



Office of the Citizens' Representative

For more information on the contents of this brochure, or for more information on the OCR's role and mandate, please contact us at 709-729-7647, 1-800-559-0079, via email at citrep@gov.nl.ca, or visit our website at www.citizensrep.nl.ca.

Office of the Citizens' Representative

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Are you
having a
problem
with
provincial
government
services and
programs?



**Orientation Brochure for
New Provincial
Public Service Employees**



Seeking fairness...
finding solutions

On behalf of the Office of the Citizens' Representative ("the OCR"), I welcome you "on board" as you embark on what I hope will be a rewarding career with the Provincial Public Service. Today's Public Service provides a wealth of opportunity to not only apply the skills you bring to your job, but to develop and apply new skills as well. Here at the OCR, we believe that the "people skills" each person has are as important as the technical skills they possess. As Citizens' Representative (commonly referred to as "Ombudsman"), my mandate is to ensure, via mediation and investigation, that public employees treat the citizens of our province fairly with the decisions they make under the laws, regulations and policies of the provincial government. This brochure was developed to provide a brief introduction to the concepts that govern fairness in public administration. For more information on our mandate under the *Citizens' Representative Act*, or to learn more about the Office, I encourage you to contact us or visit our website at www.citizensrep.nl.ca.

Barry Fleming, Q.C.
Citizens' Representative

The Ombudsman Concept

The modern Ombudsman concept emanated from Sweden in 1809 as a neutral complaint investigation service. Offices were established within the Commonwealth during the twentieth century, and provincial offices in Canada began opening in 1967. Newfoundland and Labrador opened its first office in 1975. As the provincial Ombudsman service, the OCR receives, investigates, mediates or refers hundreds of complaints each year from the public about the services or decisions they receive from over 70 line departments, agencies, boards and commissions of the province. We report our findings annually to the House of

Assembly. Some complaints are outside of our jurisdiction, including those concerning:

- private companies and associations
- Government of Canada
- RCMP/RNC
- municipalities
- decisions of judges and arbitrators
- Executive Council
- House of Assembly, and
- matters falling under the jurisdiction of the Privacy Commissioner or the Child and Youth Advocate

In most cases, we are able to refer these complaints to the appropriate entities or provide information and tips for self-advocacy. Individual cases which fall under our jurisdiction are settled informally, or are investigated and reported upon to the responsible Deputy Minister/CEO.

Have You Ever Received Bad Service?

As consumers ourselves, we know the feeling that a person carries away from a bad customer service experience. People can feel as if they have been slighted, ignored, that their expectations have not been met or that the service provider does not take their work, or the customer's situation, seriously.

People's interactions with their government are no different. They expect, and are entitled to receive courteous, timely, honest and confidential service flowing from procedures that are thorough, fair, impartial, accessible and engaging. In many cases, the policy and procedure manuals that will direct your work describe the decisions you can make in certain situations. However, the best policy cannot anticipate every situation that comes your way, and there are times when employees, from front line to management, must use their discretion.

Fairness Tips

Interpersonal conflict and complaints from the public can be avoided or alleviated by keeping the fundamental components of administrative fairness in mind:

- *Procedural fairness* - advising citizens when a decision will be made; giving them a meaningful opportunity to state their case; impartially reviewing evidence; taking proper notes; avoiding long delays; communicating decisions in terms that are easily understood; and advising of available appeals.
- *Proper application of process* - ensuring that the person making the decision is authorized under law to do so; providing adequate reasoning; ensuring decisions are not prohibited under human rights or constitutional law; and ensuring decisions do not overburden the person, creating unnecessary hardship (for example requiring citizens to apply for a service in person regardless of distance or difficulty).
- *People skills* - being approachable; apologizing for an error; not creating false hope or impressions about what you can do for someone; being honest; respecting confidentiality; and taking the time to listen.

Remember, public employees set the tone for their department in the public mind. The quality of their decisions in the exercise of discretion will determine whether their department is perceived as accessible, fair, efficient and effective, or conversely as obstructive, overly bureaucratic, slow and unresponsive.