



Ontario

Public Service Commission

Commission de la fonction
publique

Public Service Commission
Business Plan
2014/15 to 2016/17

Public Service Commission Business Plan 2014/2015 to 2016/17

Executive Summary

The Public Service Commission is created pursuant to the *Public Service of Ontario Act, 2006 (PSOA)* to ensure the effective management and administration of human resources in the Ontario Public Service. Its authority to issue directives and policies regarding the terms and conditions of appointment for public servants is delegated by the Management Board of Cabinet. The Public Service Commission (PSC) is defined as a regulatory agency under the Agency Establishment and Accountability Directive.

Key achievements in the previous year include:

PSC reiterated Guiding Principles for Executive Recruitment as follows:

1. We will use multiple sources of information, including the Talent Management program, to source, select and hire executives.
2. We will seek the best leadership abilities and skills in order to ensure successful achievement of government key priorities and business commitments.
3. We recognize that our senior leaders are a valued resource and are developed and deployed to the benefit of both the employee and the organization.
4. We will employ sound HR management and diversity and inclusion practices to hire executives.

It is a practice of the PSC that selection panels for recruitment at the Assistant Deputy Minister level must include at least one PSC Commissioner. As part of our continued commitment to the executive recruitment diversity and inclusion strategy, each PSC Commissioner participated in personal bias awareness training. Continued development of these skills for those involved in executive recruitment increases our ability to be inclusive.

A pilot project, Succeeding Talent into Executive Positions (STEP) was approved and implementation begun. This project seeks to identify, assess, develop and deploy talent into priority executive positions through an accelerated process of development. Through the STEP program, 15 individuals were identified to begin an accelerated development program to ready them to assume the role of Chief Administrative Officer in a ministry.

PSC approved a new Benefits Plan for non-represented employees that harmonized their benefits with those of the represented groups.

PSC approved updates to the Occupational Health and Safety Policy, Workplace Discrimination and Harassment Prevention Policy and the Workplace Violence Prevention Policy.

The new Employment Screening Checks Policy was released and implemented. This policy consolidated over a dozen different legacy systems into a comprehensive and more efficient process

2014/15 Priorities

Within the strategic context of the current OPS HR Plan, over the coming year, Public Service Commission engagement and/or approval will be sought on the following initiatives:

- ✓ Development of a new strategic, evidence-based, multi-year OPS HR Plan that sets priorities for effective human resource management with a focus on current and emerging challenges
- ✓ Amended workforce adjustment direction for Employment Policy covering non-compensation layoff entitlements for MCP and excluded staff
- ✓ Updated disability management policy to ensure timely and effective employment accommodation and return to work support for employees with disabilities, injuries or illnesses
- ✓ Revised performance management policy with a view to driving optimal individual and organizational performance necessary to facilitate the delivery of high-quality, cost effective public services
- ✓ OPS leadership Vision
- ✓ Workforce Data and Analytics Framework
- ✓ Diversity and Inclusion Data Report
- ✓ Amended conflict of interest financial declaration regulations to provide context, clarity and improved transparency
- ✓ Updated Secondment to a Minister's Office Operating Policy
- ✓ Annual reviews of health and safety policies including:
 - Occupational Health and Safety Policy
 - Workplace Discrimination and Harassment Prevention Policy
 - Workplace Violence Prevention Policy

Mandate

The Public Service Commission is created pursuant to the *Public Service of Ontario Act, 2006 (PSOA)*. The PSC may exercise the powers and shall perform the duties and functions assigned to it under PSOA or any other Act, including

those prescribed by the Lieutenant Governor in Council and those delegated by the Management Board of Cabinet (MBC).

The mandate of the Public Service Commission is to ensure:

- the effective management and administration of human resources in relation to public servants that the PSC or its delegates appoint to employment by the Crown under Part III of PSOA;
- the non-partisan recruitment and employment of public servants that the PSC or its delegates appoint to employment by the Crown under Part III of PSOA.

Overview of Current and Future Programs

While the Management Board of Cabinet is responsible for many human resource management functions in the OPS, the Commission continues to exercise important oversight functions, particularly in relation to senior levels of the organization, and to operate as a regulatory body. The Commission has the power under the *Public Service of Ontario Act, 2006*, to issue directives and policies respecting various human resource matters. The Commission also exercises adjudicative powers in relation to the Conflict of Interest and Post-Service provisions of the PSOA.

