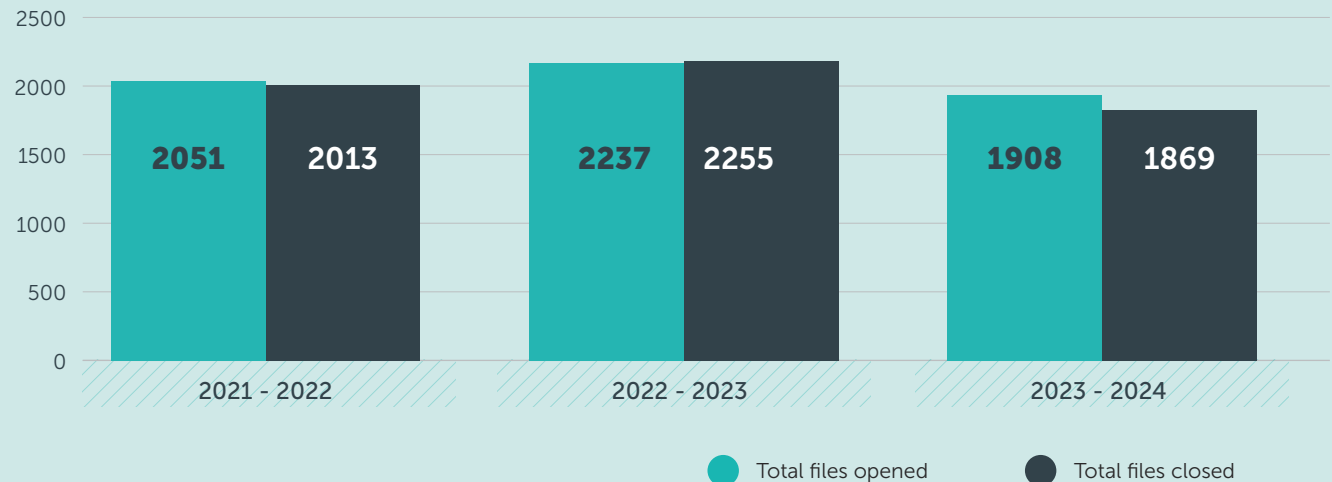
ADMINISTRATIVE FAIRNESS

OVERVIEW OF WORKLOAD VOLUMES

TOTAL NUMBER OF NEW FILES



TOTAL NUMBER OF FILES OPENED AND CLOSED



TOTAL NUMBER OF FILES OPENED | BY ORGANIZATION

	2022-2023	2023-2024
Agriculture, Aquaculture and Fisheries	3	2
Education and Early Childhood Development	20	26
Environment and Local Government	12	11
Executive Council Office	3	2
Extra-Mural / Ambulance NB (EM/ANB)	2	4
Finance and Treasury Board	10	6
Financial and Consumer Services Commission	3	2
Health	247	175
Immigration	2	0
Justice and Attorney General	26	14
Labour and Employment Board	1	2
Legal Aid	9	8
Local governments (municipalities)	52	23
Natural Resources and Energy Development	2	2
NB Human Rights Commission	4	4
NB Liquor Corporation	1	3
NB Police Commission	16	4
NB Power Corporation	27	24
Office of the Comptroller	0	2
Post-Secondary Education, Training and Labour	19	12
Public Safety – <i>Adult Custody Services only</i>	572	466
Public Safety – <i>excluding Adult Custody Services</i>	112	56
Service New Brunswick	108	56
Social Development	183	153
Tourism, Heritage and Culture	4	0
Transportation and Infrastructure	27	19
WorkSafe NB	59	42
Others*	713	790
TOTALS	2237	1908

*Others includes all general and non-jurisdictional enquiries, including questions involving federal agencies, the RCMP, private enterprises, etc.

TOTAL NUMBER OF FILES | *BY RESOLUTION STAGE*

	2022-2023	2023-2024
General enquiries	1347	850
Non jurisdiction	595	525
Reviews and investigations	295	533
TOTALS	2237	1908


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*

This section examines the most common types of complaints related to organizations where we have at least 10 complaints. These numbers are not reflective of the total number of complaints received by organization, only those that are most common.

