

**HANSARD**

**NOVA SCOTIA HOUSE OF ASSEMBLY**

**COMMITTEE**

**ON**

**PUBLIC ACCOUNTS**

**Wednesday, October 9, 2019**

**Legislative Chamber**

**Diversity and Inclusion in the Public Service -  
May 2019 Report of the Auditor General, Chapter 1**

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## **Public Accounts Committee**

Keith Bain (Chair)  
Suzanne Lohnes-Croft (Vice-Chair)  
Ben Jessome  
Hon. Margaret Miller  
Brendan Maguire  
Hugh MacKay  
Tim Halman  
Lisa Roberts  
Susan Leblanc

### In Attendance:

Kim Langille  
Legislative Committee Clerk  
  
Gordon Hebb  
Chief Legislative Counsel  
  
Michael Pickup,  
Auditor General  
  
Robert Jewer,  
Audit Principal

### WITNESSES

#### Public Service Commission

Laura Lee Langley - Public Service Commissioner  
April Howe - Executive Director, People and Culture

#### Department of Agriculture

Frank Dunn - Deputy Minister  
Heather Hughes - Executive Director, Policy and Corporate Services

#### Department of Justice

Karen Hudson - Deputy Minister  
Valerie Pottie Bunge - Strategic Advisor  
Alicia Arana-Stirling - Lead Diversity and Inclusion  
Gerry Post - Executive Director, Accessibility Directorate

#### Department of Community Services

Tracey Barbrick - Associate Deputy Minister  
Valerie Bellefontaine - Director, Internal Communications & Engagement



House of Assembly  
*Nova Scotia*

**HALIFAX, WEDNESDAY, OCTOBER 9, 2019**

**STANDING COMMITTEE ON PUBLIC ACCOUNTS**

**9:00 A.M.**

CHAIR  
Keith Bain

VICE-CHAIR  
Suzanne Lohnes-Croft

THE CHAIR: Order, please. We'll call the Standing Committee on Public Accounts to order. I have just a couple of housekeeping items.

First, just a reminder to everybody here if you have your cellphones with you, please put them on silent or vibrate.

Next, I want to welcome the newest member to the committee this morning, Margaret Miller. She'll be introducing herself later on.

Having said that, we're going to go to introductions, and I'm going to get it right this time, starting with Ms. Leblanc.

[The committee members and witnesses introduced themselves.]

THE CHAIR: Ms. Langley, you can begin with your opening remarks, please.

LAURA LEE LANGLEY: Good morning, everyone. I first want to thank you for this opportunity to address the Auditor General's May 2019 audit on diversity and inclusion in the Public Service. You have seen and been introduced to the team joining me here today, so I won't go through those introductions once again.

I do want to begin by saying that meaningful action on diversity, inclusion, and equity is a priority in our Public Service. It has been a personal passion of mine to remove barriers and to enable this work for as long as I have had the privilege to be here. Our civil service has just over 11,500 employees and we have a responsibility to reflect, celebrate, and to leverage the tremendous diversity of Nova Scotians and to lead by example as we create the space and the environment where all know, without a doubt, that they are welcome to be who they are in our workplaces. It's both an obligation and an opportunity.

You know and I know that when our Public Service represents at every level the voices, the talents, and the unique perspectives of our communities and all of the diverse ways that we present, that our employees are more engaged in innovative and more able to deliver equitable and culturally competent programs and services to Nova Scotians of all backgrounds and experiences. We also know that diverse perspectives give us more comprehensive discussions, analysis and decisions about public policy, program design, and supports for citizens.

[ 9:00 a.m.]

So, in knowing all of this, what are we doing to support it? In 2014, we launched our first four-year corporate diversity and inclusion strategy - it was called Raising the Bar and this strategy was based on extensive consultation research and best practice review. There was a lot of excitement around this strategy and, in our enthusiasm, we aimed high. We had four key goals and 32 actions to support them.

I think it's really important to note that some of those actions are aspirational; they are things that we will never stop working on and, sadly, some of them will never be complete. But overall the strategy was a catalyst for wide-ranging activity across government, programs, policies, guidelines, surveys, training, celebrations, conferences, employee networks, roundtables, and much more.

