



STANDING COMMITTEE ON PUBLIC ACCOUNTS

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STANDING COMMITTEE ON PUBLIC ACCOUNTS

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Regina University

[The committee met at 08:18.]

The Chair: — Good morning, folks. We'll convene the Standing Committee on Public Accounts once again today. We'll turn our attention this morning to the Ministry of Justice and Attorney General, Sask Legal Aid Commission and so on.

At this point, I'd like to introduce some substitutions around the table, as well as . . . I'll start with the committee members: Deputy Chair Ms. Young, Mr. Hugh Nerlien, Mr. Delbert Kirsch, Mr. Todd Goudy, Mr. Marv Friesen, Mr. Dana Skoropad.

Substituting for Ms. Aleana Young is Ms. Erika Ritchie. And substitutions for the Provincial Comptroller's office for Terry and Chris — Terry Paton and Chris Bayda — is Sandra Stepan and Kristin Walker. Welcome to the table. It's nice to have you here today. Thank you for being here.

I'd welcome and introduce our Provincial Auditor, Tara Clemett, and officials in attendance here today. I know she'll be introducing the officials relevant to each chapter as we go.

And it's a pleasure to welcome from the Ministry of Justice and Attorney General, Ms. Head, the assistant deputy attorney general, as well as officials with the Ministry of Justice who have joined us here today. Thank you so much for joining us.

Justice and Attorney General

The Chair: — Ms. Head, I turn it over to you to briefly introduce the officials that are with you here today; reserve any other comment for now. We will then turn it over for the report from the Provincial Auditor, and then you'll have a chance to offer remark with respect to those chapters.

Ms. Head: — Sure. Thank you, Mr. Chair. So to my left here we have Monica Field who is the executive director, strategic systems and innovation.

We're going to have different people coming up and speaking to each chapter, so I'll just introduce the crew for now, but you know, we may reintroduce people as they come to the front just so you know who they are. I think that would make sense.

So seated behind me is Shannon Williams, assistant deputy attorney general with the justice services division. I believe we do not yet have Jan Turner with us who is an assistant deputy minister of court services division. She did have a meeting from 7:30 to 8 this morning, so she warned me she may be a little bit late. But she is coming.

As well we have the chief executive officer of Legal Aid Saskatchewan — sitting sort of in the back of the room — Jayne Mallin, and the director of planning and administration with Legal Aid, Kyla Shea, seated next to her.

Over behind my left shoulder, we have Carolyn Decker who is the deputy public guardian and trustee, and Anne-Marie Cotter will be joining as well. I believe she's not here yet. She's the director of the Office of Residential Tenancies.

And so my name, for the record, is Kylie Head, assistant deputy

attorney general. I just pass on regrets from the deputy minister, Glen Gardner, who's not able to be here with us today.

The Chair: — Well thank you, thank you very much, Ms. Head, and thank you to all the officials for your work day to day and for being here today. I'll just table the document PAC 49-29, Ministry of Justice and Attorney General: Status update, dated March 2nd, 2022. And I want to thank everyone that was involved in, you know, completing that status update showing the work that's been undertaken. It really allows us to focus our questioning and be efficient and effective at this table. So thanks for doing that.

What we'll do now is we'll ask the Provincial Auditor to make presentation on the first two chapters, which are going to be dealt with together, and those would be both chapter 8 of the 2019 and 2020 report volume 2, respectively.

Ms. Clemett: — Thank you, Mr. Chair, Deputy Chair, other committee members, and officials. With me today, behind me, is Kim Lowe. She's the liaison with this committee for our office, and she will be doing a presentation later on. I also have, seated beside her is Jason Shaw. He is one of our new deputy provincial auditors, and he'll be doing a presentation later as well. And then to my left is my other new deputy provincial auditor, Jason Wandy. And so he's now responsible for the health division but used to be involved in terms of the portfolio work with regards to the Ministry of Justice and Attorney General.

So Jason is going to basically walk through the . . . in the order of the agenda before you with regards to the Ministry of Justice and Attorney General. As the Chair indicated, he is going to present the first two chapters together. He will pause for the committee's consideration after every presentation.

There are no new recommendations for the committee's consideration. I do want to thank all the ministry officials for the co-operation that was extended to us during the course of our audit work. With that, I'll turn it over to Jason.

Mr. Wandy: — Thank you, Tara. So the first two chapters, both from chapter 8 from our 2019 and 2020 reports volume 2, report on the annual integrated audit results of the Ministry of Justice and Attorney General. We also provide an update in our 2021 report volume 2, chapter 14 which includes a summary of implemented recommendations.

Our integrated audits found that the ministry had effective rules and procedures to safeguard public resources and complied with the relevant authorities, though both chapters included a finding related to removing unneeded user access. The recommendation was first reported in 2015, and we provided updates in both the 2019 and 2020 chapters. We continued to recommend that the Ministry of Justice and Attorney General follow its established procedures for removing unneeded user access to its computer systems and data. Not removing unneeded user IT [information technology] access promptly increases the risk of unauthorized access to IT systems and data, including confidential information, along with an increased risk of inappropriate modifications to IT systems or data.

We provide an update in the summary of implemented

recommendations chapter included in our 2021 report volume 2, chapter 14 on page 80. During the 2021 fiscal year, the ministry developed a timely-removal-from-information-technology-systems policy, which outlines when the ministry expects a user's access to be removed and defines what is considered timely removal, that is within three business days.

We note the ministry is continuing to reduce the number and severity of instances of late user access removal. They continue to work with the Public Service Commission to receive notifications when staff leave the ministry. We do not consider the identified deviations to be significant, and we confirmed accounts were not inappropriately accessed after the users ceased employment with the ministry. We consider the intent of the recommendation implemented.

I will now stop for the committee's consideration.

The Chair: — Thank you for the focus of the work and that presentation. I'll turn it over for a brief comment from Ms. Head and then open it up for any questions.

Ms. Head: — Thank you, Mr. Chair. So I would just add that the ministry has done extensive work to get this recommendation implemented, which includes developing a timely-removal-from-information-technology-systems policy, which outlines circumstances when the ministry expects a user's access to be removed and defines what is considered timely removal, which for us is within three business days.

The ministry continues to work with the Public Service Commission to receive notifications when staff leave the ministry, and as has been noted by the auditor's office, it is considered that this recommendation has been implemented, as reported in the 2021 report volume 2, chapter 14.

The Chair: — Thank you. Thank you very much. Thanks to all that were involved in the work on the implementation on this front. I'd open it up to committee if there is any questions. Ms. Ritchie.

Ms. Ritchie: — Thank you, Mr. Chair. I would just note in the 2019 report on page 60 —and I think I heard correctly, but I just want to confirm what I heard in terms of the implementation — but it does state that in 2018-19, the Public Service Commission started to notify staff at Justice when employees no longer worked at the ministry, and management noted this process will help them improve timeliness for removing access. So are you saying that that process is in place now or . . . And you're nodding. Okay. That was my understanding, but I just wanted to clarify. Thank you.

The Chair: — Thank you very much. Any other questions, committee members? Not seeing any, I would ask for a motion to conclude consideration of both these chapters. Can we make one motion for the two of them? So that would be for the 2019 report volume 2, chapter 8, and 2020 report volume 2, chapter 8, that this committee concludes consideration. Moved by Deputy Chair Young. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. We'll move along now to chapter

37, and I'll turn it over to the Office of the Provincial Auditor.

Mr. Wandy: — Chapter 37 of our 2019 report volume 2 reports the results of our fourth follow-up of 2012 recommendations we made on the ministry's processes to enforce maintenance payments. Families depend on the timely receipt of maintenance payments. There were two outstanding recommendations.

By September 2019, the ministry implemented both outstanding recommendations. We found the ministry requires its maintenance enforcement officers to review and document actions taken to enforce defaulted maintenance payments. Officers do this review every two months, and it allows them to keep accurate and up-to-date information. It also allows them to monitor the actions taken to enforce payments and adjust actions as needed.

I will now pause for the committee's consideration.

The Chair: — Thanks for the follow-up work on this front. Again just to all those folks that are tuning in from home — I think our viewership is big today — I just want to remind folks that we've already considered all these recommendations and had lots of questions and this is the follow-up then by the auditor. I'll turn it over to Ms. Head for any quick comments on it, and then open it up for questions.

Ms. Head: — Sure, thank you, Mr. Chair. So you're absolutely correct, this is the fourth time that this item has appeared here at the committee for the follow-up audit. Having up-to-date payer information helps facilitate appropriate enforcement action on payers who owe maintenance enforcement payments. Periodic reviews of outstanding maintenance enforcement payments helps the ministry monitor how well enforcement actions work and make any adjustments as necessary.

The review of the reports continues to be a critical component of case management and enforcement actions as it enhances the collection of child and spousal support. As noted by the Provincial Auditor's office, these recommendations are now fully implemented. So I would just ask if there are any questions.

[08:30]

The Chair: — Thank you so much. Thanks for the work on this front. Questions from committee? Ms. Ritchie.

Ms. Ritchie: — Thank you. Yeah, just a couple of follow-up questions regarding how well that system is working. Can you tell us what has been the experience in undertaking those enforcement actions, how well they are being implemented?

Ms. Head: — So I'm going to introduce again here for you Shannon Williams, who is assistant deputy attorney general with the justice services division.

Ms. Williams: — Thank you for that question. I can indicate that these mechanisms . . . As we've indicated, the reports are being issued every two months and the offices are reviewing those reports. They're looking at what payments are still outstanding and what arrears are in place, and they're reviewing those with their managers every two months. So those reports are being indicated, and they are doing collections based on those reports.

We have one of the highest collection rates in the country for our arrears. So our collection rates are anywhere between 88 to 91 per cent. So I can say that the methods that have been implemented have been very effective in terms of collecting these arrears, and we're continuing to see those types of rates.

Ms. Ritchie: — And has there been any uptick because of, you know, COVID? Just wondering what, sort of, the average number of cases you're dealing with on a month-to-month basis.

Ms. Williams: — I think our average cases have stayed fairly stagnant. So we're seeing the same amount of cases quite regularly. I can say that throughout the pandemic, 90 per cent of our maintenance enforcement staff stayed in office and continued the work that they were doing. So they were not individuals who were able to work from home. So this is obviously, you know, a difficult position and they deal with very difficult cases, and we very much commend them for the work that they do.

But what I can say is that through 2020-21, in the first year of COVID, our maintenance enforcement office collected a million dollars more than they did in the 2019-2020 year. So we're seeing even more collections in the last year through the pandemic, which I think was somewhat unexpected, but it is what we saw this past year. And I think that's due to the good work of the people that are doing that work and their resilience throughout this pandemic. But also I think it's just based on, you know, the follow-up that we're getting from some of these reports that we're looking at and the work that they're doing in terms of following up on the arrears that are outstanding.

Ms. Ritchie: — Can you tell us how many cases, though, that you're dealing with at any point in time?

Ms. Williams: — Each officer, each maintenance officer has a caseload of approximately — it depends — but around 450 cases. And that has stayed the same throughout, you know, at least the last five years. So each officer has around that many cases, and we're having, you know, different . . . Every month we get, you know, I think they said there's approximately . . . Right now, we have approximately 8,000 case files where we have arrears on them right now and that they're collecting on. But each officer themselves has approximately 450 cases that they're dealing with themselves.

Ms. Ritchie: — Thank you. No further questions.

The Chair: — Thank you. Thank you very much for the questions. Any other questions from committee members? Not seeing any, I'd look for a motion to conclude consideration with respect to chapter 37. Moved by Mr. Nerlien. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. We'll move along now to chapter 33, and I'll turn it back over to the Office of the Provincial Auditor.

Mr. Wandy: — Thank you.

Ms. Head: — Mr. Chair, if I may interject, I think Jan Turner, assistant deputy minister, is still not present. So would it be possible to change the order of the agenda just to allow her to be

present for that conversation?

The Chair: — We certainly can adjust our agenda. Thanks for flagging that. Would we then be able to roll — would it make sense? — into the Legal Aid Commission at this point? Does that work for your officials?

Ms. Head: — Yes it does. Thank you, Mr. Chair.

The Chair: — And is the committee agreed to amend the agenda? All right.

Saskatchewan Legal Aid Commission

The Chair: — So we'll come back then to chapter 33, and we'll focus our attention now on the Saskatchewan Legal Aid Commission, which will be chapters 41 and 34 respectively. And I'll turn it over to the Office of the Provincial Auditor.

Ms. Clemett: — Okay. So with me for this presentation is Mr. Jason Shaw, deputy provincial auditor, who was responsible for the audit of the Saskatchewan Legal Aid Commission. He's going to present the chapters on the agenda. In this instance they'll both be combined together into one presentation. And before he does begin, I just want to say thank you to the chief executive officer and her staff for the co-operation that was extended to us during the course of our work. With that I'll turn it over to Jason.

Mr. Shaw: — Thank you, Tara. Chapter 41 of our 2018 report volume 2, starting on page 275, and chapter 34 of our 2021 report volume 2, starting on page 247, reports the results of our follow-up of recommendations we initially made in our 2016 audit of the commission's processes to provide legal aid services. The Public Accounts Committee agreed with the original five recommendations on January 11th, 2017.

Timely access to legal aid services improves the effectiveness of the justice system. For example, effective legal aid services may reduce time a person is held in custody, may resolve cases faster, and may provide protection such as obtaining a restraining order sooner. By August 2018 the commission had implemented one of the five original recommendations. By August 2021 the commission had implemented a further two recommendations.

The commission updated its policies and procedures guiding the provision of legal aid services and obtained the board of the commission's approval for its key policy revisions. Having up-to-date policies and guidance provides staff with clear direction and expectation and reduces the risk of staff providing services to ineligible clients.

The commission set two new measures related to assessing the quality and timely delivery of its legal aid services. For example, it targeted that commission staff would answer 85 per cent of client calls to its application centre within two and a half minutes. Setting clear expectations for delivering timely and quality legal aid services helps the commission determine the extent and resources needed to reach desired results and address inhibiting factors.

Finally, it published reasons for key differences between actual and expected results for its client service standards. It also

published its planned actions to improve legal aid services in its annual report. Publishing reasons for key differences between expected and actual results provides legislators and the public with useful performance information.

The commission was working on implementing the remaining two recommendations at August 2021. Starting on page 249 of our 2021 report, we noted the commission made progress toward consistently keeping information in its electronic case management system accurate, however we found instances of criminal and family cases not closed in the case management system in a timely manner. For 3 of 30 case files we tested, the commission did not promptly close its case files ranging between 30 and 191 days after the last court date. From testing 30 additional files, we found an additional nine files closed later than expected. Not closing case files timely, inaccurately reflects lawyers' caseloads and increases the risk of ineffective monitoring as well as not properly allocating resources to the right places at the right time.

On page 251 of our 2021 report, the commission performed staff probation performance evaluations and developed a performance management policy, however it had not yet extended staff performance evaluations beyond staff's probationary period. Since our 2016 audit, the commission developed a performance management policy that sets written guidance and frequency for staff performance evaluations. The commission did not undertake any annual performance reviews in 2020.

By August 2021 the commission developed an annual performance review standardized form and began its annual performance review process for staff lawyers. Doing written performance evaluations gives feedback on the quality and timeliness of legal aid services provided by staff lawyers. Also evaluations can provide a supportive culture of professional engagement and enable timely coaching of staff on areas identified as needing improvement.

This concludes my presentation. Thank you.

The Chair: — Thank you for the presentation and all the follow-up work. I'll turn it over to Ms. Head for brief remarks, and then we'll open it up if there's questions.

Ms. Head: — Thank you, Mr. Chair. As three of the five recommendations have now been implemented, I will speak to the remaining two recommendations with a status of partially implemented.

Regarding the recommendation to conduct written annual performance evaluations of its lawyers, the commission is making good progress. The first set of lawyer performance reviews took place in August and October of 2021, and a full set of performance reviews are targeted to be completed by May 2022. We developed a framework for performance management, including a process for progressive discipline and performance improvement plans. Directors and managers received training on performance management, coaching, and mentoring.

For the recommendation to use the electronic case management system to capture accurately the status of legal aid cases in a timely manner to facilitate monitoring of lawyer caseloads, in December the commission has developed and communicated a

policy to its staff to have all files closed between 30 to 45 days after the last court action. Management runs reports on a quarterly basis, and the director of operations meets with the legal directors each quarter to review performance. Management will be conducting spot audits of the file closings to ensure that lawyers are compliant with this policy.

I would just like to introduce here for you the CEO [chief executive officer] of Legal Aid Saskatchewan here seated to my left, which is Jayne Mallin. Jayne is still fairly new to her position. We've stolen her from Ontario. We're quite pleased with our acquisition. She's been doing an absolutely wonderful job taking over as CEO of Legal Aid Saskatchewan. She's been there now for six months and has been working on these recommendations since her arrival.

And seated behind us is Kyla Shea who is the director of operations with Legal Aid Saskatchewan and has been actively working on a lot of these improvements. And we would just like thank the auditor's office for coming in and flagging these issues with us, and we're working away on responding and making those improvements.

The Chair: — Thanks. Thanks so very much. And welcome, Ms. Mallin, as the chief executive officer; welcome to Saskatchewan. Thanks for your leadership to Saskatchewan people through the Saskatchewan Legal Aid Commission, such an important organization and role and service. So thank you very much. We'll open it up to the committee for questions. Ms. Ritchie.

Ms. Ritchie: — Thank you, Mr. Chair. I just want to start by asking how many people have applied and been denied legal aid in the past year since the audit.

Ms. Mallin: — I'm sorry, I don't have that information readily at my fingertips. I can get that information for you.

Ms. Ritchie: — Okay.

The Chair: — Just on that, just so I'm consistent when there's undertakings, thank you very much for that undertaking. If you can supply that information back through the Clerk, it'll then get supplied officially to all of us around this table.

Ms. Mallin: — Thank you, Mr. Chair.

Ms. Ritchie: — And yeah, appreciate especially, you know, welcome to Saskatchewan. And I'm sure you're busy getting up to speed in your role and will have need to go back and gather that information.

I did have a follow-on question, though. In terms of since this change been made, how has this changed since the central intake system was implemented? And again, I'm not sure if you're able to speak to that, but it's my understanding, again only just sort of peripherally in terms of how, you know, cases are being received through the central intake and wanting to understand how that's changed in the ability for people to receive access to legal aid.

Ms. Mallin: — Yeah, my understanding is the central intake system has improved our ability to respond in a timely fashion and that our intake . . . Our calls typically are answered within two minutes and people are being given responses within two and

a half to four minutes. And so it's a fairly quick turnaround for our clients, and we're really proud of that. We do know that there are some issues where there needs follow-up, but for the most part our clients are provided with service fairly quickly.

Ms. Ritchie: — Well that sounds like a very fast response time. I think it has more to do with, you know, once received through that intake system, you know, how they're then being processed and whether or not they're being approved to receive assistance. Has that impacted any at all?

[08:45]

Ms. Mallin: — So the approvals are in the moment. Most people know within a few minutes whether or not they qualify for our services. It's that quickly. And then time to first appointment has also improved. We know that time to first appointment was being calculated differently in different offices, and so we're working with our legal directors to standardize that to make sure that when the information goes into our system, the date the person actually speaks with their lawyer on the first time is properly documented. But my understanding — and if I could, I could ask my director of operations and planning; she probably has a bit more detail about that process and those numbers — but my understanding is there's been significant improvement.

Ms. Ritchie: — And appreciating both the fact that this isn't the first time the questions have come to committee, or the recommendations, and they're probably . . . You know, our Justice critic would know these matters far better than myself. But I would like to just ask a question in terms of, with making those assessments, you know, what the basis for them. If you could please explain that.

Ms. Shea: — So one of the recommendations the Provincial Auditor had made was to standardize a set of policies around eligibility. As a result we developed an organization-wide eligibility manual which was much more detailed than we'd had in the past. As a result the eligibility decisions are much more consistent across the organization. So if you apply in La Ronge or Battlefords or Estevan or with the application centre, you get the same decision. And that wasn't always happening prior to the provincial audit and the development of this policy.

So that did make some changes to the denial rate, but what it did result in is consistent decisions. It also meant that the applicants stopped office shopping. So what would happen is someone would be denied in one office and then apply at multiple other offices to see if they could get service there.

Ms. Ritchie: — Okay. Thank you for that. And I appreciate that follow-up information in terms of the stats since its implementation. Just some questions about the cost of implementing this system with . . . For timekeeping, is this an automated system?

Ms. Shea: — So we in 2011 developed a case management system for legal aid. And working with a local programming company, what we've done is we've added the ability to track time to the existing case management system, so the actual IT costs were very minimal. And to be clear, we've also then turned around and licensed the system to the Northwest Territories legal aid, which has allowed us to recoup a portion of costs as well. So

they're actually also using our case management system now.

Ms. Ritchie: — Just a question in terms of are you relying on the Legal Aid lawyers themselves to undertake these assessments and do the data entry? How is the system used by the office?

Ms. Shea: — The timekeeping system? So there's a couple of different ways that it's used, and it really depends on the lawyer. So for lawyers that are, you know, a little more tech savvy, a little more comfortable with technology, they're in our case management system, creating their letters, updating client information, putting in their notes already. So they're just adding time when they're in there. They're already there. They're in the case. It's two clicks to add some more time to that.

For other folks, they are making notes on our standardized templates, which also were a result of the Provincial Auditor's recommendation. And so then the data entry can be done from those standardized templates.

We do encourage the lawyers to do their own time entries because otherwise they feel they have to go back and check the data entry, and that just creates extra work because then you have admin work to do the data input and then we also have lawyer work to double-check it. We're in the process of implementing some updates to that time recording that should be active for April 1st of this year and again will mimic some of the features of commercial products like PCLaw.

Ms. Ritchie: — Well I won't claim to know what that is, but I get the concepts. Thank you. And just one final question. So will offices see an investment in staff support to help with file management, timekeeping, any of these kinds of things?

Ms. Mallin: — Yeah, no, I was going to say we have actually just announced a number of new positions, COVID relief positions. Our staff have been overwhelmed over the last couple of years with COVID, with the pandemic, as you can imagine and appreciate. They have been incredibly resilient throughout that process, but we wanted to provide them with the appropriate support as we get back to the new normal and as courts get back into a regular routine.

And so we have announced I think it's seven new positions, five of them . . . sorry, eight. Five of them are lawyer positions and three of them are administrative positions. So three of them will go into our . . . sorry, four. Sorry, apologies. Nine, because we have five lawyer positions and four admin. Three of them will go into our eligibility office to increase again our effectiveness and efficiency at the front end when we're taking application. And then an admin support in one of our local offices that was short on admin. So the lawyers themselves will be expected to do time docketing and keeping track of that time, but they'll have supports in other ways.

Ms. Ritchie: — And how did you arrive at those numbers in terms of lawyers and admin staff? What was the basis?

Ms. Mallin: — We looked at the caseloads in each area office and the ratio of admin to lawyers, and we made those decisions based on those numbers.

Ms. Ritchie: — And what is that ratio?

Ms. Mallin: — We have one admin for every two lawyers essentially, in the offices, depending on the volume. And there are some slight differences, and perhaps, Kyla, you could speak to some of those variations. But essentially that's what it is.

Ms. Shea: — Yeah, there is a bit of a difference between a smaller office . . . Like our smallest office has two lawyers and our largest office has 16. So there is, you know, some different processes in place, so staffing is looked at a little bit differently.

Ms. Ritchie: — And then in terms of the ratios for lawyers to number of cases, how is that set?

Ms. Mallin: — Lawyers carry between 60 and 100 cases, depending on the type of law. Family law, it's a lower caseload; criminal, a little higher. But that's essentially the range, is 60 to 100. And the legal directors are tasked with workload distribution and making sure those workloads are fairly distributed.

Ms. Ritchie: — Okay. Okay, thank you very much. No further questions.

The Chair: — Thank you for the questions. Thanks for all the work on these fronts. Any further questions? Deputy Chair Young.

Ms. C. Young: — Based on the staff performance evaluations that you have partially implemented, are there any lawyers on probation currently?

Ms. Mallin: — All of our lawyers are subject to a probationary period of nine months. So Legal Aid always had a probationary evaluation process, so there was an evaluation at the halfway point and at the end of the probation. And then what was implemented was the performance evaluation piece. As a result of those performance evaluations, there are some performance improvement plans in place. They're no longer probationary because they're permanent lawyers now. But there are performance improvement plans in place as a result of those performance evaluations.

Ms. C. Young: — And how many of those would be on a performance evaluation?

Ms. Mallin: — I can get you that number, but I don't have that number off the top of my head. Thank you. Sorry.

I should also, if I could, just say that we do consider that recommendation complete. We'll be happy to meet with the auditor when they return. All of our performance evaluations have been conducted as of now.

Ms. C. Young: — Thank you.

The Chair: — Thanks again for the work on this front towards implementation. Really appreciated. No further questions at this point or not seeing any, I'll welcome a motion to conclude consideration of chapters 41 and 34 pertaining to the Saskatchewan Legal Aid Commission.

Ms. C. Young: — I so move.

The Chair: — Deputy Chair Young moves. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried.

Justice and Attorney General

The Chair: — Now I'm just checking. I think we have the officials in the room that we need to adjust our agenda here. So are folks okay to amend our agenda and go back to chapter 33 with the Ministry of Justice and Attorney General? All right, we'll do that then.

So I'll turn it over to the Office of the Provincial Auditor and we'll turn our attention to chapter 33.

Mr. Wandy: — Thank you, Mr. Chair. The last Ministry of Justice and Attorney General chapter is chapter 33 of our 2020 report volume 2. This is our second follow-up on the Ministry of Justice's progress in implementing the five recommendations remaining from our audit of its processes to support the Provincial Court in managing court workloads.

The right to timely delivery of justice is covered under the Canadian Charter of Rights and Freedoms, and the Supreme Court of Canada has set out reasonable time frames. The Ministry of Justice supports the Provincial Court to effectively manage work pressures and wait times so delays do not exceed the 18-month ceiling and cases are completed in a reasonable period.

The ministry implemented three of the five remaining recommendations. We found the ministry developed performance measures and set related targets. It made public its key action plans to address operating pressures related to supporting the management of court workloads, and it implemented a human resources plan that includes up-to-date procedure manuals.

The ministry developed a forecasting model to support the management of court workloads; however, it still needed to implement this. We also note the ministry improved its collection of information related to its key performance measures; however, it still needed to analyze, monitor, and report on them. Implementing its forecasting plan will support the management of court workloads and can help reduce unnecessary overtime and timely scheduling of the court's hearings. Improving its analysis and monitoring of performance information will help the ministry improve its understanding of key factors that influence workloads.

I will now pause for the committee's consideration.

The Chair: — Thank you very much for the follow-up and for that presentation. I'll turn it over to Ms. Head for a brief presentation, then we'll open it up for questions.

Ms. Head: — Thank you, Mr. Chair. Regarding the first two recommendations, the Provincial Auditor has noted that these are now fully implemented, so we'll focus on the remaining recommendations.

Regarding the recommendation to develop and implement a complete forecasting process that identifies administrative and financial resources needed to support the management of court

workloads, the Regina and Saskatoon Provincial Court offices will participate in a financial forecasting pilot this spring, spring 2022, with a projected rollout to all Provincial Court offices in January 2023. Administrative and management components of the forecasting model will be developed during spring 2022, with the pilot targeted for December of this year. The ministry expects full implementation of both components by October 2023.

The fourth recommendation as reported by the Provincial Auditor is fully implemented. And then for the last recommendation, to improve the "... collection, analysis, monitoring and public reporting of information related to supporting the management of Provincial Court of Saskatchewan workloads," quarterly analysis, including the process for engagement of key stakeholders of the five performance measures, will be provided to ministry senior management by April 2022.

Monthly and quarterly reporting of the three performance measures related to court data will be included in a prioritized ministry initiative, the strategic dashboard, for access by the court and external key stakeholders by July 2022. So we have everything under way to have these recommendations addressed.

The Chair: — Thank you for the presentation, the work on this front. Thanks as well for detailing that in the status update that we have. I'll open it up to committee members for questions. Ms. Ritchie.

Ms. Ritchie: — Thank you, Mr. Chair. On page 254 from the 2018-19 data indicates that the length of time to case resolution had been set at 259 days. Can you provide updated numbers for 2019-20 and 2020-21 please?

Ms. Head: — So I'll introduce her. To my right is Assistant Deputy Minister Jan Turner, who is the assistant deputy minister of the courts division.

Ms. Turner: — Good morning. And I feel I need to apologize for arriving late. I had another commitment that I couldn't change this morning, so I'm sorry about that.

I don't have the exact number in front of me today. I think you can appreciate that the last two years in courts has been exceptional, to say the least, and that there has been a lot of factors. But I will note the question, and we will certainly get that information forward.

Ms. Ritchie: — Thank you for that. Is there anything further you could say about how these backlogs are being managed?

[09:00]

Ms. Turner: — So maybe I'll start with the numbers, how's that, and let you know what's actually occurring in the court right now.

Historically, if we look at 10 years within Provincial Court — and I'm only going to speak about Provincial Court today because that was the subject of the review — we do about 1 million appearances, which is one of the numbers, one of our key numbers that we look at.

And in the last year, so just concluding 2021, we actually heard 1.2 million appearances during that time. And so this has been escalating. And in fact if you look back 10 years — and that's probably too much of a comparative — the workload of the court has doubled. It's 50 per cent more than it was 10 years ago. So those matters have been increasing as well, even during this very exceptional time that we have.

One of the things I would like to talk about today, and I think there'll be questions, is how we're managing our overtime in managing all of that. And I think we have a good story to tell on that particular front. So it has been a balance, and it is a balance that courts works on with prosecutions in terms of the time to trial, co-operation with the court of course, and how these things are managed. But compared to many other jurisdictions, Saskatchewan does not have the backlog in matters in Provincial Court that others are experiencing.

And that has come about through a variety of different approaches. I think you are aware that not all circuit courts have been open to the public during that time. The matters have been held in the permanent court locations. We've used a lot of our video that we're very proud of. We can also talk about that expansion project. But we've done a lot of things by telephone as well, and that's also with the collaboration of the Crown and also the participation of Legal Aid colleagues who are here today in terms of being able to try to expediate matters for the court as much as possible.

Ms. Ritchie: — So when you talk about, you know, increased cases, especially through the pandemic, are we talking about all types of cases? In that case I think there can be civil proceedings and so forth.