More specifically, the PSC is responsible for:

- defining an HR governance model and PSC-level authorities;
- issuing directives and policies for the effective management of human resources;
- ensuring that the employment of public servants is based on non-partisan practices;
- considering various employment actions, including appointments at the assistant deputy minister level and release from employment.

Some of the administrative matters, which regularly appear on the Commission's agendas, include regulations regarding the establishment of classifications and compensation for non-bargaining unit staff, approval of senior appointments and contracts, and waivers of competition – in accordance with its authority delegated by the Management Board of Cabinet.

In light of greater awareness around Conflict of Interest and Post-Service restrictions, more senior managers are now seeking the clarification and decision of the Commission concerning the scope of restrictions, if necessary, on their future employment outside the OPS.

The Commission operates on a weekly or as necessary basis and does not have daily functions.

Environmental Scan

Demographic pressures along with a global shift in the nature of work have presented new challenges to human resources planning in the OPS. Key workforce challenges include:

- Difficult fiscal and economic realities facing the public sector;
- Skill gaps and shortages in areas of work that require new capabilities and upgraded skills;
- Demands on the workforce as employees adapt to new organizational structures and ways of working;
- The demographic pressure of an aging workforce and management corps;
- Succession planning and executive development;
- The need to position the OPS as the employer of first choice where skilled, knowledgeable and motivated employees can build rewarding careers;
- The need to ensure the OPS is an inclusive workplace which values diversity;
- Successful negotiation of fair and reasonable collective agreements; and
- Safety concerns which will necessitate review of policies on security clearances and reference checking.

Resources Needed to Meet Goals and Objectives

The Commission has one permanent member, a Chair and additional appointed deputy ministers.

The permanent member is the Secretary of the Cabinet (currently Steve Orsini). The Chair is currently Angela Coke, Associate Deputy Minister, Ontario Shared Services.

Other deputy minister members are appointed to the role of Commissioner for one-year terms, which may be renewed. Members of the Commission do not receive any remuneration above their regular OPS salary for these services. See Schedule A for a listing of PSC members and current appointment terms.

The Commission does not maintain a budget or staff. Staff of the Centre for Leadership and Learning provides support to the Commission. Funding for the ongoing administrative operations of the PSC is provided by the Centre for Leadership and Learning, Treasury Board Secretariat, in accordance with the Ministry's budgeting priorities and procedures.

Strategic Directions

The strategic direction of the Commission is to fulfil its legislated mandate. The Commission directs and regulates significant aspects of employment in the

Ontario Public Service, and in that capacity, it will visibly promote modern, inclusive and accessible human resource practices at all levels of the public service reflective of the Ontario Public Service's strategic HR Plan and Inclusion Strategy. The PSC is committed to supporting and developing policies, programs and services designed to create a diverse and inclusive organization that delivers excellent public service and encourages all employees to achieve their full potential.

In the year ahead, the Commission will be engaged in the identification of strategic HR management priorities to ensure that the OPS is positioned to meet emerging challenges. At the same time it will continue to play a significant role in the upholding and promoting the ethical standards of the *PSOA*.

The Commission also plays a role in encouraging and developing leadership capacity. In this role, the Commission acts as a forum for Deputy Ministers to undertake strategic human resource planning and development for their senior managers including efforts to further diversify the Senior Management Group. In particular, the Commission is focussed on the Senior Management Group level 3 (Assistant Deputy Ministers and equivalents) as the human resources responsibilities for this level have not been delegated to Deputy Ministers.

Risk Identification, Assessment and Mitigation Strategies

Acting within the authority delegated to it by the MBC, the PSC makes decisions with respect to a number of potentially high profile issues including:

- Appointments to SMG/ITX3 and 4 level positions and the salaries of incumbents in those positions;
- Dismissals at the SMG/ITX 2,3, and 4 level, including for cause and not for cause;
- Exemptions to SMG Compensation Policies;
- Post-Service Conflict of Interest matters.

There are significant potential political, financial and legal risks if decisions are made without proper foundation and assessment of potential consequences from a public policy perspective. Decisions made by the PSC with respect to senior appointments and compensation levels, dismissals of high profile individuals and post-service conflict of interest matters have the potential for political consequences.