We covered a lot of ground in the four years. In some cases, we were breaking new ground with firsts for government and firsts in the country. We were the first public sector in Canada to introduce guidelines to support trans and gender-variant employees. We created diverse hiring panels and designated positions for equity-seeking candidates and championed the creation of seven employee networks.

We celebrated diversity and challenged our openness with three employee diversity conferences where we shared, learned, and challenged one another and grew together. The value of these opportunities for us to honestly approach one another and openly ask questions without judgement so we may understand and learn from one another cannot be underestimated.

We were the first province in Canada to adopt the National Standard of Canada for Psychological Health and Safety in the Workplace, and we launched the new Office of

Workplace Mental Health in partnership with the NSGEU - the first of its kind in Canada. For this, we've received recognition from the Mental Health Commission of Canada and both the union and the Public Service Commission receive inquiries from jurisdictions across the country about how to emulate this important work.

In each of the last two years, we were named one of Canada's best diversity employers and I have to say it was gratifying to be amongst the other top employers in the country and know that our work - the work of our employees and stakeholders - measured up.

I want to be clear that, at the same time, we know that we have so much more work to do and although we face this important work with enthusiasm, taking stock is important as we turn our attention to developing the next level of this strategic work. Over the past year, we've been focusing on taking the lessons learned from our first strategy in building. We've undertaken extensive research and consultation and we've been looking at best practice across the globe.

The Auditor General's audit has informed this work and helped us to focus on areas where we must put more attention. I'd like to take just a couple of moments to address some of the overarching themes in his report.

One area concerns measurement and evaluation, specifically data collection. Diversity and inclusion are challenging to measure - and I don't say that to cop out, but because it is a fact. Diversity refers to our unique characteristics such as age, gender, culture, race, ethnicity, gender identity, and things that are more tangible.

Inclusion is a whole other conversation. In our case, it's about work environment where individuals feel safe, welcomed and valued, are treated fairly and respectfully, and can contribute fully to the organization's success. It's not tangible and it's very difficult to measure.

As the Auditor General pointed out, we rely heavily on self-reported measures. We participate in many inter-jurisdictional tables and this is a challenge everywhere. The methods we use, such as our biannual Count Yourself In diversity survey and How's Work Going employee engagement survey are best practices, but even so there are other ways to measure our specific initiatives and so we continue to look around the world for ways to better measure and better know how we're doing.

We can't force people to report, but what we can do is identify and address the circumstances that make people feel nervous about reporting. Our employees have to feel safe and completely uninhibited so that they will self-identify. That is our job, and we need to keep doing better. This will improve the efficacy of our data.

The Auditor General's Report also addresses implementation and evaluation plans for the Raising the Bar strategy that the audit found weren't used. While these plans were not executed as written, they were referenced by staff as part of the rollout, and while it is true that we should have been more attuned to the advice as set out in the plans through the life of this strategy, the reality is that we had several staff and key leadership changes, and I believe we lost a line of sight to the awareness and the implementation and measurement attentions.

We know that we have to sharpen our pencils to document implementation and to measure and evaluate. It's an important lesson, but it is also one that I hope doesn't overshadow the good work that's being done.

Mandatory diversity and inclusion training for employees and our tracking of this training were also raised in the report. The diversity and employment equity policy requires a mandatory one-day session for all employees within their first six months of employment. We have a capacity issue here that has to be addressed. We have a long wait-list for the mandatory program, and only a few staff - who are doing a terrific job, I might add - to deliver.

A solution, we think, is to offer a suite of diverse training options for employees as they join the civil service, and a rotation of choices that can be taken at least every two years to ensure comprehensive learning of the many aspects of diversity and inclusion. For example, we have Human Rights Education 101, Understanding the Aboriginal Context in Nova Scotia, Sexual Orientation and Gender Identity 101, and Mental Health First Aid, to name just a few.

