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Agency of Canada publique du Canada

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2021-02-22

Our file: PHAC-A-2020-000129 / GH

Dylan Robertson
Winnipeg Free Press
150 Wellington St. Unit 501
EPOST - Ottawa, Ontario
K1P 5A4

Dear Dylan Robertson:

This is in response to your request made under the *Access to Information Act* (the Act) for the following information:

**Consulting Engagement on National Microbiology Laboratory Staffing Practices
2020-04-27 Ref # 20-103425-382 Organization: Public Health Agency of Canada
Sector: Office of Audit and Evaluation Addressee: Deputy head (including a person
appointed to a position of an equivalent rank) Action Required: For Information.**

Enclosed in Portable Document Format (PDF) are the records responsive to your request which are being released to you in their entirety.

Should you have any questions or concerns about the processing of your request or wish to be provided with a paper copy of these records, please do not hesitate to contact Geneviève Hébert-Jodoin, the analyst responsible for this file, either by phone at 343-549-1454, by email at genevieve.hebert-jodoin@canada.ca, with reference to our file number cited above.

Please be advised that you are entitled to complain to the Office of the Information Commissioner of Canada concerning the processing of your request within 60 days of the receipt of this notice. In the event you decide to avail yourself of this right, your notice of complaint can be made online at: <https://www.oic-ci.gc.ca/en/submitting-complaint> or by mail to:

Office of the Information Commissioner of Canada
30 Victoria Street
Gatineau, Quebec K1A 1H3

Yours sincerely,

Digitally signed by Burrows, Andrea
DN: C=CA, O=GC, OU=HC-SC,
CN="Burrows, Andrea"
Date: 2021-02-05 15:07:52

Andrea Burrows
Team Leader, Access to Information and Privacy

Enclosure: PDF File (8 pages)

Canada



FOR INFORMATION

20-103425 - 382

MEMORANDUM TO THE PRESIDENT AND THE CHIEF PUBLIC HEALTH OFFICER

**Consulting Engagement on National Microbiology Laboratory Staffing Practices /
Engagement de consultation sur les pratiques de dotation
du Laboratoire national de microbiologie**

SUMMARY

- The purpose of this memorandum is to provide the President with the Office of Audit and Evaluation's (OAE) findings and advice from the consulting engagement on National Microbiology Laboratory (NML) staffing practices, included in the attached report (Appendix A).
- OAE examined the key controls of staffing oversight and monitoring at NML to determine whether they were working as intended.
- OAE found that the monitoring of staffing needs improvement. The Human Resources Services Directorate (HRSD) should base their development of the monitoring framework and sampling strategy on an assessment of the risks associated with the various appointment processes. This weakness in monitoring increases the risk of failing to detect inappropriate sub-delegated management practices.
- A separate HRSD team examined the staffing file that was the subject of a complaint. This report was sent to the President in February 2020.
- The combined findings from the OAE and the HRSD teams respond to the President's request to examine staffing at NML.

BACKGROUND:

In 2016, the Public Service Commission (PSC) introduced the New Direction in Staffing (NDS) policy suite. The NDS permitted departments to customize their approaches to staffing, while requiring departments to conduct on-going monitoring and to report the results of a cyclical staffing assessment, based on their organizational risks, every five years.

In response to these changes, HRSD developed a staffing monitoring framework for the Public Health Agency of Canada (PHAC) in 2017. This framework consisted of a plan to conduct annual monitoring activities and to report to PSC at the end of a five-year cycle. In April 2019, HRSD drafted a 2017-18 Staffing Monitoring Report, which was submitted to the Assistant Deputy Minister of the Corporate Services Branch.

In October 2019, media reports identified alleged issues with staffing practices at NML.

In November 2019, OAE was tasked with conducting a consulting engagement with a focus on the staffing monitoring practices for NML and on compliance of the staffing monitoring system with policies and procedures.

HRSD also initiated a review of NML staffing actions, which included an investigation into the staffing action identified as potentially problematic, and submitted a separate report in February 2020.