Ms. Turner: — So the majority of these are going to be cases under the Criminal Code. The Provincial Court, of course, is the first court of record in the province, but most civil matters, civil family matters, would be held in the Court of Queen's Bench. So you can take the assumption that these are mostly criminal matters. There'll be some traffic matters in there as well, but for the most part, we're dealing with criminal matters.

Ms. Ritchie: — Okay, I thank you. I appreciate that distinction as a bit of a novice here. And also, have the courts seen any disruptions due to staff absenteeism?

Ms. Turner: — So maybe I'll talk about how those have been managed in the last couple of years, if that's helpful. After the initial decisions taken in the spring of 2020 of how we were going to manage this, we were fortunate enough to have a number of term positions assigned to the court, both for the court staff themselves and for court security, that allowed us to be able to keep managing things. We needed more people to take on some of the regular jobs because they were more time-consuming. One would think that perhaps doing things by telephone, you would use less people but that's not the case. You have to still prepare the files and be ready, and often the use of technology, you're involving actually more people to manage things in that way.

I think collectively for the court, for court services, for the Crown, for Legal Aid, and our partners in Corrections, I think we've managed things quite well. But it was helpful to have these additional people to be available for that. We were able to

actually reduce the amount of overtime that we have been showing over the last few years because of this other deployment.

We didn't have a larger number of people on sick leave or any of that during that time. In fact if anything, we had to really work hard at our vacation liabilities. People are very dedicated that work in courts. There is a number of them who have been there for many, many years. And I hope I'm not on a tangent, but just as an example, we recognize in our ministry now those that have more than 40 years in one area, and last year we presented a token of appreciation to 24 employees in courts that had been there for more than 40 years.

So I think it gives you that indication of how dedicated our people are. However it means they have a lot of vacation leave owing them, and so we're always balancing that. Some of our additional resources helped with that. But in terms of the overall, like, sick leave and all of that, we didn't have any greater number. In fact I think we had less, and I think that speaks to the character of the people who actually work in that system.

Ms. Ritchie: — Well that's good to hear. When you talk about term appointments, I'm curious to know, what are the roles that you're using term appointments for, and how you're recruiting and the qualifications, you know, the system around that process?

Ms. Turner: — So I would say that there is probably four categories of term employees that we look to initially in court services. We have our court administrative staff who work in the office. They work on the front-line counters that you see when you come into court offices. They process a lot of the payments. We also, of course, have the fine revenue branch that collects all of the fine revenue for the province. So we have a number categorized as court admin positions.

We have our judicial officers who work directly in the court. They are the clerks in the court with the judges. We have our technical group. We have a court technology unit that is dedicated to the court. And in part they're there because of the separation with the judicial branch and the need to have their own system in place. And we also then have deputy sheriffs who are remaining in court services for another 28 days and then they will join the new provincial protective services branch.

So within each of these areas we needed to augment staff. We needed to do more security in some of the locations that we were moving into. We had moved trials off site because we didn't have the capacity, the space in the courthouses to hold these. So we started having trials at the Centre of the Arts and at Evraz Place, and you know, a couple of other places in Saskatoon, etc. It takes more people when you're in that. We needed the distancing to be involved. We needed more technology.

I'm very proud of the amount of video conferencing that the province had prior to the pandemic. We had close to 200 video endpoints in the province, and again we received the nod to expand that in the summer of 2020. We're still working on that project. There's a lot more we can do. So we needed more technologists in that regard. So we went looking for them.

So with each of these groups — you've asked about their qualifications — each of them have very specific jobs that are well documented. We are, you know, always in the business of

staffing in those type of categories, so we know who can perform those jobs. And we just doubled down, if you will, to attract people to come in to assist in the various areas that we needed them. We could certainly provide position descriptions of qualifications, that type of thing if that was helpful.

Ms. Ritchie: — Thank you. That would be appreciated. Now I understand that you're just in the process of implementing your forecasting system. And obviously if you're using term appointments, you're anticipating this being sort of a temporary need. So I'd just like to understand both what you're seeing so far in terms of caseloads, or not caseloads . . . Like yeah, caseloads I guess, and sort of incoming and . . . Like, what's the projection right now in terms of, are you anticipating that there's going to be some sort of a levelling off or a decrease, and if so why? And if not, then I mean how are you going to be preparing for that?

Ms. Turner: — So on the question of being able to predict the demand for services in court, we certainly always look at the trend line. We look at where offences are occurring, what kind of offences are occurring, what the crime rates look like — all of those factors.

But of course courts doesn't originate any of that work. It is work that comes to the door. That's why we look historically a lot, and we look at it in different areas of the province to be able to understand. If there's escalation in the number of matters that are reported to the police, of those incidents how many of them go to charge? How many can be dealt with before a court process? How many of them can be dealt with when they first come to the court or stay in the court?

So it's very hard to predict, for me to sit here with all honesty and say, well no, I can guarantee that the numbers will be different next year. All we can do is look at the history of the numbers, which I indicated are rising. And we need to be able to operate at the level of the current volumes that we have. And as I mentioned, for Provincial Court in appearances that's 1.2 million.

One of the things that we're doing in terms of the data analysis — and we're very excited about this, and I feel like we're just really on the doorstep; had we been here in June we would have had something different to show you in terms of the work that we're doing as part of the collaboration with our colleagues in both ministries — we're trying to look at some of the other variables. Appearances is one measure, and as you can appreciate, that's the number of times a person would be in court.

But what we haven't had very good data on is the individual themselves. We know how many people are in the court, but we're trying to do more analysis about how that person moves through the court system and be able to calibrate some of our measures against the number of people that are in the court, not just the number of appearances that are in the court. And that's one of the goals and one of the things we're looking at in the dashboard. So we're very excited about that because it will give us, I think, better information about what we can do in that regard.

A lot of that's paired with how people are appearing in court, and if I go back to talk about video appearances, we have close to

between 25, 30 per cent of people appear via video for all of those matters. So that's quite a lot. But if we look at those that are there for a first appearance — so that's their very first time in court — we're at about the 50 per cent mark of people appearing by video. Many of them would be in custody, of course, and the court has a preference often for seeing people in their first appearance by video. It saves people being transported. Because that first appearance is often the time when the next steps get decided.

It's not uncommon — and you will see this in the paper if you read about cases for a person at first appearance — to say, well I need legal counsel. So nothing substantive happens with respect to the charge or the way forward. It's a very valid request, and if there are ways that we can expedite those types of requests through video, then that's exactly what we want to do. I'm sorry, I don't think I've answered your full question there.

Ms. Ritchie: — Well I guess it was kind of twofold. Because on the one hand, of course I appreciate you don't really control, sort of, what shows up at the door, but you do have to plan and prepare for it. And I guess it was just, I was trying to understand a little bit better at what point do you make the decision that you need to . . . You know, whether term appointments are adequate or if you need to go to the point of permanent positions instead and expand services? Of course also acknowledging the fact that you're looking at all these other ways of, sort of, meeting need and expediting the process. That was kind of what was behind that one question.

And then the other thing, and I really hope I'm not sort of straying outside the scope of this audit too far, but I do have this question around — and I think you touched on it a moment ago — the number of individuals in remand and how some of these changes are addressing that issue to bring it down. Also then of course we're looking for current numbers in terms of those rates presently.

[09:15]

Ms. Turner: — So I'll take your first question first then. You know, how do we take the decision to move from permanent to term? We actually went down that road in 2018, and we identified the number of term employees that we'd had for some time that we really think should be permanent in our system, and we were granted making them permanent. And I think it's reflected in some of the documents that you may have.

So it's a consideration that we use all of the time, and it is calibrated against the workload. There is no question about that. If we don't need a term employee, they're not there. But we tend to be able to use them all, and in part because of what I'd mentioned with some of our permanent staff, we always need coverage for people who are on their vacation time and in the eventuality that people might be on sick leave.

In courts, like so many other things, the amount of time is one of the key factors. And if you have more people that can do the same task, it speeds things up. And speeding things up is usually a very good thing. You can get to matters more quickly and can take on additional duties. There's never a time when we have someone showing up where there isn't a lot to do. There is always a lot to do in that regard. So we'll calibrate that. None of us know what this next year will bring. If we get to a point this year where we

really don't have a need for the term employees, then those terms will end and we will carry on in that way. So that's how those calibrations are made.

With respect to your second question, I don't have the numbers of remand or any of that. That would be better directed to some of my other colleagues.

Ms. Ritchie: — Okay. Thank you very much for those responses. It's been very helpful to have a better sense of those issues.

The Chair: — Just making sure that there's . . . looking to see if there's any other questions. Mr. Nerlien.

Mr. Nerlien: — Yes, thank you. Could you go back to the 1.2 million court appearances. That's a shocking number, I might say. Could you define "appearance"? If somebody comes in with five charges against them, is that five appearances in one case, or is that one appearance? And then second, can you tell us how many people that 1.2 million represents, roughly? Just ballpark.

Ms. Turner: — I would rather give you the specific number. I would rather provide that number to the committee than to give you a ballpark number that might not be right. The appearance is every time a person is in court on a matter. So it's a count in that particular way.

Mr. Nerlien: — So I assume then you'd be able to say that an individual has appeared five times during the course of a year or something along that line. So multiple appearances.

Ms. Turner: — There's often multiple appearances. And if we do . . . We'll give you a number that I will then double-check and send you the correct number. But when we look at the average number of charges for someone appearing in criminal court, a rough average is about two to three charges per individual. And again, that's a rough number; we'll get you the exact number. But on average, that would be the average.

And not all go forward. And that is a whole other complicated discussion that I don't think we want to get into today and better left to my colleagues in Crown prosecutions and Legal Aid to talk with you about that.

Mr. Nerlien: — Thank you.

The Chair: — Thank you very much for the question and for the responses. Any further questions with respect to chapter 33? Not seeing any at this point, I'd take a motion to conclude consideration of chapter 33. Moved by Mr. Friesen. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried.

Office of the Public Guardian and Trustee of Saskatchewan

The Chair: — We'll progress with our agenda and we'll move into the Office of the Public Guardian and Trustee of Saskatchewan. And I'll turn it over to the Office of the Provincial Auditor to focus on chapters 9 and 30 respectively.

Ms. Clemett: — So Jason Wandy is going to present the two

chapters in a combined presentation with regards to the Office of the Public Guardian and Trustee of Saskatchewan. There is one new recommendation for the committee's consideration within these chapters. And I do want to thank management and staff at the office for their co-operation that was extended to us during the course of our work. I'll turn it over to Jason.

Mr. Wandy: — Thanks, Tara. These two chapters on providing property guardianship services to adult clients at the Public Guardian and Trustee include the original performance audit with one new recommendation and the subsequent follow-up.

The Office of the Public Guardian and Trustee has almost 1,200 adult clients under property guardianship who do not have the capacity to manage their own finances and property. It is important that the office has processes to ensure the financial affairs and property of vulnerable adults are appropriately managed.

Property guardianship services for adult clients includes making decisions about an adult client's estate, such as financial planning and paying expenses and debts. It does not include adult client care decisions such as where to live or medical decisions or decisions about making a last will and testament. Those are roles of executors or beneficiaries. The office is an agent of last resort in that no other suitable individual exists.

Chapter 9 of our 2020 report volume 1 reports the results of our audit of the Office of the Public Guardian and Trustee of Saskatchewan's processes to provide property guardianship services to its adult clients. It contains one new recommendation for the committee's consideration.

For the period ended July 31, 2019, the office's processes were effective to provide property guardianship services to its adult clients, other than in the area reflected in our one recommendation. My presentation will focus on the one recommendation. I will also present the results from our first follow-up.

On page 111 we recommend the Office of the Public Guardian and Trustee of Saskatchewan follow its established processes to keep rationale for key decisions about identification of property of adult clients receiving property guardianship services. Although the office identified, investigated, valued, and recorded client property within a reasonable time frame, it did not always document in client files rationale to support their conclusions around results of property identification searches. Keeping documentation of key decisions in client files would support the judgments made and ease transitions of clients between trust officers, for example, in the event the assigned trust officer is on leave.

In chapter 30 of our 2021 report volume 2 we reported that the office implemented this recommendation. By July of 2021 the office developed and implemented a new form to document rationale for key decisions about property searches for adult clients receiving property guardianship services.

I'll now pause for the committee's consideration.

The Chair: — Thanks for the follow-up on this front and thank you. And I'll turn it over to Ms. Head for brief comments then

we'll open it up to the committee for questions.

Ms. Head: — Thank you, Mr. Chair. So as indicated, there's only one recommendation arising out of this audit. The recommendation relates to ISC [Information Services Corporation of Saskatchewan] searches done by Public Guardian and Trustee to determine whether new clients own real property. In some instances the searches may produce results for people with similar names and further investigation is required to determine whether the client owns real property.

The auditor found that 2 of the 18 files reviewed, that while they did not own real property, the decision had not been documented to the file. Documenting the rationale for key decisions supports the judgments made in specific instances. Keeping documentation of key decisions in client files would ease transition of clients between trust officers in the event a trust officer was to leave the office.

So in response, in December of 2019 the PGT [Public Guardian and Trustee] created and implemented the use of a new form entitled ISC Search — Possible Match Form, which provides for documentation to file with respect to the decision as to whether or not the client is the owner of real property where there has been a possible ISC match. As this recommendation has been implemented, that concludes my comments on this chapter and we just welcome if there's any questions.

The Chair: — Thanks for the work on this front and those comments. I'll open it up to the committee if there's any questions. Ms. Ritchie.

Ms. Ritchie: — Thank you, Mr. Chair. I see on page 109 a table identifying total adult clients and total FTE [full-time equivalent] trust officers for 2018 and 2019. I'm wondering if we could have updated numbers for 2020 and '21.

Ms. Head: — So I'll introduce Carolyn Decker here, seated to my left, who is the deputy public guardian and trustee, to respond to that question.

Ms. Decker: — We can provide 2020 information to the committee. I don't have that today but I do have our numbers as of March 31st, 2021. At that point we had 1,263 clients under adult guardianship. We did receive additional funding in our recent budget since the audit was done, and we now have 12 full-time trust officers. And we've gone from one to two supervisors for the adults unit. Both the supervisors have a very small caseload, but the trust officers on average have 104 cases per trust officer at this point.

Ms. Ritchie: — Okay, thank you. I appreciate that. Yeah, so you indicate an increase over previous years there. And I note between 2018 and 2019 it was 8.6 per cent increase. I'm just wondering if you can speak to any trends or assumed reasons for an increase in case files.

Ms. Decker: — We suspect it's just an increase in population within the province. Our clients range from 18 up to 100 and they come to us with various issues, everything from developmental delays to mental health problems to acquired brain injuries to dementia. We do have a growing elderly population in the province so we are seeing increases with respect to clients in that

range. But also just as our population grows, we anticipate our client base will increase as well.

Ms. Ritchie: — Do you monitor and analyze those trends to sort of gain insight into what's occurring?

Ms. Decker: — We do try to, you know, look at what is coming from Stats Canada and whatnot with respect to what we're seeing. We also do track our client caseload on a monthly basis so that we can see where there's increases. It also assists us in assigning clients to our trust officers, to try and keep their caseloads balanced and make sure that they have adequate . . . that they aren't too overwhelmed and can provide services to the clients.

Ms. Ritchie: — Okay. Thank you for that.

The Chair: — Any further questions on the new recommendation with respect to chapter 9? Of course we've heard the actions that have implemented this recommendation. Not seeing any, I would welcome a motion to concur and note compliance with recommendation no. 1 in chapter 9. I see Mr. Skoropad has moved. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. And with respect to chapter 30, there's no new recommendations there. We simply need to conclude considerations. Anyone care to move that? Mr. Nerlien. Is that agreed?

Some Hon. Members: — Agreed.

Office of Residential Tenancies

The Chair: — Okay, folks, we'll turn our attention to the Office of Residential Tenancies, and I'll flip it over to the Office of the Provincial Auditor to make their report.

Ms. Clemett: — So thank you, Mr. Chair. With me is Ms. Kim Lowe who led the work at the Office of Residential Tenancies. There are three new recommendations in this chapter for the committee's consideration. I would like to thank the director of the office and her staff for the co-operation that was extended to us during the course of our work. I'll now turn it over to Kim.

Ms. Lowe: — Thanks, Tara. The Office of Residential Tenancies is responsible for adjudicating disputes between landlords and tenants. For the nine months ending December 2020, the Office of Residential Tenancies received over 2,500 applications and held over 2,000 hearings. Typically the majority of the applications are for urgent situations such as those involving eviction where tenants have not paid rent or rent is in arrears, and where rental property is not properly repaired. Having an effective adjudication process helps ensure landlords and tenants have their disputes handled fairly and impartially. It also reduces the risk that tenants remain in unsafe living conditions or landlords endure undue financial burden for long periods.

Chapter 9 of our 2021 report volume 1 reports the results of our audit of the Office of Residential Tenancies' processes to adjudicate tenancy disputes. It contains three new recommendations for the committee's consideration.

At December 2020 the Office of Residential Tenancies had generally effective processes to provide timely adjudication of disputes of eligible landlords and tenants with improvements needed in three areas. I will focus my presentation on each of the three recommendations.

[09:30]

On page 120 we recommend the Office of Residential Tenancies provide clear and written guidance, including examples, about what constitutes a conflict of interest to hearing officers. The Office of Residential Tenancies does not give hearing officers any guidance on what constitutes a conflict of interest even though it asks them to declare conflicts of interest when being assigned a hearing.

During the audit, we saw evidence of hearing officers declaring conflicts of interest prior to a hearing. We did not identify any cases of conflicts of interest. Not having written guidance on what constitutes a conflict of interest increases the risk of hearing officers not declaring conflicts of interest or not taking a consistent approach to identifying and declaring conflicts. This in turn could impact the risk of bias — either real or perceived — in decisions issued.

And our second recommendation is on page 126. We recommend the Office of Residential Tenancies document reasons for significant delays in issuing hearing decisions. The Office of Residential Tenancies does not always document reasons as to why it issues some decisions significantly later than expected. Our data analysis of the 2,488 decisions issued in 2020 calendar year found the Office of Residential Tenancies most often issues decisions promptly. Only 17 per cent, or 430 decisions, were issued later than its target of two days.

We found hearing officers did not always provide the Office of Residential Tenancies with reasons for not submitting a written decision within the target time. For each of the nine decisions we tested that were submitted to the Office of Residential Tenancies 20 days later than its one-day target, the hearing officers did not give the office reasons for the delay.

Significant delays in issuing decisions increases the potential of tenant and landlord dissatisfaction with the adjudication process and having disputes remain unresolved for long periods of time. It also increases the risk that decisions may no longer be relevant once issued. Having tenants and landlords wait for a decision can potentially cause undue hardship for extensive periods of time.

Our third recommendation is also on page 126. We recommend the Office of Residential Tenancies always follow up promptly with hearing officers when hearing decisions are not submitted when expected. The office does not always make sure hearing officers issue written decisions within a reasonable time. We found the office did not always ask within reasonable time hearing officers to submit late decisions and explain why they needed additional time.

For four decisions we tested that were submitted more than 20 days later than its one-day target, the Office of Residential Tenancies took between 43 and 77 days after the hearing date to follow up with the hearing officers. Not following up with the hearing officers that have not submitted decisions increases the

risk of significant delays in issuing decisions — that is, greater than 20 days. Similar to recommendation 2, significant delays in issuing decisions may lead to tenant and landlord dissatisfaction with the adjudication process in leaving disputes unresolved for long periods of time. It also increases the risk that decisions may no longer be relevant once issued.

And that concludes my presentation.

The Chair: — Thank you very much for the presentation and the focus of this work. And thank you as well to the office for their response and their actions on this front. I'd welcome Ms. Head to bring brief remarks, and then we'll open it up for questions.

Ms. Head: — Thank you, Mr. Chair. So I would just like to note I've been joined at the table here by Anne-Marie Cotter who is the director of the Office of Residential Tenancies, who has been working away very diligently to implement these recommendations. And we appreciate the auditor coming in and bringing these matters to our attention.

So regarding recommendation no. 1, the ministry considers this matter implemented. The hearing officer on-boarding manual was updated in January 2022 to include a link to the Law Society of Saskatchewan's definition and examples of conflict of interest. These were also communicated immediately to hearing officers at the annual meeting in April of 2021. The manual also clarifies when a hearing officer should be notifying the ORT [Office of Residential Tenancies] of any perceived or actual conflict of interest.

Regarding the second and third recommendations, the Office of Residential Tenancies is now following up with hearing officers twice per week to provide a rationale for outstanding decisions. The ORT is also now documenting the outcome of that decision. So we welcome any questions from the committee.

The Chair: — Thank you very much, and I'll open it up to committee members for questions. Ms. Ritchie.

Ms. Ritchie: — Thank you. Thank you for that progress report, and happy to see that all have been implemented. And I just wanted to ask — like it's probably in the binder but maybe you could just highlight for me anyways — the nature of the conflicts that you were mentioning, and happy to hear that those have been presented to officers. There's a full understanding, it sounds like. I mean I don't have any concerns with the report you just gave, but just for my own personal benefit, if you wouldn't mind just kind of explaining to me what those conflicts, the general nature of them.

Ms. Cotter: — Thank you very much. I'd like to say thank you to the committee members today for allowing me to speak. And I wanted to extend my thank you as well to the auditor team. It was a pleasure to have them at the office.

So all of our hearing officers are lawyers, and our hearings are held and heard by hearing officers and deputy directors. The typical conflict of interest that we've seen, it would be former clients of a hearing officer that might have been in previous practice or is in current practice. So as soon as they see the name, they'll flag it for us and they'll say that they cannot hear that case. So that would be the typical.

And as the auditor pointed out, there have been no cases identified with a conflict of interest in our office. But we do welcome the recommendations that we put into place immediately.

Ms. Ritchie: — Great. Thank you very much for that.

The Chair: — That's it. All right. Well thank you. Thanks for all the work on this front and the report of the actions that have been taken and the service that the office fulfills to Saskatchewan people. Looking to committee members, I don't see any other questions on this report, this chapter. I would welcome a motion to conclude considerations . . . oh sorry, these are brand new recommendations; we haven't considered them before. So I'd welcome a motion to concur and note compliance with recommendations 1, 2, and 3. Moved by Deputy Chair Young. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That is carried. All right. We're going to change gears here. I just want to thank everyone that's come in this morning through the Ministry of Justice. Assistant Deputy Attorney General Head, thank you for your leadership here today. All officials that have been present, and importantly all of those folks that are involved in this work across Saskatchewan and carrying out the duties and service to the people of Saskatchewan day after day. So thank you for your time.

We will take about a five-minute recess here and then we will reconvene with the Ministry of Justice and Attorney General with a focus on the Ministry of Corrections and Public Safety.

[The committee recessed for a period of time.]

Justice and Attorney General and Corrections, Policing and Public Safety

The Chair: — Okay. We'll reconvene the Standing Committee on Public Accounts, and we'll move ahead with our next set of considerations on the agenda. I'd like to welcome the officials that have joined us here today. Ms. Alexander, I would ask you to briefly introduce yourself and your title and the officials that have joined you here today. We will then turn it over to the Provincial Auditor to introduce her chapter, and we'll take it back to you for remarks subsequent to that.

Ms. Alexander: — Good morning, everyone. Nice to be here. Thank you to the committee for having us here today to discuss integrated justice services' progress on the Provincial Auditor's recommendations. Thank you to the Provincial Auditor and her team for the work that they do. My name is Gina Alexander. I'm the executive director of community safety and well-being, part of community engagement branch, which is part of integrated justice services. And my colleague to my right is Scott Harron. He's executive director of the research implementation branch, also of integrated justice services.

The Chair: — Thank you. Thank you so very much for being here today and for your work.

I'll table at this point PAC 50-29, ministry of integrated justice services: status update, dated March 2nd, 2022. I want to thank

the folks that have put together the actions and detail in that status update, and of course those that have been involved in that work. At this point in time, I will turn it over to the Office of the Provincial Auditor, and I believe their focus will be on chapter 8 of the 2021 report volume 1.

Ms. Clemett: — So thank you, Mr. Chair, Deputy Chair, committee members, and officials here today. Mr. Jason Wandy, deputy provincial auditor, will present the chapters related to both ministries in the order that they do appear on the agenda. He plans to present the second and third and the fourth and fifth chapters together. He will pause for the committee's discussion and deliberation after each presentation, and there are seven new recommendations for the committee's consideration. I do want to thank the ministry officials for the co-operation that was extended to us during the course of our audit work. And I'll turn it over to Jason.

Mr. Wandy: — Thank you. This chapter is a joint chapter of the Ministry of Justice and Attorney General and the Ministry of Corrections, Policing and Public Safety. I will refer to these as the ministries throughout the remainder of this presentation.

Chapter 8 of our 2021 report volume 1 reports the results of our audit of these ministries' process to implement strategies to reduce short-term remand in Saskatoon and the surrounding area. It contains six new recommendations for the committee's consideration.

Between 1998 and 2018 the average annual count of adults in custody in Saskatchewan increased by 48 per cent, with the primary reason for this increase being adults on remand. At the time of our audit, individuals held on remand represented almost two-thirds of individuals admitted into custody and over 40 per cent of individuals in custody on a daily basis. This increase puts pressures on the provincial correctional system.

Decreasing remand populations is complex and requires long-term commitment, ongoing coordination, and balancing of two competing principles: respecting liberty rights of the accused and ensuring public safety. The ministries initially applied their strategies for reducing short-term remand in Saskatoon and the surrounding area in the hopes it would serve as a model for other regions. The strategies in use at the time of our audit are outlined on page 95 and include early case resolution, rapid remand response, and community alternatives to remand.

For the period ended September 30th, 2020, the ministries' processes were effective to implement their strategies for reducing short-term remand in Saskatoon and the surrounding area other than the four areas addressed in our six recommendations. My presentation will focus on the six new recommendations.

In our first recommendation, on page 100, we recommend the ministries focus on collecting data for key measures, and establishing associated data definitions, for evaluating the strategies to reduce short-term remand. The ministry had a draft evaluation plan that identified 48 measures across several categories. We found the evaluation plan remained in draft and was not approved, that it was broad in scope, and had a large number of measures that may reduce the ministries' ability to appropriately evaluate strategies timely. In addition, it didn't

establish data definitions or set out timing for periodic evaluations.

Data collection takes time and effort. Therefore not focusing on data collection for key measures increases the risk of inefficiencies and lack of buy-in for partners who provide data. In addition, measures about the operation of remand strategies would increase the ministries' understanding of whether it is the remand strategies or some other factors impacting the achievement of targets. As well, establishing data definitions can reduce the risk of users not understanding, using, and interpreting the data correctly.

Recommendation 2 is on page 101. We recommend the ministries establish targets conducive to measuring whether they are reducing short-term remand. The ministries established a target to maintain zero growth of overall remand; however we found this target does not measure key outcomes of the initiative, such as whether the remand initiative helps reduce unnecessary time involving police detention and court processes, and reduce unnecessary time involving remand. Targets set out how quickly and to what extent an organization expects to make progress. Not having targets that provide insight into measuring outcomes makes it difficult for the ministries to know whether the remand initiative is making sufficient progress.

Our third recommendation is on page 102. We recommend the ministries collect and analyze key information from external partners when evaluating strategies to reduce short-term remand. We found the ministries collected and validated some data related to their draft evaluation plan but did not collect key data from two of their external partners as planned.

Collecting key data from external partners would give the ministries information about the partners' operations, allowing for assessment of possible external impacts on the remand strategies. In addition, this would enable the ministries to appropriately analyze the progress on remand initiative outcomes, such as reducing unnecessary time involving police detention and court processes. Lack of key data could also impact the ministries' ability to determine whether the key external partners are committed and sufficiently engaged in reducing short-term remand.

Recommendation 4 is on page 105. We recommend the ministries include context, data limitations, and key assumptions relevant to making informed decisions within evaluations of the strategies to reduce short-term remand.

The ministries' key method of evaluating remand strategies is through periodic program evaluations. During our audit, the ministries completed a program evaluation for one of their strategies: the community alternatives to remand program. We found this evaluation did not clearly set out the context of the evaluation — for example, time constraints, extent of the analysis — or acknowledge data limitations such as the lack of a control group in the analysis. The evaluation also did not clearly set out key assumptions made in the economic analysis.

Without robust and clear documentation of data limitations and analysis to support the ministries' program evaluations, key decision makers may not have sufficient information to make informed decisions.

Our fifth recommendation is also on page 105. We recommend the ministries routinely analyze data for key measures associated with the strategies to reduce short-term remand. We found the ministries regularly collected information from community-based organizations about one of its strategies, the community alternatives to remand program. However the ministries did not take a proactive approach to evaluate this information on a routine basis. The ministries did not formally evaluate the information and consider possible root causes for low program utilization until its 2020 evaluation of the program. This program was discontinued effective March 31st of 2021.

[10:00]

Routine analysis may have enabled the ministries to identify necessary program adjustments that could have contributed to the success of the program. Routine analysis of whether remand strategies operate as intended can assist the ministries in being more proactive in their response to making informed decisions about necessary changes to the strategies.

Our last recommendation is on page 108. We recommend the ministries determine the information needs of the remand committees used to support the remand initiative. We found the ministries communicated with senior management and the provincial steering committee about the evaluation of remand strategies completed to date, but they need to determine the information needs of the remand committees. For example, the ministries did not formally report to the steering committee on its only remand target — to maintain a zero growth rate in remand.

Not regularly providing committee participants with key information about how well the remand strategies are progressing increases the risk of not engaging committee participants and not keeping them sufficiently informed. Not setting out expectations for information sharing, including frequency, increases the risk that this will not occur.

I will now pause for the committee's consideration.

The Chair: — Thanks so much for the focus of the audit, for the presentation here today. And thanks as well to the folks at Justice and integrated justice services for the real detailed template that they've filled out here and all the actions that have been taken towards implementation. I'd welcome Ms. Alexander to present remarks, and then we'll open it up for questions.

Ms. Alexander: — Thank you. I will turn this over to Scott Harron.

Mr. Harron: — Thank you, Mr. Chair. Based on the recommendations, standard operating procedures have been developed for program design and monitoring including the development of key metrics. Standard operating procedures have also been developed for data collection and reporting. These procedures were finalized in February. These actions address the recommendations made and will benefit future actions. And new programs and research being designed are already using these standard operating procedures and have been for some months.