To address the concerns around tracking the training of employees, until recently, our learning platform did not have the capability to track mandatory training, so it was done manually within departments, and we did not have good statistics. I'm very happy to share with the committee that in January of this year we introduced a new SAP-based learning-management system for all of our training in government. The system notifies employees of mandatory training requirements, it records when training has been completed, it notifies employees when a refresh is required, and it provides overall system analytics on training across government. This is progress.

There's much more in the report that I'm sure we'll have a chance to discuss this morning, but as I wrap up, I do want to share that deputy ministers have approved the focus of a new strategy that will build on the foundations of Raising the Bar and take us to new levels of leadership, transparency, and accountability.

The new strategy will be much more streamlined and focus on four key areas: senior leadership accountability; leadership development, both increasing diversity in leadership positions and in strengthening the capacity of current and future leaders by improving cultural competency; identifying systemic barriers and removing them; and measuring our

progress. The strategy will launch early in the new year and I'll be happy to share it with you and the committee once it is released.

I do want to thank Mr. Pickup and his team for their contribution to our work through this audit. Overall, they acknowledged the good work underway in the Public Service, and we thank them for that, but they have recognized that we have to do more. I want to share with you that that is a fundamental premise of our work. It's never done. It's always about moving forward.

I do want to assure the committee that we are committed to doing more and to doing better. I look forward to answering your questions this morning and to having a healthy discussion. But first, Mr. Chair, I understand that I'll be passing it over to Mr. Dunn for his remarks.

THE CHAIR: Thank you. Mr. Dunn.

FRANK DUNN: Mr. Chair and committee members, before I begin, immediately behind me is Heather Hughes, my Executive Director, Policy and Corporate Services. She's here to support me this morning.

Thank you for the opportunity to update you on the work our department has been doing to increase diversity and to address the Auditor General's Report. We appreciate the Auditor General's recommendations and welcome his advice.

These recommendations support the changes that are currently being made. We highly value a culture of diversity in the workplace, and we've been focused for some time now on fostering that culture. It's been ongoing, and we are proud to say that it's beginning to take shape and growing within the department. All of our senior executive team members, which includes myself and my two executive directors from the Department of Agriculture, have signed a diversity commitment to promote a work climate, and welcomes and celebrates diversity of experiences.

We have revitalized a staff-led working group, which is developing opportunities for building greater awareness - things such as lunch and learns, as well as long-term planning for diversity education. As well, the Department of Fisheries and Aquaculture has served as co-chair to the Diversity Roundtable, committing financial and staff resources to those initiatives that cut across departments in government.

As the designated champion for diversity in the Department of Agriculture, I personally make it a point to include diversity and highlights from a diversity working group in my monthly deputy minister webcasts to all staff in the department. A diversity working group is beginning to develop departmental level planning and is committed to ensuring that staff members know the importance of completing all mandatory training around diversity.

Mr. Chair, we are proud of our employees and the work we've been doing to embrace diversity. We also know there is more that can be done when it comes to diversity and inclusion. We thank the Auditor General for his report.

Very quickly, let's consider each of the Auditor General's recommendations as they pertain to the Department of Agriculture. The Auditor General calls for the Public Service Commission and the Department of Agriculture, as well as two other departments that are here today, to communicate to staff the need to complete mandatory training, as well as track that completion of training by all staff. The Department of Agriculture agrees with this statement.

The importance of this and other training needs need to be better communicated to our staff members. That is why we have taken steps to ensure a list of all mandatory training is in the orientation package for all new employees. This was done in June of this year.

In addition, the listing has been provided to managers and supervisors, who will ensure mandatory training is completed by all staff members. As well, the Department of Agriculture will work with the Public Service Commission to ensure all mandatory training is tracked through their learning management system.

The second recommendation the Auditor General made was recommending that we work with the Public Service Commission to develop and implement formal processes to regularly review their human resources practices, to identify and remove barriers to employment, retention and advancement for members in designated groups. We also agree with this recommendation. We will work with the Public Service Commission to implement this corporate methodology and to achieve this recommendation. It will be carried out through supervisory awareness and training. This training will occur as soon as operationally possible, following the development of the corporate methodology but not exceeding six months after that development.

