



IDENTIFICATION

Department	Position Title	
Legislative Assembly	Deputy Ombud	
Position Number	Community	Division/Region
12-15630	Hay River	Office of the Ombud

PURPOSE OF THE POSITION

The Deputy Ombud leads the complaint intake and informal complaint resolution function of the Office of the Ombud, and undertakes formal investigations into administrative fairness matters raised in complaints by members of the public or on the initiative of the Ombud.

The position also provides expert policy and strategic advice to the Ombud on emerging administrative fairness issues, best practices, and other matters within the Office's mandate, and provides guidance, assistance and education to department and agency officials and the public on principles of administrative fairness and the role of the Ombud.

SCOPE

The Ombud is an independent officer of the Legislative Assembly responsible under the *Ombud Act* for resolving and/or investigating complaints about fairness of territorial public services and providing public education about the role of the Ombud and principles of administrative fairness. The Ombud also initiates systemic investigations into administrative fairness matters. The Ombud produces public reports about these activities. The role of the Office of the Ombud is to be an impartial advocate for administrative fairness; the Office does not advocate for either complainants or public bodies. The Deputy Ombud's work contributes directly to the protection of the right to administrative fairness in the Northwest Territories (NWT), transparency and accountability of territorial government departments and agencies, and the quality of territorial public services.

Located in Hay River and reporting to the Ombud, the Deputy Ombud serves the population of the entire NWT as well as persons outside the NWT wishing to make complaints about territorial public services. As lead for the complaint intake and informal complaint resolution function of the Office, in addition to managing their own caseload, the position supervises the Intern, Communications and Research Officer, and mentors and coaches other Office staff on



analyzing and determining the best course of action for individual complaints, identifying and applying principles of fairness, and communicating and negotiating resolutions with complainants and government officials. The Deputy Ombud also ensures systems are in place to receive, document and track inquiries and complaints.

The Deputy Ombud leads investigations into and/or negotiates resolutions to complaints in every area of public service. Examples of areas that have been the subject of complaints include medical travel, public housing, grants and contributions to businesses, property assessment and taxation, income assistance, corrections, K-12, post-secondary student housing, public health, human resources matters and procurement. This requires the incumbent to develop a deep understanding of the program or service complained about and any applicable legislation, policies, guidelines, practices, etc., in order to identify fairness issues, and potential solutions. Administrative fairness includes both legal and extralegal principles. The incumbent must be able to know what legislation, case law, policy, best practices, and/or international norms might apply to a given situation, locate sources, and interpret them to situations that cover the full range of territorial public service activity. Examples of these sources include territorial legislation, such as the *Corrections Act* and regulations and the *Social Assistance Act* and regulations; federal legislation such as the *Employment Insurance Regulations*; the *Canadian Charter of Rights and Freedoms*; case law on corrective billing and land titles; and United Nations conventions.

This position acts in accordance with territorial legislation, standards, policies and procedures where applicable, as well as policies and procedures established by the Ombud, holds delegated authorities under the *Ombud Act* for informal complaints resolution and investigations, and is required to take an oath not to disclose confidential information. The Ombud has a wide discretion to accept or refuse complaints, to decide how and when to use formal investigation powers, and to identify appropriate resolutions and remedies; the incumbent holds delegated authorities under the *Ombud Act* for informal complaints resolutions and investigations, and therefore must also exercise independent judgment within this wide scope of discretion.

The Deputy Ombud has daily contact with the general public and staff and administrative heads of public bodies, and frequent contact with other independent legislative offices in the NWT and elsewhere in Canada. Improper handling of complaints and investigations could lead to judicial reviews, loss of public trust in the office, damage to relationships with public bodies, and damage to the interests of members of the public.

The Deputy Ombud uses active listening, conflict resolution and interview skills to gather information from complainants and public servants, and knowledge of law, policy, public administration and best practices to gather and analyze information, determine jurisdiction, make any appropriate referrals, and identify next steps, including further information or assessment needs. Where a matter reaches the complaint stage, the Deputy Ombud uses a principled approach to engage collaboratively with public service employees and complainants



to develop solutions through facilitated contact, information exchange, and internal review by public agencies. Where informal resolution is not appropriate or cannot resolve issues within reasonable timelines, the Deputy Ombud makes recommendations to the Ombud to escalate complaints to formal investigation.