Beyond these procedures and beyond the recommendations of the auditor, the ministries are developing a dashboard that will provide weekly monitoring on short-term remand among a host

of other measures. This dashboard will be deployed in 2022.

Further, the ministry has adjusted our focus from short-term remand to reducing the likelihood that an individual returns to custody, a longer term goal. This focus will include short-term remand as a measure of success rather than as the ultimate goal.

Regarding recommendations 1, 2, 3, and 5, new programs that will be designed will include performance measurement framework and data definitions that will be co-designed with delivery agencies. Third-party contractors are also being used to help establish these performance metrics and appropriate targets during program design.

By applying standards formalized from the recommendation of this audit, we will be ensuring that we're collecting useful data from the right parties and regularly monitoring progress, rather than waiting for a final evaluation at the end of the pilot.

Regarding recommendation 4, the standard operating procedures include guidelines for program design and monitoring as well as data reporting. We have incorporated the recommendations and procedures into other branch initiatives, including specifying limitations in key assumptions.

Regarding recommendation no. 6, following project management government practices, the ministry has streamlined governance and now has one internal committee that oversees actions to focus on reducing returns to custody. Additionally the dashboard will provide weekly monitoring and information to the committee, as well as ministry leadership right across the ministry on short-term remand, as well as other measures.

This concludes my remarks. Happy to take any questions.

The Chair: — Thank you so much for that presentation and for all the work on this front. I'll open it up to committee members for questions at this time. Ms. Ritchie.

Ms. Ritchie: — Thank you, Mr. Chair. My first question is for the Provincial Auditor, and maybe it's more sort of a procedural . . . I note that there are a number of recommendations here that have a status of implemented, but then they indicate that there is some additional follow-up work through contracting third-party providers. And would it be typical to conclude implemented if things are not fully implemented?

Ms. Clemett: — So in terms of our follow-up process . . . This is a fairly current audit, so we will undertake a follow-up audit, probably in another year or two. So we usually determine that the agencies will take, you know, at least two to two and a half years to implement some recommendations, some longer term than that, some we believe five. So I can't confirm that they are implemented at this point. We will come back, do that audit as such, and then provide assurance at that time.

In terms of do we give a pass or say something's implemented though, if it is in progress, we do sometimes. So if we can see that, you know, the ministry has contracts in place, there is that data analysis taking place as such, reports are going forward, committees are in place, we feel like the process will be sustained in the longer term, we do then sometimes say that we do consider that process to be implemented and we do envision that it will be

utilized over the longer term.

Ms. Ritchie: — Thank you for that response. And just a second question I had for you, and it's not really so much specific to this particular audit, but you know, I mean there seems to be a bit of a . . . I'm identifying a little bit of a pattern or a trend here, you know, in terms of the kinds of findings, whether it's collecting and analyzing data and having, you know, the right criteria in place. A lot of this forward, upfront work one does to ensure program efficiency and effectiveness. And so I'm just wondering at what point you sort of go beyond sort of saying, okay well you're missing these elements of your management and governance system, to delving into why has that occurred in the first place, as a root cause perhaps.

Ms. Clemett: — Yeah, and I would say when we are formulating a number of our recommendations, you're right, we're always trying to step back and think, what is contributing to the issue that has been identified? That said, we rarely make recommendations with regards to . . . It's about the need for additional capacity.

We always believe what it is is that the government agencies need to, like you said, determine, what are you trying to succeed? What are we trying to achieve here? Do I have the data? Am I analyzing? Do we feel like we're on the path to meet those targets and measures that we've established? And then as such they need to do their own determination as to what those factors would be that they may need to put in place to implement and get those actions moving farther than they are at this point.

So that said, we are doing a better job when we do our audit work to sort of say, we know this is an issue; now why is this occurring? Is it because of staff training? Is it because of lack of policies? Is it just the lack of . . . Data is there, but it's not being utilized? And can we take that data, analyze it, and give you context as to what you would see and the agencies might see if they did so, do that analysis?

Ms. Ritchie: — I appreciate that explanation. Thank you so much. Okay. So with that, Mr. Chair, I do have some questions now for the ministry. And maybe just to start by thanking you both for your presentations and the information that you've provided.

I do have a number of questions here and I'm not sure I'll get to all of them, but I'll maybe start with . . . You made mention in your report of shifting your focus from short-term remand to what sounded to me like recidivism, but you didn't use that word. And a little more of elaboration on how you're shifting your goals and targets.

Mr. Harron: — Absolutely. So the difficulty with short-term remand, it is a piece, an important piece, but still just a piece of a very complex system. And at the end of the day, what the system is all about is really trying to get people out of that cycle of reoffending, getting them reintegrated into communities in a safe manner. And by focusing primarily on short-term remand, it didn't really give us the focus that we need to manage the look of that bigger picture.

So you know, post-audit we did a lot of analysis during COVID as to what was happening with the custody population during

COVID and came up with a bit of a different approach to try to get people to break the cycle of reoffending. And that's to take a kind of elevated approach, a more partnerships approach, a more nuanced approach.

So what we're trying to do is, instead of looking at the custody population as a big monolithic whole, separating it into individual groups, using data analytics, and saying, okay we've got a group of 300 people here. What can we design that's specific for them? In terms of the audit, what specific targets are needed for them, what specific measures, what limitations does that specific group have? And by doing that, we're hoping it's going to be a whole heck of a lot more successful.

Ms. Ritchie: — Thank you for that. Also I do note that I think in a few different instances here you indicate that you'll be bringing in third-party contractors to assist you with your implementation. And I want to understand, is this, like, one full-service provider assisting you with all of these measures? How they're being selected, what qualifications that they bring in doing this work, just anything more you can tell us about that.

Mr. Harron: — It will depend on the program, but the main one we're using is our university partners, the University of Regina and the University of Saskatchewan. The ministry has a collaborative research agreement with both organizations that we recently redid to provide a lot more flexibility. So we go to our university partners, either one. We say, hey, we've got this new program we're being developed or we've got this new evaluation we want done. Do you have somebody that wants to partner with us on that?

And they have some fantastic experts, some leading people in the country there who partner up with us. Dr. Lisa Jewell is at the University of Saskatchewan. She tends to be our main one, and she's absolutely fantastic, does fantastic evaluations. We've got an agreement with Dr. Stuart Wilson, who I think is the head of the economics department now, who works with us on the economic portion of it, as well as Dr. Hamilton with the computer science division who's helping us with that dashboard and phase 2 of that dashboard. And Ms. Turner talked about that dashboard as well. It's really to bring measures from right across the system, everywhere from courts to community corrections, into one spot. And Dr. Hamilton is helping us take that into a forecasting into the future as one of the future areas. So they're the ones we primarily use, and there's tons of expertise there.

Ms. Ritchie: — I note that in the auditor's report there's a fair amount of discussion around the community alternatives program which, in listening to that presentation, it seemed to suggest that had there been sort of analysis, upfront data analytics, some other evaluation, perhaps that program may not have met its demise, I suppose.

So it's kind of a twofold question here both in terms of, you know, explaining in the first instance the reasons for why the program was cancelled, but then, you know, sort of further to that, also what might have prevented that from happening in the first place?

Mr. Harron: — So following the auditor's recommendations, certainly we should have been doing more frequent program evaluation on that. Now there were committees that were in place

— I think Regina's had one; P.A. [Prince Albert] was meeting — that were dealing with the kind of on-the-ground things. But we should have been able to do that. The pandemic got in the way to some extent, and we didn't have the plan at the front and that we should have.

Now the program at the end of the day was not renewed. It was a pilot, so it was a decision on whether to continue the pilot or whether to direct the funds somewhere else. We didn't see the level of success we wanted to see out of that pilot. The success rate was essentially, it was about 15 per cent or less.

Forty per cent of the people who were involved in that program actually resolved their matters within a day or two, so they never actually had the opportunity to connect with any of the resources. That's actually a good news story to some extent. Saskatchewan has the highest seven-day resolution rate of criminal cases in Canada. We resolve 26 per cent. The average for across the country is 11 per cent, so we're more than double the national average and that's compared to, you know, 8 per cent in Ontario. So it's not necessarily a bad thing.

[10:15]

Thirty per cent of the people who were referred to this program ended up being released from custody and then never went and actually attached to those resources. And these are individuals who otherwise would not have been released. And half of the people who did get released and connected to the resources still reoffended. And half of those were reoffending on administration of justice charges. So the success rate was quite low.

In regards to the comment about whether frequent evaluation would have been able to save this program, as it were, I don't think so. There were some fundamental challenges with how we designed the program, the biggest one being that the remand system is extremely unpredictable. You have no idea going in whether somebody's going to be there for one day or one year. It really depends on the individual and what their personality is and what the charges are and who their lawyer is, and all kinds of different types of things.

The second part of that was that a lot of these people are dealing with very substantive lifelong challenges, and you can't do much in, say, even four weeks, which is what the program was planned for.

So it was the right idea in the wrong place, and when we went to all of our community partners, that was the message we got from them, was right idea, wrong place. So we decided, okay, let's not continue with this, but let's take that money. Let's dedicate it to a new program that takes more of that nuanced, longer term approach. And that's what we've done.

Right now we have something called the Back to Basics program, which is out for RFP [request for proposal], which is specifically focused on female offenders who are cycling in and out of custody on relatively low-level things and saying, let's design a program specific for them. Let's give them supports for up to 18 months, and let's get them out of the system permanently rather than worrying about if they're in custody for one or two days.

Ms. Ritchie: — When the program was first introduced,

presumably there was some sort . . . I mean, there would have been a basis for proposing the pilot in the first instance. Was that based on other jurisdictions, or can you explain to me how it originated?

Mr. Harron: — I can give a general overview. I was not in this role at the time it was implemented. When you come up with a program, you work with the information you have at the time. And back in 2015, kind of when the remand initiative started, we saw very steep increases in the remand population. And we wanted to say, okay, what can we do about that?

The general assumption or the general narrative that was with a number of partners was, well if we had a place for these people to go, if we had a place for . . . or if we had some wraparound supports, we wouldn't have to keep them in custody. We could have them safely in the community. And that's kind of the basis for which the community alternatives to remand pilot was initiated, to say okay, that's the narrative; let's give this a try. Let's see what actually happens. And then we saw the results by the end of it.

Eighty-eight per cent of the people on remand currently are there with violent offences. You know, the more we dig into this, the more that we come up with statistics like that, that say that maybe that's not the primary problem. We're not saying that that's not a problem at all, but it may not be the silver bullet that we're thinking it is, and then we do need to take a much more nuanced approach based on those individual bite-sized chunks of the custody population.

Ms. Ritchie: — Right. So with the Back to Basics program, is it that you are identifying a segment of that population that you think is . . . there's a greater likelihood of success?

Mr. Harron: — We did analysis during COVID. We found that the female offenders decreased more than the male offenders, which indicated to us that they're more responsive to change. We also found that the lower-level offences like low-level theft, property breaches of court orders, also decreased much faster than, say, violence, which barely changed at all during the pandemic. So we said, okay, based on this, what if we designed a program for this individual?

We actually designed a tool we're calling the sandbox, which lets us isolate these individuals from a data perspective. Found out that on average this group was 4 to 500 people within the province over the course of a year. They were cycling back into the system every . . . That's, sorry, 4 to 500 entering custody, not people. Some of those were repeats. They're entering custody about every six months, which means they're not in custody long enough to really provide adequate supports for and they're not in community long enough to really give adequate supports for.

So we said, let's take something that we think we're going to be able to affect that has a higher likelihood of change and try to give them the more comprehensive, longer term connected supports that they need to succeed. And we'll see if that's a success.

Ms. Ritchie: — So . . .

Mr. Harron: — It's also a pilot.

Ms. Ritchie: — Right. So what is the current status then of the Back to Basics program? Has it been initiated? If so, when will the pilot conclude? What resources are there to undertake the pilot?

Mr. Harron: — It is currently out for an RFP. One of the lessons we learned from the CAR [community alternatives to remand] program was not to have government design every aspect of this. We put it to our community organizations to design it, gave them the freedom in order to do so. Our message to them essentially is, you work with them on a day-to-day basis. You've got existing strengths, existing resources, existing partnerships. Lean on those and put forward your best foot, and then we'll do a transparent process to select which one it is.

The program is \$1.2 million, so it's actually about 300,000 more than the CAR program, in addition to the resources we're going to have to allocate internally. That's a million dollars from the Ministry of Corrections and Policing and Justice and 200,000 from the Ministry of Health for dedicated mental health and addictions supports.

We'll be dedicating two positions internally to this: one that'll be based in Pine Grove to provide a direct connection to potential participants, and somebody down in Ms. Alexander's shop to do a program management perspective in terms of the contract and helping to work out anything like that.

My team in the research and implementation branch will be responsible for constant evaluation, including likely monthly reports back to the service provider to say how this program is going and what may need to change. We took the audit recommendations extremely seriously. We also went out to all of our CBO [community-based organization] partners and had a three-hour evaluation discussion on the CAR program and lessons learned from us and from them, incorporated all those lessons into this new approach.

Ms. Ritchie: — Well that sounds like exciting work, and we look forward to hearing about the outcome of the pilot. Switching gears a little bit here, on page 97 it indicates the provincial steering committee was replaced with two new committees in 2020, the custody population consultation committee and the remand initiative committee. Can you speak to the workings of these new committees, please?

Mr. Harron: — We've actually switched gears again since the audit. We now have one internal committee that's made up of every ADM [assistant deputy minister] who has responsibility for some part of remand or some part of reducing returns to custody. And they're armed with a dedicated project manager based in best practices project management principles so that we have appropriate charters and terms of references and meetings . . . [inaudible] . . . and the whole nine yards. They'll also have access to that dashboard that I was talking about, which means that we're going to have automated measurements weekly rather than having to do this on a yearly basis and taking up a lot of effort.

The custody population consultation committee, which is the external committee, what we found and what we kind of heard from people was that it was a duplicate of what we already had in place. We already meet with our policing partners through the

Saskatchewan Association of Chiefs of Police. Prosecutions and Legal Aid already have lots of standing meetings, so they were finding that it was just a duplication of what we had. So we said okay, we don't need to put more meetings on people's plates. Let's close that one down, and we'll dedicate ourselves to make sure that we're talking to our partners both in terms of individual programs that were created and through those forums.

Ms. Ritchie: — So as regards the internal ADM committee that you mentioned, is it possible to request a copy of the project charter just so we could sort of see what the mandate and details are?

Mr. Harron: — I can likely get you a copy of the terms of reference. The project charter, in terms of what exactly we're going to be accomplishing, is still in development.

Ms. Ritchie: — Okay. Yeah, terms of reference would be great. Thank you so much. I have no further questions.

The Chair: — Thank you. Thank you for the questions. Thanks so much for all the work and the responses, and thank you for the focus of the audit. You know, it's substantive; we have six new recommendations before us here. Just checking to see if we have any other questions from folks. Deputy Chair Young.

Ms. C. Young: — Yeah, reading through some of this, you just discussed quite a bit about the steering committee that you have and the collection of the data. But it appears that there wasn't a lot of consultation back and forth between the CBOs on the community alternative programs because it showed, I see in here, that in Saskatoon particularly there was an underutilization of beds up to 58 per cent. That's significant. It showed in here. So I just, you know, if I'm reading it right . . . So what communication happens with them on a regular basis to try to connect those people coming out of those short-term remands with those community alternative programs in order to utilize those beds as well as the services that they offer to keep people from coming back?

Mr. Harron: — There wasn't as much communication between, say, my team and the CBOs as I would have liked. That's one of the things we're going to change in the future. There were ongoing discussions at the front line between prosecutors, between Legal Aid, between CBOs, kind of on a daily basis and a person-by-person basis around that. A lot of what we chalk the limited use of the bed space was two things: an overestimation of the number of people that would qualify for this program. So it wasn't necessarily that they weren't getting referred. It was that just the people were not there, so we dedicated too much bed space. It was actually a bit of a challenge from our CBO partners who had to keep the beds open when they otherwise could fill them with other people.

Ms. C. Young: — So they don't necessarily have dedicated beds for people coming out of remand is what you're saying.

Mr. Harron: — They did for this program, yes.

Ms. C. Young: — They did just for this program. But not an ongoing basis?

Mr. Harron: — They don't outside of this program, no.

The Chair: — Any further questions? Not seeing any, thanks for the report and the work. And good question as well by the member about when the ministry has, you know, cited that they've implemented something, that there's, you know . . . Not that we don't trust the ministry, we really do, but there's a real thorough follow-up then back with the Provincial Auditor, and a public report that comes back out to us.

I think if we look at the bulk of these six recommendations, the actions have been detailed, substantive, and largely concluded February 20, 2022, which is wild that we're past that already when I think about how fast time is moving, but that's when most of these were deemed to be implemented. So I'd be comfortable to welcome a motion for recommendations 1 through 6 that we concur and note compliance.

Ms. C. Young: — So moved.

The Chair: — Moved by Deputy Chair Young. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. We'll move along now, and we'll turn our attention to chapters 16 and 20, which I believe will be presented on together. And I'll turn it over to the Provincial Auditor's office.

Mr. Wandy: — Thank you, Mr. Chair. Chapter 16 of our 2019 report volume 1 and chapter 20 of our 2021 report volume 1 report the results of our first and second follow-up audits at the Ministry of Justice and Attorney General and Ministry of Corrections, Policing and Public Safety related to processes for leading the community safety and well-being initiative. We made four recommendations in our 2016 audit.

The community safety and well-being initiative aims to reduce crime by having agencies voluntarily work together to respond to at-risk, marginalized, and vulnerable individuals and families by addressing the root causes of crime. We found that by January 2019 the ministry had implemented two recommendations and partially implemented a third. And by January 2021, our second follow-up, the ministry continued to work on the two remaining recommendations. By January 2019 the ministry worked with participating agencies to understand and accept their roles within the initiative, and clarified and provided additional direction and support to the participating agencies.

In the 2021 report for the two remaining recommendations, we noted that the ministry had taken steps by engaging an external consultant to evaluate the initiative. The ministry plans to use this evaluation to identify success measures of the initiative. Once these measures are identified, it can analyze and report on the success. Without effective processes to measure the success of the initiative, the ministries do not know if the initiative is providing timely and valuable coordinated services, and if participation in the initiative leads to better outcomes for the individuals involved. The ministry is also unable to make appropriate adjustments to ensure the initiative addresses root causes of crime.

I will now pause for the committee's consideration.

[10:30]

The Chair: — Thank you for the focus of your work, the follow-up, and the presentation here today. And yeah, these recommendations have all been considered at this table and supported at this table. I'll flip it over to Ms. Alexander for brief remarks, and then we'll open it up for questions.

Ms. Alexander: — Thank you. So we concur with the auditors that the first two recommendations are now implemented. With regard to the last two recommendations, the ministry implemented the use of a national risk-tracking database to capture and easily report on hub table outputs, including tracking number of discussions, number of repeat referrals, and clients connected to services.

In addition to this, the ministry procured the services of a neutral third party to design and deliver an outcomes-based evaluation on the Saskatchewan hub model. The evaluation commenced in November 2020 and a final report is expected in July 2022 with full implementation by fall of 2022. That concludes my remarks for now.

The Chair: — Thanks for all the work on this front. Thanks for the report and the presentation. I'll open it up to committee members for questions. Ms. Ritchie.

Ms. Ritchie: — Thank you, Mr. Chair. I just have one question regarding the hub model. Can you explain to us how success is being measured for that model?

Ms. Alexander: — Up until now, success has been measured on clients being connected to services. The hub model is designed to identify and address those individuals or families in communities that are experiencing acute and elevated risk of harm. And so when a group of individuals in a community — human services individuals in communities including representatives from social services, representatives from education, municipal and RCMP [Royal Canadian Mounted Police], probations, and mental health — when they convene to understand and see that someone might be at elevated risk, they intervene in a way that asks those individuals if they would like to get connected to services. So to date, our success measurements has been on the hub's ability to connect people and individuals and families to services.

Ms. Ritchie: — Good. Thank you very much for that answer.

The Chair: — Thank you for those responses. Looking to committee members to see if there's any other questions on this follow-up chapter. Thanks for the undertaking and commitments to see these through to implementation. Not seeing anyone.

We don't need to vote on the recommendations. We've done that already. We support them. With respect to chapters 16 and 20, I'd welcome a motion to conclude consideration. Do we have a mover? Deputy Chair Young moves. All agreed.

Some Hon. Members: — Agreed.

The Chair: — That's carried. We'll now turn our attention to chapters 9, respectively, of the 2019 report volume 2 and the 2020 report volume 2. And I'll turn it over to the Provincial Auditor's office.

Mr. Wandy: — The next two chapters on the agenda, both chapter 9, report on the annual integrated audit results of the Victims' Fund. We also provide an update in our 2021 report volume 2, chapter 14.

Our integrated audits found that the ministry complied with relevant authorities governing the fund, and the fund had reliable financial statements. In our 2019 chapter we reported the ministry had implemented an outstanding recommendation around submitting claims for federal cost-sharing agreements within a reasonable time frame.

We also made a new recommendation on page 65 that the Ministry of Justice and Attorney General Victims' Fund prepare key supporting documents at the same time as it prepares its financial statements. Preparing key supporting documents at the same time as draft financial statements allows management to effectively review the financial statements for accuracy and completeness. It also reduces the time it takes to perform an audit. We continue to make this recommendation in our 2020 chapter.

Our 2021 report volume 2, chapter 14 provides a current year update. During the '20-21 fiscal year, the ministry prepared key supporting documents for management's timely review and provided our office with key documents to support the fund's draft 2020-21 financial statements within agreed-upon deadlines. There were no material errors identified this year that previously delayed the timing of our audit work. The recommendation is now considered implemented.

I will stop for the committee's consideration.

The Chair: — Thanks again for the presentation, the focus of the work, and the presentation. It's great to see implementation has occurred. I'll turn it over for a brief remark to Ms. Alexander, and then we'll take a question if there's any.

Ms. Alexander: — Thank you. As the Provincial Auditor reported in its chapter 14, 2021 report volume 2 that this recommendation is now fully implemented, we have no further comments on this particular chapter.

The Chair: — Thank you. We'll open it up if there's any questions. Ms. Ritchie.

Ms. Ritchie: — Yes. Thank you, Mr. Chair. I wonder if more information can be provided regarding the \$1.9 million unauthorized money transfer.

Ms. Alexander: — Is there a page that you can reference?

Ms. Ritchie: — I believe it is page 64.

The Chair: — Could you just restate the question for everyone?

Ms. Ritchie: — The question is, can we have some more information on the \$1.9 million unauthorized money transfer? It's not clear to me honestly whether this is unauthorized or not, but I believe it is referring to the administration costs and bad debt on page 64.

Ms. Clemett: — I don't have the details before me that I imagine

Ms. Alexander is trying to find. But we do surmise that this was a few years ago as such, but we do think perhaps what it was was an order in council that wasn't authorized probably by year-end, and the Victims' Fund would have recorded the revenue assuming that they were entitled to it by March 31st, and then perhaps weren't and should have reversed. And then that was corrected and properly stated in the financial statements that were issued. So they were reliable but, like, it was about the preparation and just the support behind what was provided for the purposes of the audit.

Ms. Ritchie: — Okay. So it sounds like the issue has been resolved.

Ms. Clemett: — Yes, yes.

Ms. Ritchie: — All right.

Ms. Clemett: — And then this past year's audit, there was no error found with regards to in the support provided for the purposes of the financial statement audit, and so we are satisfied this recommendation has been implemented.

Ms. Ritchie: — All right. Thank you very much. No further questions, Mr. Chair.

The Chair: — Thank you. Any further questions from others around the table? So we have one new recommendation here in the first chapter there in the 2019 report, recommendation no. 1, and it's been reported out that implementation has occurred. I'd welcome a motion that we concur and note compliance. Moved by Mr. Friesen. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. And trying to keep up with the members' hands. Cat-like reflexes on Friesen and Goudy there, but all agreed. That's carried.

I just want to thank Ms. Alexander. I suspect that . . . Does this conclude your time with us at this table? Thank you so much for your service and for taking the lead here at this table. And thank you to all those that are involved in this very important work. So thank you for that. And with that, we'll take . . . How much time do we need to shift chairs around here? Just a couple of minutes?

A Member: — Five minutes.

The Chair: — Okay, we'll take five minutes and then we'll dig into the reports with Corrections and Public Safety.

[The committee recessed for a period of time.]

The Chair: — Okay. Order there, Mr. Skoropad. We're going to reconvene here this morning. The Chair missed something here and so just returning to the very last consideration. Of course we voted on the recommendation, the new recommendation. We failed to pass a motion to conclude consideration of chapter 9 in the 2020 report. Deputy Chair Young moves. All agreed?

Some Hon. Members: — Agreed.

The Chair: — All right.

Corrections, Policing and Public Safety

The Chair: — So we're moving along then to our considerations of the Ministry of Corrections, Policing and Public Safety. I want to thank Assistant Deputy Minister Scriver.

Ms. Scriver: — Scriver.

The Chair: — Scriver. Sorry. Thank you for joining us here today. And I'll turn it over to Ms. Scriver to briefly introduce officials that are with her here today. And then we'll turn it over to the auditor and we'll come back to you for remarks on the subsequent chapters.

Ms. Scriver: — Thank you. Thank you very much and it's a pleasure to be here today. I'd like to pass along regrets from Deputy Minister Larsen, who could not be here today. Although I may not be as charismatic or as charming as him, but I'll try to represent as best I can.

Before I introduce the folks who join me today, I'd like to thank the committee for the opportunity to be here and to thank the Office of the Provincial Auditor for the good work they do. We appreciate the positive working relationship we have enjoyed with the auditor's office and we certainly welcome these reports, which serve as a helpful guide for us to identify areas that we can improve on. A number of recommendations in these chapters in front of you have been implemented, and we will continue to make progress on those considered not fully implemented.

Moving along to officials joining me here today, I have Mark McFadyen, the executive director of custody services; Caroline Graves, executive director of community corrections; Dean Carey, executive director of offender services; Monica Field, executive director, strategic systems and innovation; and Noel McAvena, executive director of the provincial disaster assistance program; and Aaron Orban, who is our executive director of access and privacy branch. This concludes my opening comments, and we would be very happy to answer any questions the committee may have.

The Chair: — Thank you very much, ADM Scriver. And I will turn it over at this point to the Provincial Auditor's office to focus on the first two chapters, chapter 2 and chapter 2 of the 2019, 2020 reports volume 2, respectively.

Ms. Clemett: — So thank you, Mr. Chair. This morning with me is Mr. Jason Wandy, who will present the chapters related to the Ministry of Corrections, Policing and Public Safety in the order that they do appear on the agenda. He does plan to present the two first chapters together and then the rest will all be separate. He will pause for the committee's deliberation and discussion after each presentation.

There are four new recommendations for the committee's consideration. And I do want to thank the ministry officials for the co-operation that was extended to our office during the course of our work. I'll now turn it over to Jason.

Mr. Wandy: — The first two chapters, both chapter 2 in our 2019 and 2020 reports volume 2, report on the annual integrated results of our audit of the Ministry of Corrections and Policing, now the Ministry of Corrections, Policing and Public Safety. We

also provide an update from our 2021 report volume 2, chapter 14, which provides a summary of implemented recommendations.

Our integrated audits found the ministry had effective rules and procedures to safeguard public resources and complied with relevant authorities, though both chapters included a finding related to removing unneeded user access. The recommendation was first reported in 2015, and we provide updates in both the 2019 and 2020 chapters.

We continue to recommend that the Ministry of Corrections and Policing follow its established procedures for removing unneeded user access to its computer systems and data. Not removing unneeded user IT access promptly increases the risk of unauthorized access to IT systems and data, including confidential information along with increased risk of inappropriate modifications to IT systems or data.

We provide an update for 2021 in the summary of implemented recommendations chapter included in our 2021 report volume 2, chapter 14. In June 2021 the ministry developed a timely-removal-from-information-technology-systems policy, which outlines when the ministry expects a user's access to be removed and defines what is considered timely removal, that is, within three business days of an employee's last day of work.

We note the ministry is continuing to reduce the number and severity of instances of late user access removal. They continue to work with the Public Service Commission to receive notifications when staff leave the ministry. We do not consider the identified deviations to be significant, and we confirmed accounts were not inappropriately accessed after the user ceased employment with the ministry. We consider the intent of the recommendation implemented.

I will now stop for the committee's consideration.

The Chair: — Thanks for the presentation and the work. I'll turn it over to ADM Scriver for brief remarks and then open it up for questions.

Ms. Scriver: — Thank you. With respect to this recommendation, the Provincial Auditor reported in their 2021 report volume 2, chapter 14 that this recommendation is now implemented. I have no further comments on this chapter, but I am happy to take any questions from the committee.

The Chair: — Thank you and thanks for the work on this front. I'll open it up for questions. Not seeing any. You know, this dates back a little ways — 2015. There's clear, you know, action here that's now implemented it, so that's pretty cut and dried. I would welcome a motion to conclude consideration of the two chapters, chapter 2's respectively. Moved by Deputy Chair Young. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. I'll turn it back to the Provincial Auditor's office for focus on chapter 4.

Mr. Wandy: — Thank you, Mr. Chair. Extreme weather events can cause damage to property and infrastructure that can result in

significant costs for infrastructure repair, such as roads and the property of those living and working in the disaster area. Generally home and business insurance policies do not cover damage caused by natural disasters such as earthquakes, landslides, and flooding. Consequently, government financial assistance can be a key resource for residents to recover and rebuild. Over the last 10 years, amounts of disaster assistance paid to claimants in Saskatchewan by the provincial disaster assistance program has fluctuated significantly from a low of less than \$4 million in 2019-20 to a high of over 112 million in 2011-12.

Chapter 4 of our 2021 report volume 1 reports the results of our audit of the Ministry of Corrections, Policing and Public Safety's provincial disaster assistance program's processes to provide timely financial disaster assistance. It includes four new recommendations for the committee's consideration. As of January 31st of 2021, the Ministry of Corrections, Policing and Public Safety had effective processes, other than the areas identified in our four recommendations, to provide timely financial disaster assistance under the provincial disaster assistance program and seek amounts reimbursable under the federal disaster financial assistance arrangements.

Our first recommendation can be found on page 24. We recommend the Ministry of Corrections, Policing and Public Safety set a service standard for how long it expects to take to assess requests for designation as disaster areas made under the provincial disaster assistance program.