Finally, Mr. Chair, we also agree with the Auditor General's recommendation that our department ensure diversity and employment equity progress reports that clearly assess the status of diversity and inclusion goals and that these reports should also be communicated to staff throughout the departments. We are responding to this recommendation promptly, starting with the next Employment Equity Report, the department will include an assessment of all stated goals.

Finally, departmental reports will also be posted on our intranet and communicated through our weekly internal news bulletin.

Mr. Chair, our department will continue, in collaboration with the Public Service Commission, to support and reinforce these efforts to reduce barriers to diversity and inclusion. With that, I will turn the floor over to my colleague from Community Services.



THE CHAIR: Thank you. Ms. Barbrick.

TRACEY BARBRICK: Good morning. Before we start, I'd like to introduce my colleague Valerie Bellefontaine behind me, who is our Director, Internal Communications & Engagement.

The Department of Community Services support some of the province's most vulnerable citizens. To ensure that we design programs and supports that are innovative, responsive and culturally informed, we know that it is absolutely necessary that we move towards representing the citizens we serve.

We are proud of the progress we have made but know we have more work to do and are committed to doing that work. The Auditor General credited the Department of Community Services for several actions that advance diversity and inclusion in the department. Those included having an internal committee that is focused in this area, regularly communicating information to our staff, taking steps to remove barriers for employment equity groups by designating positions, producing annual progress reports, and providing training and development opportunities.

The auditor also identified area for improvement. Those included the need to clearly communicate regarding mandatory training and to track its completion, to develop and implement formal processes to identify barriers to designated groups, and to ensure progress reports assess our progress against goals and to communicate that to our staff.

We are pleased to report that we have accepted all of these recommendations and have made progress and will continue to do so as we move forward. I'll take a few minutes to highlight some of the notable areas.

To ensure that DCS is meeting mandatory training requirements, three staff have volunteered for 'train the trainer' programs so that we have in-house capacity - two of the three have already been trained with the third scheduled. These staff span the province and will support our ability to ensure we have what we need. We have already set up three training days for our managers and supervisors this Fall.

In 2018, two management positions were designated: both the Manager of Regional Service Delivery in Central Region and the Senior Advisor to the Deputy on African Nova Scotia Affairs. In 2019, three more front-line positions were designated: one in the adoption unit and two in our regional resource units.

To continue to raise the bar, DCS will set specific targets to increase the diversity of our staff and look at our practices to ensure that we are positioned to succeed. We have already had two sessions with the Public Service Commission to begin that work and we know that it will need to span retention, career advancement and recruitment.

The department's Inclusion & Diversity Committee plays a key role. They are very active and have developed a three-year strategic plan and are working on refining their goals to ensure that they are clear, specific and measurable. The department also completes annual diversity and employment equity reports. We will soon begin the work to adapt that plan to reflect the updated government strategy that Deputy Minister Langley referenced, and the targets will be built-in that we are in the process of establishing.

Training is an important element in supporting a culturally sensitive and respectful workplace. Just last month, the department sponsored staff to attend the Association of Black Social Workers 40<sup>th</sup> Anniversary Conference where there was focus on culturally responsive approaches, the neuroscience of racial trauma and reparatory justice, and featured key thought leaders including Senator Wanda Bernard.

In our effort to focus on moving towards a more representative leadership team, for the Public Service Commission leadership development courses, priority was placed on nominating diversity candidates with 14 diverse candidates chosen to participate in supervisory, manager and executive leadership development. This is all about securing our pipeline of talent for the future.

DCS is always looking for ways to engage in learning and celebration of diversity. In February 2019, the department formally recognized African Heritage Month with education and cultural activities. A section has also been developed for the department's intranet site, the Pulse, that relates specifically to diversity and inclusion in the workplace and is updated regularly.

DCS supports many diverse groups and we recognize that these groups are under-represented in our staff. We have made progress, but we can't take our foot off the gas. We are committed to ensuring that our teams from senior management to front line become more reflective of the communities that we serve.

I will now turn it over to Deputy Minister Hudson from the Department of Justice.

THE CHAIR: Ms. Hudson.

