

# MANAGEMENT RESPONSE TO THE EVALUATION OF THE PSIC DISCLOSURE AND REPRISAL MANAGEMENT PROGRAM

## Context

The Office of the Public Sector Integrity Commissioner of Canada's mandate is to provide public servants and members of the public with an independent and confidential process for receiving and investigating disclosures of wrongdoing in, or relating to, the federal public sector; to report founded cases to Parliament and making recommendations to chief executives on corrective measures. PSIC's mandate also includes providing a mechanism for handling complaints of reprisal from public servants and former public servants, for the purpose of coming to a resolution, including through conciliation and by referring cases to the Tribunal.

PSIC's Operations Branch implements the Disclosure and Reprisal Management Program (the Program) and constitutes most of PSIC's workforce. The Program represents the operationalization of the responsibilities of the organization established by the PSDPA.

In December 2019, Goss Gilroy was engaged to conduct an evaluation of the PSIC Disclosure and Reprisal Management Program covering the period starting on April 1, 2016, and ending on March 31, 2019. This exercise was undertaken to evaluate the continued relevance, design and delivery, effectiveness, and efficiency of the Program in accordance with the PSIC 2018–23 Integrated Risk-Based Internal Audit and Evaluation Plan, and in compliance with the coverage requirements outlined in the 2016 Treasury Board *Policy on Results* and the *Financial Administration Act*.

## Management Response

PSIC accepts the results of the *Evaluation of the PSIC Disclosure and Reprisal Management Program – Final Report* (Final Report) submitted by Goss Gilroy on March 2, 2020, and agrees to implement each of the seven recommendations provided therein.

Furthermore, management is pleased with the findings that:

- The program provides an effective, independent and confidential process for making protected disclosures of wrongdoing and complaints of reprisals;
- PSIC operates on an understanding of its specific role in the federal public sector integrity regime, with awareness of and respect for other existing mechanisms; and that
- PSIC's targets for meeting service standards are seen as adequate.

In addition to yielding valuable observations and equally important recommendations, this report has also validated much of the change management exercises undertaken by Operations over the past years such as LEAN exercise, evaluation of FTEs needed for PSIC to fulfil its mission as well as the review of its templates and procedures.

The following is Management's response to the seven recommendations identified in the final report. In addition, program management will develop a separate and corresponding action plan in consultation with operations personnel.

### **Recommendation #1**

Continue to encourage and support full and effective delegation of tasks in order to minimize delays, especially tasks that can be delegated from the Director of Operations to the team leads. This would include assignment of and regular follow-ups on investigation cases, mentoring, and logistics of the conciliation process.

#### *Management Response*

PSIC will continue to encourage and support the full and effective delegation of tasks. PSIC will therefore continue building on the work it has undertaken pursuant to its LEAN exercise while closely considering the feedback provided by this evaluation.

### **Recommendation #2**

Create contingent capacity by:

- a. Having two investigators involved in each investigation; and
- b. Leveraging the capacity of team leads to conduct admissibility reviews or act as reviewers for admissibility reports, when the flow of cases causes increased pressures on the case admissibility manager function.

#### *Management Response*

While it is currently the practice at PSIC to always have two members of the Operations team on every investigation PSIC will explore ways to create contingent capacity including looking at the feasibility of having two investigators in each investigation and leveraging the capacity of team leads.

### **Recommendation #3**

Continue to develop and support the utilisation of a comprehensive suite of up-to-date models, step-by-step process guides, and other tools to: 1) enhance efficiency for all staff, 2) accelerate the onboarding and learning of new analysts and investigators, 3) increase consistency and quality of written products, and 4) support sustainable transfer of knowledge from experienced staff members.

#### *Management Response*

PSIC will continue to develop and support the utilisation of a comprehensive suite of up-to-date models, step-by-step guides and other tools.

#### **Recommendation #4**

Adopt a new information and case management system that would allow for: 1) effective and detailed monitoring of ongoing cases in real time, 2) research on past cases to help support consistency of decisions and learning, and 3) effectively capture data for reporting.

##### *Management Response*

PSIC will adopt a new information and case management system that will:

- Facilitate core business operations for and by end-users;
- Enable easy automation and adaptability of workflows and business processes for different functions, users and groups;
- Provide a common system that improves monitoring of ongoing cases, research of past case, capture data for reporting and increases efficiency; and
- Enable PSIC to focus on its core mandate, while supporting decision making, thus reducing risk.

#### **Recommendation #5**

Capture and publish statistics on the outcomes of cases managed through the program by type of allegation, and provide more detailed information on the volume of cases closed after admissibility reviews where the Commissioner had suggested that a disclosure or complaint could be better dealt with by a different organization.

##### *Management Response*

Once a new Information and Case Management system is adopted, PSIC will capture and consider publishing additional statistics related to case files such as the type of allegation and reasons for closure including the application of 24(1)(f) of the PSDPA.

#### **Recommendation #6**

Continue efforts to support retention of staff, which should include an emphasis on ensuring a transparent, collegial, collaborative and supportive work environment.

##### *Management Response*

PSIC is proud of the way it exchanges with, recruits and leverage the skills and capabilities of all its employees in order to deliver the Disclosure and Reprisal Management program to Public Servants and Canadians. PSIC will continue its efforts to support the retention of staff with

particular focus on ensuring a transparent, collegial, collaborative and supportive work environment.

### **Recommendation #7**

Improve the review process for investigation reports by:

- a. Ensuring that the first review done by operations is rigorous, constructive and aligned with a common understanding of the case by operations;
- b. Ensuring there are mechanisms in place (either organic check-ins or pre-set meetings) for input from operations and legal to be provided in a timely way and avoid major changes having to be made to a product late in the review process; and
- c. Establishing a shared understanding of the purpose of the review process and the different roles and responsibilities of reviewers, with an understanding that different products may warrant different levels of review.

#### *Management Response*

PSIC will continue to explore ways to further improve the review process for investigation reports including ensuring that a first review done by operations is rigorous, constructive and aligned with a common understanding of the case and ensuring that mechanisms in place for input from operations and legal are timely.