We found the ministry has not established a service standard for how long it should take to assess a disaster-area designation. From our discussions with program staff and observing the designation process, we established a benchmark for testing of one week based on how long the designation process normally takes.

Our testing found the ministry did not always complete its assessment of the requests for designation within one week and did not document reasons for delays in completing its assessment. Unclear expectations for reviewing request for designation increases the risk the ministry will not complete its review promptly. Delays in designating disaster areas results in delays for individuals and businesses applying for financial assistance, and thus recover and rebuild after a significant natural disaster event.

Our second recommendation is on page 27. We recommend the Ministry of Corrections, Policing and Public Safety formalize its expectations about how often staff should determine the status of the completion of disaster assistance restoration work for claims under the provincial disaster assistance program.

The ministry monitors the completion of restoration work for local authority claims as required under legislation. A municipality would be an example of a local authority. Under regulations, local authorities must complete restoration work within a year or obtain a letter granting an extension. Ministry management also expects that staff will follow up on progress of work being done every two months when disaster restoration work is taking place. Management has not formally documented or communicated this expectation to staff.

Our testing of a sample of claim files found that ministry staff followed up with claimants at least annually to complete extension letters but had not followed up on progress every two months as management expected. If staff are not following up as frequently as expected, local authority claims may not be finalized timely, resulting in delays in payments to those claimants. Delays in finalizing claims will also delay the ministry's claim for reimbursement to the federal government as the ministry cannot submit its final claim until all eligible restoration work has been completed.

Our third recommendation is on page 32. We recommend the Ministry of Corrections, Policing and Public Safety analyze actual results compared to expectations for key service standards for the provincial disaster assistance program and determine whether changes to the program are needed.

Ministry staff report to senior management on several key program activities at least monthly. However, we found the ministry does not currently assess actual results for the program against management's expectations for key service standards. Our analysis found for 2 of 117 claims, contracted adjusters completed their assessment of damages after 51 and 71 days which is longer than the 45-day benchmark set out in adjusters' contracts. Our analysis also found 1 of 93 private property claim payments made in the 2020 calendar year was paid after 99 days, outside the expected 90-day time frame.

The ministry had not identified these exceptions, nor analyzed reasons for them to identify potential causes and actions needed to address them. Analyzing actual results compared to expectations helps management determine whether staff and contractors are meeting its expectations for timely assessment and payment of claims and whether it needs to take action.

[11:00]

Our fourth recommendation is also on page 32. We recommend the Ministry of Corrections, Policing and Public Safety periodically report to senior management actual results against service standards, for example, 90 days for final payment for private property claims for key activities of the provincial disaster assistance program and the status of any complaints or appeals. Without regular reporting to senior management on the status of any complaints or appeals and whether the program is meeting service standards for key activities, senior management may not be aware of potential issues within the program or take timely action to address issues.

I'll now pause for the committee's consideration.

The Chair: — Thank you for the presentation, the focus of the work. I'll turn it over to ADM Scriver for her remarks, then open it up for questions.

Ms. Scriver: — Thank you. For the first recommendation, an internal performance measure of 14 days has been developed to respond to a completed designation request from a local authority. This information will be included in training manuals and will be reported on quarterly to management.

Regarding the second recommendation, an internal performance measure has been formalized for staff to be in contact once every

two months with municipal claimants who have open claims. A process is being developed to track and report this correspondence. This formal measure will be incorporated into staff training manuals and will be monitored through regularly scheduled meetings with staff on open claims. This metric will also be reported quarterly to management.

For the third recommendation, a review of metrics has been conducted for key internal and external areas of performance, with benchmark standards being established for all. These performance metrics will be reported to senior management quarterly. Where analysis of these metrics indicate deficiencies, management will consider appropriate actions if required.

For the last recommendation, reports have been identified that can be run against the PDAP [provincial disaster assistance program] database. These results on key performance measures will be included in PDAP's regular monthly report. A quarterly report will be provided to senior management on key statistics and analysis of additional benchmarks as well as a status of recent complaints or appeals.

The ministry is expected to have all four recommendations implemented by the end of fiscal 2022. This concludes my comments on this chapter.

The Chair: — Thank you for that report and thank you to all that are involved in this important work.

At this point, I'll also table PAC 51-29, Ministry of Corrections, Policing and Public Safety: status update, dated March 2nd, 2022. Thank you to all those folks that were involved in completing that status update. It really allows us to focus our efforts effectively around this table.

I'll open it up for questions at this time. Ms. Ritchie.

Ms. Ritchie: — Thank you, Mr. Chair. In looking at the information in front of me here, I do have a couple of questions regarding the uptake or the access for the federal funding. Do you have a sense right now of how these delays and the claimants coming forward in a timely fashion to make their claims and have them processed is affecting the utilization of those federal dollars?

Mr. McAvena: — It's Noel McAvena, the executive director for PDAP. As of right now, there's been no impact on the federal recovery. We've requested appropriate extensions from the federal government to obtain the permission to extend the claims in order to make sure the repairs are done and all federal dollars are captured.

Ms. Ritchie: — Any sense of why those delays have been occurring and what's being done to address those issues?

Mr. McAvena: — So in terms of claims that are still ongoing and taking a significant amount of time, we're looking at municipal claims in that case. And specifically claims that involve bridge projects tend to be the ones that take the longest because there's involvement from the Department of Fisheries and Oceans and permitting that has to be put in place before the repairs can be effected. Obviously these are things that are beyond the scope of what our program can help with, but those

are our longest standing claims.

Ms. Ritchie: — Okay. Thank you for that. No further questions, Mr. Chair.

The Chair: — Okay. Any further questions from folks around the table? Certainly this is an important program and, you know, communities, municipalities, people, businesses, you know, farms, depend on it, rely on it. So thanks for those that are working to make sure that it's being administered in a timely way for folks. And thanks for the commitments to see these through to implementation.

Any further questions? Not seeing any, we can vote on these recommendations, four new recommendations. And I'd welcome a motion to concur and note progress with respect to the four recommendations before us. Moved by Deputy Chair Young. All agreed?

Some Hon. Members: — Agreed.

The Chair: — All right. That's carried. We'll move along now to chapter 25. And I'll turn it over to the Office of the Provincial Auditor.

Mr. Wandy: — Thank you. Chapter 25 of our 2020 report volume 2 reports the results of our third follow-up of the audit we did on the Ministry of Corrections, Policing and Public Safety's processes to rehabilitate adult offenders likely to repeat crimes, including serious or violent crimes who are serving a community sentence in the Regina-Qu'Appelle region. We made seven recommendations in the 2011 performance audit. There were still four outstanding recommendations, and by June 30th of 2020, the ministry implemented two and partially implemented the other two.

Since 2017, the ministry implemented two initiatives to promote and support the use of integrated case plans for adult offenders through information sharing among stakeholders, including public prosecutions, adult corrections, federal and municipal police services, and the Canadian Mental Health Association. We found ministry staff had incorporated information from partners in their risk assessments and had engaged with partners to support planned actions and tasks to support rehabilitation.

The ministry also revised its risk assessment, case management, and supervision policies in 2019 based on consultation with criminal justice stakeholders and review of standards used in other provinces. Compliance audits completed by the ministry found 47 per cent and 57 per cent of staff complied with the ministry's revised supervision policy. In response to the results, the ministry's workload review governance committee expects to establish targets for compliance with the ministry's policies once it implements the revised risk assessment and case management policies.

Establishment of targets would help the ministry take timely and appropriate corrective action where staff do not follow policies as expected, and reduce the risk of not effectively rehabilitating offenders.

I will now pause for the committee's consideration.

The Chair: — Thank you very much for the follow-up on this front, the focus on this front. I'll turn it over to ADM Scriver for brief remarks and then open it up for questions.

Ms. Scriver: — For the first recommendation, which is considered implemented, as well as the third recommendation, with the intent of the recommendation implemented, the ministry concurs with the auditor. Regarding both recommendations that are considered partially implemented in the report, the ministry implemented revised intake and assessment and case management policies on October 15th, 2020.

To monitor compliance, an audit methodology, data collection, and reporting procedures have also been developed and continue to be validated and revised as needed. The ministry will establish compliance targets for its assessment and case management policy through the review of the compliance audit results. Targets will be established for both outstanding recommendations in spring 2022.

The Chair: — Thank you for the report and the timelines and the actions you've laid out. I'll open it up to members for questions. Ms. Ritchie.

Ms. Ritchie: — Thank you, Mr. Chair. So I did kind of pick up on the percentage rate that was listed in the auditor's presentation of, I think it was 44 or 47 per cent, I believe. And I guess that's a bit concerning. It does sound as though staff workloads . . . I'm wondering if staff works could be impacting the ability of those staff members to effectively monitor offenders on release. Can you tell us more about what's being done to address the issue?

Ms. Graves: — Good morning. My name is Caroline Graves. I'm the executive director of community corrections. Thank you for your question. I'm happy to explain what we've done recently.

So in 2017, community corrections began a large-scale workload review focused on probation officer and community youth worker positions. The review resulted in a number of changes. And I spoke about this the last time we were in Public Accounts; we were about to proceed with that work.

So for instance, changes were made to supervision standards. A revised policy was implemented in December of 2019, and then during the response to COVID-19, when client reporting was at times not in person, client contact was measured on an ongoing basis.

We've returned to normal reporting requirements and are resuming auditing compliance to supervision standards. And the status of the recommendation requiring that the ministry consistently follow its supervision policy for high-risk adult offenders in the community to have required contacts with probation officers or alternates is considered to have been implemented in terms of intent. So we've made some really good progress in that area in terms of supervision standards.

And then in addition to that, the ministry's also made changes to the risk assessment and the case management policies, which are also key elements of the work done by probation officers and community youth workers. So although the plan was to implement the changes in those policies in the spring of 2020,

with COVID we were a bit delayed, so the changes were implemented in October of 2020. And the changes that we made involved a great deal of consultation with a number of stakeholders, both internal and external. We involved front-line employees in that work as well. And at present we continue to monitor where we're at in terms of completion of risk assessments and case plans. We've made some great progress, and I'll talk about that in a minute.

We've developed some audit methodology, data collection, and reporting procedures that we continue to refine as we move forward as it relates to completion of progress reports, as it was also the workload review changes. This information is now contained within the case plan documents, and the auditing process for that requires more of a manual process to determine where we're at. And that's currently being finalized.

So right now in the spring of this year we're finalizing our targets for completion of risk assessments and case plans. In the last number of months, when we go back and look at the data as to where we're at, when we look at what we're completing within the timelines that we've made the changes for and what we're completing slightly outside of those timelines, we're at about 75 per cent. So we're continuing as we move forward to make some modifications.

Ms. Ritchie: — How many caseworkers does the ministry employ on a permanent or temporary basis, and what are their caseloads?

Ms. Graves: — We have approximately 244 full-time equivalent positions. At any given time, unfortunately we're staffed with vacancies and turnover as well, which is an ongoing challenge for us. And we do the best we can to staff our positions as quickly as we possibly can. But there's about 244 staff that would be involved in doing the case management work on a daily basis.

In terms of the caseloads, the sizes vary and we have . . . It depends on the location. It depends on the type of caseload. But I can take you through some examples.

So if we look at our provincial rural caseloads, so it looks slightly different than our urban offices. The service delivery model is set up slightly differently. In terms of the provincial average rural caseload for adult and youth combined, our average is 41. And the average urban caseload for adult and youth combined is 38. And then in our Saskatoon, Prince Albert, and Regina offices, we're set up slightly different in terms of how we deliver services. We have intake and assessment units and case management units. In the intake and assessment units, provincially our average is 28 adult clients and 13 youth clients. As it relates to the average urban caseload, it's 55 adult clients and 17 youth clients.

[11:15]

And then in addition to that, we also have some specific targeted caseloads. So for example, we have the serious violent offender response in a number of our locations, so in Regina, Saskatoon, North Battleford, and then in three northern communities of Sandy Bay, Pelican Narrows, and Deschambault Lake. And those caseloads would be at a maximum of 15. You work very intensely with those clients, and we have a number of those types

of caseloads as well. So that the number of average cases, it kind of all depends. But hopefully that helps.

Ms. Ritchie: — You mentioned vacancy rates. Where is that currently sitting?

Ms. Graves: — At present we have, in terms of our probation officer and community youth worker positions, in our central region . . . We have three different regions: central, south, and north. In the central region there's seven vacancies presently. In the north region there's 15 and in the south there's two. And it varies from day to day.

Ms. Ritchie: — How long does it take normally for a position to be filled? Like how long would a position be vacant for?

Ms. Graves: — That is a good question. It would all vary depending on the circumstance. I would say, generally speaking, you know, two to three months to staff a position by the time you post it, wait for the applications to come in, screen the applications, do the interviews. But it can sometimes be a little bit more challenging in a sense that we may staff it, or try to advertise a position, and then we may not get successful applicants and we may have to at times re-advertise.

Ms. Ritchie: — Do you ever delay or defer, or is that immediate turnaround?

Ms. Graves: — It's as soon as we have vacancies, we proceed to staff.

Ms. Ritchie: — And do you track that through your management systems and dashboards?

Ms. Graves: — We do. We track that all the time. Yeah.

Ms. Ritchie: — Great. Thank you very much.

The Chair: — Not seeing any further questions, at this point in time I would welcome a motion to conclude consideration of chapter 25. Moved by Deputy Chair Young. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. We'll move along, turn our attention to chapter 26, and I'll turn it back to the Provincial Auditor's office.

Mr. Wandy: — Thank you. Chapter 26 of our 2020 report volume 2 reports the results of our second follow-up of the Ministry of Corrections, Policing and Public Safety's actions on recommendations we first made in 2016 on planning for inmate capacity in correctional facilities.

Our audit found that at July 31st, 2021, the three remaining recommendations are now implemented. The ministry has finalized its adult custody long-term capacity plan for strategic planning at its correctional facilities. The plan includes definitions for operational capacity and ideal program space. Having a written long-term plan to manage inmate capacity in adult correctional facilities is important to inform ministry decision making and determine the correct space to provide adequate housing and rehabilitation programs for adult inmates.

I'll now pause for the committee's consideration.

The Chair: — Thank you for the follow-up on this front. Of course this has been considered at this table before. If there's any brief remarks from ADM Scriver that's great, and then we'll see if there's questions.

Ms. Scriver: — As all three recommendations are now considered implemented, I have no further comments.

The Chair: — What a report. I'll open it up now for questions.

Ms. Ritchie: — Thank you. May I . . .

The Chair: — Ms. Ritchie.

Ms. Ritchie: — Sorry, jumping the gun there a little bit. Yes, sorry about that. Well things are moving along at a quick pace here. I did have one question under 3.1. Can officials speak to the adult custody long-term capacity plan and how it is helping to provide adequate housing and rehabilitation programs for adult inmates?

Mr. McFadyen: — Mark McFadyen, executive director of custody services. So what the development of the long-term plan has allowed us to do, it's allowed us to focus both on capital initiatives and non-capital initiatives. Both initiatives assist us in identifying appropriate living conditions for our offenders. So if we have to look at extra infrastructure, we'll deal with our capacity planning division. We'll share the report with them, which we have already in future plans that we have, and are trending for bed space to identify how many beds we might need in the future.

In regards to the non-capital initiatives, it helps identify initiatives that we have under way in regards to like reintegration planning so that we can identify how many beds we have in our facility, the trends that we may have, and may have to examine reintegration leaves for offenders, both out of our facilities proper or out of our reduced-custody facilities.

Ms. Ritchie: — When you talk about some of the needs of the adults, can you elaborate a little bit on what that might look like?

Mr. McFadyen: — Some of their programming needs in particular, part of our long-term plan was to identify programming space that we'd be requiring in our facilities to focus on programming, and get the offenders in the appropriate programming so that they can address their risk needs to assist in their better reintegration into the community. We've done that as part of our long-term plan. I know that we spoke to it in regards to the one recommendation. We've identified how many programming spaces ideally that we would require today, and then also in future builds, how many programming spaces we would require on an offender ratio to program facilitator ratio.

Ms. Ritchie: — Apologies that, not knowing sort of enough about what, you know, program needs would be, could you again just further elaborate on what would be necessary for reintegration?

Mr. McFadyen: — Certainly can. In regards to identifying

programming needs . . . So when an offender is sentenced to an incarceration sentence, they will sit down with a case manager. They'll go through their case plan based on both historical information and information that was brought on the current offences. It'll identify certain risks that the offender presents in reoffending. They'll try to align those risks and needs up to appropriate programming in the facility and/or outside of the facility in a reduced-custody facility. And the offenders will attend programming when available and when offered in the facility.

And once the programming is completed, it assists them then in their reintegration planning, applying for reintegration leaves into the community. They've addressed some of the risks. And needs are identified both through them and through their case manager, which will lead to their success and also success in getting a reintegration leave back into the community.

Ms. Ritchie: — Maybe you could provide a couple of examples.

Mr. McFadyen: — Of the programming? I can. Dean is the executive director of offender services so he'd be able to speak to programming a lot better than I can. But I certainly can. I'll speak to a couple and Dean can fill in the blanks for sure.

Programming is . . . There's programming proper, as most people think of programming. An offender goes to a program on whether it be domestic violence or addictions, whether it be alcohol or drugs. There's also programs of employment. There's programs of work readiness, programs of . . . What are some other examples, Dean? The cognitive thinking programs that we, depending on the risk needs of the offender, we'll line them up.

Mr. Carey: — Yeah. A lot of the cognitive behavioural programs are really around skill building, so we find that a lot of our clients, the individuals lack social skills, problem-solving skills, basic life skills. A lot of the work in standardized programming is to provide them with those.

And then thinking skills, to actually work with them to really develop new ways of thinking about situations so that they then may be less aggressive, less angry. They may think of prosocial ways to deal with things versus to date what has got them involved with us in terms of how they respond and how they behave to certain situations.

So we do try to provide a variety of different programs, addictions programs as well. In the addictions program we do also have a criminogenic component to it, so that we address both their addictions issues as well as some of the issues that would have led them to committing crime as well.

Ms. Ritchie: — And so I'm wondering . . . That's very helpful. Thank you very much for that further explanation. I just wanted to ask about, you know, budgetary provisions for these types of programs and how well you're able to sort of match up those needs through delivery and budgetary allotments.

Ms. Scriver: — Sure. I can speak a little bit to that, as well as Dean and Mark probably can as well. We have partnerships with the SHA [Saskatchewan Health Authority]. We have contracts with public health. We bring them in as service providers to our facilities when we can. We know that we cannot be everything to

everybody, so we rely on the Elizabeth Fry Society or the John Howard Society, the Saskatoon Tribal Council to assist us in delivering programs to our clients. And it's not . . . We have a lot of people that really, really want to help us out, and we do capitalize on that when we can.

In terms of budgets for our programs, our programs are budgeted. It's all part of our annual submissions. And if we see there is a program that we're interested in and it's evidence-based and there's a great work plan, and we have the data to back it up, we will submit our budget documents to see if we can facilitate those programs.

Mr. Carey: — One of the things I would add as well is that certainly all of our sentenced clients, individuals, a risk assessment's done to basically inform their case plan. Their case plan will have interventions. The interventions are other programs themselves. Average length of custody sentence at this point is less than 10 months. We want to ensure that the clients have a program as part of their time spent with us because it will impact whether or not likely they will come back or be further involved with the law. So we do try to be strategic about which program, and when they enter the programs in that we really are time limited as well in terms of what they're able to accomplish while they're with us.

Ms. Ritchie: — Thank you very much. I appreciate those answers.

The Chair: — Okay, thank you. Thank you for the responses and the work on these fronts. Any other questions? Mr. Nerlien.

Mr. Nerlien: — Yes, thank you. With respect to recidivism, does a person who is re-engaged in the system, do they have a continuous programming that they can be in, in terms of sort of going from one step to the next? So let's say they're out for a year, come back in, out for six months, come back in, and so on. Are they flagged in terms of what they have been involved in, engaged in? And then how does that proceed from step to step going forward?

Mr. Carey: — We would have record. We certainly track what they've been involved in and what they've accomplished. We would also have information as to how well they did in the program. In some cases it might make sense, not necessarily that they would complete, but that there would be some follow-up work done with them.

One of the pieces that we've been really working towards doing is ensuring that all of the individuals who are involved with us have a relapse-prevention plan. So it identifies what the factors are, the high-risk factors. It gives them some strategies to potentially do something different, so that if they have that . . . Because often they've never had that before in terms of how they might think about something, how they can escape or exit a situation. And so a lot of it is then being able to go back and talk with them about, "So when this happened, did you do this?"

And sometimes it's about going back, talking about it, encouraging them to use the strategy that they have, get them to think about what they could do differently next time so that hopefully they don't come back again.

[11:30]

The Chair: — Not seeing any other questions at this time . . . Actually Mr. Skoropad has a question.

Mr. Skoropad: — Yes. Thank you, Mr. Chair. I just have a real quick question just about, you know, you mentioned about working with the caseworker and the determination and the programming that takes place. I wonder if you could just comment on the collaborative nature of how that happens, because we know it's so important for buy-in of the offender. Just if you could just make a brief comment on that.

Mr. Carey: — Certainly. So one of the first pieces is around completing a risk assessment — which is done with the client — and reviewing their file. And then it's sitting down with the individual and talking about the outcome of the assessment. And that would clearly identify the areas that they should really be working on while they're with us in order to, for instance, get a reintegration leave or move to a reintegration unit.

And so it really is a collaborative process in terms of building that case plan and prioritizing what it is that they should be working on. Part of that too is just to get buy-in from them, right? Like if you do this, then this is a possibility. And so that's what we try to do. Yeah.

Mr. Skoropad: — Thank you.

The Chair: — Thanks so much. Good question. Thanks so much for the time with us here today on this chapter. Not seeing any other questions at this point. These recommendations have been dealt with by this committee. I'd welcome a motion to conclude consideration of chapter 26. Moved by Mr. Friesen. Did I see your hand, Mr. Friesen? That's good. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. And we'll move along to chapter 27, and I'll turn it back to the Provincial Auditor's office.

Mr. Wandy: — Thank you. Primary medical care received in a correctional centre can play a role in reducing health inequity for vulnerable inmates. Chapter 27 of our 2020 report volume 2 reports the results of our first follow-up audit on the nine recommendations we made in 2018 on the Ministry of Corrections, Policing and Public Safety's processes for the provision of primary medical care to adult inmates in its secure-custody correctional centres.

By July 2020 the ministry had implemented two recommendations and made progress on some of the others. The ministry developed new policies and updated existing policies to address gaps in medical care policies. Correctional centres reviewed and updated medical care directives and developed directives to address gaps.

The ministry also made progress on developing training for nurse managers, which it planned to deliver in 2020-21. It also developed a new form to facilitate transferring key medical information when inmates move between correctional centres, which the correctional centres were starting to use.

Correctional centres made progress on tracking first aid certifications and reporting to the ministry on the currency of certification; however we found that they did not do this accurately. For 3 out of 30 employees we tested, the certification expiry date on the tracking sheet did not match the actual expiry date on the certificate.

The ministry updated its policy on complaints to require correctional centres to track, respond to, and analyze inmate medical care complaints timely. Correctional centres need to respond to complaints timely and provide the ministry with a complete analysis of trends and corrective action taken.

We also note the ministry had not yet developed measures for evaluating the provision of medical care to inmates, nor had it started receiving regular reports from correctional centres on the provision of medical care to inmates. Without this information, the ministry does not know whether inmates receive care consistent with its policy, and the medical units in correctional centres cannot identify areas of medical care they could improve.

I will now pause for the committee's consideration.

The Chair: — Thanks again for the follow-up on this front and the presentation. I'll turn it over to ADM Scriver for a brief report. Thanks for the status update showing all the actions, and then we'll see what we have for questions.

Ms. Scriver: — Thank you. The Provincial Auditor has noted two of the recommendations are now implemented, so my comments will focus on the remaining recommendations.

For the recommendation regarding delivering orientation training for the nurse manager positions in adult secure-custody correctional centres, the nurse manager orientation training is incorporated into initial employment training and learning modules. Two nurse managers have completed the orientation training. One new nurse manager is expected to complete training within the five-month probationary period. One nurse manager position is currently vacant.

For the recommendation regarding monitoring the currency of first aid certification of correctional staff from adult secure correctional centres, the ministry has implemented processes to monitor the currency of first aid certification. Correctional centres keep an ongoing tracking of certification and expiry dates, and schedule recertification training sessions multiple times per year. Correctional centre management reports staff completed outstanding certifications and plans for recertifications to central office every September.

For the recommendation regarding requiring staff to transfer inmate medical files between adult secure-custody correctional centres when it moves inmates between centres or former inmates re-enter the system, on December 9th, 2021, correctional centre nurse managers were reminded of the requirement to use the improved transfer form consistently. Nurse manager medical file audits were implemented in October 2020 and include review of the most recent transfer form to ensure consistent use.

Regarding the recommendation to formally respond to adult inmate complaints about medical care within time frames required by *The Correctional Services Regulations, 2013*, a

formal tracking mechanism has been implemented to ensure complaints are responded to in compliance with policy and legislation. Direction has been provided to correctional centre nurse managers that every effort should be made to respond to complaints on time or, if unable, a letter of extension is sent to the inmate.

Regarding the recommendations to analyze complaints about medical care from adult inmates in its secure-custody correctional centres for trends and take corrective actions as needed, each correctional centre tracks and reports on responses to medical complaints quarterly. These reports to central office now include actions taken to resolve each complaint.

For the recommendation to work with adult secure-custody correctional centres to develop measures for evaluating the provision of medical care to inmates, correctional centre nurse managers began conducting medical file audits in October 2020 which include measures to identify and address gaps in the provision of health services.

Regarding the recommendation to receive regular reports from adult secure-custody correctional centres on the provision of medical care to inmates, medical file audits include measures to identify and address gaps in the provision of health services. Nurse manager medical file audits, quarterly complaints summary reports, and appeal referrals are referred for potential areas of improvement. An electronic health system which would expedite this process, and it continues to be explored.

That concludes my comments.

The Chair: — Thanks for the comments. Thanks for all the work. I'll open it up to committee members for questions. Ms. Ritchie.

Ms. Ritchie: — Thank you, Mr. Chair. I believe I heard you say that currently you have one vacancy in your nurse manager positions. And I wanted to ask about turnover within your staff complement there. You know, what sort of frequency is that occurring on? And what sort of historical trends have you seen so far in terms of those vacancies and how they've trended over time?

Mr. Carey: — Morning. Dean Carey, executive director of offender services. Certainly nurse manager positions and nursing positions have had issues around turnover and they have been hard to maintain certainly. So you know, what we will do is have acting nurse managers while we're going through the process of hiring permanently for those positions. We would also then afford those acting nurse managers the same training that we would provide a permanent nurse manager. And certainly, you know, we endeavour to try and retain them as much as we can.

Ms. Ritchie: — Any insights or understanding to the reasons for those turnovers?

Mr. Carey: — I think that it's certainly a challenging job, and COVID and the pandemic has certainly just exacerbated all of that. And I think that, you know, to some degree it does become a challenge. But we certainly are always in the process of . . . We have another advertisement for a permanent nurse at Pine Grove, which is the vacant position that Heather mentioned.

I think, you know, making sure that they have the proper training will assist with retaining them. And I'm hoping that we're going to be able to work through this pandemic, and we have a little bit more stability across all.

Ms. Ritchie: — So has the ministry undertaken any sort of an evaluation to understand the factors that are creating a challenging situation? And what's being done in response?

Ms. Scriver: — Sure. We do know that the compensation of course is an issue with retaining some of our nurses. So if we were to do an exit interview on our nurses, the compensation appears to be more attractive with the health authorities than with the collective bargaining agreement that we abide by right now.

Ms. Ritchie: — So these manager positions are in scope?

Ms. Scriver: — No. The manager positions are out of scope. I'm talking about the vacancies and the turnover that we would have with our in-scope nurses that we have at the correctional facilities as well.

Ms. Ritchie: — I see. So you mentioned compensation. Are there sort of other factors that have been identified?

Mr. Carey: — Not that I'm aware of. I mean to work in centre is a different type of nursing experience. But certainly also we've had some people long-standing and who really enjoy what they do.

I can just quickly mention, we have opened up a licensed practical nursing position to assist in terms of ensuring that we have adequate nursing within the facilities. And you know, we will just continue to work with that and ensure that we're able to offer what's required in order to maintain those positions.

Ms. Ritchie: — I wanted to also ask about . . . The status update notes that each correctional centre is required to track all inmate complaints. I'm curious if you have any stats on how complaints have been received annually.

Mr. Carey: — I do have the stats somewhere. I brought them. From what I remember reading, it was about 300 for the year. And then in terms of responded to, 129.

Ms. Ritchie: — Thank you for that answer. And I wondered if I could also ask for details on the October 2020 review of the provision of medical services to inmates.

Ms. Scriver: — Are you referring to the nurse manager medical file audits that were implemented in 2020?

Ms. Ritchie: — Perhaps. Maybe. We'll assume so.

Mr. Carey: — They were certainly implemented and are ongoing, and then are reported up to central office to the health services team. The health services team meets monthly with health services within the centre — so with the nurse manager and the deputy director of standards and communication, who the nurse manager reports to — to ensure that any trends or concerns are addressed in order to try to make sure that we're meeting policy and legislation.

[11:45]

Ms. Ritchie: — Thank you very much for those answers. Appreciate it.

Oh, I'm sorry. No further questions, Mr. Chair.

The Chair: — Just looking around the table here. Any further questions from others with respect to chapter 27? Thanks for the report. Thanks for all the work. Thanks for your time on chapter 27. At this time I would welcome a motion to conclude consideration of chapter 27. Moved by Deputy Chair Young. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. We'll move along to the last chapter on our agenda before lunch, which always keeps consideration kind of condensed. No rush though, folks, but I'm hungry. And I'll turn it back over to the Provincial Auditor.

Mr. Wandy: — Chapter 20 of our 2021 report volume 2 reports the results of our fifth follow-up of the audit we did on the Ministry of Corrections, Policing and Public Safety's processes to rehabilitate adult inmates. Research indicates that inmates receiving treatment in rehabilitation programs have lower reoffending rates than offenders who do not receive treatment. Rehabilitated inmates gain more opportunities to return to work and contribute to their community.

We made four recommendations in the 2008 performance audit. At the time of our follow-up, there were three outstanding recommendations. By March 2021 the ministry had implemented one of the recommendations and continued to work on the remaining two.

