



**ombud**

NEW BRUNSWICK • NOUVEAU-BRUNSWICK

# ANNUAL REPORT

2024 • 2025

## **Annual Report 2024-2025**

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February 2026

**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, 2024 to March 31, 2025.

Respectfully submitted,

**MARIE-FRANCE PELLETIER**

Ombud for New Brunswick

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## MESSAGE FROM THE OMBUD

As we continue with our goal to transform, modernize and raise awareness about the role of our office, 2024-2025 was a record year where the number of enquiries and complaints to our office reached nearly 2800, the highest level in recent history.

The additional positions created in our office as a result of a funding increase last fiscal year were instrumental in ensuring our capacity to deal with this added workload. While we are pleased to see more people reaching out to our office for help, we are also monitoring workload trends closely to ensure our current staff complement will continue to be sufficient to provide meaningful assistance to individuals who contact us.

As the number of contacts to our office has increased, our frontline staff have noted that some individuals who contact us display growing frustrations and difficult behaviours. Sadly, in discussions with our colleagues across the country, many have experienced this trend as well. This situation has increased the complexity of the work done by our staff at all levels, and we are continuing to support them in dealing with unreasonable conduct by equipping them with training, tools, and management practices to navigate what can be a challenging work environment at times.

During the year, we also progressively broadened our engagement efforts, recognizing that awareness and accessibility are key to fulfilling our responsibilities. For example, we seized the opportunity to better

inform elected officials of our role by sending an information package to all Members of the Legislative Assembly following the provincial election. We held targeted outreach sessions with public organizations and conducted site visits in a number of correctional and psychiatric institutions, two areas that continue to be important areas of intervention for our office.

In continuing to build our office's reputation within the province, I am also pleased that our expertise is being solicited beyond our provincial borders. We are benefitting from opportunities to participate in national and international working groups and committees, namely related to health information and wrongdoing disclosures, among others.

I am particularly proud to have been elected as second vice president of the *Association des ombudsmans et médiateurs de la Francophonie* in October 2024, thereby upholding New Brunswick's proud involvement in this international ombudsman network.

Our work can be challenging at times, but it is equally fulfilling to be able to contribute to the improvement of the public sector. It is a privilege to be a voice for those seeking fairness, transparency, and accountability throughout the province.

**MARIE-FRANCE PELLETIER**  
Ombud for New Brunswick

# 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
- they are not satisfied with how a public organization has handled a request for information
- 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
- 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 laws:

- 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 also receives self-reported privacy breaches made by public bodies, as well as reviews other types of requests made by public bodies to the Ombud. 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 several 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.

# THE YEAR AT-A-GLANCE

## FINANCIAL INFORMATION

Budget and expenditures for fiscal year 2024-2025

EXPENDITURE	BUDGET (\$)	ACTUAL (\$)
COMPENSATION AND BENEFITS	2,378,400.00	2,035,810.22
OTHER SERVICES	498,700.00	228,186.94
MATERIALS AND SUPPLIES	10,200.00	14,748.52
PROPERTY AND EQUIPMENT	16,600.00	52,287.88
DEBT AND OTHER CHARGES	100.00	0.00
<b>TOTALS</b>	<b>2,904,000.00</b>	<b>2,331,033.56</b>

As with previous years, the office's largest expenditure was compensation and benefits, while the remainder of our budget went to other operational costs. These included various consultation services, office lease, office furniture and equipment, translation services, membership fees, personnel training, and other professional services. We also continued to make occupational health and safety

enhancements to our workspaces.

We made progress on filling vacant positions in 2024-2025 and we continued our efforts to procure a new case management system for the office. However, these two areas continued to be the source of under expenditures in the budget for the year. Both recruitment and procurement efforts were carried over into 2025-2026.

## HUMAN RESOURCES INFORMATION

Number of employees

STATUS	2023-2024	2024-2025
FULL-TIME PERMANENT	17	19
PART-TIME PERMANENT	2	2
TERM, CASUAL ETC.	2	1
<b>TOTAL*</b>	<b>21</b>	<b>22</b>

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

Number of Full-Time Equivalent positions (FTEs)

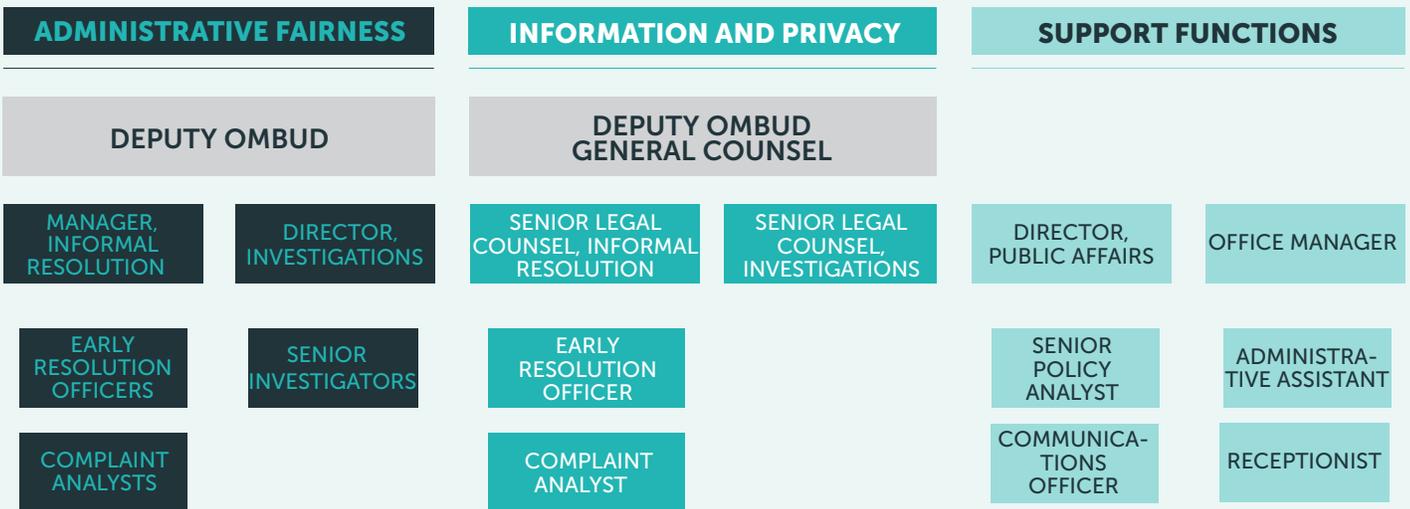
STATUS	2023-2024	2024-2025
FULL-TIME PERMANENT	17	19
PART-TIME PERMANENT	1.3	1.3
TERM, CASUAL ETC.	1.3	1
<b>TOTAL*</b>	<b>19.6</b>	<b>21.3</b>

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

Recruitment efforts resulted in filling five positions during the year. This included two new positions (Communications Officer, Administrative Assistant), in addition to hiring a full-time receptionist, an early resolution officer

(on secondment), and a Deputy Ombud in anticipation of an impending retirement.