CURRENT STATUS:

We assessed HRSD's staffing monitoring practices as per the terms of reference, previously provided, to determine whether:

- A staffing monitoring framework was in place and included a sampling plan that provided appropriate coverage and considers risks;
- Oversight and monitoring activities tested key controls for staffing appointments in compliance with legislative and PSC requirements; and,
- Oversight and monitoring of staffing activities within NML were conducted as planned and appropriate remedial action was taken to address any deficiencies.

NEXT STEPS:

The Agency staffing oversight and monitoring practices were not adequate to assess the operating effectiveness of key staffing controls at NML.

HRSD developed a staffing monitoring framework to measure and report on the health of PHAC staffing using multiple sources of evidence. However, the monitoring approach and sampling strategy were not adequately informed by a documented risk analysis and did not specify follow-up procedures for timely remedial actions.

Monitoring practices could be improved by aligning the framework and sampling strategy to organizational staffing risks, by formalizing follow-up procedures for timely remedial actions, and by planning and adjusting activities according to organizational risks and results of previous monitoring.

The following steps should be taken to strengthen staffing monitoring:

1. Align the staffing monitoring framework and sampling strategy to a documented assessment of organizational risks.
2. Formalize procedures to report monitoring results and to carry out and follow up on timely remedial actions.
3. Plan and adjust activities according to organizational staffing risks and results of previous monitoring.

OAE has shared the outcome and recommendations of this consulting engagement with the Corporate Services Branch and HRSD.

**Borys,
Shelley** Digitally signed
by Borys, Shelley
Date: 2020.04.26
17:41:15 -04'00'

Shelley Borys, Director General,
Evaluation and Chief Audit Executive

MECS# 20-103425 - 382

Contact: Shelley Borys
Telephone: 613-818-1653

Attachment

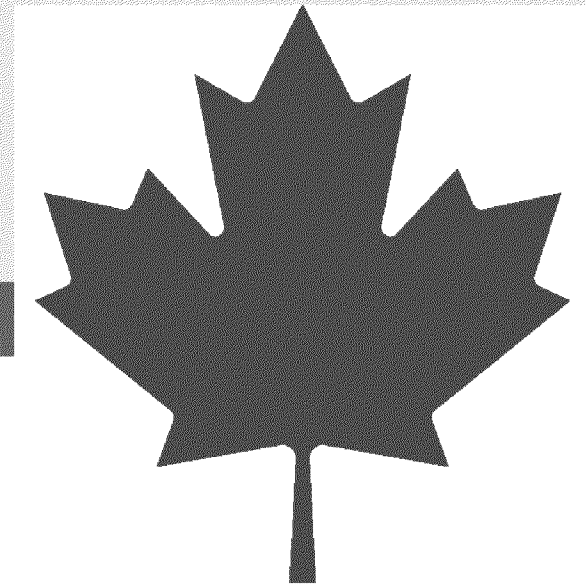
Appendix A – Consulting Engagement on National Microbiology Laboratory Staffing Practices – OAE - Final Report – April 21, 2020

CC: Debbie Beresford-Green – Assistant Deputy Minister, Corporate Services Branch
Daryl Gauthier – Director General, Human Resources Services Directorate



CONSULTING ENGAGEMENT ON NATIONAL MICROBIOLOGY LABORATORY STAFFING PRACTICES

Office of Audit and Evaluation
Final Report
April 21, 2020



BACKGROUND

In 2016, the Public Service Commission (PSC) introduced the New Direction in Staffing (NDS) policy suite. The NDS permitted departments to customize their approaches to staffing, while requiring departments to conduct on-going monitoring and to report the results of a cyclical staffing assessment, based on their organizational risks, every five years.

In response to these changes, the Human Resources Services Directorate (HRSD) developed a staffing monitoring framework for the Public Health Agency of Canada (PHAC) in 2017. This framework consisted of a plan to conduct annual monitoring activities and to report to the PSC at the end of a five-year cycle. In April 2019, HRSD drafted a 2017-18 Staffing Monitoring Report.