The ministry routinely uses information about the number of inmates accessing or wait-listed for programs in each correctional facility to identify potential program enhancements using reports it has created in its criminal justice information management system. Monitoring inmates' access to rehabilitation programs will allow the ministry to make necessary adjustments to enhance inmates' access to programs.

While the ministry now monitors inmate reoffence rates, at the time of our follow-up, the ministry had not used the improved reporting to monitor and evaluate the rehabilitation programs to assess whether they helped to reduce recidivism. Without evaluating correctional centre rehabilitation program success in reducing inmate reoffences, the risk of rehabilitation programs not meeting inmates' needs increases and reduces inmates' successful re-entry into society.

The ministry's case management policy requires correctional staff to complete an assessment of a sentenced inmate's risk and needs within 28 days of their admission to a secure-custody facility. Our testing of 30 inmate case files found that for five inmates the assessment had been completed between 7 and 61 days later than the policy expected. For these five case files, we noted the COVID-19 pandemic had played a role in the timing of the assessments but was not the only factor to cause delays. Not assessing sentenced inmates' rehabilitation needs within a reasonable time frame from their admission delays their

participation in rehabilitation programming designed to reduce inmate reoffences and address their needs.

That concludes my presentation.

The Chair: — Thank you very much for the follow-up on this front and that presentation. I'll turn it over to ADM Scriver for some brief remarks and then get at the questioning.

Ms. Scriver: — Regarding the recommendation to monitor the proportion of inmates accessing planned rehabilitation programs before the inmates are released into the community, and enhance access to rehabilitation if required, the ministry agrees with the auditor that this is now implemented.

For the recommendation regarding monitoring reoffending rates in relation to rehabilitative programs to better evaluate its rehabilitation of inmates, the ministry agrees with the Provincial Auditor that this is partially implemented. As noted in the Provincial Auditor report, while good progress has been made in the ministry's ability to use data to monitor program outcomes, continued work to leverage its improved reporting to monitor and evaluate rehabilitative programs delivered in adult custody will contribute to more effective rehabilitation. A systemic annual review of programs to determine program evaluation needs in order to prioritize evaluation efforts within the existing resources is under development, which will inform an overall rehabilitative program evaluation plan.

For the recommendation regarding consistently complying with the ministry's policy to assess inmates' needs, primary and secondary, and plan relevant programs, the ministry agrees that this is partially implemented. As noted by the Provincial Auditor, the ministry is consistently assessing inmate needs and identifying relevant rehabilitative programming based on these needs. However, delays are sometimes encountered with completing these activities within the 28th day of admission into custody. The ministry will review its provincial policy timeline standards to determine whether modifications are required.

The ministry will also develop provincial standards for identifying and responding to overdue case management activities. The ministry will also continue to leverage daily case management reports to notify front-line case managers, supervisors, and different levels of management of overdue or absent case management activities for follow-up.

This concludes my comments on this chapter.

The Chair: — Thank you for the report on the work that's currently under way and the timelines for implementation. I would open it up to the table for questions. Ms. Ritchie.

Ms. Ritchie: — No questions at this time. Thank you.

The Chair: — I'm not that hungry. We can take the time we need if there's . . . Mr. Goudy.

Mr. Goudy: — Yeah, just wondering, how effective are those rehabilitation programs? Like, do you track those who aren't included? I guess it'd be tough. The ones that you expect to have changes go into the program, and those others may not. But do you have any way of tracking the effectiveness of those involved

in the rehabilitation programs we have?

Mr. Carey: — Yeah, so we have done evaluations, and generally when we implement a program we would undergo a literature review to try to . . . I mean, there are lots of different programs out there. Lots of different places have tried a number of different things, and they've evaluated to see if it's effective or not.

And so really our goal has been to implement effective programs from other jurisdictions in many cases. And then we've attempted to evaluate them within our own jurisdiction in order to see if it's effective here and is it effective with our population. It might be a different population than, say, in Ontario or British Columbia. And for the most part, they are and have been. So within the correctional literature, they would suggest that a program is effective if it reduces recidivism 20 to 30 per cent. And certainly our programs that we have evaluated do do that.

And so you know, I mean I think that what we've talked about doing, we've recently hired a director of program integrity and evaluation, who's creating the program evaluation framework that Heather referenced. And you know, we will clearly lay out for the auditor as well in terms of a schedule and a prioritization of which programs we will evaluate. It's a lot of work to evaluate a program to ensure that the methodology is sound, and so you're actually evaluating what it is that you need to evaluate. And we'll set out a five-year plan. Our endeavour will be to evaluate all of our programs, and if something isn't working, then we will implement a different program.

Mr. Goudy: — It's got to be tough to have comparables. Like you know, because you're really, you're up against a tough thing there.

Mr. Carey: — Right, but as you said, often what we will do is we try to match individuals based on a variety of different factors, including risk assessments and other things. We can develop a control group, so those that haven't had any programming versus those that have had and have gone through different programs, and then we can compare and look at things like recidivism. And normally the majority of the time what we find is that those that have actually engaged in programming is . . . to some degree wanting to engage and change versus those that are saying, not interested, I'll just do my time. There is a difference between those two groups. And the ones that do engage are more successful in terms of not coming back than those that haven't engaged in anything.

Mr. Goudy: — I appreciate that.

The Chair: — Thanks for the questions. Deputy Chair Young also has a question, I believe.

Ms. C. Young: — Yeah. There is an addictions and dedicated substance abuse treatment unit that's been operating in the Regina correctional centre. And I know this might be too early, but just recently in 2021, because of the wait-list that was identified at the Pine Grove Correctional Centre, you implemented that same program there. And looking to expand it into the other correctional centres. So obviously it means you've had some success with it, or do you have any data that you can share with us at this point in time that shows that this is something that is working within the programs that you're

offering?

Mr. Carey: — Certainly. So the dedicated substance abuse treatment program that was originally — it was the partnership of the SHA — in Regina was thoroughly evaluated, and it did demonstrate around a 30 per cent reduction rate in recidivism.

And so with the gang-violence reduction strategy — so it was federal dollars — we were able to replicate it at Pine Grove, as you mentioned. And what we did with that one was we contracted with Galvanizing Equity to ensure that it was both gender responsive and trauma informed because the program was for women. But we tried to maintain the structure of the program because it was evaluated as being effective.

We've also replicated that at Prince Albert Correctional Centre. So that's now up and running. So again we can then offer that program at another centre. And for the Saskatoon Correctional Centre, which is the last one, we will have a program up and running there as of April 1st.

Ms. C. Young: — And have you had trouble staffing those programs?

Mr. Carey: — No. They're all partnerships. So the SHA is a partner, and they provide the addictions counsellors. And so between the addictions counsellors and our staff, we co-facilitate those programs. We have a dedicated unit in order to do it so that when individuals go into the program, they go into a dedicated unit. They basically kind of live and breathe addictions programming and criminogenic programming, and to date it's been very successful.

Ms. C. Young: — Thank you.

The Chair: — Not seeing any further questions, just thank you to everyone that's involved in this really important work. And it changes the course of many lives for the better. And that's better for, you know, our community and for someone, you know, for that person and their family, and certainly for the province. And so we wish you well with the work ahead.

Thanks for the reports here today. Thank you, ADM Scriver and officials for your time, and I wanted to say, thank you to all those that are involved in this work day in, day out all across Saskatchewan. At this point in time, we'll recess and . . . [inaudible interjection] . . . We should conclude considerations, so they don't bring you back after lunch. But I would welcome a motion to conclude consideration of chapter 20. Moved by Mr. Kirsch. All agreed?

Some Hon. Members: — Agreed.

The Chair: — Okay, that's carried. We'll take a recess for lunch and be back here at 1:15 with the Ministry of Social Services.

[The committee recessed from 11:58 to 13:16.]

Social Services

The Chair: — Okay, folks, we'll reconvene the Standing Committee on Public Accounts this afternoon, and we'll turn our attention to the Ministry of Social Services. Before we do that,

I'll introduce that we have a substitution, that Ms. Meara Conway is substituting for Aleana Young for a period of time this afternoon. And with that, I'd like to welcome all the officials that have joined us here from the Ministry of Social Services. I want to welcome Deputy Minister Smith and thank her and her entire team for her leadership. And I just want to, through you, say thanks to all the good folks across Saskatchewan that are involved in the work that we'll be discussing here today.

Deputy Minister Smith, I'd ask you to bring a brief introduction of the folks that are with you here today, and then we'll turn it over to the auditor to focus on her presentation. Subsequent to that, you can focus in on the reports.

Ms. Smith: — Thank you, Mr. Chair. So before I introduce my colleagues from the Ministry of Social Services who are here with me today, I would like to take a moment to acknowledge the work of the Provincial Auditor and thank you and your team for your advice and recommendations. The ministry appreciates the work of the auditor and accepts the recommendations in her reports. We are acting on all areas to provide the most safe and effective services and care for clients. As it's been over two years since the Ministry of Social Services has appeared before Public Accounts Committee, we have implemented recommended improvements and made progress on many of the areas noted in the audits conducted since 2019.

To assist me in responding in questions today, here with me are: to my left I have Jason Pirlot, acting assistant deputy minister of finance and corporate services; and along with Rhiannon Shaw, who is acting executive director of finance; Tobie Eberhardt, assistant deputy minister of child and family programs. And also with child and family programs is Joel Kilbride, executive director of program and service design; Kari Paton, executive director, service delivery; and Mitch Tremblay, executive director of community services.

Louise Michaud, who is behind me, is president of the Saskatchewan Housing Corporation and assistant deputy minister of disability programs and housing. And Bob Martinook, executive director of community living service delivery. To my right I have Devon Exner, assistant deputy minister of income assistance programs; and behind him we have Jeff Redekop, executive director of income assistance service delivery.

Together we will provide information and updates on the status of the recommendations, and we are pleased to answer any questions you may have. There is a great deal of work under way in the ministry, and we are committed to fully implementing any of the outstanding recommendations. Thank you.

The Chair: — Thank you. Thank you, Deputy Minister Smith, for those remarks. And I'll turn it over now to the Office of the Provincial Auditor. I believe we're going to be dealing with chapters 16, 15, and 12 together to start things off.

And I'll also table, before we do that, PAC 52-29, Ministry of Social Services: Status update, dated March 2, 2022. And I want to thank all the folks at Social Services that completed that status update for us. It really allows us to be focused and effective when we go at the questioning here.

Ms. Clemett: — Thank you, Mr. Chair, Deputy Chair, other committee members, and officials. With me today is Ms. Kim Lowe who is going to do the presentations for the Ministry of Social Services, as she worked on a number of the audits that we are going to discuss today. Kim will present the chapters for the ministry in the order that they do appear on the agenda. It ends up resulting in eight presentations, and so we will be combining certain chapters into one presentation. She will pause for the committee's discussion and deliberation after each presentation. And there are two presentations that do include new recommendations for the committee's consideration.

I do want to thank the deputy minister and all her staff for the co-operation that was extended to us during the course of our audit work. And now I'll turn it over to Kim.

Ms. Lowe: — Thanks. These chapters include the results of our annual integrated audits of the Ministry of Social Services and its three special purpose funds for the year ended March 31st, 2019 to March 31st, 2021. These chapters include three new recommendations for the committee's consideration, all of them in the 2020 report volume 2.

For each of the three fiscal years described in these chapters, we found the ministry and its funds complied with authorities governing their activities, and each fund had reliable financial statements. In addition, the ministry had effective rules and procedures to safeguard public resources except for the areas highlighted in our recommendations.

On page 94 of our 2020 report volume 2, we recommend the Ministry of Social Services verify client income information for its Saskatchewan income support program. This recommendation remained outstanding at March 31st, 2021. The Ministry of Social Services does not verify the accuracy of Saskatchewan income support, referred to as SIS, program clients' income information.

The ministry launched the SIS program in July 2019. Clients that were previously enrolled in the Saskatchewan assistance plan or who were receiving the transitional employment allowance remained in those programs until they were wound down in the summer of 2021 or until clients voluntarily moved to SIS or no longer required income support.

The ministry requires SIS clients to report their income and provide supporting documentation. Unlike its other major income assistance programs, the ministry has not set up a process to confirm proof of income for SIS clients. Such a process is of particular importance in relation to federal income support programs related to the COVID-19 pandemic, which could provide a significant income source for SIS clients. Not obtaining and checking third-party information for client income verification increases the risk of providing income assistance through SIS to ineligible clients or the ministry paying incorrect SIS benefits.

On page 95 of our 2020 report volume 2, we recommend the Ministry of Social Services record and recover overpayments related to its Saskatchewan income support program in a timely manner. This recommendation remained outstanding at March 31st, 2021. An overpayment occurs when the ministry pays a SIS client before receiving all information necessary to confirm a

client's eligibility for benefits or where it makes an error in determining a benefit. As of March 31st, 2021 the ministry paid \$83.7 million of SIS payments and recorded \$2.2 million accounts receivable related to SIS overpayments.

In February 2020, the ministry's IT system administering the SIS program benefits began allowing staff to establish automatic payment recovery beginning the following month and record the related amount due for overpayments from future SIS benefits. However we found the ministry inconsistently recorded and did not accurately recover Saskatchewan income support program overpayments during the 2019-20 and 2020-21 fiscal years. Not recording amounts due and initiating automatic payment recovery delays timely overpayment recovery.

On page 96 of 2020 report volume 2, we recommend the Ministry of Social Services require staff to reconcile and review each of its key bank accounts monthly. We found the ministry implemented this recommendation by March 31st, 2021. It reconciled and reviewed its key bank accounts within a reasonable time frame.

I will now highlight the status of three outstanding recommendations previously considered by the committee. By March 31st, 2019, we found the ministry implemented a process to appropriately identify and disclose contractual obligations. As of March 31st, 2021, the ministry continued to work on addressing a couple of other recommendations.

Firstly, we found the ministry needs to obtain appropriate support for and properly approve income assistance payments to ensure eligible clients receive the correct amount of assistance. The ministry continued to not follow legislation or policies and procedures for making payments to income assistance clients, resulting in incorrect payments during the year. Of the 70 client files we tested, 49 per cent had income assistance payments inappropriately supported, approved, and/or paid under ministry policy and/or legislation.

Over the last nine years, the ministry paid almost \$57 million to clients who were not eligible to receive income assistance because the ministry provided financial support before it received all of the required proof of eligibility and need. At March 31st, 2021, the ministry determined it is unlikely to collect about 24 of the \$57 million because the ministry has limited ability to collect on overpayments once clients leave income assistance programs. Not complying with legislation and ministry policies and procedures increases the risk of paying clients incorrect income assistance amounts.

Finally we found the ministry needs to perform timely reviews of financial reports from third-party service providers to determine whether providers appropriately use ministry funding. During 2020-21 the ministry paid these service providers almost \$390 million. Through its service agreements, the ministry requires third-party service providers to submit various reports, for example operational and financial reports, within specified time frames.

We tested 29 annual financial analysis reports and found the ministry did not review 6 of the 11 late reports by March 2021 and were more than 100 days later than the required deadline. Four of the 11 financial analysis reports not reviewed in a timely

way were submitted by community-based organizations that received the highest amounts of ministry funding. Not reviewing the annual financial analysis reports of third-party service providers in a timely manner increases the risk that the ministry may be unable to identify issues and take prompt corrective action, such as adjusting future funding.

I will now pause for the committee's consideration.

The Chair: — Thank you very much for the presentation, and of course for the focus of the work. Thanks for what's been reported out already on the status update. I'll turn it over though to Deputy Minister Smith for remarks, then we'll open it up for questions.

Ms. Smith: — Thank you, Mr. Chair. So recommendations related to integrated social services are noted in three of the Provincial Auditor's reports, as we discussed, so for 2019, 2020, and 2021.

Related to the recommendations that Social Services follow its established processes that ensure only clients receive assistance and that they receive the correct amount of assistance, the ministry considers this recommendation implemented. On July 15th of 2019, the Saskatchewan income support program was launched to new clients. As of August 31st of 2021, the Saskatchewan assistance and transitional employment allowance programs ended.

The vision guiding the changes in income assistance are programs that are simpler, more transparent, client-friendly, and sustainable. Simpler programs with transparent policies and business processes will improve accountability, performance, and reduce errors. A new information technology system has been implemented and will help to reduce errors through automation and consistent application of business processes and procedures.

In '19-20, the ministry implemented a performance improvement plan to specifically address the areas cited by the auditor, and has made significant improvements. Related to the recommendation that Social Services perform timely reviews on all performance information submitted by the community-based organizations, the ministry agrees this recommendation is partially implemented.

The Ministry of Social Services partners with community-based organizations to deliver a wide range of services and supports to Saskatchewan people and families. In many cases, it's local organizations that have the direct connection with clients in their communities and deliver on our common goals to provide opportunities and support to people as they help build better lives for themselves and their families.

We know that positive and productive partnerships with clear expectations and consistent reporting are essential to effectively meet the needs of the people we serve. That's why the ministry is piloting a framework to assess, monitor, and manage third-party service contracts. This framework will be implemented in '22-23 to create new standards for accountability and timely reviews of community-based organizations to regularly manage compliance and influence positive outcomes for clients.

[13:30]

Related to the recommendation that Social Services verify client income information for its Saskatchewan income support program, the ministry considers this recommendation partially implemented. The ministry is reviewing opportunities to include interfaces with critical organizations that could include matching income sources. The ministry has updated its information-sharing agreement with the federal government and will begin accessing and reviewing income tax information for Saskatchewan income support clients in '22-23 on a case-by-case basis.

Related to the recommendation that Social Services record and recover overpayments related to its Saskatchewan income support program in a timely manner, the ministry considers this recommendation implemented. The system used to administer the Saskatchewan income support program have had enhancements since the July 2019 implementation, and all overpayments have been recorded. We will continue to ensure overpayments are recorded and recovery is initiated.

Related to the recommendation that Social Services requires staff to reconcile and review each of its key bank accounts monthly, the ministry notes the auditor considers this recommendation implemented as well. That concludes my comments.

The Chair: — Thank you very much for the comments and for the work that's been undertaken. I'll open it up now to committee members for questions. Ms. Conway.

Ms. Conway: — Thank you. I'd like to thank everyone for their remarks and their presentations this afternoon. Thank you, Ms. Smith.

I have a question about the recommendation around ensuring that only eligible clients are having access to income support, and this has been considered by the auditor to be implemented. I just have a question though around the . . . It states here that a simpler program has been brought about and the assumption is that that will increase transparency. Is that a reference to SIS? Is the idea that by replacing these previously existing programs with the SIS program, it's hoped that those issues around transparency and system navigation will be improved?

Ms. Smith: — Thank you for the question. I'll just maybe, just provide a bit of context. So it is in relation to the Saskatchewan income support program, in terms of what you're referencing. And the contextual piece would be that when we think about the older programs, like the Saskatchewan assistance plan and the transitional employment allowance, the SAP [Saskatchewan assistance program] program in particular, that's a program that evolved over the course of 50 years. And so it really was, the combination of those two programs, very complicated, lots of complex policies, processes that both clients and staff needed to understand and be able to navigate through the program.

So moving forward, as we move forward and we think ahead to the future and where we're at right now, it really is about programs that are simpler, with policies that are easier for clients and staff to understand and understand what it means for them. And that is really, you know, the driving sort of vision when we think about going forward and helping connect clients to the services and supports that they need.

Ms. Conway: — Thank you. With regards to the recommendation around oversight of community-based organizations, of course this is a very crucial recommendation given that so much of the work that's captured by the ministry's mandate is essentially contracted out to community-based organizations. Can you speak a bit more about the framework that's been implemented to monitor and manage, I think as you put it, a risk-based approach. I just would hope to hear a bit more detail about that if possible. Thank you.

Ms. Smith: — Thank you for the question. I'm going to turn to Jason Pirlot to provide some information for you.

Mr. Pirlot: — Yes, thanks for the question. So really in terms of the risk-based framework . . . So one of the things that the auditor's recommendation was noting that the ministry had had challenges over time in terms of reviewing the information coming — whether that be quarterly financial information, annual financial information, etc. — reviewing that information in a timely manner. And it's noted in their report. And so one of the things that we're doing . . . And I'm pleased to note that the ministry does have an internal target of reviewing that information, 90 per cent of that information within six months, and we did hit that this year. So that's a good positive step that, you know, I think the auditor will see when they come back to look at this one.

The other thing I would note is in terms of the framework in particular is what we'll want to be doing is thinking about things like the financial risk associated with the contracts that we have with CBOs, some of the governance elements associated with those contracts, operational considerations. And so just thinking about those broad pieces as they relate to the CBOs that we contract with and assessing the inherent risk associated with those different pieces. And making sure that as we think about our review processes, we use that to actually prioritize our review of the information coming in from CBOs.

Ms. Conway: — Thank you. One of the things that sort of happens from time to time is that there are issues flagged kind of by clients or in the community around CBOs. Will the framework that the ministry is implementing, will it have any mechanism to sort of address, like trigger any type of scrutiny of community-based organizations when and if issues are flagged in real time?

Mr. Pirlot: — So I mean I think that would be the ultimate goal, is that the ministry kind of is able to be proactive. And so that when we're aware and when we've become aware of things in CBOs that would be associated with risk of service delivery, which is ultimately what we're most focused on, that that information flows up and we're able to act on it. That would really be the ultimate goal of that framework, yes.

Ms. Conway: — Thank you. There was, and I'm sorry if I'm getting this wrong, but my understanding is that there's going to be an IT component to some of the efforts to address the recommendations, like sort of an automated component. I'm hoping you can just speak to that a bit more. And not to kind of get ahead of myself, but my understanding is the ministry has brought in different IT-related components to assist with its work.

And you know, one of the things I've heard for example with the

SDM [structured decision making], for example, sometimes that gets overridden by workers. I guess I'd like to hear a bit more about why you think sort of an automated approach to some of these issues will solve the issues. And if you could speak to the role for workforce and whether you feel that the ministry has sufficient sort of workforce to address these issues.

Ms. Smith: — I'll maybe just start. Just the nature of your comments, they sound like they're more broad in terms of just what you're asking for. So I'll start by again just trying to provide a little bit of context in terms of as a ministry.

So as we've noted, you know, right at the onset, we are a ministry that has a large scope and a large mandate. We deliver many different programs to clients and families across the entire province. So whether we are, you know, talking about child and family programs, or disability programs, income assistance, housing, we really have a number of different systems, information technology systems that really help us support the business and the work that we do every day.

To comment around your question around, you know, the use of information technology, how I would describe it from a ministry perspective is, that's really just one piece of how we support ourselves and our teams to be able to do their jobs.

When we think about effectively administering the programs, again across the entire province and across the system, you're really looking at a combination of things. You've got your policy and your business processes. We've got, you know, constant communication with our teams and our staff around our programs and services. And then it's really understanding, through that intent of each program, what's expected of each of those programs in terms of what's being delivered, who they're connecting with. In some instances, as you've noted, you know, we have partnerships with lots of community-based organizations. We also have very strong relationships and partnerships with Indigenous organizations and First Nations with respect to child welfare as well.

And so then it's seeing, in some cases understanding where the information technology again can help support the system as a whole in the delivery of care. So in terms of the automation or when we were talking about it from again a program perspective, it's helping to ensure that your information technology is also helping to support the program so that it's being delivered with the intent and the purpose and within the policy that it's been designed to deliver in.

So I don't see it as one . . . I see it as one piece of many pieces when we think about program delivery and ensuring effective operations of all of our services and programs across the ministry.

Ms. Conway: — Thank you. And I just have one last question. And I'm sorry to backtrack, but it's again on the CBO framework piece. You know, one of the things I've heard a few times in my role as critic is that some of these organizations that take on, you know, a large kind of caseload from the ministry, sometimes there's challenges getting up-to-date information about some of the clientele that some of these organizations are assisting that come to them out of, kind of, the ministry.

Is this framework, this risk-based framework, is it looking at all at how to ensure that the ministry can optimize, you know, sharing some of that information with some of these CBOs so that when, for example, clients come into their scope of service delivery, that they sort of are entirely up to date in terms of what those families or children or income assistance clients are dealing with?

Ms. Smith: — Thank you again for the question. And just bear with me a little bit as well, just because it's a bit of a broader question that really touches on all parts of the ministry. You know, when we think about the ministry, there's a really large component of services that we provide directly to clients, and then there's a large component where we are doing that alongside and in partnership with many community-based organizations, Indigenous organizations, and others.

In terms of the framework that you're mentioning, I would just add that, you know, one key piece of that framework is around that communication and that interaction with the CBOs that we're working with. So whether we're working alongside one of our child and family CBOs or working alongside one of our CBOs in terms of people who are working with people with intellectual disabilities, I would just reinforce that that communication is critically important.

[13:45]

And so the clients that we work with, regardless of what program they're in, there is always either a person-centred plan or a case management plan that helps to sort of guide what's happening with that client or that family's life. And when there are situations where we're working in partnership with a community-based organization or another service provider, that forms the basis of being able to help those teams be able to work together when we're working with clients. They might be part of one program, but they could also be parts of several programs where you're really needing to make those connections, you know, from that family and that client perspective.

So from a risk-based assessment — ensuring that there are good checkpoints for communication, expectations around communication, the planning around the clients and around the families in terms of what's happening there — those are a part of the framework and will be. But I just want to reinforce that those are pieces that are critical to the work that we do every single day today. Our goal and what we are always working toward is really taking, whether it be information from our community-based organizations, recommendations from Provincial Auditor, it's taking all of those pieces and trying to, as we go forward when we're thinking about frameworks and improvements, really trying to take all of that and being able to continuously improve and work to improve that communication and all the other aspects that go along with managing those relationships.

Ms. Conway: — Thank you. Sorry, I have one more question, having said that that was my last question.

One of the changes that I understand took place in the ministry, correct me if I'm wrong, is that some of those day-to-day financial decisions — and I'm talking here about income assistance recipients; some of those sort of day-to-day decisions around whether to provide entitlements, whether people are

eligible for that — has been removed from the social worker or the caseworker and really moved over to more of the call centre. I don't know if that's the case; I'm wondering if that's the case. And I'm wondering if that decision was made to try to address some of the issues identified by the auditor that, you know, people were receiving overpayments or support that they weren't entitled to.

Have there been changes in terms of who can authorize some of those payments? And if so, was that done kind of in service of addressing these recommendations?

Ms. Smith: — Thank you.

Ms. Conway: — Thanks.

Ms. Smith: — I'll just be a moment.

Sorry for the delay. Thanks again for the question. So as we approached designing the Saskatchewan income support program, we absolutely were looking at what is the best way to deliver a program that ultimately is going to be able to provide those income supports to clients.

But also the really key change with the new program was around ensuring that we had our staff better able to support clients in terms of helping clients meet the goals and plans that clients have set for themselves. And so that was a part of the design. We do have a part of that team that their responsibility is to take applications, work with those clients to assess whether they're eligible or not, help determine what their income benefits will be because that is obviously an important part of an income support program.

But the other part of the team, which is again part of the design to the new program, was really ensuring that we have staff that can connect with those clients regularly around their plans. And that could be their, you know, plans for what they have for their particular situation — whether or not they are in education, whether or not they are wanting to get employment, or whether or not they're just in between — you know, their situation.

And so a big part of this program and the design behind it was ensuring that we have our team of staff who are focused and can ensure that the benefits are being . . . the eligibility is in place, that the benefits are being calculated, you know, appropriately and without errors or fewer errors because you've got more of that focused team that's looking at those pieces, and then having the other parts of the team being able to dedicate that time to working and talking with clients. Case management, you know, is a big part of that as well.

So that's how I would answer it just at a high level. We do have different functions for people, but at any point those teams, they are connecting about common clients. So if a client is working with their planning and support specialist around their plans and they have questions about their income eligibility and their entitlement, again there's connections happening within the team all the time about clients, depending on the individual case-by-case situation that's coming forward.

Ms. Conway: — Okay. Thank you, Ms. Smith, and I appreciate the answer. So the teams that you refer to, am I accurate that those

teams sort of follow along the caseworker in more of the supportive role, and then more of the call centre to ensure that the benefits are being provided appropriately? I just wasn't sure if those are the teams.

Ms. Smith: — Sure. So structurally we've got, within Regina we do have the client service centre. And that is where the bulk of the applications and the eligibility and that income verification and calculation of benefits piece happens.

Throughout the province, we've got many regional offices throughout the province. And primarily that's where you have the planning and support specialists that are there again to meet one-on-one with clients to be able to go through their plans, their supports. If they're having issues — that's issues where a client is seeking, potentially they need advice and referral; you know, I need help in a particular area — that is the role of that planning and support specialist. And so they are located throughout, again, offices throughout the entire province.

Ms. Conway: — Okay, thank you.

The Chair: — Thanks for the questions and the responses and all the work that's been undertaken. Looking to the committee for other questions. Not seeing any at this time, with respect to chapter 16 there's no new recommendations there, so I would look for a motion to conclude considerations. Moved by Mr. Friesen. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. With respect to chapter 15, there's three new recommendations. I would welcome a recommendation with respect to recommendation 1 that we concur and note progress. Moved by Deputy Chair Young. All agreed?

Some Hon. Members: — Agreed.

The Chair: — It's carried. With respect to recommendations 2 and 3, I would welcome a recommendation that we concur and note compliance. Moved by Mr. Goudy. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's agreed. With respect to chapter 12 of the 2021 report volume 2, I'd welcome a motion that we conclude considerations. Moved by Mr. Skoropad. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried as well. Okay, we're going to move along to the 2020 report volume 1, chapter 12, and I'll turn it over to the office of our Provincial Auditor.

Ms. Lowe: — Chapter 12 of our 2020 report volume 1, on pages 155 to 173, reports the results of our audit of the Ministry of Social Services processes to monitor whether foster families provide a safe and secure environment for children in care. This chapter includes six new recommendations.

At March 31st, 2019 there were 856 children residing in 486 foster homes located across Saskatchewan. In 2018-19 the

ministry provided almost \$26 million in support to foster care families. Foster families have a responsibility to provide foster children with safe, healthy, and nurturing relationships and a family environment which is considered the most beneficial and desirable. The ministry must ensure children placed in foster homes are well cared for and safe. It must ensure foster families receive ongoing support and provide quality services.

We concluded that for the 12-month period ended December 31st, 2019 the Ministry of Social Services had effective processes, except in the areas highlighted in our six recommendations, to monitor whether foster families provide a safe and secure environment for children in care.

