

Message from the Ombudsperson

The Québec Ombudsman's mission is to prevent and correct prejudices resulting from acts or omissions by departments and agencies of the Government of Québec, including the health and social services network. Acting on behalf of all Quebecers, the Ombudsman sees to it that each and every citizen receives quality services in keeping with his or her rights.

Every day, the Québec Ombudsman works to correct injustices by striving to reestablish the balance between individuals—some of whom are alone and without resources—and the public service with its overwhelming resources and powers. This task calls for even-handedness and sustained attention to problems revealed in the investigation of individual complaints and reports. It also assumes a particular awareness of prejudicial or potentially risky situations. So it is that I feel compelled, both by my activities and actions in 2006–2007 and by the studies carried out by my team, to tackle issues relating to respect for the public and the human element in the provision of public services.

2006-2007

In 2006–2007, I undertook a tour of Québec's regions in order to get in touch with people, community organizations, and representatives from the government and the health and social services network. I met with users' committees of health and social service centers and rehabilitation centers for people with intellectual disabilities; representatives from long term care centers, youth centers, and regional agencies; and local and regional complaints commissioners. I also had conversations with regional officials from government ministries and agencies; correctional staff; and representatives of organizations that assist crime victims, accident victims, the disabled, and those who suffer from mental health problems.

At the same time I wanted to hear directly from people seeking my assistance in order to familiarize myself with their complaints and concerns. I therefore got directly involved with my team in the complaints reception process.

All these experiences have given me the opportunity to deepen my understanding of the day-to-day realities of citizens who deal with the public service or are civil servants.

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The public service must constantly adjust to various phenomena that inevitably influence its actions. Our current situation is characterized by constant pressure on government finances, an aging population, and the position of vulnerability of certain groups. These factors can affect the demand, availability, and funding of services while forcing organizations to constantly update their operating procedures. Under such circumstances, maintaining quality services while upholding respect for people's rights takes on an additional degree of complexity.

Clearly, some of the prejudicial situations dealt with by the Ombudsman arise from a shortage of staff and funding. In such circumstances, suitable remedies cannot always be achieved without additional expenditures. This is the case, for example, with problems of access to medical services in certain regions.

That said, as we look back on 2006–2007, we observe that the majority of complaints and wrongs dealt with by the Ombudsman arise from the failure to observe the basic principles of quality service—respect, reasonableness, and equity. Concretely, citizen complaints are about unfair procedures, restrictive interpretations of rules, insufficient information, excessive delays, failure to consider the human dimension, and the refusal to adapt policies and programs to the special situations and needs of individuals.

These shortcomings can be observed both in government and in the health and social services network. They directly affect the quality of services and have a variety of consequences for individuals. For example, a lack of information can impinge on people's ability to assert their rights, make informed decisions, or exercise administrative remedies. Delays can interfere with necessary medical treatment, while late payment of compensation benefits impacts people's income.

There are a number of points of convergence—common denominators that emerge among the frustrations people report to us. Among them, the human element in public service provision, particularly as experienced by society's most vulnerable, raises issues that merit special attention.

THE HUMAN ELEMENT

Respect for people is expressed in many ways. Showing empathy and compassion, communicating effectively, encouraging people to fully exercise their rights, and being sensitive to special circumstances are all signs of a considerate and open attitude. People call on us when the public service has, unfortunately, failed to uphold these essential and fundamental principles.

I want to make it clear that, as a rule, government employees and health and social services staff comport themselves very professionally in interacting with the public. My work over the last year has given me the opportunity to appreciate the ability, dedication, and commitment of the majority to constantly improve the quality of the services they provide. However, every incidence of disrespect or inappropriate behavior, however isolated, shows that there is room for improvement and that nothing should be taken for granted.

It seems therefore that the public service ought to pay more attention to individuals unfamiliar with the machinery of government. It should also show greater consideration for those who have experienced or are experiencing difficulties such as a loss, an assault, an accident, and for those whose faltering health renders them emotionally fragile. Public servants should take time to provide detailed and personalized explanations of the government's role, programs, and decisions. Systematically monitoring the effects of public service actions on people's lives is also fundamental to the active prevention of harmful situations.

Furthermore, the public service needs to make a greater effort to establish the necessary conditions for the effective exercise of the rights guaranteed to citizens. For example, our analyses show that users of the health and social services system are still largely unfamiliar with their rights. Many people are simply unaware that they have the right to choose the facilities where they are treated, or to be informed of any incident in the course of their treatment that could affect their health.

RESPECT FOR THE MOST VULNERABLE

Although it always import to carefully weigh the effects of public service priorities and decisions on people's lives, it is even more so for those who are, for one reason or another, particularly or entirely dependent on public services in important aspects of their lives. The Ombudsman will pay particular attention to the approach adopted by public services toward such individuals.

I will take a special interest in persons with mental health problems. These individuals are found in every segment of the population, including the clientele of the health care system, youth centers, correctional institutions, and aid organizations for crime victims. They are more likely than others to experience problems in making themselves understood by the public servants and, consequently, in obtaining the services and care they need.

I will also pay close attention to the experiences of the elderly, specifically those whose position is vulnerable. Seniors who are frail or isolated and lack family support are particularly dependent on public services to ensure their quality of life.

In addition, I will pay particular attention to the fate of those whose living environment is under government responsibility. By these I mean, among others, people in long term care centers, girls and boys in youth centers, incarcerated people as well as their victims, their families, and loved ones. These individuals are more closely dependent on the government for the care and services they need.

Public services are particularly important and fundamental for these groups. An acute sensitivity to their specific needs and the flexibility to adapt to their situations are essential to their wellbeing.

BALANCE BETWEEN QUALITY AND THE USE OF PUBLIC FUNDS

Genuine respect for citizens must manifest itself in concrete actions to help them benefit fully from the protections offered by the government and the law. It also means taking every opportunity to make the system more human and more sensitive to the public's needs. In this area, additional resources are not always sufficient to achieve improvement. What is needed is an openness to those we are responsible for helping and the development of a culture of service.

In terms of accountability, these ideas go beyond the progress already accomplished with the *Service Statement* and similar undertakings. It is a question of making quality of service the object of systematic evaluation and public service accountability, as is already the case for efficiency and budgetary impact.

Adapting to the present situation demands that all public servants exercise heightened vigilance as they seek to balance the provision of quality services and the responsible use of public resources. Even as they consider the collective good and the need to attend to several priorities at once, public servants must always act according to certain basic standards. Social, demographic, and economic issues cannot be allowed to serve as an excuse for a decline in or lack of respect for individuals and quality of services, particularly when it comes to the most vulnerable.

The Ombudsman will take all this into account in examining impartially the situations brought to its attention. Its analysis and interventions will consider the individual's needs, expectations, and best interests, as well as the context influencing the actions of the public service.

Moreover, I count on the collaboration of all departments and agencies of government and the health and social services network. The respect we owe all citizens and our concern for the most vulnerable among them demand that we work together for the continued improvement of public services without taking anything for granted.