## ORGANIZATIONAL CHART at March 31, 2025



**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*.

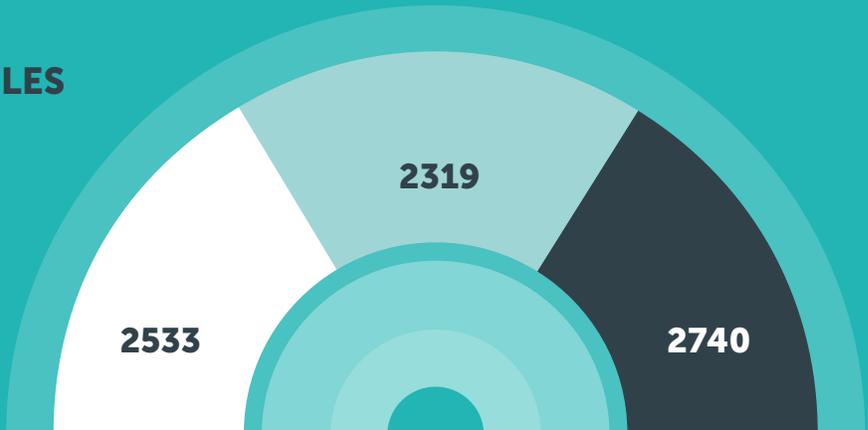
**Public Affairs Section**  
Responsible for communications, awareness, outreach, public education, strategic planning, and policy.  
**Operations Section**  
Responsible for administration and operational management services.

# OVERVIEW OF WORKLOAD VOLUMES

## ALL MANDATES INCLUDED

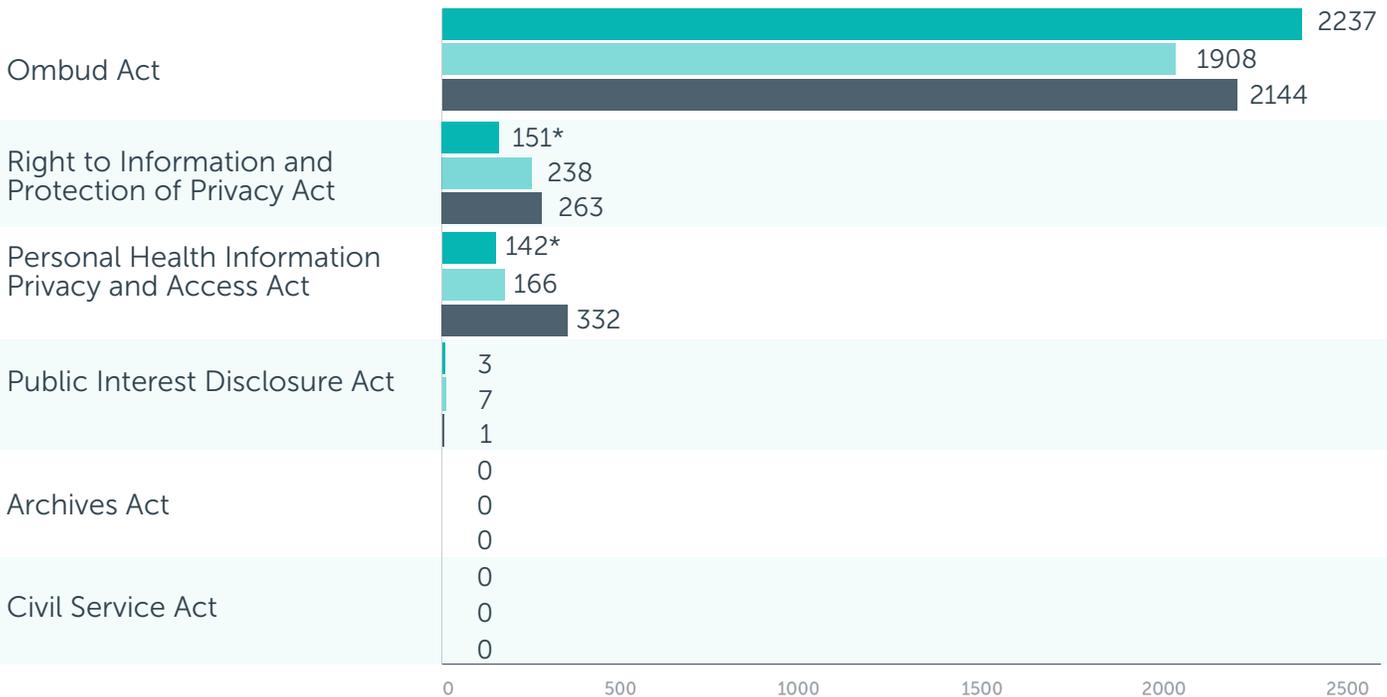
### TOTAL NUMBER OF NEW FILES

- 2022 - 2023
- 2023 - 2024
- 2024 - 2025



# OVERVIEW OF WORKLOAD VOLUMES

## TOTAL NUMBER OF FILES | BY LEGISLATION



- 2022 - 2023
- 2023 - 2024
- 2024 - 2025

\* These numbers were revised following the publication of the 2022-2023 Annual Report

# HIGHLIGHT OF THE YEAR'S KEY ACTIVITIES

## ADMINISTRATIVE FAIRNESS

During 2024–2025, our office handled 2144 administrative fairness files, which represented 78% of the office's total workload. Our office strives to resolve matters as soon as possible by first attempting early resolution through initial discussions with the public organization involved in the complaint, or by conducting a more in-depth intervention when needed, while still aiming for an informal resolution. Approximately 93% of files received under our administrative fairness mandate were resolved within two weeks through early resolution. Of the remaining files, 55% were informally resolved within 90 days, while more complex files took longer to complete.