In our first recommendation, on page 160, we recommend the Ministry of Social Services complete all required background checks prior to approving foster families. The ministry expects staff to use the children's services manual, which includes the ministry's requirements for approving foster families. We found the ministry's requirements aligned with good practice.

For 10 foster families approved by the ministry in 2018 and 2019, we assessed the ministry's compliance with its requirements for approving the foster families. We found one file did not have the required ministry record checks and criminal record checks conducted in a timely manner. For two adult children living in this home, staff did not conduct ministry record checks until 14 months after approving the family. In addition, another adult subsequently joined the foster home, and staff did not conduct the criminal record check or the ministry record check until 9 and 10 months later respectively. Not completing all the necessary background checks for all applicants and adult residents in a foster home prior to approving a home, or as additional adults join a home, may result in a potential threat to a child's safety when placed in the home.

Our next five recommendations are mainly in relation to the ministry's annual reviews of foster homes. Through its children's services manual, the ministry requires an annual review of each foster family. An annual review includes performing a home safety check, obtaining criminal record self-declarations, completing the annual review report, and signing an annual service agreement.

In our second recommendation, on page 163, we recommend the Ministry of Social Services consistently follow its standard to conduct annual home safety checks at foster homes. Annual home safety checks confirm a foster home remains safe. The ministry requires staff to complete them at least annually after approval of the foster home, when the foster family moves to a new home, or when a significant change in the home impacts the health or safety of individuals in the home, such as renovations to the home.

For 7 of the 30 foster family files we tested, staff did not complete the annual home safety checklist for 2019. Six of them were last completed in 2018 and one in 2016. Not performing home safety inspections annually, as required, increases the risk that children in the care of foster families may not reside in a safe environment.

In our third recommendation, on page 164, we recommend the Ministry of Social Services obtain annual criminal record declarations for all adults residing in approved foster homes. As

part of its annual review of foster families, the ministry relies on foster families and other adults residing in the homes to self-declare any criminal charges by signing a criminal record declaration annually.

For 8 of the 30 foster family files we tested, there were no criminal record declarations completed for foster parents and any other adults in the foster home for 2019. Not requiring timely completion of annual criminal record declarations of all adults residing in the foster home may increase the risk of children not living in a safe environment and potentially being mistreated.

In our fourth recommendation, on page 164, we recommend the Ministry of Social Services require periodic criminal record checks on all adults residing in approved foster homes. We found the ministry did not require foster parents and other adults residing in the home to provide it with updated criminal record checks on a periodic basis after its initial approval of the foster home.

For the 30 foster family files we tested, the foster homes had operated between 3 and 29 years since first approved, which was the last time criminal record checks were completed. Other jurisdictions, such as British Columbia, require foster families to have periodic criminal record checks. Only requiring criminal record information through self-reported declarations may increase the risk of the ministry having incomplete or inaccurate information, such as a foster parent not disclosing a criminal charge, which may put children in foster homes at risk.

[14:00]

In our fifth recommendation, on page 165, we recommend the Ministry of Social Services consistently follow its standard to complete annual review reports of individual foster families. The ministry requires resource workers to complete an annual review report once they complete their assessment; collect all the necessary information, such as the home inspection checklist, criminal record self-declarations; and meet with foster families about the results of the review.

For each of the 30 foster families tested, we found 14 foster families where the ministry had not completed an annual review report in 2019. In addition, for nine foster family annual reports, a foster family or supervisor signed the annual review report much later than expected, even though the reports were done within required time frames. These reports were signed between three to five months after the report was complete. Delays in completing annual review reports, which formally assess a foster family's strengths and weaknesses, may result in foster families not receiving timely and necessary training and support to provide quality care to children placed in their homes.

In our sixth recommendation, on page 166, we recommend the Ministry of Social Services train staff responsible for monitoring foster families specifically on conducting annual reviews. Management indicated the omission and delays in completing annual review reports and the delays in signing the reports are the result of staff turnover, vacancies, and staff missing details when writing an annual review report.

Ongoing training may aid staff to correctly conduct annual reviews and prepare reports within required time frames. It would

also help to build capacity for staff to serve as mentors and support the foster families. In addition, training supports compliance with policies and standards and provides opportunities to share good practices and efficiencies.

I'll now pause for the committee's consideration.

The Chair: — Thank you very much for the focus in this report, really an important focus obviously, and for the presentation. I'll turn it over to DM [deputy minister] Smith for her comments, and then we'll open it up for questions.

Ms. Smith: — Thank you. Related to the recommendation Social Services complete all required background checks prior to approving foster families, the ministry considers this recommendation implemented. The ministry continues to monitor compliance to the background checks required for approval. In the '20-21 program file reviews, the provincial average for compliance to ministry checks was 98 per cent, compliance to completing reference checks was 98 per cent, and compliance to medical checks was 92 per cent. The quality assurance unit will continue to measure this as a part of their program file reviews.

The ministry recognizes the importance of the completion of background checks. We set compliance targets. We set compliance targets to policies, and targets have been exceeded in all areas measured by the auditor regarding this recommendation. The Provincial Auditor's findings were shared in 2020 with child and family program employees, highlighting the need to increase compliance.

In 2021 a further review to ensure completion and documentation of background checks prior to approving foster families was revisited. As a result of this recent review, the process for documenting completed background checks has been standardized to ensure consistency.

Related to the recommendation Social Services consistently follow its standard to conduct annual home safety checks at foster homes, the ministry notes the auditor noted in the monitoring foster families follow-up audit report, dated December 17th, 2021, that this recommendation is now considered implemented.

Similarly, related to the recommendation that Social Services obtain annual criminal record declarations for all adults residing in approved foster homes, the ministry notes that the auditor has noted that this recommendation is now considered implemented as per the auditor's report monitoring foster families follow-up, also dated December 17th of 2021.

Related to the recommendation Social Services require periodic criminal record checks on all adults residing in approved foster homes, the ministry considers this recommendation partially implemented. Following a policy analysis and jurisdictional scan that found other provinces conduct criminal record checks for adults residing in foster homes every three to five years, the ministry has set Saskatchewan's frequency at every three years. Policy to establish this requirement has been developed and will be included as a part of the annual review policy with a summer 2022 implementation timeline. The ministry and the Saskatchewan Foster Families Association are currently working on a communication and implementation plan to support this

change.

Related to the recommendation Social Services consistently follow its standard to complete annual review reports of individual foster families, the ministry considers this recommendation partially implemented. The ministry communicated the expectation of compliance to this standard following the audit in 2020 and has reiterated this expectation for the 2022 program file reviews.

Related to the recommendation that Social Services train staff responsible for monitoring foster families, specifically on conducting annual reviews, the ministry considers this recommendation implemented. The ministry has developed a training package on the completion of annual reviews for staff. The foundation of this training is integrated practice strategies, or IPS, and parent resources for information, development, and education, also known as PRIDE training. It focuses on appreciative inquiry, solutions-focused questions, critical thinking, and crucial conversations. The training includes the completion and implementation of the professional development agreement to ensure that the tool is being used in a helpful manner.

The ministry reviewed annual review family development plan policy with staff that conduct this work. The ministry provided the new training package at a provincial meeting to all out-of-home care staff in January of 2022. That concludes my comments.

The Chair: — Thank you very much for the comments and the work that's been under way and the implementation that's occurred with many of these recommendations. I'll open it up now for questions.

Ms. Conway: — Thank you. DM Smith, obviously this is an area that is very crucial, the safety of children in foster homes. These children remain the responsibility of the ministry, of course, and it strikes me that many of the noted shortfalls which are being addressed may relate to the caseload of ministry staff. I'm just wondering if the ministry is collecting data or making changes around the number of cases to staff. The issue of the caseload-to-staff ratio, whether that's been improved in this recent period of time, and whether there are any actions being taken to address that.

Ms. Smith: — Just one moment. Thank you for the question. So just again, at a higher level, just in terms of the approach overall, you know, this is an area that is within child and family services. And that's a very, again, very dynamic area. There's lots of interaction happening there at any given time. And I would say that the ministry's approach and the division's approach really is on that constant, again, monitoring of what's happening within the cases at the time. There's constant evaluation in terms of understanding new cases coming in, cases that are potentially leaving.

And the team is, I would say consistently, you know, making adaptations and changes in terms of ensuring that they're moving the resources, you know, to places that they may need them relative to the entire province. And so it's again very much a part of the work that we do every day in terms of that ongoing understanding and monitoring of what's happening and where,

so that the team can make informed decisions about where resources flow to and where they may need to make some adjustments along the way. So I'll pause there.

Ms. Conway: — Was it identified by the ministry that some of these gaps, some of which have been addressed, were felt more acutely in some communities over others? Was there any sort of rural or urban divide, north-south divide? Was that identified when you were doing the work of addressing these recommendations?

Ms. Smith: — I will say, not to my knowledge. But I am going to, if I can, just turn and have a conversation with Tobie. Thanks. Thank you again for the question and some time just to do some follow-up. I am going to turn to Tobie Eberhardt, who is the ADM of child and family programs. And again she can give a little bit more of a description of when we think about the province and geography and again how we make, you know, adjustments where needed. She can explain that in a little bit more detail.

Ms. Eberhardt: — So we are finding that we have some challenges in some of our more rural communities with staff in general. And so we've been taking a number of initiatives to address that to ensure the services are still being delivered to those communities. So for example, in Meadow Lake and Buffalo Narrows we've developed sort of a drive-in, drive-out team. So people go up there for two weeks at a time. They ensure the services are being offered and then they go drive out and they have a rotation. That's been very successful.

We've also just recently implemented a retention payment for staff in Meadow Lake. And again it's around trying to get staff in that community on a full-time basis. So in addition, our directors and our managers are constantly looking, and they will reassign staff if needed to help support other areas when they are having some challenging with staff.

Ms. Conway: — Thank you. I have no further questions.

The Chair: — I just have a couple of questions. With respect to the criminal record policy, so there's the periodic . . . And now it's going to be every three years that somebody needs to supply, all adults within a home need to supply a refreshed criminal record. Is that correct?

Ms. Eberhardt: — Yes. So currently when you are approved to be a foster parent, all adults in the home require a criminal record check and a self-declaration every year as part of their annual review process. And now coming this summer once we implement it, it'll be every three years all adults in the home will have to do the criminal record check.

The Chair: — Thanks for that. Now if another adult moves into the home for a period of time, what's the requirement on that individual? Do they need a criminal record the moment they have moved into a foster home?

Ms. Eberhardt: — Yes. As soon as we're aware of an adult moving into a foster home, and the foster parents, you know, they're aware of this, they would be requested to have a criminal record check.

The Chair: — And is that a requirement that . . .

Ms. Eberhardt: — Yes. Yes, it is a requirement.

The Chair: — And it's a requirement of the foster home to then report if there's anyone else moving into the . . . any adult that's moving into the home, and then supplying that criminal record.

Ms. Eberhardt: — Let me just double-check. Yes, that's part of the foster home agreement that all foster parents sign on an annual basis.

The Chair: — That makes sense. And the criminal record checks, are those covered? The costs of those are covered by Social Services?

Ms. Eberhardt: — Yeah, they're fully reimbursed by Social Services.

The Chair: — Okay, very good. Thank you very much for those answers. Any other questions from folks around the table? Okay, not seeing any, we have six new recommendations before us. I would welcome a motion that we concur and note compliance with recommendations 1, 2 — am I doing this correctly? — 2 and 3? I should look back to my . . . also no. 6. Are my notes correct — 1, 2, 3, and 6? Okay. Moved by Deputy Chair Young. All agreed?

[14:15]

Some Hon. Members: — Agreed.

The Chair: — With respect to recommendations 4 and 5, I'd welcome a recommendation that we concur and note progress. Moved by Mr. Goudy. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. Okay, we'll move along here to chapter 46 and I'll turn it back to the Office of the Provincial Auditor.

Ms. Lowe: — Chapter 46 of our 2019 report volume 2 on pages 329 to 331 and chapter 37 of our 2021 report volume 2 on pages 265 to 268 report the results of two follow-ups on three outstanding recommendations from our 2012 audit of the Ministry of Social Services' processes to plan for, contract with, and monitor CBOs providing services to intellectually disabled people and their families.

By August 31st, 2021, the ministry has partially implemented the three remaining recommendations. It improved its processes to monitor CBOs serving intellectually disabled people and their families, but needs to make further improvements.

The ministry continued to work on establishing measures and targets to better monitor and evaluate the results of services CBOs deliver. We found the ministry's agreements with CBOs do not include any measures around whether person-centred plans are monitored and achieved, which would help measure whether a client's quality of life is enhanced. The current agreements also do not set performance measures and targets for evaluating service outcomes for other key programs, like day

programs, that CBOs deliver.

We also found the ministry is updating its risk assessment processes to improve its ability to detect and mitigate risks that could impact a CBO's ability to deliver uninterrupted service. At August 2021, the ministry was piloting a risk assessment framework that it plans to implement ministry-wide in 2022-23.

Finally, we found the ministry is not yet monitoring CBOs' performance within expected time frames outlined in CBO agreements. We found 23 of 78 CBOs have not had basic standard reviews done in the past two years as expected. Active monitoring of CBO performance helps the ministry assess whether the services delivered achieved the results the ministry intended.

I will now pause for the committee's consideration.

The Chair: — Thanks so much for the presentation and the focus of the work and the follow-up. I guess these stem back to 2012, almost 10 years ago or so. So thank you for your steadfast follow-up. And I'll turn it over to DM Smith for brief comments, and then we'll open it up for questions.

Ms. Smith: — Thank you very much. Recommendations related to supervising community-based organizations that deliver programs to intellectually disabled people are noted in two Provincial Auditor's reports of 2019 and 2021. The status for each is updated in the 2021 report, and the ministry agrees the following are partially implemented: 3.1, outcome performance measures; 3.2, monitoring procedures; and 3.3, policy and procedures in a risk assessment and implementation.

Related to the recommendation Social Services work with CBOs to establish program objectives, and outcome performance measures and targets to be used to monitor and evaluate the services CBOs deliver to intellectually disabled people and their families, the work to implement outcome-based contracts for all service providers, as a part of a pilot project, is under way to create a project management framework, tools, and desired outcomes. The ministry is planning a multi-year approach that will include engagement of service providers, as the implementation of outcomes-based contracting will be a significant change for the sector.

A person-centred culture committee has been launched with representation from disability programs within the ministry and community-based organizations in the disabilities sector. This committee has developed a person-centred culture framework that is available on a website called personcentredsk.ca with links to resources on person-centred practices. The ministry is monitoring outcomes pertaining to person-centred plans for general service contracts, and the pilot project will continue to focus on implementing outcomes-based contracts.

Related to the recommendation Social Services follow their established monitoring procedures as outlined in their agreements with CBOs that provide services to individuals with intellectual disabilities the ministry continues to prioritize basic standard reviews for agencies that have been in operation for a minimum of two years and who provide direct services such as residential and day program services to clients. Four coordinator community services positions were created to provide direct

quality assurance support.

All agencies are required to submit a report indicating whether they are having any serious incidents involving clients. The ministry also monitors training on abuse prevention to ensure CBOs are meeting their training requirements and has implemented a monitoring procedure.

Following our update to the Provincial Auditor in 2019, the pandemic caused a delay in completing some of the basic standard reviews, and we needed to find new and innovative ways to be able to do some of our work differently. In this case we started to conduct them virtually. As a result, the ministry is exploring other processes as well as we go forward and think about the go-forward plan to more effectively monitor procedures outlined in these agreements along with community-based organizations.

Related to the recommendation Social Services develop and implement complete policies and procedures for addressing risks identified in CBOs that provide services to individuals with intellectual disabilities, the development of a risk framework is focused on assessing, monitoring, and managing the risks inherent in third-party service contracts. This includes a pilot of the risk management framework which consists of policy, processes, and tools to assess and manage risk.

And as I noted earlier, just because there is some crossover between some of what we're talking about today, this framework will be implemented in 2022-23 across the ministry, providing stronger oversight and risk mitigation of all community-based organizations. That concludes my comments.

The Chair: — Thank you. Thank you for the comments. I'll open it up for questions. Ms. Conway.

Ms. Conway: — Thank you, Chair.

The Chair: — This is getting predictable.

Ms. Conway: — DM Smith, thank you for that presentation. Again a very crucial area for the ministry. We're considering, you know, care being provided for highly vulnerable communities, and so active monitoring is of course so crucial. I'm wondering if any of the planned actions that you've referred to involve an increase in staffing resources to ensure that the oversight and the monitoring that needs to happen here can happen. Obviously these are some stale . . . Some of these recommendations are getting rather stale, and given the importance of this area, I'm wondering if that is part of the planned actions here.

Ms. Smith: — Thank you. I'll just take one moment with my team.

Thank you again for the question. And I'll just again reinforce that this really is a really important, critical part of the ministry in terms of our relationship and the accountability and oversight with all of the CBOs.

Just to your question around resources, so just again, while the chapter we're focused on is around working with CBOs who help people with intellectual disabilities, I will just say from a ministry

perspective, because we've talked about CBOs across the ministry that, you know, we have had some additional positions dedicated really around that oversight and that accountability. And I had mentioned, for example, the four within community living services which is the area of the chapter that we're focused in on. So those really are some of those positions that were created to again help ensure that there is that greater oversight, that ability to have the communication again with the CBOs to ensure that there's clarity around what those expectations look like.

And then I will just add that just more generally from a ministry perspective, because again this is an area of importance and something that we are continuously focused in on, you know, these are from a broad ministry perspective — when we're thinking about our resources, where we have our resources — those really are ongoing conversations that we as a leadership team have to ensure that when we think about the go-forward and we think about some of these, whether it be the risk framework that we've talked about or the outcomes-based framework, ensuring that we've got the resources in the right place to be able to ultimately achieve those outcomes that we're looking for.

Again this is an area that when you think about historically just the interaction and the role of CBOs and the important role that they play within our programs, we think about where we are, where we've been, but really importantly really trying to think about that future state and what's needed, and planning for that as well because that's critically important.

Ms. Conway: — Thank you. I have no further questions.

The Chair: — Any further questions on this chapter? Of course it's been considered and there'll be follow up. Not seeing any further questions, and there's no new recommendations, I would welcome a motion that we conclude consideration of chapters 46 and 37. Moved by Mr. Friesen. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. We'll move along now to chapter 42, and I'll turn it over to the Provincial Auditor.

Ms. Lowe: — Chapter 42 of our 2020 report volume 2, on pages 295 to 301, reports the results of our first follow-up of the Ministry of Social Services' actions on the five recommendations we made in 2018 about the ministry's processes to investigate within a reasonable time frame allegations of child abuse and neglect. By June 2020 the ministry implemented one recommendation and had more work to do on the remaining four recommendations.

We found the ministry independently reviewed and approved screening decisions within two working days when it decided not to investigate child abuse and neglect allegations. The ministry also adequately documented reasons where the decision to investigate was changed, for example changed from investigate to not investigate or vice versa. However it does not have a process to monitor the appropriateness of its changes to screening decisions about child abuse and neglect allegations.

For nine changed screening decisions we tested, where the supervisor changed the decision from investigate to not

investigate, we found five instances where the ministry received other reports of alleged abuse after it decided not to investigate, and four instances where the ministry had ongoing contact with the children and families. Having timely, independent reviews of changes to screening decisions confirms the ministry has made appropriate decisions and reduces the risk of not adequately protecting children.

The ministry has clear policies and procedures, including time frames, for investigating allegations of child abuse and neglect; however they are not always followed. We tested 15 investigations and found the ministry did not, within the time frames required, always attempt face-to-face contact with the child and family for three investigations, complete family risk assessments for eight investigations, or finalize eight of the investigations timely. Consistently taking actions within prescribed time frames reduces the risk a child remains in an unsafe environment, or a family in need does not receive ongoing services timely.

I will now pause for the committee's consideration.

[14:30]

The Chair: — Thank you very much for the follow-up on such a critical area of focus. And I'll turn it over to Deputy Minister Smith to respond and then open it up.

Ms. Smith: — Thank you. Related to the recommendation that Social Services promptly monitor the appropriateness of changed screening decisions related to child abuse and neglect allegations, the ministry considers this recommendation implemented. The ministry relies on supervisors to review and approve caseworkers' screening recommendations, and continues to have confidence in their review and decision making.

A policy analysis found that in the time frame used by the auditor, which was 15 months, there were approximately 23,368 intakes, 14,730 screen-outs, of which 1,188 were screen-outs by overrides. That is an 8.06 per cent, which is on par with what Evident Change states as appropriate application of overrides when using this particular screening tool.

In the last few years, with the implementation of screening review teams in each of the service areas, the ministry has added an additional layer of oversight and accountability to screening decisions. The screening review teams were implemented as a part of the initiative to develop and enhance collaborative decision making within the child and family programs area.

Related to the recommendation Social Services attempt to make face-to-face contact with the child and family involved in a reported child abuse and neglect allegation within required time frames to assess the child's safety, the ministry considers this recommendation implemented. The ministry's quality assurance unit uses program file reviews to measure whether allegations were responded to within response priority time and if the ministry analysts agreed with the response priority time.

The ministry also undertook a project from April 1st of 2019 to March 2020 documenting compliance to the response priority and reasons for non-compliance. The investigation response compliance fourth quarter report results, which were from

January to March of 2020, found 91 per cent compliance provincially for the ministry service areas. The ministry service area directors are monitoring this closely and receiving quality roll-ups in investigation response times of one-day and five-day responses in the percentage of compliance.

At times of higher than normal volume, the service areas have reallocated staff to conduct investigations. For example, effective April 1st of 2019, the south service area allocated four more child protection positions to investigations to address higher than normal volume. This addition of staff allowed for the creation of an additional investigation unit. In 2020 one additional child protection position was added to investigations for child and family programs.

Related to the recommendation Social Services complete family risk assessments for child abuse and neglect investigations within required time frames, the ministry agrees at this time the recommendation is not implemented. However work is occurring to address this recommendation. Through the program file process, the ministry's quality assurance unit reviews if a risk assessment was completed during an investigation and if it was completed on time. A risk assessment target is provided if compliance is below 85 per cent.

The ministry is working hard to address the Provincial Auditor recommendation. Following the 2021 program file review, targets for improvement were identified and re-evaluation will occur following the 2022 reviews. Ministry leaders are working with supervisors and caseworkers to ensure documentation is occurring within the required time frames, documenting any delays and prioritizing action plans where needed.

Related to the recommendation that Social Services finalize investigations of reported suspected child abuse and neglect within required time frames to allow timely supervisor review, the ministry considers this recommendation partially implemented. The ministry is making progress on this priority recommendation, using a combination of supervisory oversight and additional resources. Since 2019-20, the ministry has added 19 child welfare staff who collaboratively provide child welfare services and positively impact services provided, including timeliness of conducting and finalizing those investigations.

Due date reminders have been added to the electronic case management system, and monthly reports of all outstanding investigations are provided to managers so that they can follow up in a timely manner and develop action plans to address any delays. And the quality assurance unit will continue to monitor and report compliance to finalizing investigation within the timelines required.

That concludes my comments.

The Chair: — Thank you for the report. I'll open it up to committee members for questions. Ms. Conway.

Ms. Conway: — Thank you, Chair. Regarding the recommendation that Social Services complete family risk assessments for child abuse and neglect investigations within required time frames, so my understanding is that this recommendation has not yet been implemented. Obviously this is concerning. It's a very important area of the ministry's work.

And I'm sorry if I missed this, but when is the ministry hoping that this recommendation will be implemented?

Ms. Smith: — Give me one moment.

Ms. Conway: — Thank you.

Ms. Smith: — Thank you for the time. So I just want to clarify that in terms of that particular recommendation, we do complete family risk assessments, but what the recommendation is around, it's within the time frames that are outlined in the policy. And so that's where, when we talk about it not being . . . referencing it not being fully implemented, it's the piece around the timelines and taking steps to ensure that we've got, you know, again good plans in place to meet those timelines.

But I am going to turn to Tobie again, and she can just describe a little bit more about the family risk assessments but also the additional assessments that happen when our teams are out on investigations. So go ahead, Tobie.

Ms. Eberhardt: — Thanks, Tracey. So I would like just to clarify in that when we first get a call about potential maltreatment of a child, we have our screening team that determines the response times. So it's either immediate or within five days or it doesn't meet our mandate. And then when our teams go out, they do a safety assessment immediately. And if there are found any safety risks, they sign a safety plan with the family prior to leaving. So immediate safety is always assessed and we always have a plan in place.

The risk assessment is about determining probability of future maltreatment. And so those are being completed, but as Tracey mentioned, the reason it's partially is we're not having them completed within the time frames. And partly that has to do with the staff are prioritizing those immediate risks and those immediate safety assessments as the priority.

Ms. Conway: — Thank you. So I understand that the issue is the timeline, but of course the timeliness of identifying issues is so key, especially when you're speaking about, you know, potential neglect or abuse. Is the ministry in the meantime keeping any kind of data on where maltreatment is eventually confirmed and any overlap with a failure to honour these timelines? Like, is there any data being collected to measure the impact of some of these shortcomings? Because this — correct me if I'm wrong — but this recommendation goes back to 2018. So I would like to know if there has been any monitoring of the impact of this.

Ms. Eberhardt: — So we have a number of ways that we review our services to families. And one of them is we have our quality assurance unit, and they do both annual audits such with a number of certain measures of policies and procedures. And then we also do reviews any time there is an incident of a child where we're providing a service to. And part of that review is very comprehensive, going back to all the services we've provided to them, and was there any gaps. And still through that process if there was an incident, it would be reviewed through that process. And then there would be recommendations through that.

Ms. Conway: — So this is something you have been able to monitor. So if you do one of these initial safety assessments, is that family considered to be, like, in your scope of service? Do

you understand what I'm saying? Like, if there's a delay in following up with a family, are they being counted in some of this assessment? Sorry, that may not have made sense.

Ms. Eberhardt: — Yes, so we go out and assess the situation. If we determine there's a safety risk and the family signs a safety plan, at that point they have an assigned investigative worker who's working with them to determine what needs to be put in place to help mitigate that risk. So not having a risk assessment completed doesn't impact the services that they are providing. Those services are provided once it's determined that there is a safety threat.

Ms. Conway: — And do you know whether there have been families where, you know, children have been suffering neglect or abuse where the timeline hasn't been honoured after that initial safety assessment? Like, is that something you've been measuring? And have you found that there have been incidents where the ministry hasn't acted quickly enough? Like, I guess what I'm getting at is, do we know what the impact of the delay in implementing this recommendation has had on the ground, I guess is another way of putting my question.

Ms. Eberhardt: — Yes. So I think, you know, when we become involved with a family, we're providing the service whether or not the tool has been completed or not. And we're putting in place the supports that that family needs based on what they are identifying as the supports needed right away, oftentimes while working with them or working with their extended family, CBOs, people that they identify as being a support to them. And we're wanting to get all those supports in place right away, and we're doing that prior to perhaps the risk assessment being completed. So I would say that our staff are very diligent about ensuring that when a family's been identified as having a safety issue, that they're getting supports in place to that family to mitigate that risk.

[14:45]

Ms. Conway: — Okay, thank you. Now on the screening, the issue of the screen overrides, so my understanding is that recommendation has been implemented, the recommendations around using the assessment tool — 3.2 and 3.4. Were those . . . Sorry, and I was a little distracted at that moment. I'm sorry. Have recommendations 3.2 and 3.4 been fully implemented? Sorry, 3.2.

Ms. Smith: — Can we just get clarification, are you talking about 3.1 and 3.2?

Ms. Conway: — 3.1 through 3.3. Sorry.

Ms. Smith: — Okay.

Ms. Conway: — Just around the screening device.

Ms. Smith: — Around the screening. Okay.

Ms. Conway: — Yeah. Sorry about that.

Ms. Smith: — That's okay. Just one moment . . . Thank you. So with respect to 3.1, that has been implemented, and that was acknowledged by the auditor as well. With respect to 3.2, we do

have the screening levels in place for all teams which include, again, managers around that as well. So that's where the ministry considers that one, 3.2, implemented. Tobie, is there anything further you want to add on 3.2?

Ms. Eberhardt: — Yeah, so what we've implemented in the last couple years is review teams including staff from various areas and managers. And so they are looking at some of those situations where a screening decision has been changed, either right then and there or afterwards, if it's been identified.

Ms. Conway: — And so that recommendation is around reviewing that promptly. So timelines, right?

Ms. Eberhardt: — For the change in screening decision.

Ms. Conway: — Right. And sorry, that's been implemented?

Ms. Eberhardt: — So we've implemented in the three service areas.

Ms. Conway: — Okay.

Ms. Eberhardt: — A review team, a screening review team.

Ms. Conway: — Okay. Yes, because I understand that the screening mechanism is sort of designed to . . . you know, as humans we maybe have biases, and I understand that there's been quite a bit of overriding of those screening decisions. Has there been any . . . I guess I'm wondering how those decisions are assessed. Like how it's assessed, whether or not that override has been appropriate or not. And what guiding tools have been provided to assess the appropriateness of those overrides, if that makes sense.

And then maybe I'll just combine my other question. My understanding, I think, that the face-to-face element, the following up on families that have been screened has not yet been fully implemented, and I'm — unless I'm wrong about that — and I'm just wondering again if that's, if some increased staffing resources are being considered to address that, the following up with the families bit. Because of course that's quite time intensive, I would think.

Ms. Eberhardt: — So regarding the screening decisions, so the decision to override a screening decision is made at a supervisory level. And our supervisors are trained, receive training around when it would be appropriate to use an override. So the SDM tool is just a tool that helped guide decisions. At the same time, we also want our teams to use their clinical expertise.

We know in Saskatchewan many of the families we work with maybe have had involvement historically, and it shouldn't necessarily, . . . you know, if they've changed, we want to recognize that. And so that's why you would have the clinical decisions around the overrides. The screening review team also includes our provincial trainer, so they're there to also ensure the consistency in how we apply our policy.

I think, as Tracey's opening remarks had said, you know, the SDM tools, Evident Change — who used to be CRC [Children's Research Center] and developed the tools — they were saying that the overrides we were using, about 8 per cent, is consistent

with what they would see as best practice.

Ms. Conway: — Thank you. I'm okay.

The Chair: — Any further questions from folks around the table? Thanks for the questions. Thanks for the responses. It's hard in a way when you're looking at, you know, recommendations that are sort of four years old and you think of what that might mean in a child's life, and you try to get an understanding of, you know, why there are delays to bring some of these recommendations into implementation. So I appreciate lots of the context that you're bringing to bear.