KAREN HUDSON: Good morning. I am very pleased to be here. I would also like to begin by introducing my colleague behind me, Valerie Pottie Bunge, who is the Strategic Advisor for the department. As Strategic Advisor, her job is to keep the focus on and ensure success for key departmental priorities of which diversity inclusion is certainly top of mind.

She joins Alicia who has already been introduced as the Lead Diversity and Inclusion for the senior management team for all of the Department of Justice, and Gerry who is the Accessibility Directorate lead.

The Department of Justice has six divisions and almost 1,800 public servants. Diversity and inclusion are key to our success because we must be reflective of and responsive to the access to justice needs of all Nova Scotians. We've made some good progress and I'd like to give you three examples.

Two years ago, Nova Scotia became the third province in Canada to enact legislation for accessibility. Our strategy plan, Access by Design 2030, is not only for the 30 per cent of Nova Scotians who live with disability, but it's for all of us. We also noted last year specifically that women and children were struggling financially and so we renewed our investment in the Maintenance Enforcement Program, which has led to better outcomes.

Third and finally on this introductory comment, I would like to say that last year we did pass the Sexual Orientation and Gender Identity Protection Act, which passed unanimously last year and is a step toward improving 2SLGBTQI+ issues for people in our province.

I'm proud of the work we have done with Commissioner Langley and my colleagues on the panel under government's Diversity and Inclusion Strategy, and I'd like to give you a few examples of specific work on diversity and inclusion.

We now have program officers in our adult correctional facilities to address the unique needs of African Nova Scotians and Indigenous people in our custody. We have a new ABC Diversity and Inclusion Strategy that launched this year, and that's guiding our work toward ensuring that all Nova Scotians see themselves reflected in agencies, boards, and commissions.

This summer, as part of our Indigenous Post-Secondary Summer Student Program, we hired two students to work in the Public Safety and Victim Services divisions, and our Legal Services division, the government's law firm, developed a mentorship program last year for Indigenous, Black, and Mi'kmaw students from the law school.

Finally, I would like to mention our Accessibility Directorate - led by my colleague Gerry Post - is leading the implementation of Access by Design 2030, our strategy to be a fully accessible province.

In his report last Spring, the Auditor General focused on training. Within my department as of last week, I believe, 85 per cent of my managers have completed respectful workplace training. We have also supported almost 2,300 participants from the Department of Justice in 34 other supplementary diversity and inclusion training opportunities. For example, 350 of my colleagues have participated in unconscious bias training; 200 of my colleagues from Sheriff Services have participated in fair and impartial law enforcement training; 200 of my Court Services colleagues have had training and signed up for training on Eagle Feather Oaths and Affirmations; 559 of my colleagues have

taken L'nu-way training, developed by Correctional Services; and 70 of my Maintenance Enforcement and Victim Services colleagues have had recent training on 2SLGBTQI+ issues from a community advocate.

The Auditor General's Report also focused on human resources practices, and Justice has stepped up to work on targeted proactive recruitment, and I have a couple of examples to make that statement real for you. Maintenance Enforcement recently reached out directly to First Nations communities when hiring an Indigenous enforcement officer. This past summer, Sheriff Services participated in two First Nations community events to raise awareness about the possibility of career opportunities in Sheriff Services. As well, our Correctional Services team began working directly with African Nova Scotian Affairs and the community on recruitment initiatives, and received a Premier's Award of Excellence last year for those endeavours in making a difference.

The Auditor General also highlighted the importance of progress reports and communication, and we agree that it is important to spotlight and to celebrate what we're doing and also to hold ourselves accountable. On that, the Accessibility Directorate will be issuing a report on government progress this Fall regarding accessibility. This Summer, all Department of Justice staff - almost 1,800 of them - received newsletters, progress reports, and information about upcoming events.

Finally, we are committed to accelerating diversity and inclusion. This is important. We are committed to doing it with community, across government, and with the Public Service Commission, and my colleagues have stepped forward. I have members in the gallery here - and I am so pleased to see them, Mr. Chair - from our diversity and inclusion working group and from diversity and inclusion working groups of my departmental colleagues also on the panel today. We recently welcomed Alicia Arana-Stirling, a Legal Services lawyer and past president of the Canadian Association of Black Lawyers, to our senior management team to focus exclusively on diversity and inclusion.