In the last fiscal year, approximately 27% of complaints received under the *Ombud Act* came from individuals in custody or their families complaining about matters related to Adult Custody Services (ACS). We continued to address complaints involving individuals in custody facing barriers to accessing medical care and services. In fact, 11% of ACS complaints received involved issues surrounding access to dental care, requests to see a nurse/doctor, or a prescription requested or denied. Our office often intervened to confirm whether an individual in custody had a scheduled appointment to be assessed by a dentist, physician, clinician, or psychiatrist. We also ensured that individuals in custody understood decisions that were made in relation to their care, especially in cases where their medication was discontinued, medical requests were denied or their participation in an Opioid Agonist Treatment Plan was interrupted.

For example, it was common for individuals in custody to complain that they had been taken off their prescription medications upon entering a correctional centre, which can lead to the destabilization of their mental health and increased tensions within the correctional centre. We continued to meet and address inconsistencies we observed related to accessing health and mental health supports as well as the lack of continuity of care between ACS and regional health authorities by encouraging enhanced collaboration between these entities.

Throughout the year, our staff visited correctional centres and continued discussions with ACS as they worked toward implementing best practices related to living conditions, enhancing de-escalation techniques, use of force protocols, and improving complaint processes within ACS. During our site visits, we had the opportunity to discuss these challenges with ACS staff including some Correctional Program Officers, who are now in place to work more closely with the more complex cases at their facilities. They explained how they helped with providing meaningful contacts to those who may require extra care while in custody such as finding ways to connect these individuals to the proper supports and ensuring they can socialize with other compatible inmates or spend time doing productive activities such as visit the library or spend time outdoors.

After ACS, the Department of Social Development, Housing NB, the Department of Health and Regional Health Authorities, had the highest number of complaints received, reflecting ongoing concerns related to access to health

care and social services. Social Development complaints accounted for approximately 8% of administrative fairness complaints we received. The biggest portion of these complaints involved access to benefits offered to New Brunswickers such as the social assistance program or disability benefits. The Department of Health, including the regional health authorities, accounted for approximately 7.5% of administrative fairness complaints we received. Complainants expressed frustration with various aspects of the health care system, raising concerns regarding services and care provided by medical professionals and difficulties accessing primary care providers. While our office does not review clinical decisions, we are able to refer complainants to the proper regulatory organizations when needed.

Housing New Brunswick (HNB) complaints accounted for 3.5% of administrative fairness files for the last fiscal year. The primary concern of complainants centered on the limited number of available HNB units as compared to the demand for these services. This imbalance has placed a strain on the system, resulting in wait times and frustration among applicants seeking assistance. Our office worked with the complainants and HNB to ensure that all pertinent information was collected and their circumstances were taken into account. This review helped to confirm that applicants were appropriately placed on the waitlist and that eligibility and priority determinations were made as fairly as possible.

Finally, we continued to receive complaints related to local governance matters, which accounted for about 3% of administrative fairness complaints. Most concerns were about the use of closed meeting practices, such as

municipal councils discussing topics without the public present when legislation requires them to be discussed in public meetings. We also received complaints related to code of conduct investigation processes used by local governments to review complaints made against elected officials. The Local Governance Commission (LGC) can investigate code of conduct violations then issue rulings or sanctions, but the LGC does not focus on the process used by the local government to investigate their complaints. Therefore, these types of complaints come to our office for review. Most complaints were resolved informally, or, where appropriate, individuals were referred to the LGC for further assistance.

## INFORMATION AND PRIVACY

Our office received 595 new files related to access to information and privacy issues in 2024-2025, an increase of 191 files (47%) over the previous year. This increase in files can be largely attributed to the number of general enquiries our office received regarding a cyberattack that occurred, where over 10 000 New Brunswick residents were potentially affected and notified of the cyberattack. Our office received 128 enquiries, as well as 15 privacy complaints relating to that cyberattack.

Additionally, we saw an increase in the number of privacy breach notifications reported to our office from Horizon Health Network, as they had experienced a backlog in reporting to our office from previous years.

The Ombud issued seven reports of findings with recommendations under the *Right to*

*Information and Protection of Privacy Act*. The issues raised in the three investigations involving local governments included access rights to public consultation reports prepared by external consultants, invoices and payments made for work conducted by external consultants, and financial arrangements with former employees. In each of these cases, the Ombud recommended that the local governments grant greater access to better meet their transparency obligations.

The issues raised in the three investigations involving core Government of New Brunswick departments included access rights to information about a new correctional facility, information about a Crown prosecutor shortage, and communications and information about Forest Protection Ltd. These cases show that the public is interested in better understanding government decisions, including on issues that affect their communities.

In two of these cases, the Ombud recommended greater disclosure than the public bodies initially provided. The Ombud also noted room for process improvements in access practices and procedures for one of the public bodies and made recommendations to encourage better compliance with their duty to assist obligations.

As for the third case, involving information about Forest Protection Ltd., the Ombud recommended further disclosure of some of the information at issue. A key issue in this case was whether Forest Protection Ltd. was a public body of its own right under the *Right to Information and Protection of Privacy Act*. The Ombud found that while Forest Protection Ltd. has strong ties to the Provincial Government due to the Province

being its majority shareholder and that it was treated as a Crown corporation at certain times, it did not meet any of the current definitions of “public body” as set out in the law.

The information at issue in an investigation involving a regional health authority related to contracts with external staffing agencies for travel nurses to work in the public health care system. The Ombud recommended that the regional health authority disclose the contracts, with the exception of individual signatures, as it had not met the burden of proof to show how disclosure could harm the external staffing agencies’ business or financial interests. The Ombud also cautioned against the blanket use and reliance on confidentiality clauses in contracts with external service providers, as while they may speak to the intent of the parties to maintain confidentiality about contract terms, public bodies cannot contract out of their transparency requirements under the legislation.

Under the *Personal Health Information Privacy and Access Act*, the Ombud issued one report in response to a complaint from a patient who was having trouble getting access to their patient file as the doctor’s practice had been closed for an extended period of time. The report set out guidance on health care providers’ obligations to ensure patients have timely access to their health information at all times, which can be challenging at times for solo practitioners when they are away from their practice on a long-term basis.

