



Office of the Public Sector
Integrity Commissioner
of Canada

Commissariat à l'intégrité
du secteur public
du Canada

ANNUAL REPORT

2023–24





The report is available on our website: www.psic-ispcc.gc.ca

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Public Sector
Integrity Commissioner



Commissaire
à l'intégrité du secteur public

Ottawa, Canada K1P 5Y7

The Honourable Raymonde Gagné, Senator
Speaker of the Senate
Senate of Canada
Ottawa, Ontario K1A 0A4

Dear Speaker:

I have the honour of presenting you with the Office of the Public Sector Integrity Commissioner of Canada's seventeenth Annual Report, which is to be laid before the Senate in accordance with the provisions of section 38 of the Public Servants Disclosure Protection Act. This report covers the fiscal year ending March 31, 2024.

The Annual Report is to be referred to the Standing Senate Committee on National Finance pursuant to subsection 38(4) of the Act.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'H. Solloway'.

Harriet Solloway
Public Sector Integrity Commissioner

Public Sector
Integrity Commissioner



Commissaire
à l'intégrité du secteur public

Ottawa, Canada K1P 5Y7

The Honourable Greg Fergus, P.C., M.P.
Speaker of the House of Commons
House of Commons of Canada
Ottawa, Ontario K1A 0A6

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Yours sincerely,

A handwritten signature in black ink, appearing to read 'Harriet Solloway'.

Harriet Solloway
Public Sector Integrity Commissioner

PUBLIC SERVANTS DISCLOSURE PROTECTION ACT

The federal public administration is an important national institution and is part of the essential framework of Canadian parliamentary democracy. It is in the public interest to maintain and enhance public confidence in the integrity of public servants. Confidence in public institutions can be enhanced by establishing effective procedures for the disclosure of wrongdoings and for protecting public servants who disclose wrongdoings, and by establishing a code of conduct for the public sector. Public servants owe a duty of loyalty to their employer and enjoy the right to freedom of expression as guaranteed by the Canadian Charter of Rights and Freedoms and that this Act strives to achieve an appropriate balance between those two important principles.

— Excerpt from the Preamble

OUR VISION, MANDATE AND VALUES

VISION

As a trusted organization where anyone can disclose wrongdoing in the federal public sector confidentially and safely, the Office of the Public Sector Integrity

Commissioner of Canada enhances public confidence in the integrity of public servants and public institutions.

MANDATE

The Office of the Public Sector Integrity Commissioner of Canada contributes to strengthening accountability and increases oversight of government operations by:

- providing an independent and confidential process for receiving and investigating disclosures of wrongdoing in, or relating to, the federal public sector from public servants and members of the public;
- reporting founded cases of wrongdoing to Parliament and making recommendations to chief executives on corrective measures; and

- providing a mechanism for handling complaints of reprisal from public servants and former public servants for the purpose of coming to a resolution, including through conciliation and by referring cases to the Public Servants Disclosure Protection Tribunal.

VALUES

The Office of the Public Sector Integrity Commissioner of Canada operates under a set of values that defines who we are and how we interact with our clients and stakeholders:

• Respect for Democracy

We recognize that elected officials are accountable to Parliament, and ultimately to the Canadian people, and that a non-partisan public sector is essential to our democratic system.

• Respect for People

We treat all people with respect, dignity and fairness. This is fundamental to our relationship with the Canadian public and colleagues.

• Integrity

We act in a manner that will bear the closest public scrutiny.

• Stewardship

We use and care for public resources responsibly.

• Excellence

We strive to bring rigour and timeliness as we produce high-quality work.

• Impartiality

We arrive at impartial and objective conclusions and recommendations independently.

• Confidentiality

We protect the confidentiality of any information that comes to our knowledge in the performance of our duties.

COMMISSIONER'S MESSAGE

I am honoured to be entrusted with an important part of the accountability framework for the federal public sector, and I am pleased to present the Annual Report for the Office of the Public Sector Integrity Commissioner of Canada for 2023–24. This report encapsulates our efforts to promote and safeguard integrity within the federal public sector, in the service of Canadians.

My tenure as Commissioner began in late September 2023. I have become familiar with the day-to-day efforts of dedicated staff to faithfully implement our legislated mandate under the [Public Servants Disclosure Protection Act](#) (the Act), against the backdrop of an unprecedented surge in demand that is increasingly straining the capacity of the Office to implement our statutory obligations.

The Office investigates disclosures of alleged wrongdoing in the federal public sector. We report founded cases to parliament, make recommendations to chief executives for corrective measures and follow-up on those recommendations. We also investigate allegations of reprisal taken against those involved in disclosures and investigations and refer possible founded cases to the Public Servants Disclosure Protection Tribunal (the Tribunal). When agreed by the parties, we also support conciliation processes to achieve the most positive outcome possible. Increasing awareness of the Office and the federal whistleblowing regime is another important element of our work.