In October 2019, media reports identified problems with staffing practices at the National Microbiology Laboratory (NML), a centre within the Infectious Disease Prevention and Control Branch of PHAC. The main functions of the NML include laboratory-based surveillance, reference laboratory services to detect diseases that are difficult to identify, applied and discovery research, leadership, networking and capacity development, and emergency preparedness and outbreak response.

In November 2019, the President of PHAC asked the Office of Audit and Evaluation (OAE) to conduct a consulting engagement with a focus on the staffing monitoring practices for NML and on compliance of the staffing monitoring system with policies and procedures.

HRSD has initiated a review of NML staffing actions, including investigations into the staffing action(s) identified as potentially problematic, and is preparing a report separately from this OAE consulting engagement.

ENGAGEMENT OBJECTIVE

To provide reasonable assurance on the adequacy of departmental staffing oversight and monitoring practices to ensure that key controls are in place and working as intended at the National Microbiology Laboratory.

ENGAGEMENT CRITERIA

1. A staffing monitoring framework is in place and includes a sampling plan that provides appropriate coverage and considers risks.
2. Oversight and monitoring activities test key controls for staffing appointments in compliance with legislative and PSC requirements.
3. Oversight and monitoring of staffing activities within NML is being conducted as planned and appropriate remedial action is taken to address any deficiencies.

ENGAGEMENT SCOPE

As HRSD did not conduct monitoring for NML separately from the rest of PHAC, this engagement reviewed overall monitoring activities for PHAC from April 2017 to September 2019.

Out of Scope: The scope of this consulting engagement excluded classification, compensation, labour relations, health and safety, and employment equity. The engagement did not include assessment of operational staffing controls within NML.

ENGAGEMENT CONCLUSIONS

We conclude that the departmental staffing oversight and monitoring practices were not adequate to assess the operating effectiveness of key staffing controls at NML.

HRSD developed a staffing monitoring framework to measure and report on the health of PHAC staffing using multiple sources of evidence. However, the monitoring approach and sampling strategy were not adequately informed by a documented risk analysis and did not specify follow-up procedures for timely remedial actions.

Monitoring practices could be improved by aligning the framework and sampling strategy to organizational staffing risks, by formalizing follow up procedures for timely remedial actions, and by planning and adjusting activities according to organizational risks and results of previous monitoring.

CRITERION 1

A staffing monitoring framework is in place and includes a sampling plan that provides appropriate coverage and considers risks

CONTEXT

The New Direction in Staffing (NDS) permits departments to customize their staffing monitoring to meet departmental needs. Following the introduction of NDS in 2016, HRSD created a staffing monitoring framework for PHAC in 2017. This framework provided a five-year plan to assess the following five criteria:

- Efficiency of staffing;
- Effectiveness of staffing;
- Use of staffing flexibilities;
- Compliance to policy requirements; and
- HR planning, including employment equity and OL considerations.

The framework included a five-year reporting cycle, with a selection of criteria scheduled for annual reporting.

FINDINGS

We found that HRSD developed a staffing monitoring framework to assess the health of PHAC's staffing system by relying on multiple sources of evidence, including internal data, PSC data and audit results, tests of a sample of staffing files, and surveys of HR advisors, hiring managers, and candidates. The framework included plans to measure areas of staffing not monitored prior to the introduction of NDS, such as measuring quality of hire. However, the framework was not informed by a documented risk assessment that explained how monitoring methods were selected to address the five criteria.

In April 2019, HRSD drafted a staffing monitoring report for the 2017-18 fiscal year. The sampling strategy outlined in this report included term and indeterminate appointments and long-term acting appointments, and excluded non merit-based actions such as short-term acting appointments, student hires, and deployments. We found that this sampling plan did not demonstrate how departmental risks informed the selection of files for review.