The Deputy Ombud plans and conducts investigations through research, gathering documents and other evidence, and witness interviews and prepares post-investigation summaries, including details and evaluations of evidence, suggested findings and remedies, and recommendations for further steps for consideration by the Ombud. These detailed summaries are typically 30-60 pages in length and are relied on by the Ombud to decide investigation outcomes and to prepare formal reports to Ministers, Deputy Heads, and complainants, which are sometimes made public.

The Deputy Ombud provides expert policy and strategic advice to the Ombud on ombuds practice and operational matters, emerging administrative fairness issues, and best practices in public administration, which is used to determine priorities for own-motion investigations and education initiatives, to develop and revise internal policies and procedures, and to develop the Office's capacity to analyze and resolve complex complaints in emerging areas of concern.

The Deputy Ombud also supports the Ombud's public education mandate by delivering fairness training and presentations, providing advice to government officials and the public about administrative fairness and the role of the Office, representing the Office at public events, and preparing content for public information materials and reports. The incumbent provides back up support for various financial and administrative tasks as needed.

RESPONSIBILITIES

1. Leads complaint intakes and informal complaint resolution.

- Provides mentoring and coaching support to other team members on complaints intake and handling, including preparing for and debriefing challenging conversations with complainants and/or government officials, analyzing issues raised in complaints, identifying additional information needs and possible resolutions, and identifying possible referrals to other agencies.
- Coordinates coverage of complaints intake (primarily by phone, email, and in person) and assignment of new files to team members.
- Uses delegated authority to close complaints where satisfied that an appropriate resolution has been reached with the department or agency complained about or where justified under another provision of the *Ombud Act*.
- Manages own caseload of complaints: using a trauma-informed approach, gathers initial information from complainants and keeps them updated on the progress of their complaint; interprets legislation, case law, policy, and principles of administrative fairness and applies them to specific complaint situations to confirm the Ombud's



jurisdiction, to determine whether there are grounds for accepting or dismissing the complaint, to identify additional information needs and a plan to gather that information, to determine whether a complaint should be referred to an alternate process, and to determine whether an informal resolution process is appropriate.

- Resolves complaints informally through approaches such as facilitated contact, information exchange, negotiation, conciliation and/or mediation between the complainant and the department or agency complained about.
- Ensures a case management system to record and document complaints and inquiries is in place and used by team members.

2. Conducts formal investigations into administrative fairness matters.

- Plans and conducts complaint-based and systemic investigations as assigned by the Ombud, including identifying specific issues to be investigated, communicating with the complainant and the department or agency involved, interviewing witnesses, accurately recording interviews, gathering and analyzing necessary background, context and evidence, and interpreting and applying legislation, policy, case law, best practices, and principles of administrative fairness to specific fact situations.
- Prepares detailed investigations reports summarizing all evidence gathered, identifying applicable law, policies and principles, and suggesting possible findings and recommendations from the Ombud to the department or agency.
- Reviews investigation findings and recommendations with complainants.

3. Provides expert policy and strategic advice to the Ombud.

- Researches and monitors trends and best practices in parliamentary ombud practices and procedures, administrative law, decisions of territorial courts and tribunals, investigation reports by other ombuds offices, and emerging administrative fairness issues.
- Consults technical specialists and external legal counsel when required, obtaining opinions if necessary.
- Makes recommendations to the Ombud on whether individual complaints should be escalated to formal investigation or closed at early resolution with a formal letter from the Ombud including administrative suggestions; and on potential topics for own motion investigations.
- Represents the Office of the Ombud on and contributes to interprovincial/territorial Deputy Ombud and legal counsel working groups and committees on subjects such as emerging legal issues and training for ombuds staff.
- Liaises with other ombud offices to exchange ideas and information about practices, procedures and legislative interpretation and on administrative fairness topics
- Monitors departments and agencies' compliance with and follow up on recommendations they have accepted.



4. Supports the Ombud's public information and education activities.

- Delivers training and public information sessions on administrative fairness and the role of the Ombud.
- Writes and assembles plain language content for the website and promotional materials.
- Promotes the Office of the Ombud at events such as tradeshow and conferences.

5. Supports administration of the *Ombud Act*.

- Drafts content for annual reports as assigned by the Ombud.
- Establishes and maintains a Knowledge Management System for storage and easy access to the office's accumulated knowledge about public bodies and programs, other ombud offices and other relevant information.
- Assists with drafting of and makes recommendations to the Ombud on internal policies and procedures.
- Provides back-up support on financial and administrative tasks when the Early Resolution and Education Officer is absent.