## WRONGDOING

Our office continues to receive few disclosures made under the *Public Interest Disclosure Act* (PIDA), having received only one in 2024-2025, which was determined to be a general enquiry as it did not meet the necessary criteria under the legislation. Nonetheless, we continued work on improving our internal processes and learning about best practices in this field from our colleagues across the country.

We also began to conduct cross-jurisdictional research on similar legislation across the country to examine features that may help to enhance wrongdoing disclosure legislation in New Brunswick. This research will eventually inform our office's contributions to any proposed revisions to PIDA, following the government's commitment in the 2024 Speech from the Throne to review PIDA.

## PUBLIC AFFAIRS

With the establishment of the Public Affairs Section and the first-ever staff dedicated to communications and policy work within the office, the new public affairs team developed and delivered several initiatives to enhance awareness of the office's roles and responsibilities, as well as supporting all of our mandates with research and policy analysis.

The office started to host information sessions between the Ombud and representatives of public sector organizations. Three sessions were held during the year in the Southeast, Southwest, and River Valley regions of the province. These sessions provided an opportunity for organizations subject to oversight by the Office of the Ombud to better understand how we examine complaints,

which in turn may help them to interact effectively with our office. Sessions continue to be organized throughout the province.

Following the provincial election in October, the Ombud sent information packages to every Member of the Legislative Assembly to provide each of them with materials explaining the Ombud's mandates and a guide to assess how public organizations can provide fair processes, decisions and services in the delivery of their programs.

After enabling website tracking capabilities in February 2025, the office's website ([ombudnb.ca](http://ombudnb.ca)) recorded over 12,000 views and attracted over 3,900 visitors from about a dozen different countries in just two months of data collection.

The office also continued to participate actively in national and international networks related to our mandates, sharing our expertise while also learning from others' experiences.

In June 2024, the Ombud attended the annual meeting of the Canadian Council of Parliamentary Ombudsmen (CCPO). Throughout the year, office staff continued to participate in monthly webinars offered to CCPO members and their staff, and in January 2025 our office delivered a webinar to the CCPO on *Fostering Authentic Communication to Support Successful Outcomes in Investigations*.

In September 2024, our office participated in the annual meeting of Canadian Public Interest Disclosure Commissioners. Discussions centered on best practices surrounding public interest disclosures and whistleblower protection.

In October 2024, the Ombud attended the annual meeting of Federal-Provincial-Territorial

Information and Privacy Commissioners, following which commissioners issued joint statements in three areas of public interest: Identifying and mitigating harms from privacy-related deceptive design patterns; Responsible information sharing in situations involving intimate partner violence; and Enhanced transparency in government operations.

Also in October, the Ombud was asked to be a panelist for a virtual conference organized jointly by the *Association des ombudsmans en enseignement supérieur du Québec*<sup>1</sup> and the *Association des responsables de la gestion des plaintes*<sup>2</sup> to mark International Ombud Day.

The Ombud and other participants from the office attended the bi-annual meeting and conference of the *Association des ombudsmans et médiateurs de la Francophonie*<sup>3</sup> (AOMF) held in Québec City in October 2024. The conference resulted in the adoption of a statement on the protection of whistleblowers. We are also pleased to report that members of the AOMF elected the Ombud for New Brunswick as second vice-president of their organization.

In November 2024, the Ombud attended the virtual annual meeting of the *Association francophone des autorités de protection des données personnelles*<sup>4</sup> (AFAPDP), marking a renewed membership to this organization, of which the office had been a founding member in 2007.

The office also continued to benefit from its memberships in other national and international organizations such as the Forum of Canadian

Ombudsman and the International Ombudsman Institute.

## OPERATIONS

In addition to the continuing efforts to fill vacant positions and procure a new case management system to modernize our operations, we also established the first Joint Health and Safety Committee with our colleagues from the Office of the Child, Youth and Seniors Advocate with whom we share office space. The Joint Committee worked arduously at developing internal policies and instituting inspection scheduling to ensure that workplace safety guidelines are adhered to and that we promote a safe and healthy workplace for all.

We further continued to invest in the professional development of our employees by offering skills-based training as well as specialized subject-matter training. For example, an all-staff training session was held on managing unreasonable conduct. As mentioned previously, staff participated in virtual training sessions offered through the CCPO, as well as through Federal-Provincial-Territorial Information and Privacy Commissioners.

Finally, our office launched a Service Award program for our employees. This new initiative recognizes the ongoing years of commitment and dedication of employees to our office who have been part of the team for 5, 10, 15, 20 and some for over 25 years!

<sup>1</sup> An association of ombudsman for post-secondary education institutions in Quebec.

<sup>2</sup> An organization for those who are responsible for managing complaints within public or quasi-public sector in Quebec.

<sup>3</sup> An association of ombudsman and mediators from countries having French as a common language.

<sup>4</sup> An association of privacy regulators from countries having French as a common language.

# 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

### *FACILITATING RESOLUTION IN A HOUSING SUPPORT PROGRAM*

#### Housing NB

Our office may assist in facilitating communication between individuals and public organizations. In this case, a complainant contacted us regarding a delay in payment under the New Brunswick Home Repair Program, administered by Housing NB. The program provides financial assistance to low-income homeowners for essential home repairs.

The complainant had been approved for the program and the contracted work had been completed. However, despite fulfilling all program requirements, they had not received the cheque for the completed work. This delay was causing financial hardship and placed the complainant at risk of legal action from the contractor.

Our staff contacted Housing NB to help clarify the situation. As a result, the complainant was able to visit their local office to complete the necessary paperwork for submission to Service New Brunswick for processing. Once processed, the cheque was issued and picked up by the complainant, resolving the matter.

## ADMINISTRATIVE FAIRNESS

### *IMPROVING COMPLAINT HANDLING BY A LOCAL GOVERNMENT*

#### City of Bathurst

A complainant contacted our office with concerns regarding issues related to local infrastructure and expressed frustration over a lack of response from their local government. The matter had been ongoing for some time, and the complainant felt they had reached an impasse after speaking with multiple individuals across different departments, without resolution.

