



Ombudsman and Whistle Blower Annual Report

May 1, 2019 to April 30, 2020

Purpose – For Information

This report provides information on the activities of the Ombudsman Office and the 3rd Party Whistle Blower Service in fiscal 2020

Ombudsman's Office

From May 1, 2019 to April 30, 2020, the Ombudsman Office received 145 external contacts and 18 internal contacts. There were no open Ombudsman cases at fiscal year-end.

The internal contacts were normally facilitated by simply listening and letting them come to their own resolution.

The external contacts have been from the public (approximately 30%) and the regulated community (approximately 70%). Typically, most of the contacts are resolved by explaining TSSA regulatory requirements and in some cases, brokering a resolution between TSSA and the regulated party. To date, all regulated sectors have contacted the Ombudsman's office. Most of the contacts, 56%, are regarding Fuels Safety.

Issues included regulation and code interpretation, the limit of TSSA's authority and fees charged. Covid-19 did present a large influx of inquiries from the inflatable amusement device (AD) industry, as their season was in jeopardy because of the pandemic. The Ombudsman's office facilitated a dialogue between the industry and TSSA which resulted in changes to AD policies and procedures to deal with Covid-19.

3rd Party Whistle Blowing Service

The Whistle Blowing Service includes a confidential 24/7/365 telephone hotline and internet portal that allows TSSA employees, regulated parties and members of the public to raise issues regarding alleged wrongdoings by TSSA personnel or to complain about TSSA activities/processes. There were eighteen reported cases in FY2020. All cases were addressed and closed. Although the Whistle Blowing service was primarily designed to confidentially report alleged TSSA wrong doings, it has had the added benefit of providing an independent external service so that persons can confidentially and securely report alleged wrong doings by parties regulated by TSSA. Sixteen of the eighteen cases pertained to regulated parties and the remaining 2 concerned TSSA employees.

Regarding the two cases concerning TSSA employees:

- One case resulted in a change to how TSSA employees can attain certificates issued by TSSA
- One case involved employees working from home during Covid-19 which was quickly resolved by the stay-at-home order

Regarding the sixteen cases concerning regulated parties:

- Ten cases required the dispatch of an inspector where 6 cases resulted in issuing orders for compliance and the other four cases were found in compliance
- Two cases were outside of TSSA's jurisdiction
- Four cases were closed as there was not sufficient information to proceed and requests for such information were not replied to



Ombudsman and Whistle Blower Annual Report

May 1, 2019 to April 30, 2020

Operational Program Enhancement

In 2016/2017, the Ombudsman's office facilitated the resolution of issues between an authorization holder and TSSA. The outcome of that case was that the authorization holder implemented a program to demonstrate compliance with specific regulatory requirements. This served as the basis for outcome-based regulator revision to the Heating Contractor Audit Program and the new Fuel Oil Distributor Audit program. Both programs were developed using risk analytics and industry input. The Contractor Program was implemented ahead of schedule as it allowed audits to continue remotely during the pandemic.

Prepared by: Sandra Cooke, TSSA's Ombudsman