There are also considerable legal, financial and delivery risks associated with not taking actions necessary to ensure a safe and healthy public service capable of meeting the changing policy, program and service delivery challenges of the public service. Such risks highlight the importance of evidence-based policies and strategies to reinforce the non-partisan and merit-based nature of the OPS while enabling effective health, safety and wellness of employees and a culture free from discrimination and harassment.

See detailed risk assessment attached as Schedule B to this document. **No Workforce risks are identified as the PSC does not have staff. In addition, no IT and Infrastructure risks have been identified as the reliability and integrity of information presented to the PSC is the responsibility of the Centre for Leadership and Learning.**

Communication Plan

The HR Management Directive sets out a number of responsibilities for the PSC including: “ensuring human resource plans, directives, policies, delegation instruments and related governance mechanisms are current and communicated clearly to the organization.”

The PSC is not responsible for undertaking communications activities itself (other than the production of confidential minutes of meetings). Communication of PSC decisions and/or approvals is managed by the Ministry that brought the issue to the PSC for approval (e.g. Treasury Board Secretariat is responsible for communicating any changes to OPS Human Resources policies approved by PSC) on its behalf.

Implementation Plan

Not applicable. Implementation of PSC decisions and/or approvals is the responsibility of the Ministry that brought the issue to the PSC for approval (e.g.: Treasury Board Secretariat is responsible for the implementation plan with respect to any changes to OPS Human Resources policies approved by PSC).

Initiatives Involving Third Parties

The Commission carries out its mandate in accordance with its MBC- delegated authorities and its members also make up the Executive Development Committee (EDC). The Management Board of Cabinet reserves the right to amend or revoke the delegations to the Public Service Commission at any time.

Performance Measures

The PSC exercises powers and performs duties in accordance with its legal mandate and delegated authorities. The PSC's decisions are to be made, and be seen by the public to be made, independently and impartially. The PSC conducts itself according to the management principles of the Government of Ontario.

The PSC provides enterprise-wide direction for the effective management of human resources in Ontario's public service. The PSC is supported by the HR Policy and Planning Branch, Treasury Board Secretariat in achieving this objective and to ensure that the OPS has the right people, in the right place, at the right time, to achieve government priorities and ministry business results by:

- developing and delivering modern, enterprise human resource strategies, policies, programs and services that support the OPS as an employer of choice
- establishing corporate management policies to ensure an accountable, ethical and professional public service
- promoting organizational and service excellence

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Schedule A: PSC Membership (as of July 15, 2014)

Current Member	Appointment Status
<p>Angela Coke, Chair, PSC Associate Deputy Minister, Ontario Shared Services, Ministry of Government and Consumer Services</p> <p><i>1st Year Member</i></p>	<p>Appointed to a one-year term March 1, 2014 to February 28, 2015</p>
<p>Kerry Pond, Secretary Assistant Deputy Minister, Centre for Leadership and Learning, HROntario</p> <p><i>Secretariat Support</i></p>	<p>Not an appointed member; provides secretariat support</p>
<p>Steven Davidson, Commissioner Deputy Minister, Ministry of Tourism, Culture and Sport, Deputy Minister Responsible for the 2015 Pan/Parapan American Games</p> <p><i>2nd Year Member</i></p>	<p>First term appointment January 3, 2013 to January 2, 2014; Extended January 3, 2014 to January 2, 2015</p>
<p>Laurie LeBlanc, Commissioner Deputy Minister, Ministry of Municipal Affairs and Housing</p> <p><i>2nd Year Member</i></p>	<p>First term appointment July 1, 2013 to June 30, 2014; Extended July 1, 2014 to June 30, 2015</p>
<p>Patrick Monahan, Commissioner Deputy Attorney General</p> <p><i>1st Year Member</i></p>	<p>First term appointment January 3, 2014 to January 2, 2015</p>
<p>Greg Orencsak, Commissioner Deputy Minister, Government Services Deputy Minister, Treasury Board Secretariat Secretary of Treasury Board and Management Board Secretariat</p> <p><i>1st Year Member</i></p>	<p>First term appointment April 2, 2014 to January 2, 2015</p>
<p>Steve Orsini, Commissioner Secretary of the Cabinet</p> <p><i>Regular Member</i></p>	<p>Term concurrent with appointment as the Secretary of the Cabinet</p>
<p>Marg Rappolt, Commissioner Deputy Minister, Ministry of</p>	<p>First term appointment January 3, 2014 to January 2, 2015</p>