Harriet Solloway
Public Sector Integrity Commissioner

This report highlights our achievements, challenges and ongoing efforts in fulfilling our mandate. We continue to uphold the values of impartiality and confidentiality, striving to ensure that every case is dealt with in a timely and consistent manner that respects the rights of all involved. We are committed to doing our part to maintain public trust in government institutions.

In 2023–24, the Office tabled two Case Reports in Parliament, and whilst they addressed very different factual situations and issues, both reports underscored that having the courage to bring wrongdoing out of the shadows is crucial to a healthy and trusted federal public sector.

In addition to these Case Reports, the Office conducted unprecedented numbers of analyses and investigations of submissions that did not result in findings of wrongdoing or referrals of reprisal complaints to the Tribunal, as well as responses to general inquiries. Every individual receives a fulsome response to their submission, including a reasoned explanation of why their disclosure or complaint could not be investigated or if they were investigated, why they could not be considered a wrongdoing or reprisal under the Act. Much of this is unseen by the public yet constitutes a substantial part of our work. We strive to ensure that every individual who contacts the Office understands that their concerns were given due consideration.

In the last six months of 2023–24, the Office experienced a 26% increase in the number disclosures and complaints over the first half of the fiscal year. I believe the increased interest in the Office, as well as the unprecedented number of submissions, indicates that more public servants are becoming aware of the Office and trust the Office to deal with their concerns. Nevertheless, we are mindful that awareness may not be as widespread as it could be, and that trust is hard-earned and easily lost. In 2023–24, we devoted efforts to cultivate both, addressing the awareness challenge through our outreach program and cultivating trust by working tirelessly to deal with disclosures and complaints in a timely and impartial manner.

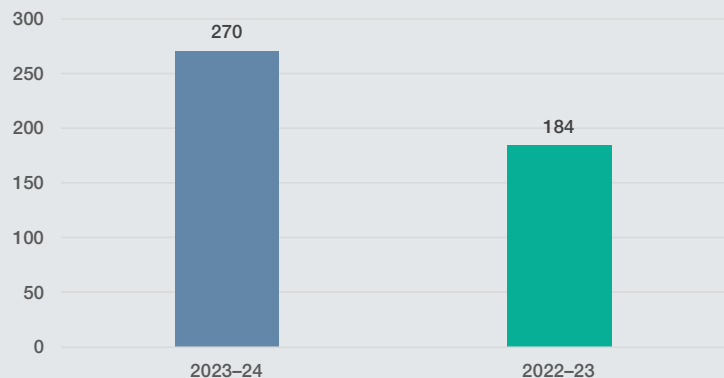
OPERATIONAL ACTIVITIES

Our commitment to excellence is reflected in our departmental performance in 2023–24. Our recent results demonstrate that we continue to successfully deliver on our mandate and achieve key objectives.

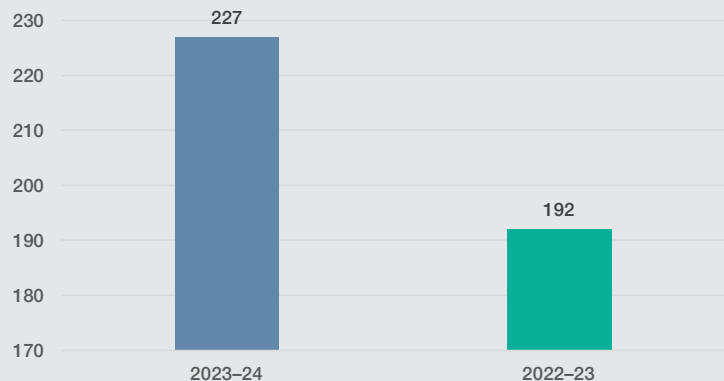
In the graphs on this page and the table at the end of this report, you will note that the Office received 270 new disclosures in 2023–24. That is an unprecedented 47% increase over 2022–23, and there is a considerable increase in terms of the number of disclosures we analyzed (+18%) and of investigations we launched (+111%).

There was a similar increase in reprisal complaints, including almost twice as many investigations as in 2022–23—17 compared to 9 (+89%). We also noticed a considerable surge in the number of general inquiries made to the Office, as we received 449 compared to the 189 in 2022–23 (+138%).