Our staff contacted the City of Bathurst to discuss the complaint and relay the complainant's perspective, particularly information they believed had not been adequately heard or considered. Through this engagement and a subsequent internal review, the City of Bathurst identified inefficiencies in their complaint-handling practices.

Specifically, the City of Bathurst acknowledged that there was no established process in place for managing complaints, which had led to some issues being overlooked or not followed up on. As a result, the City of Bathurst committed to developing a new, more structured complaints process to ensure concerns are tracked and addressed more effectively in the future.

## ADMINISTRATIVE FAIRNESS

### CLARIFYING PERMIT

#### REQUIREMENTS FOR LAND ACCESS

Kings Regional Service

Commission, Department of

Transportation and Infrastructure

A complainant contacted our office regarding challenges in obtaining the necessary permits to proceed with a building project on their property. They had been informed by the Kings Regional Service commission that permits from the Department of Transportation and Infrastructure (DTI) were required before local building permits could be issued. After contacting DTI, the complainant believed their request had been denied, halting any further progression.

Following our enquiries, it was clarified that the road in question was classified as a public non-maintained road. Access to such roads is not controlled, and as such: the public is not required to obtain an access permit to use these roads, and DTI has no authority to issue access permits for them.

It became evident that the letters sent to the complainant during their application process may have contributed to the confusion. While technically accurate, the wording suggested a denial without clearly explaining that an access permit was not necessary in this case.

After our involvement, the Kings Regional Service Commission accepted this clarification and proceeded accordingly. We shared with DTI

that clearer communication in such situations could help avoid future misunderstandings. The Department acknowledged the feedback, and we were advised that the suggestion would be taken under consideration to improve future communications.

## INFORMATION AND PRIVACY

### BALANCING PATIENT PRIVACY AND

#### APPLICANT'S RIGHT TO INFORMATION

*Right to Information and Protection of Privacy Act - Department of Health*

An applicant filed a complaint with our office after finding out that nearly 200 pages of patient records were missing from a response to their access to information request. As some of the information in question would risk compromising patient confidentiality, our staff worked with the applicant and the department to determine if a table that provided some general information, including a page count by group types of documents, would be satisfactory. Both parties were receptive to the approach and the department provided the completed table to the applicant, which resulted in the matter being resolved informally.

After reading a news article, another applicant requested information from the department about the type and amount of paperwork being processed by a medical professional. The applicant received a response containing only 4 pages of records, even though the news article had stated that the medical professional had to process hundreds of pages of paperwork. In responding to the applicant, the department

had not explained why the remaining pages of records were not disclosed.

Our review determined that the remaining records consisted of forms that contained third-party patient medical information. Our staff asked the department to develop a table that provided the page count and group types of documents. Again, both parties were receptive to the approach and the department provided the completed table to the applicant, informally resolving the matter.

## INFORMATION AND PRIVACY

### ACCESS TO INFORMATION FOR RELATIVE ADMITTED TO HOSPITAL

#### *Personal Health Information Privacy and Access Act - Horizon Health Network*

An applicant complained that the Horizon Health Network (Horizon) had refused to provide a copy of their father's medical file in response to an access request. Horizon indicated to the applicant that their father's medical records could not be disclosed while the father remained an admitted patient at the hospital. The applicant stated having provided a copy of the father's Power of Attorney naming the applicant's mother, and alternatively, the applicant, if the mother was not able. The mother later resigned her Power of Attorney, leaving the applicant as the sole person to exercise those powers.

During our review, Horizon explained that, generally, patient medical files about admitted patients are not processed when an access to

information is received, as the patient medical file needs to be kept on the floor where the patient is admitted so as not to interfere with the patient's care. Horizon stated that someone requesting access to an admitted patients' medical file could instead come to the floor where the patient is admitted and review the file with an Horizon employee. Our office considered that the fact that a patient is admitted in a hospital did not remove a regional health authority's obligations under the Act to retrieve and process the access request for that patient's medical file.

Horizon advised our office that they reviewed the father's medical file and confirmed that it contained the updated Power of Attorney naming the applicant as sole Attorney for the father, and therefore, Horizon agreed to process the access to information request and provide the applicant with a copy of the requested information. The matter was informally resolved.



# RECOMMENDATIONS MONITORING

In 2024-2025, the Ombud (or her delegates) completed eight investigation reports with recommendations under the *Right to Information and Protection of Privacy Act* and the *Personal Health Information Privacy and Access Act*.

Of the eight reports issued:

- three reports saw public bodies/custodians accept all recommendations
- two reports saw public bodies partially accept recommendations

- two reports saw public bodies reject all recommendations
- one report saw a public body deemed to have rejected the recommendation as it did not provide a response by the legislated deadline

We will continue to work with all public bodies to communicate the importance of adhering to the Ombud’s recommendations to build public trust in their institutions.

RECOMMENDATION MONITORING				
Public Body	Type of File	Date Report Issued	Summary of Issues in Report	Public Body Responses to Recommendations
Tracadie	RTIPPA access complaint	2024.04.25	Access to information about a consultant’s report and related billing information	Partially accepted
Tracadie	RTIPPA access complaint	2024.04.25	Access to information for consultants’ invoices	Not accepted
Dr. D.A. Ginson	PHIPPA access complaint	2024.04.30	Patient seeking access to their own personal health information from their doctor	Accepted
Town of Heron Bay	RTIPPA access complaint	2024.05.21	Access to information about financial arrangements with a former employee	Not accepted
Justice and Public Safety	RTIPPA access complaint	2024.07.09	Access to information about a new correctional facility	Accepted
Natural Resources and Energy Development	RTIPPA access complaint	2024.07.12	Access to information about Forest Protection Ltd.	Partially accepted
Vitalité Health Network	RTIPPA access complaint	2024.09.13	Access to information about travel nurse contracts	Did not respond by deadline - deemed not accepted
Justice and Public Safety	RTIPPA access complaint	2024.11.14	Access to information about a Crown prosecutor shortage and the Public Prosecution Service	Accepted