However, our work in this space is about more than policy - it's about values. When things are valued, good ideas come forward, so I will leave you with one final example. When a Sheriff Services colleague had an idea, she worked with the Department of Community, Culture and Heritage, the Black Cultural Centre, and the family of the late Viola Desmond to stand up the Viola Desmond board room in the Department of Justice - to be available for all government and community members meeting with government.

I will end with saying this, the Department of Justice focuses on the Cs - celebration, commitment, collaboration, clarity, and courage - as we work together to lift up diversity and inclusion.

THE CHAIR: Thank you very much. We'll move right into the first round of questioning, with 20 minutes for each caucus. We'll begin with the PC caucus and Mr. Halman.

[9:30 a.m.]

TIM HALMAN: Good morning everyone. Thank you very much for your opening remarks. I'd like to take this opportunity to thank you for the great work our civil servants are doing on the part of the residents of Nova Scotia. Oftentimes that's not stated, unfortunately, but the good programming that is out there, certainly I think it's important they know they are appreciated, so please pass that on to your colleagues.

I'd like to start with Deputy Minister Hudson - thank you very much for your opening remarks. Prior to being elected I was a teacher and I certainly saw in the education system that when support workers were assigned, whether it was African Nova Scotian support workers, whether it was Mi'kmaw support workers, I certainly saw many great gains for our students. It's good to see that within government departments there is a crossover now.

You indicated in your opening remarks that there are program officers in our adult corrections facilities, which is wonderful to hear. I was wondering if you could outline the scope of their responsibilities in terms of their mandate and in terms of the support they offer.

KAREN HUDSON: Yes, within the Department of Correctional Services we now have two solely-focused Indigenous liaison officers. What I mean by solely focused is that we started a focus on this a couple of years ago, knowing the unique needs and, to a degree, the overrepresentation of First Nations and African Nova Scotian people in our custodial facilities.

We had some people who worked on this, but they worked on it off the side of their desks. What we have done, this Summer it has started to have two solely focused Indigenous liaison officers, one in the northeast region, and one in central and the southwestern region. Their job is to work one-on-one with First Nations people who are in our custodial facilities - we have four adult custodial facilities - and also to work with staff with respect to programming and the type of programming that is offered and the case management planning and also to work with our staff about professional development and to accelerate that.

I am very proud of those two people this month in terms of honouring the focus on Treaty Day on October 1<sup>st</sup>, and for this month have been sending out newsletters every week to all of Corrections and to all of the Department of Justice staff, and I shared them with the Deputy Committee Table on Monday morning. Last week they sent out a focus on the importance of smudging in the Mi'kmaw culture. It was short, it was focused, and it really was powerful. The focus of those two solely focused Indigenous liaison officers is to work with the inmates and to work with the staff and to connect with the community.

We also have an African Nova Scotian Program Officer as of last Summer in the central facility, our largest correctional facility, commonly called Burnside. He is solely focused in that facility - that is, 100 per cent of his time - on delivering programs one-on-one to inmates, on developing group programming. We are refreshing a program that has been stood up for a few years now called Building Bridges - which is African Nova Scotian programming - and working with community to bring in guest speakers, leaders in the African Nova Scotia community, to speak about opportunities and getting on the right path. That solely-focused African Nova Scotia program officer is in Central as of last Summer, working with the inmates and looking at the type of programming that is offered.

We also have started a new pilot position, which was in the works for about six months in development and it just started formally this Summer, which is a Cultural Liaison Officer. He comes out of our Community Corrections Office, out of Spryfield. I met him last year and he was so very impressive, and in fact, he went on a micro-mission from the Department of Justice into the Public Service Commission for a few months to work with them on diversity and inclusion.

His key thing that he said to me - and I always remember it - Karen, we have to get back to connecting with community. He has a lot of experience from being a long-term probation officer and now, as the Cultural Liaison Officer, his focus is broader than that program officer who works just in Central. His focus is looking at all of the programming for all of the facilities and what it should look like and how it can be better and working with community members.