 EDUCATION AND EARLY CHILDHOOD DEVELOPMENT <i>(INCLUDES SCHOOL DISTRICTS)</i>	2023-2024
Access to School Records	1
Administration	1
Appeal Process	1
Bullying	1
Children with Special Needs	1
Complaints Regarding Staff	4
Employment	6
Student Transfer	1
Transportation	4



ENVIRONMENT AND LOCAL GOVERNMENT

2023-2024

Complaint regarding staff	1
Local Service Districts	1
Pollution	1
Pollution – Air quality	1
Pollution – Water quality	2



HEALTH
(INCLUDING REGIONAL HEALTH AUTHORITIES)

2023-2024

Administration	6
Admission-Discharge	10
Complaints regarding Staff	29
Employment	6
Medical Treatment	17
Medicare	5
Mental Health	8
Placement Services	1
Procedures	1
Public Health	2
Request Information	4



JUSTICE AND ATTORNEY GENERAL

2023-2024

Administration	2
Complaints regarding staff	2
Support payments and orders	3

**LOCAL GOVERNMENTS***(INCLUDES MUNICIPALITIES AND LOCAL SERVICE DISTRICTS)***2023-2024**

Complaints Regarding Staff	6
Employment	2
Municipal By-laws	2
Property Issues	2
Water/Sewage	2
Zoning	3

**NB POWER****2023-2024**

Administration	1
Billing-Amount / Calculation	11
Complaint regarding Staff	1
Damage Claims	1
Disconnection	1
Employment	6
Payment Schedule	2
Service Issues	1

**POST-SECONDARY EDUCATION, TRAINING AND LABOUR****2023-2024**

Administration	1
Community College – Others	4
Employment	4
Grants-Loans	2
Student Loans	1



PUBLIC SAFETY
(EXCLUDING ADULT CUSTODY SERVICES)

2023-2024

Complaints Regarding Staff	22
Coroner Services	3
Employment	2
Permits / Licenses	6
Request for Information	1
Victim Services	1



PUBLIC SAFETY
ADULT CUSTODY SERVICES ONLY

2023-2024

Classification – Transfer	15
Dental	8
Food	14
Personal Property	7
Placement within Institution	24
Prescriptions Requested or Denied	44
Request to see Nurse/Doctor	40
Requests for Items – Denied	11
Special Diet	7
Telephone Use	11



SERVICE NEW BRUNSWICK

2023-2024

Administration	1
Complaint Regarding Staff	7
Employment	1
Permits/Licenses	3
Procedures	1
Property Assessment	3
Property Assessment - Appeal Procedures	2
Residential Tenancies Tribunal	26
Vital Statistics	2

**SOCIAL DEVELOPMENT****2023-2024**

Benefits – Denied	7
Complaints Regarding Staff	10
Evictions	7
Housing Availability	17
Housing Loans – Grants	5
Housing Repairs	14
Long Term Needs	6
Nursing Homes/Residential Services	17
Protection Services	12

**TRANSPORTATION AND INFRASTRUCTURE****2023-2024**

Access Right of Way	1
Complaints Regarding Staff	1
Damage Claims	1
Employment	2
Expropriation Procedures	1
Property Issues	1
Road/Bridge Maintenance	8

**WORKSAFE NB****2023-2024**

Administration	1
Amount/Calculation	4
Appeals Tribunal	2
Claim Denied	5
Complaints Regarding Staff	9
Discontinued/Reduced	6
Employability Assessments	1
Employment	1
Long Term Disability	1