For the 2017-18 monitoring report, HRSD reviewed a sample of 10 staffing files, including one file within NML. This sample size was too small to support strong generalizations to the population, which we estimate to be approximately 370 appointments within PHAC for 2017-18 (see Figure 1). This sample size was reduced further for some aspects of testing because some compliance elements were only applicable to a subset of sampled files, resulting in an effective sample size of 4 or 5 files for those elements.

We also assessed the extent to which the staffing monitoring framework and subsequent report considered the use of staffing flexibilities within NML and PHAC. We found that the framework planned to monitor the use of staffing flexibilities and employment equity considerations in years three and four of a five-year cycle. The 2017-18 report provided the following four measures of efficiency that may be related to the use of staffing flexibilities within PHAC:

1. The percentage of appointments from pools (42%);
2. Student bridging as a percentage of non-advertised appointments (24%);
3. Non-advertised vs. advertised appointments (40% non-advertised); and
4. Deployments vs. appointments (22% deployments).

HRSD also publishes additional information on the use of flexibilities such as non-advertised appointments. For instance, an HRSD report shows that NML used non-advertised appointments less frequently than the rest of PHAC (see Figure 2).

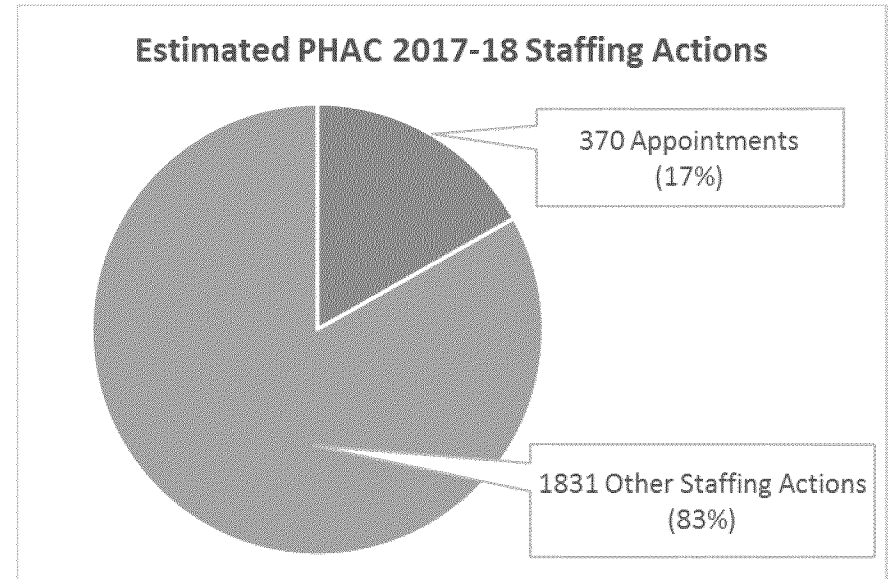


Figure 1. Estimate of completed staffing actions with effective dates in FY 2017-18. Appointments include term, indeterminate, and long-term acting appointments. Other staffing actions include deployments, assignments, and other non merit-based actions.

Source: Estimates prepared by OAE using HRSD staffing log data.