I appreciated hearing that the services and supports are being extended regardless, but obviously implementation of these recommendations really matter. And you know, this table isn't where we argue about resources. We argue about those ones and push for those and advocate at the other tables, the Assembly, the estimates committee, and heading into budget. But clearly there's, you know, importance for the resourcing and of the prioritization, making sure that we see implementation in all these actions that you're committed to. So we'll follow up at those respective tables.

And I guess with respect to these recommendations in this chapter, I would welcome a recommendation that we conclude consideration of chapter 42. Deputy Chair Young moves. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. All right, we'll move along and turn our attention to chapter 43, and I'll turn it over to the Provincial Auditor's office.

Ms. Lowe: — Chapter 43 of our 2020 report volume 2, on pages 303 to 306, reports the results of our second follow-up of the Ministry of Social Services' actions on four recommendations made in our 2015 audit of its processes to minimize employee absenteeism. By July 2020, the ministry implemented two and partially implemented two of the original recommendations.

We found the ministry provided supervisors with quarterly reports identifying employees with higher than average sick leave. It also worked with the Public Service Commission to implement multiple strategies to address employee absenteeism. However the ministry's average sick leave usage remained relatively unchanged over the three years ending in 2019-20, at almost 10.5 sick days per full-time equivalent.

While the ministry continued to make supervisors aware of online attendance management training available, it did not actively monitor who had taken the training. At July 2020, one-third of ministry supervisors have not taken the online attendance management training. Training promotes understanding of attendance management expectations and provides guidance on addressing absenteeism issues.

Finally, we found ministry senior management did not receive any reports on key causes of employee absenteeism or strategies undertaken to reduce absenteeism or address the key causes. While ministry senior management continued to receive reports on average sick leave usage annually, we found they did not

receive periodic reports about whether its strategies reduce absenteeism. Senior management receiving regular reports on attendance management strategies would help them understand causes for employee absenteeism and whether strategies are effectively reducing absenteeism.

And I will now pause for the committee's consideration.

The Chair: — Good. Thanks for that presentation and the follow-up. I'll turn it over to Deputy Minister Smith for a brief remark and then open it up for questions.

Ms. Smith: — Thank you. Related to the recommendations, Social Services actively encouraged supervisors to take available attendance management training and monitor participation. The ministry considers this recommendation implemented.

Regular quarterly updates to executive management including direct reminders to complete the required attendance policy and accommodations policy training continue to ensure supervisors have taken the recommended training.

Training completion rates have increased significantly. As of June 2021, 89 per cent of supervisors had completed the attendance policy training compared to 86 per cent in December of 2020 and 64 per cent in April of 2020.

A training report was provided to senior leadership in May of 2021 detailing the participation rates within each division. It identified all staff that had taken the required attendance policy training and those who had not completed it. Data for the next report will be collected in April of 2022.

Related to the recommendation, Social Services gives senior management periodic reports on the effectiveness of its attendance management strategies including detailed analysis of the results. The ministry agrees this is partially implemented and is continuing to ensure full implementation.

The ministry's disability management consultant has reviewed sick leave data and has targeted program areas with high levels of sick leave usage. Planning, awareness, and case management supports are being provided. Supports are also being provided with respect to medical accommodations and disability management as needed.

There continues to be a focus on specific reporting tools to determine the effectiveness of the reporting methods. And again, this is an area that, from a leadership team perspective, we continue to take really very seriously and we monitor it regularly with our teams.

This concludes my comments.

The Chair: — Thank you. Thank you for the report. I'll open it up for questions. Ms. Conway.

Ms. Conway: — Thank you, Chair. DM Smith, I'm wondering if the increased completion rates in the training has translated into any improvements in absenteeism.

Ms. Smith: — So thank you for the question. So I do feel that, you know, increased awareness, the training, the accountability

for staff to take that training, I do think that has an impact overall, just when we think about our workforce and absenteeism, sick leave. But I also don't want to draw too fine a point that, you know, you can say that the training effectively has had, you know, the only impact because I do think, when I think about our workplace and I think about the things that impact sick leave and absenteeism or just culture generally, I think there's a number of different things that play into that.

But that being said, we did see, we have seen over the last couple of years lower sick leave use than we had in previous years. And again I don't want to call it a trend, but we've definitely seen an improvement in that area. And I do think that the fact that we've got some good training materials for our team, some support to help our managers and supervisors with those conversations helping our teams understand, you know, if they've got . . . if they need supports or there is reasons that are keeping them from being able to be at work, I do think that has an impact overall just on the workplace, the workforce in culture and engagement.

Ms. Conway: — So absenteeism has been improving in the ministry over the past couple of years?

Ms. Smith: — So in terms of the, I guess, the data that I'm looking at is really around that sick leave time because that's typically what we associate with people being away from work, and that has improved over the last couple of years.

[15:00]

Ms. Conway: — Even . . . Sorry to interrupt. Even post-COVID? Has COVID had any impact on that?

Ms. Smith: — Well we're monitoring those numbers again. And we'll have to see where that takes us when we think about the end of this fiscal year, and then thinking about next year. But you know, based on what I'm seeing, there has been, just overall over the last couple of years, just a decrease. And we're going to have to continue to monitor that as we continue sort of going forward in this new state.

Ms. Conway: — Are there any steps being undertaken to identify the causes of the relatively high rates of absenteeism? Notwithstanding a little bit of improvement, it remains a significant issue at the ministry, I think we can all agree. And training is one thing, but is the ministry doing anything to identify those key causes? And could you share them, if you know what they are?

Ms. Smith: — Thanks for the question. So just in terms of, you know, you were referring to causes and actions, I'll just, you know, again acknowledge at the front end that when we think about the Ministry of Social Services and the work that we do and the work that our teams do every single day across the entire province, and we think about just being in that human service area, you know, I would just note that our sick leave is quite consistent relative to other human service ministry types of areas. And I think it's, you know . . . Part of it is just the nature of when you work in a human service area. You're interacting with, you know, hundreds of people all the time. And there is that constant sort of connection to clients and families and CBOs, just what we've talked about before.

So again when we think about it for our workplace and we think about our staff and we just think about sick leave, I think it's also important to note, you know, part of that sick leave too, there are times when employees need, they need time away to be able to go to a medical appointment. And so some of those reasons as to why a person has sick leave, it could be for preventive reasons. It's not always because they're sick, but they're trying to actually prevent being sick. And so that's included as a part of those numbers as well. And that includes other medical appointments and dental appointments and things like that. So that's just something that I wanted to flag for the group.

In terms of just as a ministry, being a human service ministry, one of our primary focus is on our teams and our staff and around that culture and around that engagement and creating that environment where there's good teams, good connections to one another, and people are feeling supported at work. And we do have a number of initiatives that we've, you know, that we undertake within the ministry. We have a number of initiatives that we undertake as a part of the broader public service in terms of programs like Be At Work. Again that's another program where it helps provide supports to both staff and to managers to help with those conversations if people, you know, need that kind of support.

We also within our ministry, we do have, as I had mentioned in some of my comments earlier, we do have a disability management consultant. And again that's a choice that the ministry's making in terms of ensuring that we've got some resources that is able to focus on some of these areas and these metrics to help us look at prioritizing, if there's certain areas that we need to focus in on. That's where we use the kind of information and again support that we get through that position.

Within our ministry, particularly over the last couple of years, we've really focused a lot of, I would say, conversation and attention around not just physical health, but psychological health as well, and mental health and well-being. And we've spent a considerable amount of time with our teams on an initiative called Not Myself Today. And really the intent around that piece is creating an environment for our teams to be able to feel comfortable talking about how they're feeling, talking about their mental health, talking about that in a way that they feel again supported at work.

And when I reflect back on, you know, in the previous times when maybe there wasn't as much conversation and dialogue around mental health, I would say that as a ministry that is one of our sort of key priorities that we've taken, particularly in the last couple of years, in terms of encouraging that conversation, having different types of, again, programs available within our ministry that our staff can access.

And again I would also say that even just in conversations and messages coming out from myself and from others as a part of the senior leadership team, we are continuing to encourage that conversation about mental health and wellness, and then making sure that we're providing supports and direction to staff that if they do need assistance, they're able to access the employee and family assistance program and those kinds of things.

So again, from my perspective it's not just one sort of action that we take. It's really looking at a series of actions that we really

focus in on, and then ensure that we're taking the steps to follow up and again focus on our staff.

Ms. Conway: — Thank you. And that was actually going to be my next kind of line of questioning, is what was in place to support the mental health of staff? Because of course there's no question this is very difficult work, especially for your front-line staff. We hear a lot about, you know, compassion fatigue and the like. So I guess I'm wondering, that consultant, that disability consultant, is that a new change?

And then have there been any increased investments, I guess, in what kind of mental health supports are available to staff? I think it's really good to be able to have a conversation, you know, to address that stigma piece. But then when staff aren't feeling great, is there anything more in place materially to assist them? That would be my follow-up question.

And I mean, retention is likely outside the scope of the auditor, but the other side of the head of this coin of absenteeism is retention issues, and of course that's been an issue with the ministry. So I think by addressing some of those issues, it will also maybe have the impact of addressing the retention issue as well.

Ms. Smith: — Thank you for your question. You had asked about the disability management consultant position. So that position, I believe, has been in place for a few years. So I wouldn't say that it's new as in the last, you know, last year or so. It's been in place for a few years.

In terms of your question around resources and access, so the one piece where, you know, again as a ministry we've dedicated some time and resources is around that Not Myself Today program. And what that does is it gives staff direct access to materials. Again depending on what their needs are and what they're looking for, there is that type of information and materials that are available. But it also gives the workplace and it gives managers and supervisors and teams different tools and approaches to being able to again have these conversations. I think what I would also note is when I think about some changes made to the employee and family assistance program this past year, that would be on behalf . . . that's for government as a whole.

There was definitely some additional focus around ensuring that that program is there to meet the needs of staff and meet some of the changing needs as a result of some of the feelings that the pandemic, you know, had also helped to raise with people in terms of how people have been feeling over the last couple of years. So those are just a couple of examples. And again this is one of those ongoing areas that we pay close attention to, you know, for those reasons around our staff and the well-being of our teams.

Ms. Conway: — Thank you. I have no further questions.

The Chair: — Thank you. Thank you for the questions. Thanks for the responses and the work. Any other questions from committee members? Not seeing any, I'd welcome a motion to conclude consideration of chapter 43. Moved by Mr. Skoropad. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. Turning our attention now, I'll turn it over to the Provincial Auditor to focus on chapter 44.

Ms. Lowe: — Chapter 44 of our 2020 report volume 2, on pages 307 to 308, reports the results of our third follow-up of the Ministry of Social Services' actions on the last remaining recommendation from our 2008 audit about its processes to protect children in care. By August 2020 the Ministry of Social Services implemented our last remaining recommendation.

We found the ministry knows how many children are the minister's responsibility, who they are, and where they live. The ministry uses its case management IT system to track this information. Having a system to know how many children are the minister's responsibility, who they are, and where they live allows the ministry to properly monitor the care of children receiving child protection services.

I will now pause for the committee's consideration.

The Chair: — Thank you for the presentation. I'll turn it over to Deputy Minister Smith, and then we'll open it up to any questions.

Ms. Smith: — Thank you. I will just note that we don't have any further comments at this time, given that the auditor noted that the recommendation is implemented.

The Chair: — Thank you very much. Any questions on this chapter?

Ms. Conway: — No. No thank you.

The Chair: — Mr. Friesen, do you have any? All right. Moving along then, I'd welcome a motion to conclude consideration of chapter 44. Mr. Friesen moves. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. We'll move along to chapter 29, and I'll turn it over to the Provincial Auditor's office.

Ms. Lowe: — Chapter 29 of our 2021 report volume 1, on pages 279 to 280, reports the results of our second follow-up of the Ministry of Social Services' actions on the last remaining recommendation from our 2016 audit about its processes to protect information in the Linkin system about children in care.

By November 2020, the ministry fully addressed the remaining recommendation. The ministry established a plan for keeping the Linkin system up to date to protect it from known security vulnerabilities and is carrying out that plan. We found the Linkin system was up to date and supported at November 2020.

The ministry uses Linkin, an electronic case management system, to support the delivery of its programs and services for children in care. Linkin contains confidential information about children in care and their families. Keeping business-critical systems like Linkin up to date makes them less susceptible to compromise and failure.

I will now pause for the committee's consideration.

The Chair: — Thank you very much. I'll turn it over to Deputy Minister Smith and then see if we have any questions.

Ms. Smith: — Thank you. Again, the ministry has no further comments. As the Provincial Auditor has noted, the recommendation is implemented. Thank you.

The Chair: — Thanks for those comments for all those folks watching at home, and we know that's many. We just want to remind them that this is sort of how this process works, and that this recommendation came a few years back. The ministry undertook actions towards implementation, and then we have the follow-up process that really aids accountability to the public. So thanks for that. Any questions?

Ms. Conway: — I just have one quick question. In terms of the maintenance of Linkin, is that done in house or is that contracted out to a third party? And if so, who is that that is kind of overseeing the security issues?

Ms. Smith: — Just give me one moment, thank you.

Ms. Conway: — Thanks.

Ms. Smith: — Thanks for the question. So when it comes to our information technology — and this is similar for the Linkin program that we're talking about — it is really managed by . . . We work with other partners within government, I would say, primarily.

[15:15]

So within our own ministry, we have our ITD [information technology division] area, but we work very, very closely with SaskBuilds and Procurement which also has an ITD, information technology department component. And then depending, we have our third-party information technology, like the people that support the software. So we effectively have that partnership with the third party. But it's really government and the groups that I spoke to that, you know, take those steps to identify and prioritize and make those decisions with what needs to happen with whatever systems we're talking about.

Ms. Conway: — Thank you. No further questions.

The Chair: — Any other questions, folks? Not seeing any, I would welcome a motion to conclude consideration of chapter 29.

Ms. C. Young: — So moved.

The Chair: — Moved by Deputy Chair Young. All agreed.

Some Hon. Members: — Agreed.

The Chair: — That's carried. We'll turn our attention to chapter 28 and I'll turn it over to the Office of the Provincial Auditor.

Ms. Lowe: — Chapter 28 of our 2021 report volume 1, on pages 277 to 278, reports the results of our fourth follow-up of the Ministry of Social Services' actions on the last remaining

recommendation from our 2013 audit about its processes to place the minister's wards in permanent homes. By December 2020 the ministry implemented our last outstanding recommendation. The ministry places permanent ward children on its central adoption registry within 120 days or has adequate reasons for the delays.

And I will now pause for the committee's consideration.

The Chair: — Turning it over to Deputy Minister Smith.

Ms. Smith: — Thank you. I don't have any further comments on this one as well, just given that it's been noted that it has implemented. So thank you.

The Chair: — What a wonderful report. Any further questions from committee members?

Ms. Conway: — None from me.

The Chair: — All right. Well listen, I guess we'll look for a motion to conclude consideration on chapter 28. Looks like Mr. Nerlien has moved. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. At this time I want to simply thank Deputy Minister Smith and all the officials that have taken time with us here today, to thank them for their work and leadership day in, day out. And importantly to thank all of those folks across Saskatchewan that are involved in this work, all of those CBOs, all of those staff in all parts of Saskatchewan for their best efforts to serve the people of this province. So thank you very much.

We'll take a brief recess and then we'll get on with the questioning of the Ministry of Education in maybe five minutes or so.

[The committee recessed for a period of time.]

Education

The Chair: — Okay. Okay, folks, we'll reconvene and move ahead here on our agenda and focus on the Ministry of Education for the final portion of our day. These are actually chapters that we didn't get through in our last set of hearings, so thanks for coming back to us. And I'll ask Deputy Minister Johnson to briefly introduce the officials with her here today, and then we'll turn it over to the auditor.

Ms. Johnson: — Okay, thank you. Thanks for having us back. I'm Donna Johnson, deputy minister of Education. To my left is Rory Jensen, assistant deputy minister; to my right, Cindy Jeanes from our early years branch; and right behind me, Susan Nedelcov-Anderson, ADM, also with Education.

The Chair: — Thank you. Thank you very much. Thanks to everyone that's here today, and thanks to all that are involved in the work that we're going to be talking about here today. I'll turn it over now to the Provincial Auditor's office, and I believe they're going to be focusing on chapter 5 first, which I think is the only chapter this afternoon with new recommendations.

Ms. Clemett: — Yes. Thank you, Mr. Chair, Deputy Chair, other

committee members, and officials. With me today to conduct basically today's presentation for our office is Mr. Jason Wandy, the deputy provincial auditor, who was responsible for leading a number of the audit work before us that we are going to talk about.

We will present basically the chapters in the order of the agenda, and there are two new recommendations for the committee's consideration. We will pause after each of our presentations to allow for the committee's deliberation and discussion. And I do want to thank the deputy minister and her staff for basically the co-operation that was extended to us during the course of our work. With that, I'll turn it over to Jason.

Mr. Wandy: — Thanks, Tara. Early learning is pivotal in giving children a good start on their learning and development and sets the stage for a student's education experience. The Ministry of Education is working to build its early learning and child care system and had been piloting its early learning intensive support program since 2018.

The early learning intensive support program helps preschool-aged children requiring intensive supports obtain a good start on their learning and development. This is the largest pilot program for preschool-aged children experiencing disabilities in Saskatchewan.

Chapter 5 of our 2021 report volume 1 reports the results of our audit of the ministry's processes to evaluate whether the early learning intensive support program helps preschool-aged children requiring intensive supports receive a good start on early learning and development. For the period ended December 31, 2020, the Ministry of Education's processes were effective and provided a good foundation for future evaluations other than in the areas reflected in our two recommendations. My presentation will focus on these two areas.

Our first recommendation is on page 44. We recommend the Ministry of Education periodically collect sufficient data to enable future assessments of all expected outcomes related to the early learning intensive support program. We found the ministry had a clear and well-designed plan to review and evaluate the early learning support program, but it did not plan to collect sufficient data in two of the four key areas: individual child progress and fluid transitions to school.

The review process set out questions to ask; however the questions collected limited information about individual children's progress, and the questions collected information primarily from the perspective of the parent. The survey included only one question about the children's transition to kindergarten. Without collecting information for all key areas, the ministry is unable to determine whether children with intensive needs participating in the program receive sufficient support to learn and develop.

On page 49, we recommend the Ministry of Education regularly collect information about school divisions' actions to address the challenges identified in reviews of the early learning intensive support program. The ministry identified challenges associated with the program and met with school divisions, but the ministry did not monitor whether the four school divisions that were part of the program identified specific actions and carried out those

actions to address those challenges.

In addition, the ministry did not require them to clearly establish timelines for their actions. Not addressing challenges identified in program reviews increases the risk of the program not improving and meeting the learning and development needs of children with intensive needs. This in turn may result in the pilot program not being successful in increasing children's success in school and in life.

I will pause now for the committee's consideration.

The Chair: — Thank you for that presentation, the focus of this report, the new recommendations. I'll turn it over to Deputy Minister Johnson for brief remarks and then open it up for questions.

Ms. Johnson: — Thank you. The Provincial Auditor's report has certainly been welcomed by the ministry. We have accepted the auditor's report and we appreciate the effort and detail that they put in to their review. As they have noted, we have two outstanding recommendations and the auditor has described those in our status update report to the committee. We've identified the steps that we've taken so far. We are certainly happy to speak in greater detail to those steps, as you've seen described in the status update report.

And so at that, I think I'll just pause and be happy to take any questions that there may be.

The Chair: — Thank you very much for that presentation. Thanks for the status update as well, that was supplied to this committee and tabled at the last . . . when we met in January. I'll open it up now to members for questions. Ms. Ritchie.

Ms. Ritchie: — Thank you, Mr. Chair. Yeah, I would appreciate if you could maybe further elaborate on those measures taken to address the shortcomings in the auditor's report respecting monitoring individual children's progress and ensuring a fluid transition. Could I maybe just start there?

Ms. Johnson: — Yeah. Yeah, for sure. So you know, with respect to the first recommendation, as the auditors noted, we have collected data through the survey but there is more work for us to do. So what we have done since the auditor's report is that we have reviewed the surveys that were provided to and completed by teachers, the support staff, and parents. And we're working with school divisions to gather additional information from kindergarten teachers regarding the transition of the kindergarten children as they are moving through the program.

We're also working on individualized reports summarizing the spring survey data, and those reports will be prepared for each of the participating school divisions. And then we will be comparing the results to baseline results for the four original school divisions and sorting out steps going forward from there.

Ms. Ritchie: — And so when you refer to individual reports, is that, like, per classroom, per school, per child?

Ms. Johnson: — Per school division. But I'd certainly welcome Cindy Jeanes, who is responsible in the ministry for this work, to elaborate.

Ms. Jeanes: — Yes. As Donna said, those are individual reports for school divisions and it looks at the results from each of the surveys. We survey the pre-K [pre-kindergarten] teacher, the associate that's in the classroom, also the educational assistant, the parents, and then we have some interviews with school divisions with some other specific questions. And then we compile that data. We talk about where their challenges are, where their successes are. We do a comparison to the baseline data from the previous year, and then we'll work with them to work on some plans that would be in response to those reports.

Ms. Ritchie: — And can you speak on, you know, what some of the findings have been arising from those reports so far?

Ms. Jeanes: — So we're currently compiling those. We don't have those findings yet. We haven't finished that work, but we anticipate it will be done shortly.

Ms. Ritchie: — Okay. Now I'm just wondering about the funding for this program. Is it going to be going through a change, or did it go through a change as of last year?

Ms. Johnson: — No significant change, no. The funding for the ELIS [early learning intensive support] program is part of the early learning and child care agreement that was established between the province and Canada, I think, back in 2017. At that stage, it was a four-year agreement. It's since been extended and renewed, so essentially continuing, and continuing more or less as is.

And the auditor has noted in their chapter that there have been additional spaces added to the program over the years. And so, where there is additional need, additional spaces will be added. And you know, correspondingly the funding goes up with that as well. But yeah, the program continues with the same intent essentially as it was established with.

Ms. Ritchie: — And how many spaces are currently part of the program?

Ms. Johnson: — Two hundred and forty-two, I believe, unless it's gone up since then. No, 242 spaces.

Ms. Ritchie: — Okay. And just to clarify, that's for the region that is sort of the focus of this audit?

Ms. Johnson: — Well in 2020-21 there were 242 spaces in 23 school divisions that were accessing funding through the program. Of course when we first started the program in 2017-18, we started with four school divisions and at that time we had 120 spaces. And the auditor has noted this in her report on pages 37 and 38.

Ms. Ritchie: — Okay. And also there is a fraction of pre-K children with disabilities that participate in this program. What are the plans to provide more children, or are there plans to provide more children with supports through the program?

Ms. Johnson: — Well I'll turn it over to Cindy for that response. Thanks, Cindy.

Ms. Jeanes: — We're currently looking at some of the federal funding through our agreements and considering an expansion to

this program. We have had meetings with school divisions, and they have indicated that there is a need for some additional spaces. And we feel that we can be responsive to that.

Ms. Ritchie: — So would you be aware or do you track where those — if I can call them shortfalls — where those would be? Or you know, are there children who have applied but are not part of the program? I'm just wondering how that supply and demand works.

Ms. Jeanes: — Yeah. School divisions have indicated where their needs are, and so we have taken note of that. And so we do know which specific school divisions would require how many spaces.

Ms. Ritchie: — Well that sounds like useful information. Are you able to provide us with a breakdown?

Ms. Jeanes: — I don't have that with me. And it wasn't a formal request for spaces. It was in school division meetings where they've brought that up so we have a sense. If we were going to expand the program, we'd want to get some more up-to-date information and a little bit more accurate.

Ms. Ritchie: — Sure. However there must be some method of tracking kind of what the applications are versus what's being provided.

Ms. Jeanes: — We currently gather information around enrolment, so the children that are enrolled, not necessarily if there's an unmet need.

[15:45]

Ms. Ritchie: — And so if that's not something the ministry tracks, is that done at the divisional level? I see . . .

Ms. Johnson: — Yeah, we have different avenues for identifying where students may be or where potential students may be. Besides the ELIS program that this audit covers, the ministry provides funding to programs such as KidsFirst and ECIP [early childhood intervention program] programming, and through those avenues we can be made aware of students who might have needs. So again once those students attach to the school divisions, and so essentially once they are old enough to be part of a school division, they can be made known to us at that time and worked into the program overall.

Ms. Ritchie: — I'm not sure . . . I don't know if it's a question of just not having full enough information, or you know, just needing a response more. But I guess I'm expecting more, not accountability, but . . . Would it not be reasonable to think that the ministry would have, you know, a better idea of how well it's meeting the needs across the province — whether it's through this program or a related program — and be able to identify if there's a shortfall and plans for addressing it?

Ms. Jeanes: — So the last expansion of the program, we did a call out to the school divisions to find out what their needs were, and we were able to meet all of the needs at that time. So all of the requests for spaces were granted.

Ms. Ritchie: — And was that sort of a point-in-time call, or is

that part of a regular ongoing assessment?

Ms. Jeanes: — That was a point-in-time call, yeah.

Ms. Ritchie: — Any idea of when you might plan to do that next?

Ms. Jeanes: — We're exploring that right now to see if there's funding available and if there's a sufficient need to do an expansion.

Ms. Ritchie: — Oh, okay. So how is this tied to the funding? You mentioned the funding, so explain to me how that impacts on the service delivery.

Ms. Johnson: — Well I think, you know, as I believe Cindy's mentioned, the ELIS program is a program where we provide funding to school divisions so that they can meet the needs of these students. So it is essentially provided on more or less a per-student requirement. And so to that end we would be looking at our agreement with the federal government and sorting out of all of the funding that we receive through that agreement, how it's being spent, and whether or not there's any uncommitted dollars in that agreement. And then if there is room, we would expand the program.

But again, because it is a part of our fed-prov agreement, any changes in the programming or the way in which those funds were spent does involve us consulting with our federal counterparts and making sure that they're in agreement with any adjustments to the funding. And so we would go through that process with the feds on an annual basis and sometimes more often than once a year.

Ms. Ritchie: — Well thank you very much. I appreciate those answers as I try to understand the lay of the land here with this particular recommendation. Thank you. No more questions, Mr. Chair.

The Chair: — Thank you very much. Any other . . . Deputy Chair Young.

Ms. C. Young: — All the school divisions in the province have ministry-funded pre-kindergarten programs, but not all school divisions utilize the EYE [early years evaluation] program as I understand it. And that is probably your basic tool for assessing whether or not this funding in particular would be, you know, given to school divisions that have more children with these intensive needs. Is there information given, and particularly I would say to our northern school divisions, that this is an opportunity for them to apply for funding, even if they aren't using the EYE program?

Ms. Johnson: — And when you say the EYE program, are you referring to the E-Y-E, the early years evaluation program?

Ms. C. Young: — That's right. E-Y-E. Sorry. The early years evaluation program, which most of these school divisions would be using in order to assess those students with intensive needs coming into the program, I'm assuming. And that's where then the dollars would be going.

Ms. Johnson: — Yeah, and I'll ask Cindy to respond to this. And she can correct me if I'm wrong, but I believe all of the school

divisions are using the EYE program to assess kindergarten students when they enter kindergarten at age five. And as to whether or not they're using EYE when they're working with the pre-K students because, as you mentioned, we do have ministry-designated pre-K programming which is available for three- and four-year-olds. But I'm not sure if we use the EYE program across the province for that. So, Cindy, if you would . . .

Ms. Jeanes: — I'm not sure. So of course in the pre-K program, that's optional, and many of them would not be using the EYE. A lot of them have been using other assessment tools such as Ages & Stages questionnaire and different types of assessments that the school divisions have deemed are more appropriate for that age group. And we didn't consider whether school divisions were using the EYE in order to be able to be eligible for ELIS spaces.

Ms. C. Young: — Okay. Thank you.

The Chair: — Any further questions? Ms. Ritchie.

Ms. Ritchie: — Thank you, Mr. Chair. I did also want to ask a question regarding the second recommendation to address . . . No, maybe this is going back to the earlier one. You talked about transitioning from pre-K to kindergarten and the audit findings were addressing some opportunities for improvement there. And I was just hoping you could sort of speak to that a little bit more in terms of what's being done to address that.

Ms. Jeanes: — So we have asked school divisions to gather information from the kindergarten teachers to find out how smoothly the transition went from the ELIS or the pre-K program into the kindergarten program. So that information is being gathered and of course we haven't had the opportunity to assess that yet. But we are looking at that, and if there's some opportunity to improve those transitions if they're not running smoothly, then we would be incorporating that into their plan of action when we're asking them to address some of their challenges and their barriers.

Ms. Ritchie: — Okay. I guess we'll wait for future presentations to hear more about that. Thank you.

The Chair: — Not seeing any further questions at this point, I'd welcome a motion to concur and note progress with respect to recommendation 1. Moved by Deputy Chair Young. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. And I'd welcome a motion that we concur with recommendation no. 2. Moved by Mr. Nerlien. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. Okay, we'll turn our consideration to chapter 12, and I'll turn it over to the Provincial Auditor's office.

Mr. Wandy: — Thank you, Mr. Chair. Chapter 12 of our 2021 report volume 1 reports the results of our fourth follow-up audit at the Ministry of Education related to our 2013 audit of capital planning processes for pre-kindergarten to grade 12 educational

facilities.

We initially made eight recommendations. Only one recommendation remained outstanding. Use of targets, such as desired school utilization rate or a facility condition index, would help the ministry to evaluate the success of its strategies including determining whether the strategies reduce risks such as poor maintenance of aging schools and student overcrowding to the extent intended.

Having suitable and properly maintained educational facilities is key to properly supporting the delivery of education in the provincial pre-kindergarten to grade 12 system. We found that by April 2021 the ministry continues to work on implementing the last outstanding recommendation. While the ministry had determined and is using two key measures to monitor the success of its capital asset strategies, it had not set any associated targets. The ministry needs to establish targets to set out the expected impact of its capital asset planning processes and monitor its progress and measure success.

I will pause now for the committee's consideration.

The Chair: — Thanks again for the focus of this report and the follow-up. I know it's been considered at this table before. We see the status update. But I'll turn it over to Deputy Minister Johnson for brief remarks and then open it up for questions.