Current Member	Appointment Status
Community and Social Services <i>1st Year Member</i>	
Deb Stark , Commissioner Deputy Minister of Agriculture and Food Deputy Minister of Rural Affairs <i>2nd Year Member</i>	First term appointment July 1, 2013 to June 30, 2014; Extended July 1, 2014 to June 30, 2015
Wendy Tilford , Commissioner Deputy Minister of Economic Development, Trade and Employment Deputy Minister of Research and Innovation <i>2nd Year Member</i>	First term appointment January 3, 2013 to January 2, 2014; Extended January 3, 2014 to January 2, 2015

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Schedule B: PSC Risk Assessment

Risk	Risk Description/ Considerations	Related Agency Objective(s)	Likelihood / Impact Of Risk	Risk Owner (Agency / Ministry)	Mitigation Strategy	Specific Target for Resolution
	(Financial and Non Financial)					
Strategic Risk - Strategic Planning	The risk that strategies and policies fail to achieve targeted results	The effective management and administration of human resources across the OPS. The non-partisan recruitment and appointment of public servants.	<p>Likelihood: Low</p> <ul style="list-style-type: none"> The HR Policy and Planning Branch of Treasury Board Secretariat is responsible for creating and updating Policies and Directives to ensure the effective management of human resources in the OPS <p>Impact: High</p> <ul style="list-style-type: none"> Policies and strategies approved by PSC apply to all public servants. Poorly conceived policies 	Ministry and Agency	The HR Policy and Planning Branch schedules reviews and updates of Policies and Directives as necessary.	Ongoing

Risk	Risk Description/ Considerations (Financial and Non Financial)	Related Agency Objective(s)	Likelihood / Impact Of Risk	Risk Owner (Agency / Ministry)	Mitigation Strategy	Specific Target for Resolution
			would have an impact on the effective deployment and management of human resources.			

Risk	Risk Description/ Considerations (Financial and Non Financial)	Related Agency Objective(s)	Likelihood / Impact Of Risk	Risk Owner (Agency / Ministry)	Mitigation Strategy	Specific Target for Resolution
Accountability/Governance Risk - Agency Accountability	Risk of failure to comply with legislative requirements	The effective management and administration of human resources across the OPS. The non-partisan recruitment and appointment of public servants.	<p>Likelihood: Low</p> <ul style="list-style-type: none"> The PSC has ready access to legal counsel from Treasury Board Secretariat Legal Services Branch and is advised regularly by LSB on issues that come before it. <p>Impact: High</p> <ul style="list-style-type: none"> Failure by the PSC to make determinations in compliance with legislation could jeopardize the reputation of the government. 	Ministry and Agency	The PSC seeks advice from TBS Legal Services Branch on all items with legal implications.	Ongoing

Risk	Risk Description/ Considerations (Financial and Non Financial)	Related Agency Objective(s)	Likelihood / Impact Of Risk	Risk Owner (Agency / Ministry)	Mitigation Strategy	Specific Target for Resolution
Operational Risk - Operational Decisions	<p>Risk of poor or inappropriate decisions that the PSC approves including the following:</p> <ul style="list-style-type: none"> • Approvals of appointments to positions at the SMG/ITX3 level and above (not Deputies) including salary levels • Approvals of dismissals/ and/or releases (with and without cause) of SMG/ITX2 	<p>The effective management and administration of human resources across the OPS. The non-partisan recruitment and appointment of public servants.</p>	<p>Likelihood: Low</p> <ul style="list-style-type: none"> • The PSC has ready access to legal counsel from TBS Legal Services Branch and is advised regularly by LSB on issues that come before it. In addition, the membership of the PSC (see below) mitigates this risk. <p>Impact: High</p>	Ministry and Agency	<p>The membership of PSC is designed in recognition of the key decision-making authority for these issues that rests with the Commission. The PSC includes as permanent member the Secretary of the Cabinet. In addition, the membership includes a rotating cadre of Deputy Ministers.</p>	Ongoing

Risk	Risk Description/ Considerations (Financial and Non Financial)	Related Agency Objective(s)	Likelihood / Impact Of Risk	Risk Owner (Agency / Ministry)	Mitigation Strategy	Specific Target for Resolution
	<p>and above level employees.</p> <ul style="list-style-type: none"> • Post-Service Conflict of Interest determinations for former OPS staff. 				<p>This membership ensures that the PSC will always be cognizant of the public policy impact of decisions.</p>	