STATISTICAL INFORMATION

INFORMATION AND PRIVACY

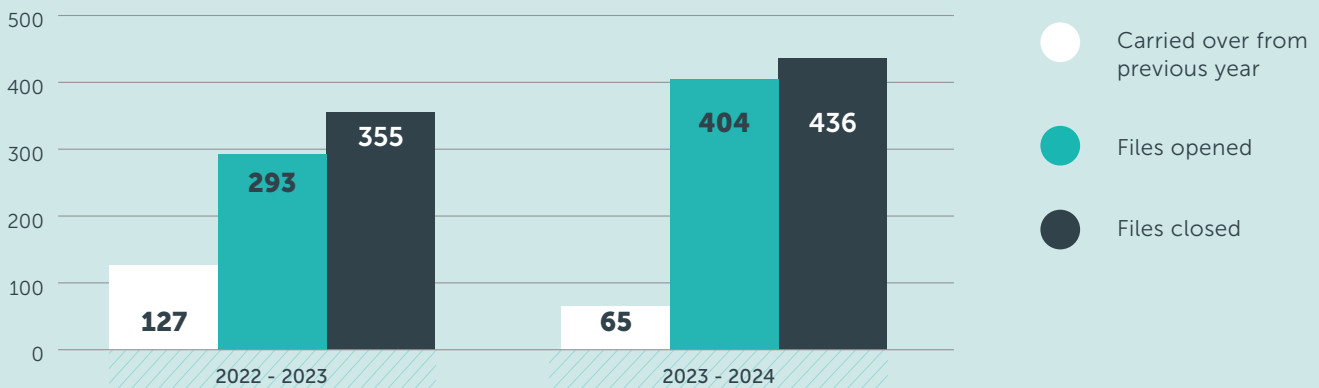
OVERVIEW OF WORKLOAD VOLUMES

TOTAL NUMBER OF NEW FILES

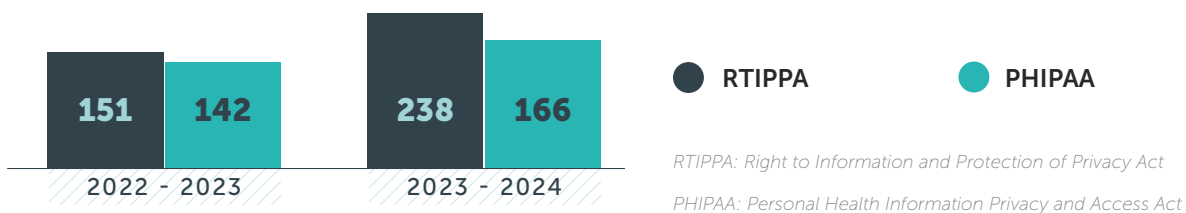
- 2021 - 2022
- 2022 - 2023
- 2023 - 2024



TOTAL NUMBER OF FILES OPENED, CLOSED AND CARRY-OVERS



TOTAL NUMBER OF FILES OPENED | BY LEGISLATION



TOTAL NUMBER OF FILES OPENED | BY ORGANIZATION

	2022-2023	2023-2024
Ambulance NB (EM/ANB)	5	3
Atlantic Lottery Corporation	0	1
Education and Early Childhood Development	3	27
Environment and Local Government	3	5
Executive Council	1	3
Finance and Treasury Board	1	3
Health	9	7
Horizon Health Network	54	44
Justice and Public Safety	8	18
Local governments (includes municipalities and local service districts)	17	40
Municipal police forces	5	9
Natural Resources and Energy Development	3	1
NB Liquor	3	1
NB Power	12	1
Office of the Premier	0	3
Opportunities NB	2	4
Other Health Care Custodians*	25	36
Post-Secondary Education, Training & Labour	3	5
Post-secondary institutions (includes universities and colleges)	2	4
School Districts	14	12
Service NB (SNB)	2	4
Social Development	9	9
Transportation and Infrastructure	6	7
Vitalité Health Network	40	44
Worksafe NB	5	3
Others**	61	110
TOTALS	293	404

*Includes pharmacies, private medical practices, electronic medical records holders, etc.

**Others includes all general and non-jurisdictional enquiries.

TOTAL NUMBER OF FILES | *BY RESOLUTION STAGE*

	2022-2023	2023-2024
General enquiries	46	88
Non jurisdiction	15	22
Reviews and investigations	232	294
TOTALS	293	404

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*

	2023-2024	
	RTIPPA	PHIPAA
Access – Content	81	5
Access – No Response	22	7
Access – Self Extension	6	0
Breach Notification	10	94
Fees	0	10
Ombud Files	1	1
Privacy	11	7
Request to Disregard	5	0
Time Extension	34	0
Others*	68	42
TOTALS	238	166

*Others includes all general and non-jurisdictional enquiries.

TYPES OF FILES | *BY ORGANIZATION*

RTIPPA		2023-2024						
Public bodies	Content	No response	Self-Extension	Privacy	Self-Reported Breach	Request to Disregard	Time Extension	Ombud file
Atlantic Lottery Corporation				1				
Education and Early Childhood Development	6	6	1				13	1
Environment and Local Government	3						2	
Executive Council	1	1					1	
Finance and Treasury Board	3							
Health	3	1					3	
Horizon Health Network	2							
Justice and Public Safety	10	2		5			1	
Local governments	24	4	2		1	3	6	
Natural Resources and Energy Development	1							
NB Liquor Corporation						1		
NB Power	1							
Office of the Premier		2					1	
Opportunities New Brunswick	3						1	
Municipal Police Forces	7	1	1					
Post-Secondary Education, Training and Labour	1	2			2			
Post-secondary institutions (universities and colleges)					2		2	
School Districts	3			1	5			
Service New Brunswick	2			1		1		
Social Development	2	2	1	2			2	
Transportation and Infrastructure	3	1	1				2	
Vitalité Health Network	5							
WorkSafe NB	1			1				
TOTALS	81	22	6	11	10	5	34	1

PHIPAA		2023-2024							
Custodians of personal health information	Content	No response	Self-Extension	Privacy	Fees	Self-Reported Breach	Request to Disregard	Time Extension	Ombud File
Ambulance NB (EM/ ANB)						3			
Anglophone School District South				1		2			
Horizon Health Network	3					39			
Other Health care Custodians	1	7		4	10	13			1
Vitalité Health Network	1			1		37			
Worksafe NB				1					
TOTALS	5	7	0	7	10	94	0	0	1





ANNUAL REPORT

2023 • 2024

PUBLISHED BY:

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

JANUARY 2025
ISBN 978-1-4605-4080-0
PRINTED IN
NEW BRUNSWICK