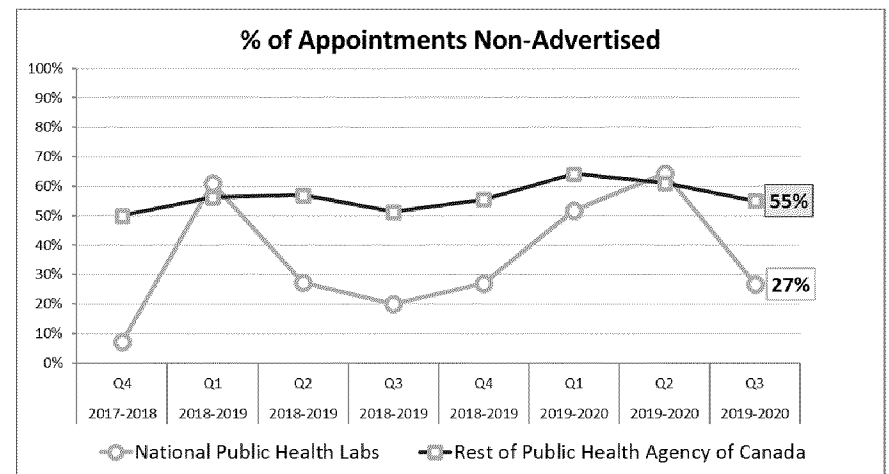


Figure 2. Percentage of non-advertised appointments in National Microbiology Laboratory (labelled National Public Health Labs in chart) compared to the rest of PHAC.

Source: Human Resources Online Reports, available on My Source.

CRITERION 2

Oversight and monitoring activities test key controls for staffing appointments in compliance with legislative and PSC requirements

CONTEXT

Monitoring the compliance of staffing actions with policy and legislative requirements provides an indicator of the effectiveness of key staffing controls.

Under the New Direction in Staffing, the PSC's Appointment Delegation and Accountability Framework requires deputy heads to assess adherence to policy and legislative requirements for staffing.

FINDINGS

PSC has provided a Staffing Oversight Reference Tool to help departments monitor staffing compliance elements "based on their own specific contexts and risks". This guidance tool provides a non-exhaustive list of more than 30 compliance elements related to the appointment process.

We found that HRSD tested a sample of staffing files for compliance to specific policy requirements, but did not have a documented, risk-based rationale for selecting some compliance elements for review and not others. HRSD tested its sample of 10 PHAC staffing files for a subset of 12 compliance elements (see Figure 3).

The 2017-18 monitoring report also considered the results of the 2018 PSC System Wide Staffing Audit (SWSA), which tested 27 compliance elements for a government wide sample of 386 appointments, including 7 staffing files from PHAC. The small number of PHAC-specific SWSA files may not provide a basis for excluding compliance elements from further review; however, government wide SWSA results could inform a risk assessment to guide staffing monitoring conducted by PHAC.

COMPLIANCE ELEMENTS REVIEWED

- Articulation of Selection Decision (ASD) includes context
- ASD includes staffing action
- ASD includes selection consideration
- Assessment guide aligns to Statement of Merit Criteria
- Valid second language evaluation results
- Proof of education
- Specialization
- Non-advertised criteria aligns to policy
- Letter of offer signed by sub-delegated manager
- Attestation by sub-delegated manager
- Timeliness of feedback for priorities
- Assessment of priorities prior to considering other candidates

Figure 3. List of compliance elements as per a monitoring checklist prepared by HRSD.

CONCLUSION – CRITERIA 1 AND 2

HRSD developed a staffing monitoring framework that scheduled activities to assess the health of PHAC's staffing system using multiple criteria and sources of evidence. However, the monitoring framework and 2017-18 report were not based on a documented risk assessment, and did not indicate how department-specific risks informed the monitoring practices, sampling plan, and selection of compliance elements for testing. The lack of a risk-based framework and sampling strategy may prevent PHAC from customizing monitoring to address organizational risks and the information requirements of senior management.

ADVICE TO MANAGEMENT

Align the staffing monitoring framework and sampling strategy to a documented assessment of organizational risks.

CRITERION 3

Oversight and monitoring of staffing activities within NML is being conducted as planned and appropriate remedial action is taken to address any deficiencies

CONTEXT

The staffing monitoring framework prepared by HRSD included plans for annual monitoring reports.

In April 2019, HRSD drafted the 2017-18 monitoring report and submitted it for review by CSB management, with a plan to submit the report to the PHAC President. An abbreviated version of the report was prepared following feedback from management. However, as of February 2020, a version of the report had not been shared with the PHAC Executive Committee or President.