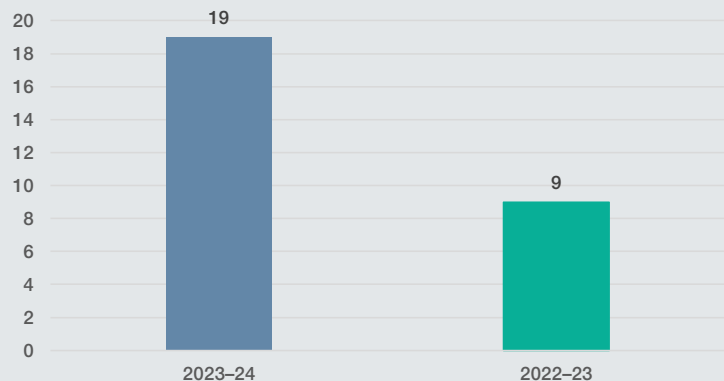
New disclosures received



Disclosures analyzed



Investigations launched



SERVICE STANDARDS

In 2013, we developed service standards to guide the completion of our work in a timely manner. Timeliness is critical to earning and maintaining trust in the Office.

In 2023–24, we met all but one of the targets:

Service Standards and Yearly Targets	2023–24 Results
Completing analysis to determine whether to investigate a disclosure of wrongdoing and responding - 90 days in 80% of files received	82%
Completing analysis to determine whether to investigate a reprisal complaint and responding - 15 days (as required under subsection 19.4(1) of the Act) in 100% of files received	100%
Completing investigations - one year in 80% of files	61%
Responding to general inquiries - one working day in 80% of requests	80%

*Note: as required under subsection 19.4(1) of the Act

The impact of resource challenges was felt in 2023–24. Office staff worked tirelessly, often outside of regular working hours, to maintain the Office’s credibility and the trust of potential disclosers and complainants.

Though the Office did not achieve the targeted 80% rate for investigations completed within one year in 2023–24, we have made progress (compared to 50% in 2022–23) and continue to make concerted efforts in overcoming a backlog stemming from pandemic-related delays. We anticipate that these efforts will struggle against the continuing trend of the increasing number and complexity of submissions, stretching the Office beyond its capacity in 2024–25.

CASE REPORTS

Since its inception in 2007, the Office has tabled [21 reports of wrongdoing](#) implicating a number of government agencies. Our Case Reports highlight deficiencies in internal processes and accountability mechanisms, serious misconduct, gross mismanagement, as well as situations that put health and safety at risk. Following investigations, recommendations for corrective measures are made to address shortcomings and enhance the integrity of the federal public sector.

Each Case Report on founded wrongdoing begins with a disclosure. I would like to take this opportunity to thank those courageous individuals who came forward when they witnessed wrongdoing.

DEPARTMENT OF NATIONAL DEFENCE

In September 2023, my predecessor tabled a [Case Report](#) following an investigation into allegations of wrongdoing within the Department of National Defence (DND). Following a disclosure, the Office investigated whether or not DND management was properly managing their internal disclosure regime.

Under the Act, internal regimes offer public servants the option to make a disclosure to their supervisor or a designated senior officer within their organization rather than to my Office. Chief executives must publish reports of founded cases of wrongdoing in a timely manner, while senior officers have a responsibility to inform disclosers of the outcomes of investigations.

In this case, DND was not publishing the findings. In fact, no reports of wrongdoing were published between 2015 and 2020, publication began only after the launch of our investigation, and disclosers were not informed of the outcome of investigations. Consequently, my predecessor found that DND management committed gross mismanagement and contravened the Act.

CORRECTIONAL SERVICE CANADA

I tabled my first [Case Report](#) as Commissioner in March 2024, which related to wrongdoing at Correctional Service Canada (CSC). Following a disclosure, the Office launched an investigation into an allegation that management at CSC did not adequately respond to a leak at the Matsqui Complex in Abbotsford British Columbia. The investigation uncovered that CSC committed gross mismanagement, a wrongdoing pursuant to the Act, when they failed to take timely and adequate action to locate and repair a leak, allowing chemically treated water to leach into surrounding soil for nearly four years.

PARLIAMENTARY AFFAIRS

A private member's bill, Bill C-290, the Public Sector Integrity Act, was introduced in the House of Commons in June 2022. In 2023–24, the Bill was amended by the Standing Committee on Government Operations and Estimates and received unanimous support at third reading. It has since been referred to the Senate. The Office is closely following the progress of the Bill that, if passed, would have significant implications for the Office's work.

In February 2024, I had the opportunity to make my first parliamentary committee appearance as Commissioner. The Standing Committee on National Defence invited me to appear for the first time as Commissioner in the context of their study on Transparency within the Department of National Defence and the Canadian Armed Forces, where I was able to provide some background information about the federal whistleblowing regime.

The Standing Committee on Government Operations and Estimates tabled a request to the Office to investigate the ArriveCAN app and associated procurement activities. Typically, disclosures are received through confidential means, such as our online forms. However, in this case, the Committee publicly requested that the Office take on an investigation. The request from the Committee was treated as a disclosure and underwent the typical analysis process, following which I decided to launch an investigation.