# STATISTICAL INFORMATION

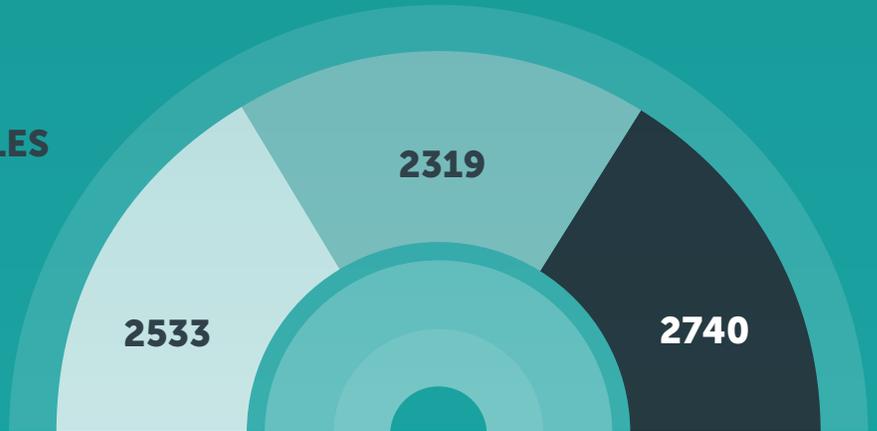
# STATISTICAL INFORMATION

## OVERVIEW OF WORKLOAD VOLUMES

ALL MANDATES INCLUDED

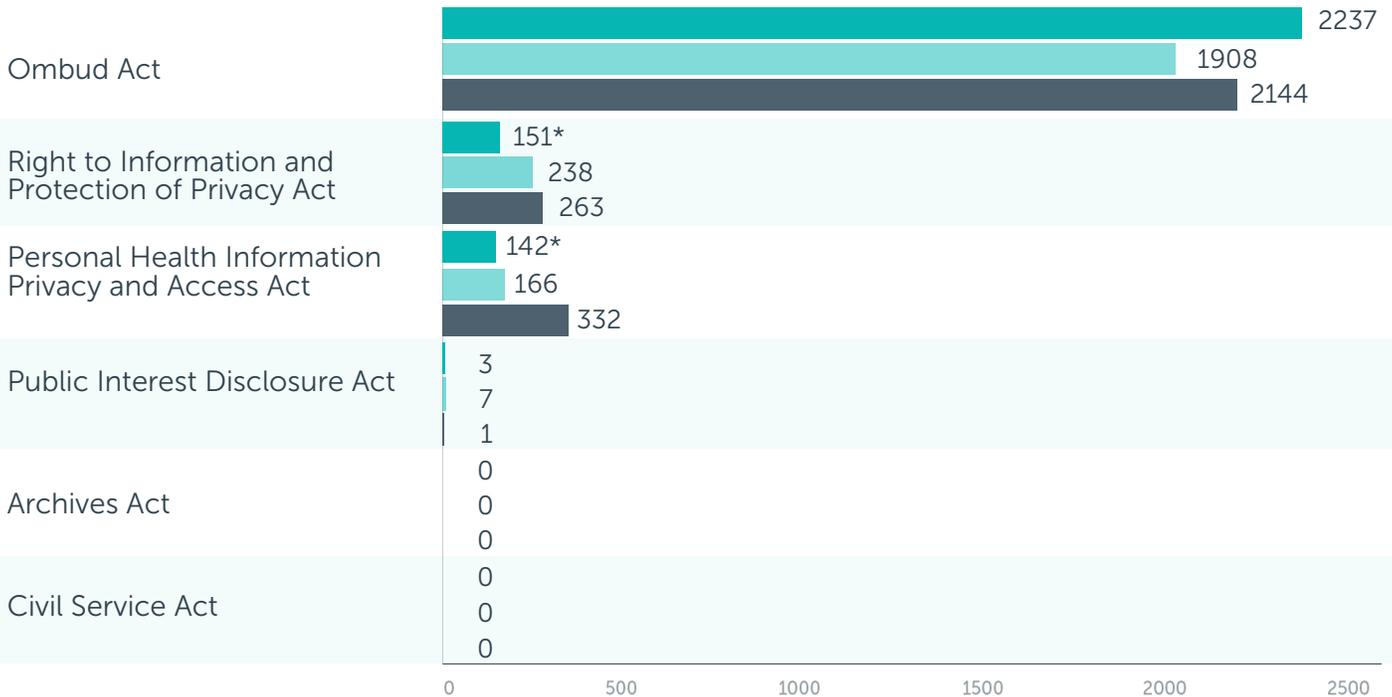
### TOTAL NUMBER OF NEW FILES

- 2022 - 2023
- 2023 - 2024
- 2024 - 2025



## OVERVIEW OF WORKLOAD VOLUMES

### TOTAL NUMBER OF FILES | BY LEGISLATION



- 2022 - 2023
- 2023 - 2024
- 2024 - 2025

\* These numbers were revised following the publication of the 2022-2023 Annual Report