FINDINGS

We found that HRSD did not carry out all activities as planned in the monitoring framework, and we found no documented consideration of deviations or their potential impacts. The 2017-18 monitoring report did not address all measurements as planned in the framework. Examples of planned but unaddressed measurements included improvements in time-to-staff following the introduction of NDS, and the percentage of bilingual staff hired compared to vacant bilingual positions. HRSD explained that due to shortage of staff and tight deadlines, they decided to defer some aspects of monitoring to future reports.

We noted that HRSD has not reported any monitoring results for the 2018-19 or 2019-20 fiscal years.

We also found that HRSD did not have a formal plan to carry out remedial actions to address deficiencies identified through monitoring, and did not have documented follow-up procedures for remedial actions. The initial draft of the 2017-18 monitoring report addressed four recommendations to HRSD. A revised version of the report specified several next steps, and recommended incorporating activities stemming from monitoring exercises into a Staffing Modernization Strategy for PHAC. However, HRSD did not have an action plan that included specific deliverables, assigned leads, or timelines for actions taken in response to monitoring results, likely because the monitoring report had not yet been approved.

April 2016

- PSC introduces New Direction in Staffing

2017

- HRSD approves five-year staffing monitoring framework

April 2019

- HRSD drafts 2017-18 staffing monitoring report

February 2020

- 2017-18 staffing monitoring report still not shared with PHAC EC or President

CONCLUSION

HRSD did not conduct all activities as planned in the staffing monitoring framework, including a monitoring exercise for the 2018-19 fiscal year. HRSD did not report 2017-18 monitoring results to the PHAC President, and did not have a formal procedure to carry out and follow-up on remedial actions to address identified deficiencies. The relevance of monitoring activities may decrease without the periodic consideration of reasons for deviations from planned activities. The absence of a follow-up procedure may inhibit or delay timely remedial actions.

ADVICE TO MANAGEMENT

Formalize procedures to report monitoring results and to carry out and follow-up on timely remedial actions.

Plan and adjust activities according to organizational staffing risks and results of previous monitoring.

Hello Dylan,

Please see below response to your inquiry on behalf of Eric.

Q1. What actions were taken in the past 10 months to improve this situation (since the report found these gaps)

In the review of the Staffing Monitoring Framework, the Office of Audit and Evaluation identified three recommendations to strengthen the framework, including the establishment of formal procedures regarding monitoring results, adjustment of activities based on previous monitoring findings and alignment of sampling strategy to documented assessments of organizational risks.

Following the Audit, the Human Resources Services Directorate (HRSD) reviewed and accordingly updated the *Staffing Monitoring Framework* for both Health Canada and the Public Health Agency of Canada. A review of the National Microbiology Laboratory (NML) staffing practices was also conducted by HRSD which concluded that staffing processes consistently respected legislation and policy requirements. The NML continues to consult with bargaining agents, employees and management on innovative staffing solutions and has put in place multiple paths of engagement including newsletters, labour-management consultations meetings, and an employee-led talent management coalition, amongst other initiatives.

Q2. Whether those changes are only for the admin side or if it's all parts of NML

The changes above apply to all parts of the NML. The updates made to the Staffing Monitoring Framework will be applicable to all of the Public Health Agency of Canada.

Q3. What the work culture at NML is like today

The employees of the NML are committed to public health and the wellbeing of Canadians. The NML's workforce continues to work diligently in response to the COVID-19 pandemic. The work culture at the NML today demonstrates its core values in action while striving for continuous improvement. The NML provides an agile work environment and identifies new opportunities that are informed by lessons learned through experience and ensures that strategies, procedures and organizational objectives that are impacted by change will remain validated and will benefit from the discovery of new efficiencies and renewal. Its workforce is resilient and is in pursuit of innovation and discovery by seeking out collaboration across disciplines, enhancing communication and ensuring quality and safety in all aspects.

Over the last year, the NML has expanded on a foundation of strong and open communications with staff, recognize hard work and support employees through wellness initiatives and programs.

Thank you,

Natalie Mohamed

Media Relations Advisor, Communication and Public Affairs Branch
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