I will say this one final thing - that Correctional Services and this person is also working with one of our senior members in our head office to put on an African Nova Scotia learning and professional development day on October 30<sup>th</sup> of this year for probably about 300 and some of our Correctional Services staff with respect to African Nova Scotia issues - understanding the history, the culture, and unique issues that are faced by African Nova Scotia inmates in our justice system. I'm very proud of this work and thank you for the question.

TIM HALMAN: Thank you, deputy, for that response. As you know, one of the key things highlighted by the Auditor General in their report was the measurement and tracking of current policies and future initiatives.

With respect to what you've described, could you outline how we're going to measure and track these new initiatives? Certainly, it's very promising from what I'm hearing in terms of supports, especially for those within our correctional institutions. Can you outline how we're going to measure and track this moving forward?

KAREN HUDSON: Certainly. One of the things that I'm very excited about is that Valerie, behind me, has been leading the work with us and the Public Service Commission on the new Learning Management System. As Commissioner Langley outlined, that is

rolling forward to help all departments track and be reminded of - and I just received a reminder yesterday that I need to take a specific training session.

So that is rolling out, but what we know is that our Correctional Services division, which has about 700 colleagues - actually piloted this with the Public Service Commission a few months ago. What we've seen, because of that pilot of the new Learning Management System to track what is the mandatory training that should be taken and who has taken it is that because Correctional Services piloted this with the Public Service Commission, is that they received monthly reports.

As a senior management and a management team, they were able to send out emails to remind, in addition to the PSC reminder, and they were able to keep their focus on this at their senior management team meetings monthly. As a result, when you compare the results from the Respectful Workplace for Employees training, our Correctional Services numbers of our colleagues who have completed that training module are 90 per cent because that system was able to keep it at the forefront of senior management and front-line managers - who has to take this, when does it need to be taken.

When you compare what has happened to corrections over six months - that they were able to get those figures up to 90 per cent, and we know that sometimes people are off - that's an excellent figure compared to a few of our other divisions that it's now just going to roll out to, which are in the 50-some, 60-some, 70-some per cent. We know that having that type of a system works. I have many other things that I could say but I don't want to use up all of the time.

THE CHAIR: Mr. Halman.

TIM HALMAN: Thank you, deputy. Ms. Langley, again thank you for your opening remark - just a few questions. You clearly highlighted, which illustrates what's mentioned in the Auditor General's Report, a key area of concern is measurement and evaluation. I know, everyone in this Chamber knows just how important data is to the development of good public policy.

Certainly, with respect to diversity and inclusion you also highlighted that measuring is challenging. Could you outline what those challenges are, with respect to collecting data with this?

LAURA LEE LANGLEY: Thank you for the question. Yes, one of the reasons why collecting reliable data is so difficult is because, historically, people have been nervous or frightened about self-identification, and that's not specific to the Public Service. This is something that is seen in organizations across the country, both public and private sector.

One of the reasons why people feel nervous about self-identifying is that they have felt that in the past that may put a target or a flag on them in a way that is not desirable.

People have felt, for one reason or another - we don't know exactly what, because it varies for many people - that by self-identifying somehow that is a disadvantage to them, or it disadvantages them.

We can't force people to report. We've tried through our employee survey, which we do every couple of years. We've started a new Count Yourself In! survey as well, which is specifically oriented to doing a census around diversity; we've had a little bit better response to that survey, or better luck with that survey.

I think what we have to do is work harder at identifying some of the systemic reasons why people have fear around reporting, and remove those. I think the only way we do that is by having these kinds of discussions that we're having now to ask, what is it that prevents you from self-identifying, and, what can we do to mitigate some of those concerns you have? Because, sometimes the data will help us understand more fully the kinds of development programming - the kinds of education and awareness programming - the kinds of things we must do in our workplaces to make the environments more inviting and welcoming and so on. Those are some of the specific challenges around collecting data.

Again, we are working with other jurisdictions around the world at ways we can do this. We have a new global diversity and inclusion benchmark measurement tool that we're looking at and hopefully that might be a solution.