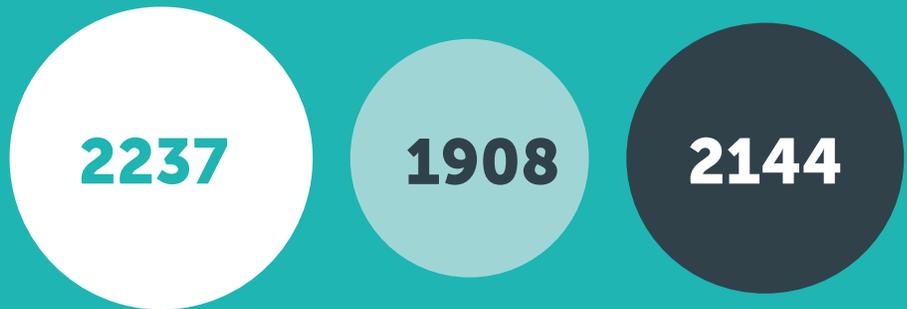
# STATISTICAL INFORMATION

## ADMINISTRATIVE FAIRNESS

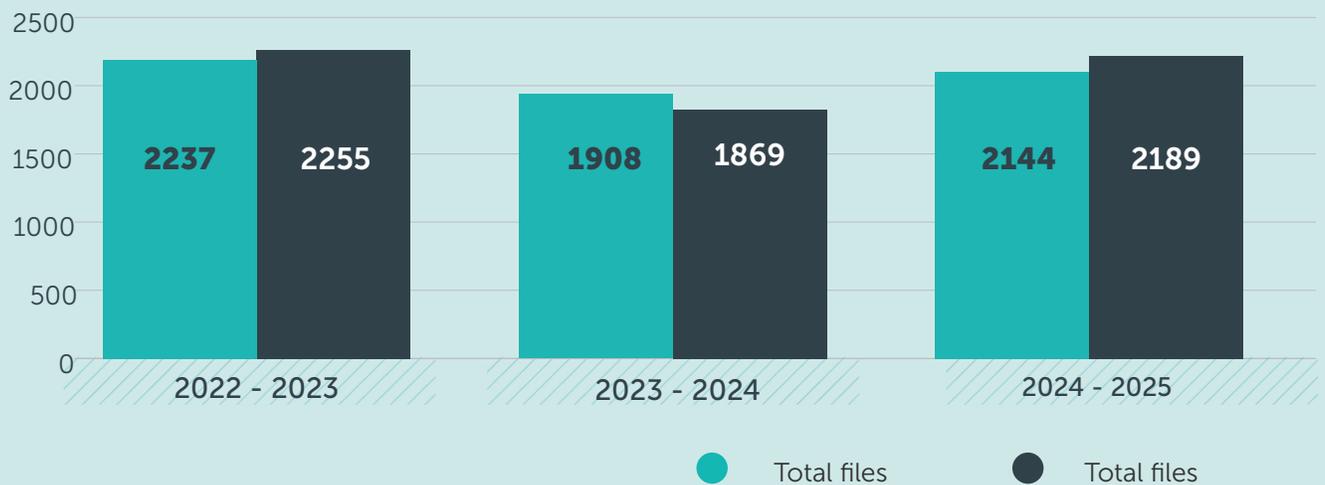
### OVERVIEW OF WORKLOAD VOLUMES

#### TOTAL NUMBER OF NEW FILES

- 2022 - 2023
- 2023 - 2024
- 2024 - 2025



#### TOTAL NUMBER OF FILES OPENED AND CLOSED



## TOTAL NUMBER OF FILES OPENED | BY ORGANIZATION

	2023-2024	2024-2025
Agriculture, Aquaculture and Fisheries	2	3
Education and Early Childhood Development	26	37
Environment and Local Government	11	24
Executive Council Office	2	1
Extra-Mural / Ambulance NB (EM/ANB)	4	3
Finance and Treasury Board	6	11
Financial and Consumer Services Commission	2	2
Health	175	159
Justice and Attorney General	14	22
Labour and Employment Board	2	1
Legal Aid	8	3
Local governments (includes municipalities and local service districts)	23	62
Natural Resources and Energy Development	2	7
NB Housing Corporation (Housing NB)	-	74
NB Human Rights Commission	4	12
NB Liquor Corporation	3	1
NB Police Commission	4	5
NB Power Corporation	24	47
Office of the Comptroller	2	0
Post-Secondary Education, Training and Labour	12	19
Public Safety – <i>Adult Custody Services only</i>	466	583
Public Safety – <i>excluding Adult Custody Services</i>	56	58
Service New Brunswick	56	59
Social Development	153	169
Tourism, Heritage and Culture	0	3
Transportation and Infrastructure	19	18
WorkSafe NB	42	51
Others*	790	710
<b>TOTAL</b>	<b>1908</b>	<b>2144</b>

\*Others includes all non-jurisdiction enquiries, as well as general enquiries that were either not organization-specific or did not require significant engagement from our staff.

## TOTAL NUMBER OF FILES | BY RESOLUTION STAGE

	2023-2024	2024-2025
General enquiries	850	1033
Non jurisdiction	525	564
Reviews and investigations	533	547
<b>TOTAL</b>	<b>1908</b>	<b>2144</b>

**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.

 <b>EDUCATION AND EARLY CHILDHOOD DEVELOPMENT</b> (INCLUDES SCHOOL DISTRICTS)	2024-2025
Access to school property	1
Administration	1
Appeal process	1
Bullying	2
Children with special needs	1
Complaints regarding staff	1
Employment	10
Transportation	2

**ENVIRONMENT AND  
LOCAL GOVERNMENT****2024-2025**

Administration	6
Complaints regarding staff	1
Employment	3
Local service districts	1
Permits & licences	1

**HEALTH**  
*(INCLUDING REGIONAL HEALTH AUTHORITIES)***2024-2025**

Addiction Services	1
Administration	6
Admission-Discharge	16
Complaints regarding staff	48
Employment	3
Medical treatment	10
Medicare	5
Mental health	4
Public health	9

**JUSTICE AND ATTORNEY GENERAL****2024-2025**

Complaints regarding staff	10
Support payments and orders	2

**LOCAL GOVERNMENTS**  
(INCLUDES MUNICIPALITIES AND LOCAL SERVICE DISTRICTS)**2024-2025**

Administration	6
Complaints regarding staff	21
Employment	4
Municipal by-laws	6
Roads / streets	2
Water / sewage	2

**NB HOUSING CORPORATION (HOUSING NB)****2024-2025**

Evictions	10
Housing availability	19
Housing loans - grants	8
Housing repairs	4
Housing transfer	4
Tenant and Landlord Relations Office	27

**NB POWER****2024-2025**

Administration	1
Billing - amount / calculation	30
Damage claims	3
Disconnection	5

**POST-SECONDARY EDUCATION, TRAINING AND LABOUR****2024-2025**

Community college - others	2
Complaints regarding staff	1
Employment	1
Grants - loans	5
Student loans	6

 <b>PUBLIC SAFETY</b> <i>(EXCLUDING ADULT CUSTODY SERVICES)</i>	<b>2024-2025</b>
Complaints regarding staff	10
Coroner services	1
Employment	1
Permits / licences	18
Victim services	1

 <b>PUBLIC SAFETY</b> <i>ADULT CUSTODY SERVICES ONLY</i>	<b>2024-2025</b>
Administration	40
Classification – transfer	10
Clothing and bedding	17
Complaints regarding staff	58
Dental	10
Food	19
Personal property	28
Placement within institution	20
Prescriptions requested or denied	24
Program privileges	13
Request to see nurse / doctor	32

 <b>SERVICE NEW BRUNSWICK</b>	<b>2024-2025</b>
Administration	3
Complaints regarding staff	10
Employment	2
Permits / licences	13
Property assessment	6
Property assessment - appeal procedures	3
Vital statistics	4