Ms. Johnson: — All right. Thank you again. And again I'd like to thank the Provincial Auditor for the recommendations made in this chapter 12 on Education's capital asset planning in schools. We are happy to know that we have seven of the eight recommendations fully implemented and are working on the final recommendation.

We are working with the Ministry of SaskBuilds and Procurement to continue to conduct facility condition assessments. And with that work we are also expecting to be in a position to establish targets for roughly the March 2023 time frame.

So I think at that. I'll close my remarks there and happy again to take any questions.

The Chair: — Thank you very much. I'll open it up to members for questions if there are any. Ms. Ritchie.

Ms. Ritchie: — Thank you, Mr. Chair. So I guess as I understand this recommendation it's about sort of assessing the . . . I want to say sort of like residual kinds of consequences of deferring improvements. Would that be fair to say? But maybe that's a better question for the auditor though.

Ms. Clemett: — It's really about establishing targets, so you can figure out I think whether or not your plans and strategies are working as you intended. So it's probably more about supporting the plans for maintenance, and then, are they coming to fruition as you intended?

Ms. Ritchie: — Okay.

Ms. Clemett: — So kind of having a baseline to know, where are we trying to go? What should we prioritize first, right? And what

should we sort of do each year in that longer term vision from that maintenance standpoint?

Ms. Ritchie: — On a risk-informed basis . . .

Ms. Clemett: — Correct. And probably then driven by the facility condition index that she indicated that they are now tracking and then trying to figure out what they should . . .

Ms. Ritchie: — Okay. Okay, I see what you're saying. Thank you for that explanation.

So in 3.1, you know, you indicate that there's measures of, you know, sort of preparing that plan. But are you also assessing the success of the capital strategy itself in terms of the targets that have been set, or is that part of a different program?

Ms. Johnson: — I think that would be part and parcel of this. You know, to put it into context, over a number of years the ministry has been reviewing the way in which it works with school divisions to manage the investment in capital assets across the province.

And in the work that we've been doing, we've been taking a look at the ministry guidelines and expectations and the ministry's capital policy. We've been looking at the school divisions' approaches to maintaining their properties. And you know, over that same timeline we went from an old way of funding that was referred to as block funding and moved to preventative maintenance and renewal where we provide PMR [preventative maintenance and renewal] funding on a regular basis each year to school divisions.

So there's been a number of different pieces of work I guess that went into the development of the capital policy and the capital strategy. And over time we have made, I think, all of the improvements that we were hoping to.

[16:00]

And now the last thing that we need to do is set clear targets for what we see as the most important performance measures for being able to assess whether or not we're doing the best that we can with the education capital facilities that we have, and that they're being used as best as they can and that they're being maintained appropriately and replaced when necessary.

Ms. Ritchie: — Okay. Well I think I'd like to sort of understand that a little bit better in terms of . . . I assume you'll kind of categorize priorities based on some set criteria and then projects move forward based on a severity index. Would that be correct?

Ms. Johnson: — Yeah, I think that's, you know, in general terms that's correct. So when we are looking at capital in the ministry, we're looking at a number of different things. So you know, just digging into the ministry's capital budget for a minute, we have funds that go towards replacing schools. We have funds that go towards building new schools when enrolment growth is such that new schools are required. We have funds that go towards preventative maintenance, for regular maintenance of schools. We have funds that are designated particularly for relocatable classrooms, again that being targeted to areas where there is a need to either replace existing relocatables that have aged out or

where the funds are going to relocatable classrooms in communities or school divisions where there's enrolment growth where they need the additional classrooms.

So with all of that, we do take a look at, you know, different sets of criteria for how all of those dollars get allocated out to the school divisions. So going back to how you described the way in which we're allocating funds, I would say that's a good way to describe how we assess the applications for replacement or new schools.

So we go through applications from school divisions and we evaluate each of those applications. We have several areas that we examine for the sake of ranking these requests from school divisions, one against the other. OH & S [occupational health and safety] or health and safety issues related to schools is always our top priority. It's given the most significant weight because we want to ensure that, if we have a school out there where there are health and safety concerns, that those health and safety concerns are addressed first and foremost.

But clearly growth is also a significant area that we look at and consider when we're essentially ranking the applications for the capital funding.

Ms. Ritchie: — Okay, so you're saying that you consider both new and improved or maintained in the same category?

Ms. Johnson: — I would say yes. But you know, to be clear, what we do is we take applications from the school divisions for replacement or for new schools and consider them in the same category, yeah.

Ms. Ritchie: — Yeah, okay. And then just for clarification, so this is sort of an intake process. You receive the applications, and I take from that that you're not doing . . . like you're not responsible for doing the review for all divisions. They have to come forward with theirs and then you assess the ones that you're presented with. Is that how I understand it?

Ms. Johnson: — Yeah, I think that's a reasonable summary.

Ms. Ritchie: — Okay.

Ms. Johnson: — I mean we do ask the school divisions to identify for us their top priorities, and then we take that top list through an assessment.

Ms. Ritchie: — Okay, all right. Well if that's the case, it may make my next question a little bit irrelevant because, you know, I wanted to ask if you have a way of . . . Like, do you set targets for the — what are we calling this? — upgrades, I guess is the word that I'll use. How are you planning through sort of a target-based approach and then monitoring performance against those targets? Is that how you manage things? Or is that not possible?

Ms. Johnson: — No, I don't think that we would describe what we do quite that way. The recommendation that the auditor has made for us to establish targets for our performance measures goes to the fact that, in our overall capital strategy, one of the things that we want to ensure is that we are considering a number of factors when schools are making applications for either replacements — the major capital stuff, you know, the stuff that's

over \$10 million — so either a replacement school or a new school.

And so one of the things that we consider besides health and safety in that evaluation is school utilization. So we want to know that when a school division comes in saying I need a school in this neighbourhood, that if they have a school 3 kilometres away that is underutilized, that we're taking that into consideration when we rank their project against a project from another school division that has some needs, but has needs with a different set of circumstances.

So you know, the setting of the targets for things like facility condition index or utilization comes down to helping us sort out what kind of programming or funding changes we might need to make in the future in order to ensure that we have a sustainable capital infrastructure overall for the long term.

Ms. Ritchie: — Okay. I've just got one more set of questions related to this. Thank you for the answers thus far to help me sort of understand, you know, the process. So I believe reported either here or elsewhere is the amounts for the capital asset strategy, and it includes 113.2 million for capital in the current year. Can you tell me how that relates to the currently estimated maintenance requirements for assets?

Ms. Johnson: — Okay. That is essentially a couple of different things, I guess. So the 113 million that you're referring to is noted on page 173 of the auditor's report. And that is making reference to the ministry's school capital budget for the year of 2021-22, I believe. So yeah, and, you know, when we look at the budget that we have . . . Sorry, I'm going to just be right back with you.

Yeah. Sorry. My apologies for the need for the sidebar here. I know my budget reasonably well and I was looking at this thinking, my capital budget's 189 million, so why does it say 113? But as I read a little further on in the sentence, we add these two numbers together, 113 million for school capital and 76.7 million for maintenance, and we get our 180-some-million-dollar budget.

So the 76 million there that's noted for maintenance capital is the funding of . . . The largest part of that 76 million would be for PMR, or the preventative maintenance and renewal program, and those funds are provided to each of the school divisions on a square-metre rate. So it is allocated to all of the school divisions for them to use. And they have an asset management system that they use where they identify each of their properties and note the areas of need in terms of the highest areas of need for maintenance, and they allocate their budgets accordingly.

Ms. Ritchie: — Right. And I apologize . . . Is anyone else having that problem with their phone? I can't seem to get it to stop doing that. I had a recent update and . . . Anyways, my apologies for that.

I think I'm having trouble finding the right words to use in asking my question, but as I go about this the long-winded way, so I understand that you do have some sort of a total combined value for asset improvements. And I'm wanting a little bit of, sort of an update on what that current number is. I believe we've got numbers for past years, but I was just looking for the current numbers now.

Ms. Johnson: — I'm going to turn this over to Rory, but just before I do, I'll note that we are always in need of better data. And we would be able to provide better figures if we had better data. When it comes to identifying essentially the cost of bringing all of the school properties into good or great condition, that would be predicated on us having current facility condition index information for all of our buildings. And to do that, we need to have facility audits conducted on the buildings.

And right now we do perform facility condition audits on the school buildings, but we provide . . . I believe one-fifth of our schools are audited each year. So over the period of five years, there is a refreshed facility condition audit conducted. So the information that we have on our buildings is always current for one-fifth of them, and one year out of date for one-fifth of them, and so on. So it's generally good data, but it's not great data. And having said that, I'll now turn it over to Rory to finish answering your question.

Mr. Jensen: — Yeah. As Donna was referencing, we . . . most current data, where we have complete data, is from 2018-19. And we took a bit of a pause for a year or two while we refreshed the methodology that was used to calculate facility conditions. We found that the old methodology wasn't giving us an accurate picture, and it was a bit inconsistent with a lot of government methodology.

[16:15]

So right now, we're in . . . I believe we are just finishing year two of the refresh of all the facility condition index audits. So we're working with the Ministry of SaskBuilds and Procurement to complete those audits. And I believe we have seven planned for next year, seven for the following year, and then the remaining nine school divisions will receive their audits in the year after that. And we'll have a complete picture, up-to-date picture, but as Donna mentioned, that information is coming from . . .

So we'll have an accurate picture for one-fifth of the school divisions but it will be a five-year rolling. That information comes from inspections of schools as well as, as Donna mentioned, school divisions using their asset planner to identify potential maintenance items that they need to complete and the estimated cost of those. So we have access to that asset planning as well. So that's generally where this facility condition and projected maintenance dollars comes from.

So right now, as the auditor mentioned, we're working on determining what an appropriate target is for school divisions. And as school divisions go through their facilities, they evaluate where their pressing needs are and they submit those plans to the ministry to evaluate and review. And targets, as the auditor has mentioned, targets for those facility conditions will help us better evaluate those plans to make sure our strategies will — be it the major capital renewal strategy, our preventative maintenance strategy, relocatable strategy — really address what we're intending those to address and help us make sure that we have sustainable school infrastructure in the province.

Ms. Ritchie: — I appreciate that explanation. I wonder though if you could just provide me with a current value based on where you are in that five-year cycle.

Mr. Jensen: — I don't have that on the top of my . . . offhand. We will endeavour to provide that to the committee on . . . We will have potentially one-fifth of an accurate condition. So we'll endeavour to get that for the committee.

Ms. Ritchie: — Okay. Thank you very much. I appreciate that very much. I have no further questions, Mr. Chair.

The Chair: — Thank you for the questions, and thanks for all the work on this front. Very important to folks. Any further questions from people around the table? Not seeing any, I would look for a motion to conclude consideration of chapter 12. Moved by Mr. Kirsch. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. I'll turn it over to the Provincial Auditor's office to focus on chapter 21.

Mr. Wandy: — Chapter 21 of our 2021 report volume 2 reports the results of our fourth follow-up audit at the Ministry of Education regarding its processes to increase grade 12 graduation rates above the 2004-05 baselines. We made 10 recommendations in our 2012 audit. There was only one recommendation outstanding for our follow-up.

We found that by June 2021, the ministry implemented the last outstanding recommendation. The ministry analyzed each school division's 2019-20 annual report to determine whether the 27 school divisions used effective strategies to improve grade 12 graduation rates. The ministry summarized its analysis and communicated its findings to school divisions in June 2021.

Evaluating strategies across school divisions allows the ministry to effectively monitor school division strategies for improving graduation rates. Moreover analyzing and communicating findings to all school divisions can help school divisions identify common barriers and actions to improve graduation rates across the sector.

I'll pause for the committee's consideration.

The Chair: — Well thank you. Thank you very much. I know these recommendations have come before this table before and we've had lots of discussion on them. It's wonderful to see the implementation on this front. Deputy Minister Johnson, do you have any comments?

Ms. Johnson: — You know, very few. And I'll just say I am very pleased that we are able to report that the final recommendation has been implemented. And I'd like to, you know, take a minute to give some thanks to all of the school divisions and to the ministry staff who have been working very, very hard to ensure that we do have good plans in place to ensure graduation is attended to in each of the schools. Through our sector-wide provincial plan, we've had a focus on graduation for many years. I'm sure we will continue to have a focus on graduation going forward, and it's thanks to the collective good work of our school divisions that we've been able to get to this point. So I'll leave my comments at that.

The Chair: — Thank you. Again I know we've had lots of questions over the years on this front. Are there any questions

from committee members? I see Ms. Ritchie.

Ms. Ritchie: — Thank you, Mr. Chair. From what I can see here, you know, we see that it's lots of really great work that's been done, and so I commend the ministry and staff for all the work. However it does appear that it has taken the better part of a decade to . . . And correct me if I'm wrong on this, but it's my understanding that it's taken us about a decade to get about halfway to the sector goal for graduations.

And that, one would assume, was the low-hanging fruit and no doubt will be more challenging as things move forward. That plus the fact that, as we can all appreciate, educational attainment rates, graduation rates, literacy rates, all those things continue to be more and more important in an increasingly complex world of, you know, innovations and needs for high levels of skilled development in order to be successful in the workforce, etc. So could you perhaps maybe give us a little bit of a high-level in terms of what the plan will be for moving forward in achievement of those goals that have been set?

Ms. Johnson: — Yeah, so I think I'll start just by commenting that the Provincial Auditor's report in this area is not . . . I'm wanting to pick my words appropriately here. It's not about checking whether or not we've achieved targets that we set out in the sector plan. It's about checking whether or not our sector plan is supported by a good framework and process. And I think what the auditor has noted is that we do have a good framework. We do have a good process in place.

We are working with school divisions. We're ensuring that they have the data that they need to put graduation improvement plans in place for students in their schools and that they are sharing best practices back and forth and that the ministry is supporting them in doing that and many other things that school divisions will do and that each individual school will do as they are working with their students who are in high school and preparing to graduate.

And there's many elements that are considered in all of that. There's so much work that goes into. . . As every parent around the table will know, there's so much work that goes into taking a child from birth to successful graduation. And sometimes, you know, sometimes the variables that are involved in achieving successful graduation are in the control of the schools and sometimes they are not. More often — well many times — those variables that will impact whether or not a student successfully graduates are not within the school's realm of responsibility.

But what we have here is I believe a very good framework of working with the school divisions, establishing plans with the school divisions as it relates to graduation. And certainly, you know, back to the comment that you made about low-hanging fruit and the amount of time that it's taken us to get to where we are in terms of graduation outcomes, I would just offer that, you know, when we first created the education sector strategic plan back in 2013-2014, we had some very aspirational goals.

And you know, it's I think quite remarkable that we've achieved the level of improvement in the graduation rates overall. And it has come again at the hands of the very hard work that's been done by the superintendents and the principals and the teachers and all of the staff in the school divisions who are working directly with students and ensuring that those students do have

graduation plans and that they're using things like myBlueprint, which is one of the programs that we offer through the ministry province-wide so that students can look at potential careers and create pathways for themselves to get from where they are in grade 9 to where they want to be when June rolls around in their 12th grade. So I'm not sure if that answers your question or not, but happy to respond if there is another one.

Ms. Ritchie: — Well thank you for that. And you know, I don't mean to disparage the good work that's been done up to this point. I appreciate that you're working in a . . . I'll call it a supportive role. I mean the work is happening at the divisional level. And so I guess I might just ask sort of like, with everything that's been done thus far and the framework that you've put in place to support the schools, what is seen sort of as that focus for the ministry to continue to support the divisions? What do you see sort of as the next steps?

The Chair: — Maybe what I might just . . . And it's sort of such a good line of, like such an important area, we could dedicate a lot of time to it. What I think we're maybe delving into a bit is just more into the forward-looking aspects of very important work, very important questions.

But I think with the focus of the chapter and a bit of the mandate of the committee, you know, sort of doing the assessment of the after-the-fact audit — have targets been met, and what has been that performance, you know, what have those programs and processes looked like — I think we're stretching it just to get into the piece that should be a really good discussion around this table here and at estimates time and in a policy field committee. So I might urge us to sort of just be more focused on sort of what's been measured to date and questions around that. And I know there's been lots of discussion on this very chapter at this table and others in the past.

Ms. Ritchie: — Okay. Well thank you for that, Mr. Chair. I'll maybe hold my questions at this point, and nothing further at this time. Thank you.

The Chair: — And they're good and important questions and conversation as well. Any other questions with respect to this chapter at this time? Not seeing any, I will entertain a motion to conclude consideration of chapter 21. Deputy Chair Young moves. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. We'll move along now to chapter 22, and I'll turn it over to the Office of the Provincial Auditor.

Mr. Wandy: — Thank you. Chapter 22 of our 2021 report volume 2 reports the results of our fifth follow-up audit on the ministry's processes to achieve compliance by school divisions in delivering student instruction time as required by the minister. We originally made six recommendations in our 2009 audit, and two recommendations were outstanding for this follow-up. We found that by September 2021 the ministry had made limited progress in implementing the remaining two recommendations.

The ministry continues to actively monitor overall instruction hours required for school divisions. School divisions submit calendars and the ministry reviews these. In May 2021 the

ministry started a process to request a declaration from school divisions regarding meeting instruction hours for core study areas. This process resulted in 15 of 27 school divisions indicating they would not meet the core instruction hours. In our testing we identified that one school division did not respond, and only one of four school divisions we tested provided sufficient support that they were meeting required instruction hours.

The ministry met with school divisions in August to discuss updating instruction hour guidance. However the ministry had not instituted a process to follow up and address school divisions that are not complying with core subject instruction hour requirements.

Monitoring core subjects instructional hours is important to ensure that school divisions are providing students with the required instruction time, which increases student understanding in core subjects and can increase their overall success. Lack of processes to address identified non-compliance with core subject instruction hour requirements increases the risk of continued shortfalls and not addressing root causes.

I will now pause for the committee's consideration.

[16:30]

The Chair: — Thank you for the presentation and the follow-up, persistent follow-up on this front. And I'll flip it over to the DM for a brief remark and then we'll open it up.

Ms. Johnson: — All right. Thank you. And thanks again to the auditor for their work on this file. The ministry certainly does acknowledge the outstanding recommendations and we continue to work on them.

What we have been doing since the auditor's report is engaging in deeper conversations with the school divisions as it relates to instructional time. We do review the school division calendars on an annual basis when they submit them to us each May for review and approval. And what we have been doing more recently is talking in some depth with school divisions to identify why it is they felt that they were unable to, in those circumstances where they indicated they were not able to note being in compliance, why they felt that.

And one of the main take-aways, I guess, from those conversations was that the school divisions were taking the 100 hours of instruction time far more literally than we imagined that they were. So I'm going to turn it over to Susan, I think, to talk about what constitutes instruction time.

But some of the school divisions when they were asked that question were taking it so literally as to say, well we know that under legislation we are required to have 950 hours of . . . I'm going to just say time with the students. It's also, you know, clearly outlined in the calendars that they have a minimum of 950 hours of time on the calendar. And so you can well imagine that when you then . . . When you're taking instruction time literally as time when a teacher is in the classroom and students are in the classroom and the teacher is instructing the students, there's always so many other things that happen in those 950 hours. There are examinations. There are assessments. There are field trips. There are so on and so forth. And they had been responding

by taking the instruction-time label very literally and defining it that narrowly. So anyway, I'll pause there and turn it over to Susan, if there's anything more for Susan to add.

Ms. Nedelcov-Anderson: — Sure, I'll add a little bit. Thanks, Donna. Yes, as Donna mentioned, when we think of instructional time, instruction definitely happens when you're interacting face-to-face, teacher-to-student. But the learning opportunities are available beyond that. So when we think of class trips, band concerts, choral concerts, guest speakers, going out and participating in an inquiry, doing your own type of a project outside of school hours, work experience programs, so all of those are considered instruction, instructional moments, learning moments. And so in conversations, as Donna mentioned, with the directors of education we found that their definition of instructional time was very literal and so we were able to have a conversation with them to help expand that understanding.

The Chair: — Ms. Ritchie.

Ms. Ritchie: — Thank you, Mr. Chair. Well I would love to have a deeper conversation with all of you on this topic. It's a fascinating one. And I appreciate that explanation that you provided around how instruction time is understood when divisions are completing your surveys. And here I think about my own children who, for a time, participated in an open-school format where they would have been hard pressed, I think, to have met those targets. But I also know that it's challenging in the classroom for teachers to be, you know, achieving those targets. And I understand, like, it's really the calendar, but that sort of drives that in terms of hours in the classroom or, you know, school schedules and so forth.

Just actually kind of curious. I know, you know, we don't have all the time in the world here but if . . . Two questions. Number one, what is the basis for the 950 hours? Like how do you know that's the right number in an average school year? And then second of all, you know, what kind of flexibility is there in establishing that calendar in which to deliver on set hours, however many they may be?

Ms. Nedelcov-Anderson: — I'll maybe start with the second question in terms of the calendar, which I would maybe also interpret as the school schedule, perhaps. So the school divisions do submit their year calendar to the ministry, and the ministry does an assessment of that to ensure that the number of hours are present. When it comes to scheduling of courses at a school level, that would be up to the discretion of the school administrator to make those determinations.

We have a document called the registrar's handbook, which was used in this audit, which outlines the number of minutes, the number of hours for particular courses, whether at your high school level, or elementary, middle years.

Ms. Ritchie: — And I guess based on that, you know, you've been able to sort of work with divisions for them to maybe submit their evidence or their hours, however you describe it. And I mean, are you saying that basically that's kind of eliminated the bulk of the issue now? Or how has that changed things?

Ms. Nedelcov-Anderson: — So we're just in the process of collecting that information. We just sent out to our school

divisions, the middle of February, the declaration form for them to submit for both the calendar and for meeting the number of required instructional hours.

Ms. Ritchie: — And maybe just a final question in terms of the relationship between the number of hours, you know, however they're defined and set, and the contracts, I guess, with teachers to deliver in the classroom on those hours. Has that been affected, and if so, how?

The Chair: — I might flag it. In pushback, you know, or I guess in the Chair I get to rule. But I just know . . . These are really good questions and, you know, I've sort of followed it. This goes back to 2009, and I want to refrain from the policy debate as well around this table. That being said, there's been lots of entries, you know, on that debate. And so I think like right now the question at hand isn't, is 950 the right number, right, from some views about how that was arrived at and whatnot. That's not this table. We've reflected those on the public record and at this committee. The question is, are divisions able to meet that, and how's that being recorded?

So I'm not sure. Like it goes into a very important policy debate around, you know, what should we be measuring in education? And I think it really draws us into a fairly substantive policy discussion that should be had around this table and should be brought, you know, to a committee, but maybe not this one with this chapter. I know there's lots of criticisms that have been placed on the record as to the choice of the minister at that time to have instituted that number and the way they went about it. I think I would leave that there.

But for us to dig into the question as to, you know, is 950 the right number, is it the quantity of time, or is it the quality of that engagement, and what are those other factors, I just think we're probably going off into a much broader discussion than we probably should today.

Ms. Ritchie: — But with all due respect, Mr. Chair, my question isn't related to the number of hours, it's about — and I may be offside nevertheless — but my question is more to do with the relationship between the delivery of those hours in the classroom by teachers and if there's any . . .

The Chair: — Contractual issues with . . .

Ms. Ritchie: — Yeah, in terms of, you know, achieving the corrective actions and delivering on this recommendation.

The Chair: — And I think there has been concerns identified by teachers and through . . . But I'll leave it to the . . .

Ms. Johnson: — Yeah. I'm sorry, I'm going to have to ask you to reframe the question because I'm not quite sure I understand what you're asking.

Ms. Ritchie: — Okay, sure. Happy to do so. So I'm just looking at the recommendation regarding corrective action where necessary to improve school division compliance with the requirements for instruction time, and if in the implementation of that recommendation if you're bumping into any challenges with respect to the contractual arrangements with teachers to deliver those services?

Ms. Johnson: — I think the answer to that is no. No, like, the contractual arrangements that are in place between the school divisions and the teachers are not an impediment to achieving this.

Ms. Ritchie: — Okay. Well thank you very much for that response.

Ms. Johnson: — Yeah, thank you.

Ms. Ritchie: — Okay.

The Chair: — Thank you very much for the questions. And I'm just looking to see if there's any others that have a question on this chapter at this time. Not seeing any, would anyone care to move that we conclude consideration of chapter 22? Deputy Chair Young moves. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. Let's move along to our last item of the day. And it's a follow-up chapter on an important area, chapter 23. I'll turn it over to the Provincial Auditor's office.

Mr. Wandy: — Chapter 23 of our 2021 report volume 2 reports the results of our second follow-up audit of the Ministry of Education's processes to monitor kindergarten students' readiness to learn in the primary grades. We made four recommendations in our 2017 audit. Two recommendations were outstanding for this follow-up. By August 2021 the ministry had implemented the two outstanding recommendations.

The ministry provided school divisions with high-risk students at risk of not being ready to learn in the primary grades with guidance for developing early years action plans. The ministry also established a process in spring 2021 to analyze the action plans. The ministry provided feedback to school division officials based on the ministry's assessment.

In addition, the ministry established a plan to meet with those school divisions each fall and spring to discuss their action plans. It also distributed activity cards outlining play-based learning activities to seven school divisions with a targeted pre-kindergarten program to share with families. By providing guidance, feedback, and resources to those school divisions whose kindergarten students are most at risk of not being ready to learn, the ministry increases the likelihood of more students being ready to learn in the primary grades.

I will pause now for the committee's consideration.

The Chair: — Thank you again for this report and for the follow-up and for the actions that have been identified to ensure implementation on this front. I'll turn it over to Deputy Minister Johnson to see if she has any brief comments and then I'll open it up.

Ms. Johnson: — Again I would just thank the auditor for the work on this audit and also thank the staff, Cindy Jeanes who's here today, and the other staff in the early years branch who worked diligently to clear these recommendations or to address these recommendations. And know that they have good relationships in place with school divisions and they've been

working very well with the school divisions on this front. So happy to note that the last two recommendations in this chapter are now fully implemented.

[16:45]

The Chair: — Thanks for that report and all the work that's gone into it. I'll open it up to committee members for questions. Ms. Ritchie.

Ms. Ritchie: — Thank you, Mr. Chair. So very pleased, happy to hear that the recommendations have been fully implemented. And I do want to ask one question related to readiness to learn. Can you explain to me sort of how the targets or the metrics that you're monitoring with respect to readiness to learn, if that is continuing to improve or have you sort of plateaued with that, or in terms of kind of where we're going right now based on the, I guess, the recommendations that have been implemented?

Ms. Johnson: — Yeah. So I think your question is really again back to how are we doing, or how are the students doing, more correctly. The recommendations that the auditor's made is with respect to the processes and the framework that the ministry has in place. And so obviously, as the auditor's noted, what we're doing on that front is working.

In terms of the student outcomes though, to answer your question, we use the early years evaluation tool to assess students upon entry to kindergarten and again upon exit. And what we are seeing in terms of results for students in their kindergarten year is that there is generally, and this will vary modestly from year to year, but there is generally about a 20 per cent improvement in students from the beginning of the kindergarten year to the end of the kindergarten year.

So typically, roughly 60 per cent of students will arrive at kindergarten having hitting their developmental milestones, particularly their cognitive milestones. And by the end of the kindergarten year, 80 per cent of students will be hitting their developmental milestones, according to the EYE assessment.

Ms. Ritchie: — Okay. And can you maybe explain how COVID, over the last couple of years, may have affected those results?

Ms. Johnson: — I'm going to ask Cindy to come and join us here and provide that response.

Ms. Jeanes: — So in 2019-20 we were able to do a fall entry screen and we weren't able to do a spring exit because of COVID. In 2021 we did both an entrance and an exit screen, and those numbers coincided with what Donna has shared with you. And this year we've also done an entry screening. So we'll do an exit screening in the spring.

Ms. Ritchie: — And yeah, so what has been the outcome of that in terms of readiness?

Ms. Jeanes: — The numbers were similar. Sixty per cent came into kindergarten ready to learn. And our exit numbers were 78.7 per cent, so close to the 80 per cent.

Ms. Ritchie: — And which year are you referring to?

Ms. Jeanes: — 2020-2021.

Ms. Ritchie: — 2020-2021. And I just want to make sure I understand what you're saying. So you're seeing consistent results year to year despite the pandemic. Is that correct?

Ms. Jeanes: — Yes.

Ms. Ritchie: — Okay, great. That's wonderful to hear. And I have no further questions. Thank you.

The Chair: — Good questions and important work, of course. I'm just looking to see if there's any other questions. Deputy Chair Young.

Ms. C. Young: — Following up on what Ms. Ritchie's asking you, in June of last year you established a plan, which the auditor has noted, in order to meet with school divisions in regards to moving forward on your admissions of pre-kindergarten students and whatnot. How many school divisions will you be meeting with that you have concerns with not necessarily meeting those targets?

Ms. Jeanes: — I don't have the numbers with me from last year, but this year we've just gotten our EYE data in and we've done our analysis and we'll be looking at 13 school divisions.

Ms. C. Young: — Out of the 27?

Ms. Jeanes: — Out of the 27, yes.

Ms. C. Young: — Thank you.

The Chair: — Any further questions on this, the final chapter of the day? Not seeing any, I would welcome a motion to conclude consideration of this chapter. Thank you, Mr. Skoropad, for moving. All agreed?

Some Hon. Members: — Agreed.

The Chair: — That's agreed. I want to say thank you so much to the Ministry of Education, Deputy Minister Johnson, all the officials that are here today, all those that work at the Ministry of Education, all those in the divisions across Saskatchewan that are a part of this very important work. So thank you for being here and thank you for coming to committee twice for these considerations. And we really appreciate it.

Thank you as well to the Provincial Auditor and her team for the incredible service they provide the people of Saskatchewan, the relationship they maintain with those that they're auditing, and the improvements that are brought about through that work. And thank you to committee members for their engagement. It's a heavy task often for the member that's sitting with the opposition to ask questions. Thank you for fulfilling that in a wonderful way and on short notice, Ms. Ritchie, these last two days. And thank you to government members for being engaged all the way through as well and for asking questions.

And thanks to Rob Park, our committee Clerk. And we've got a big hockey game coming up in a couple weeks here. Our two novice hockey teams battle, so we'll see how that turns out. But with all that being said, I would welcome a motion to adjourn at

this time. Deputy Chair Young moves. All agreed?

Some Hon. Members: — Agreed.

The Chair: — All right. That's carried. This committee stands adjourned until the call of the Chair.

[The committee adjourned at 16:52.]