REPRISAL CASES AND CONCILIATION

The Act includes a mechanism for public servants and former public servants to make complaints should they be subject to reprisal. To be eligible for reprisal protection, individuals must have made a disclosure under the Act, or participated in an investigation into a disclosure. The Office is mandated to investigate those complaints.

Following the launch of an investigation, we can make a recommendation to the parties that they attempt [conciliation](#). This process provides a less onerous process to all parties by allowing for resolution of reprisal cases without the time, cost and stress typically associated with a formal adjudicative process, and can lead to an outcome that is agreed, rather than imposed through adjudication. Ultimately, the decision to conciliate rests with the parties. Since 2007, the Office has facilitated 25 successful conciliations.

In cases where an investigation leads to a finding that there are reasonable grounds to believe that a reprisal occurred, an application is made to the Public Servants Disclosure Protection Tribunal. This quasi-judicial body has the power to determine whether a reprisal has occurred and may order remedies and discipline. In 2023–24, the Office referred a case to the Tribunal for the ninth time since the inception of the Office in 2007. Tribunal decisions are public, and they can be accessed on the [Tribunal's website](#).

OUTREACH AND STAKEHOLDER ENGAGEMENT

Our outreach and engagement program is the cornerstone of our ongoing efforts to promote awareness of the Act and the Office and build trust among federal public servants and the Canadian public at large. Through a multifaceted approach, we aim to demystify the submission process, making it more [accessible](#) and transparent. By leveraging our presentations and targeted participation in conferences and events, as well as our presence on social media platforms, we strive to create meaningful connections with our stakeholders.

We have seen great success in our outreach activities in 2023–24, when we were able to engage with nearly 7,500 participants over 24 events. We believe that a significant increase in requests for our participation underscores the effectiveness of our approach and highlights the growing interest in our work. We also noticed a positive correlation between the number of our outreach activities and the ongoing increase in new submissions—see the sections on operational activities for details.

We understand that one size does not fit all when it comes to engaging with our diverse stakeholders. As a result, we offer presentations tailored to meet the specific needs and interests of different federal organizations. Whether it's a deep dive into the Act and our mandate or an overview of how the Office processes files, the length and focus of our presentations can be customized to ensure maximum relevance and impact. That's why I invite federal public servants and stakeholders alike to [contact the Office](#) for more information on how to request and plan a presentation.

VALUES AND ETHICS

As federal public servants, we are guided by the Office's [Values and Ethics Code](#), which sets out the principles and standards of conduct that govern our work. In 2023–24, management worked with employees to update our organizational code to ensure its continued relevance in the rapidly changing work landscape, including the hybrid work model.

This code is foundational to our work, and the five public sector values of stewardship, respect for people, respect for democracy, excellence and integrity, as well as our organizational values of confidentiality and impartiality, serve as a guiding framework for our staff, reaffirming our shared commitment to upholding the highest standards of ethical conduct and accountability in all our endeavours. I recognize that individuals must absolutely trust our Office to come forward with a disclosure or complaint. I believe that our Office must lead by example in striving to maintain a healthy and safe work environment in which all feel empowered to come forward.

CONTACT US

We invite you to [contact us](#) with your comments and questions. We can assist you if you would like to make a disclosure of wrongdoing or reprisal complaint.

OPERATIONAL ACTIVITIES IN 2023–24

SUMMARY OF NEW ACTIVITIES

Number of general inquiries received	449
Number of new disclosures of wrongdoing received	270
Number of new reprisal complaints received	55

OVERALL DISCLOSURE ACTIVITIES

Total number of disclosures of wrongdoing processed in 2023–24	308
• Number of new disclosures received	270
• Number of disclosures or investigations carried over from 2022–23	38
Number of files completed following an analysis	227
Number of investigations launched	19
Number of files resulting in a founded case of wrongdoing	2
• Number of recommendations made by the Commissioner for founded cases of wrongdoing	7
• Number of follow-ups made on recommendations	2*
• Number of recommendations actioned by chief executives	2*

*Note: Recommendations made in a Case Report are followed up on after six months. The number of recommendations actioned includes those made in our Case Reports tabled in October 2022 and September 2023. We will reflect the follow-up on our Case Report tabled in March 2024 in the 2024–25 Annual Report.

OVERALL REPRISAL ACTIVITIES

Total number of reprisal complaints processed in 2023–24	67
• Number of new complaints received	62
• Number of complaints or investigations carried over from 2022–23	5
Number of files completed following an analysis	63
Number of investigations launched	17
Number of files settled through conciliation	2
Number of applications to the Tribunal	1