**SOCIAL DEVELOPMENT****2024-2025**

Administration	11
Benefits	52
Complaints regarding staff	19
Nursing homes / residential services	13
Protections services	25

**TRANSPORTATION AND INFRASTRUCTURE****2024-2025**

Access right of way	2
Complaints regarding staff	1
Damage claims	3
Employment	5
Property issues	2
Road / bridge maintenance	2

**WORKSAFE NB****2024-2025**

Administration	5
Amount / calculation	3
Appeals tribunal	5
Claim denied	12
Complaints regarding staff	4
Discontinued / reduced	7

# STATISTICAL INFORMATION

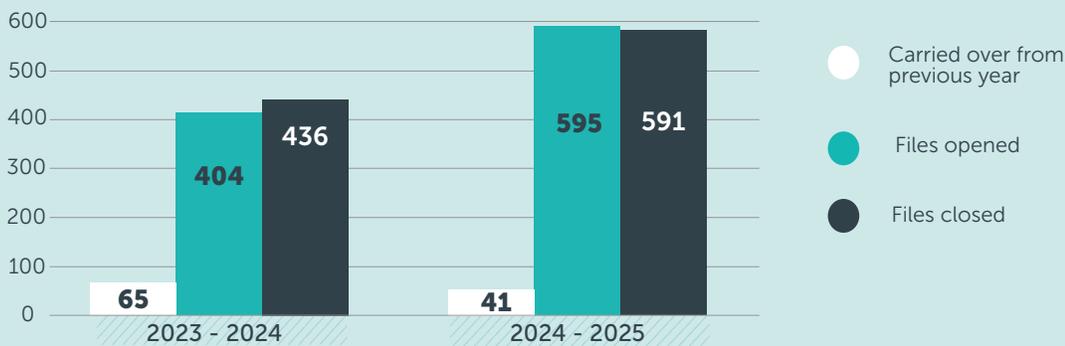
## INFORMATION AND PRIVACY

### OVERVIEW OF WORKLOAD VOLUMES

#### TOTAL NUMBER OF NEW FILES



#### TOTAL NUMBER OF FILES OPENED, CLOSED AND CARRY-OVERS



#### TOTAL NUMBER OF FILES OPENED | BY LEGISLATION



## TOTAL NUMBER OF FILES OPENED | BY ORGANIZATION

	2023-2024	2024-2025
Atlantic Lottery Corporation	1	0
Education and Early Childhood Development	27	7
Environment and Local Government	5	2
Executive Council Office	3	3
Extra-Mural/Ambulance NB (EM/ANB)	3	2
Finance and Treasury Board	3	0
Health	7	18
Horizon Health Network	44	97
Justice and Public Safety	18	5
Local governments (includes municipalities and local service districts)	40	31
Municipal police forces	9	6
Natural Resources and Energy Development	1	1
NB Housing Corporation	-	2
NB Human Right Commission	0	1
NB Liquor Corporation	1	3
NB Power Corporation	1	1
Office of the Premier	3	10
Opportunities NB	4	0
Other Health Care Custodians*	36	45
Post-Secondary Education, Training & Labour	5	1
Post-secondary institutions (includes universities and colleges)	4	8
School Districts	12	16
Service NB (SNB)	4	5
Social Development	9	13
Tourism, Heritage and Culture	0	1
Transportation and Infrastructure	7	4
Vitalité Health Network	44	16
Worksafe NB	3	9
Others**	110	288
<b>TOTAL</b>	<b>404</b>	<b>595</b>

\*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

	2023-2024	2024-2025
General enquiries	88	255
Non jurisdiction	22	33
Reviews and investigations	294	307
<b>TOTAL</b>	<b>404</b>	<b>595</b>

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

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

## TYPES OF FILES | BY LEGISLATION

	2024-2025	
	RTIPPA	PHIPAA
<b>ACCESS FILES</b>		
Content	59	7
No Response	15	5
Self Extension	8	0
Third Party	7	0
Fees	Not applicable	13
Request to Disregard	8	0
Time Extension	27	0
<b>PRIVACY FILES</b>		
Breach Notification	18	104
Privacy	14	22
<b>TOTALS</b>	<b>156</b>	<b>151</b>
<b>OTHERS*</b>		<b>288</b>

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

## TYPES OF FILES | BY ORGANIZATION

RTIPPA 2024-2025								
Public bodies	ACCESS FILES						PRIVACY FILES	
	Content	No response	Self-Extension	Third Party	Request to Disregard	Time Extension	Breach	Privacy
Education and Early Childhood Development	2		1	1		3		
Environment and Local Government						2		
Executive Council Office	1					2		
Health	8	3		1	1	5		
Horizon Health Network	5			1				
Justice and Public Safety	1	1			1	1		1
Local governments	17	5	5			1	1	2
Municipal Police Forces	2	1			1	1		1
Natural Resources and Energy Development	1							
NB Housing Corporation	1							1
NB Human Rights Commission								1
NB Liquor Corporation	1						2	
NB Power Corporation	1							
Office of the Premier	4	1		2		3		
Post-Secondary Education, Training and Labour			1					
Post-secondary institutions (universities and colleges)	2				1	1	3	1
School Districts	2			1	1	1	9	2
Service New Brunswick				1		1	2	1
Social Development	3	4	1			3		2
Tourism, Heritage and Culture	1							
Transportation and Infrastructure	1				1	2		
Vitalité Health Network	3							1
WorkSafe NB	3				2	1	1	1
<b>TOTALS</b>	<b>59</b>	<b>15</b>	<b>8</b>	<b>7</b>	<b>8</b>	<b>27</b>	<b>18</b>	<b>14</b>

**PHIPAA 2024-2025**

<b>Custodians of personal health information</b>	<b>ACCESS FILES</b>			<b>PRIVACY FILES</b>	
	<b>Content</b>	<b>No response</b>	<b>Fees</b>	<b>Breach Notification</b>	<b>Privacy</b>
Extra-Mural / Ambulance NB (EM/ANB)				2	
Horizon Health Network	6	1		84	
Other Health care Custodians	1	4	13	9	18
Vitalité Health Network				9	3
Worksafe NB					1
<b>TOTALS</b>	<b>7</b>	<b>5</b>	<b>13</b>	<b>104</b>	<b>22</b>





# ANNUAL REPORT

2024 • 2025

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