



Ombudsman Annual Report May 1, 2016 to April 30, 2017

Purpose – For Information

This report provides information and a status update on the Technical Standards and Safety Authority's (TSSA's) Ombudsman Office.

Background

TSSA's Ombudsman Office serves both internal staff and external parties and is modelled on the International Ombudsman Association's (IOA's) Code of Ethics and Standards of Practice. Each element of the Ombudsman Office's purpose, structure and operation follows the IOA's defining characteristics of independence, neutrality, informality, and confidentiality. TSSA's Ombudsman is an organizational ombudsman rather than a classical one, and as such, acts as a facilitator for early resolution and specifically has no decision-making authority within the organization. It is a safe place to seek guidance on all types of issues, including reporting misconduct and "whistle blowing", with protection from retaliation. TSSA established a charter for the Ombudsman Office, which is posted on the Ombudsman page on TSSA's web site. There are multiple means of contacting the Ombudsman - a confidential phone line; mail; and e-mail.

Status

From May 1, 2016 to April 30, 2017, the Ombudsman Office received 184 external contacts and 13 internal contacts. There was one on-going case at year-end.

The internal contacts were normally facilitated by simply listening and letting them come to their own resolution. One resulted in a potential pilot program where TSSA's investigators may wear body cameras.

The external contacts have been from the public (approximately 45%), the regulated community (approximately 55%) and one from a government body. Typically, most of the contacts are resolved by explaining TSSA regulatory requirements and in some cases, providing potential remedies that are available for resolution. To date, all regulated sectors have contacted the Ombudsman's office. The majority of the contacts, 60%, are in regard to the Fuels Safety program.

Some of the highlights over the past year included:

- An authorization holder was very concerned regarding the adversarial relationship between themselves and TSSA. TSSA shared the same concern. The Ombudsman Office has and is continuing to work with both parties to improve the relationship and best ensure compliance for TSSA, the authorization holder and end users.
- A Boiler and Pressure Vessel (BPV) Certificate of Authorization holder approached the Ombudsman Office and was quite distressed as they had failed their American Society Mechanical Engineers (ASME) audit which meant they would have to shut down manufacturing if they did not pass the scheduled re-audit and that there were some irregularities (seemingly with TSSA) with the ASME reports. When the Ombudsman Office brought the BPV program and manufacturer together, the program discovered the source of the irregularities, had them rectified with ASME, and then worked with the manufacturer to prepare themselves the re-audit, which they subsequently unconditionally passed (the best outcome).
- Allegations made against an inspector regarding inappropriate behavior were extensively investigated with program staff. These allegations were subsequently determined to be unfounded.

Additionally, as the TSSA's Ombudsman is certified as a practitioner, the certification body requires continuing education credits. During the past fiscal year, TSSA's Ombudsman gained 21.5 hours of recognized credits.

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