6. Supervision.

- Directly supervises the Intern, Communications and Research Officer, whose duties include preparing educational materials, carrying out research and analysis support on complaint files, and assisting in developing policies and procedures.
- Provides technical support, direction, and work assignments.
- Monitors and evaluates performance of reporting position.

7. Acts as a Special Ombud as required/appointed.

- As per Section 8(1) of *the Ombud Act*: if, for any reason, the Ombud determines that the Ombud should not act in respect of any particular matter under this Act, the Speaker, on the recommendation of the Board of Management, may appoint a special Ombud to act in the place of the Ombud in respect of that matter.
- A special Ombud holds office until the conclusion of the matter in respect of which the special Ombud has been appointed.
- The Special Ombud is responsible for exercising the powers and performing the duties set out in *the Ombud Act*.

WORKING CONDITIONS

Physical Demands

No unusual physical demands.

Environmental Conditions

No unusual conditions.



Sensory Demands

The incumbent will be required to exercise focused concentration to simultaneously actively listen to and record information from complainants.

The incumbent works with members of the public who may be distraught or upset. The incumbent must be aware of their surroundings, and able to recognize high risk volatile situations to quickly determine a course of action to ensure their own safety and the safety of the office.

Mental Demands

The incumbent will be intermittently exposed to upsetting information about clients' circumstances.

The incumbent will be intermittently exposed to swearing, complaints and personal threats when dealing with angry members of the public, including correctional centre inmates, through email, telephone, and occasionally in person.

Some travel within the NWT and occasional travel outside of the NWT may be required.

KNOWLEDGE, SKILLS AND ABILITIES

- Knowledge of the *Ombud Act* and principles, theory and legislation of administrative fairness.
- Ability to handle sensitive information and maintain impartiality and strict confidentiality.
- Conflict resolution skills to negotiate resolutions to complaints with departments and agencies.
- Legislative interpretation, research and analytical skills to interpret and apply legislation, case law, policy, principles and best practices across the entire scope of territorial public service activity to specific situations, to reach conclusions that are legally sound and supported with evidence and reasons.
- Project management skills to plan and carry out investigations.
- Ability to exercise empathy, active listening, tact and diplomacy with clients in a wide range of circumstances and with a wide range of communication abilities.
- Interpersonal and communication skills, both written and oral, including active listening, in order to convey information concisely and accurately, communicate difficult information and decisions to members of the public who may be distraught or upset, and to assist members of the public to provide all relevant information with respect to complaints.
- Cultural awareness and sensitivity, understanding of trauma-informed approaches, and ability to communicate courteously and effectively with and provide services to people with



diverse abilities, experiences and challenges, including mental illness, physical or cognitive impairment, and personal crisis.

- Ability to deliver training and presentations to large and small groups with diverse interests and needs, and to manage group dynamics.
- Knowledge of community resources and government programs and services.
- Computer literacy, including word processing, database, internet and email applications.
- Ability to quickly assess and respond appropriately to abusive and/or threatening communication and behaviour.
- Ability to work flexibly and supportively with a small team in a collaborative high-volume environment, including self-awareness to recognize when to seek help, advice or other support from colleagues.
- Ability to take initiative and solve problems independently with minimal supervision.
- Ability to commit to actively upholding and consistently practicing personal diversity, inclusion and cultural awareness, as well as safety and sensitivity approaches in the workplace.

Typically, the above qualifications would be attained by:

A degree in Social Sciences, Criminal Justice or related field combined with five (5) years of experience that includes interpreting and applying legislation and communicating about legal or technical issues in plain language; and two (2) years of experience in conflict resolution and/or a frontline public service, customer service, complaints resolution or similar role interacting with the general public.

Equivalent combinations of education and experience will be considered.

ADDITIONAL REQUIREMENTS

Position Security (check one) m

- ☐ No criminal records check required
- ☒ Position of Trust – criminal records check required
- ☐ Highly sensitive position – requires verification of identity and a criminal records check

French language (check one if applicable)

- ☐ French required (must identify required level below)

Level required for this Designated Position is:

ORAL EXPRESSION AND COMPREHENSION

Basic (B) ☐ Intermediate (I) ☐ Advanced (A) ☐

READING COMPREHENSION:

Basic (B) ☐ Intermediate (I) ☐ Advanced (A) ☐

WRITING SKILLS:



Basic (B) ☐ Intermediate (I) ☐ Advanced (A) ☐
☒ French preferred

Indigenous language: Select language

☐ Required
☒ Preferred