I'm cheating by looking at April because she is doing the work. If I might, Mr. Chair, I'll pass it to April because this could be something that revolutionizes our ability to collect reliable data.

THE CHAIR: Ms. Howe.

APRIL HOWE: The commissioner alludes to a very important framework for us to be utilizing in order to have valid reliable benchmarking, valid and reliable ways of measurement. But also, this particular tool will help us understand what are the barriers that are seen globally around data collection, for instance.

The Centre for Global Inclusion is a world-renowned, non-profit organization that really is a gold standard for all things diversity and inclusion - from communication, to measurement, to implementation - so we've partnered with them to get a better understanding of how we can improve data collection, in reference to your question.

It is a new initiative for us. The Auditor General's Report did focus somewhat on measurement and we've taken that quite seriously, so this is one of the initiatives that we're looking at to really solidify how we're approaching measurement with the province.

TIM HALMAN: Is it correct to say, then, when you refer to the *Count Yourself In* as best practices, it is because of what you've just outlined? Is that a correct statement?



LAURA LEE LANGLEY: No, I would say that *Count Yourself In!* and *How's Work Going?* at the moment would be considered best practices in terms of data collection, but what we're learning is that it's not good enough because it's only as good as those who will step up and self-identify or declare. Aside from removing those barriers and those reasons why people feel as though they can't self-identify, this is the standard across the country and jurisdictions, so when we say "best practice", it's the best practice at this moment.

We feel that this framework that Ms. Howe has mentioned is something that we're going to look at more strenuously to see if it can get to some of the deeper information that I think would help inform us around what more we can do in our workplaces to make it more diverse and especially more inclusive.

TIM HALMAN: Could you outline the methodology that makes it a best practice? I suppose this is probably the former teacher in me, where you always want to employ the best practice in a classroom, but that translates into a certain type of action you take. Could you outline those actions that make it best practice?

LAURA LEE LANGLEY: Not being an expert in quantitative or qualitative studies, I would say that what we do is work with jurisdictions across the country. We all use very similar questions and very similar formats to survey our employees so that we can compare across the country. We have lists of questions that are similar so that we can look across the country at how we're doing. We have folks that are experts in quantitative and qualitative analysis that work with our federal-provincial-territorial table of public service commissioners to help advise us on how those surveys look, what the data looks like, and how it is analyzed once we receive it.

That is as far as I can go in answering the question on methodology, but if you require something deeper than that, we do have folks here that sit on that committee from the Public Service Commission. I would be very pleased to entertain anything deeper and further that you might require.

TIM HALMAN: With respect to other jurisdictions that we use perhaps as a template, is there a specific Canadian province or other jurisdiction that we use as a template to design the questions that are asked of the public service?

LAURA LEE LANGLEY: Actually, we do that together. We have a secretariat, which is represented - in fact, Nova Scotia is one of the co-chairs of the secretariat with Manitoba. We have a committee of representatives from every province and territory and the federal government. They design the work together so there is no one province or territory that, I would say, sets the tone. In fact, I would say that Nova Scotia contributes quite substantially to that work. We do have analytics experts at the Public Service Commission that we rely on and their work is solid.

Having said that, it is really the joint work that we contribute to and participate in that we all extrapolate our surveys from. There is no one jurisdiction that would trump the others.

TIM HALMAN: So I'm correct in saying it's a hybrid. It's a mixture of different jurisdictions' best practice.

You also outlined that there is a new strategy that will be streamlined and will focus on four areas. Could you outline what's meant here by "senior leadership accountability?" What does that look like on the ground in terms of its implementation? What is senior leadership accountability?

LAURA LEE LANGLEY: We know that in organizations across the world that cultural competence is something that leadership sets the tone around. We know that we have some leaders in our province - many of them sitting here and sitting in the gallery - who are committed to diversity and inclusion and equitable practices in their organizations. What we want to see are specific targets, specific efforts, and specific activities across government that actually show up in a more meaningful way.

The Auditor General mentioned in his report that what we must do is demand more of our leadership - I'm paraphrasing - but what I took from it was that we have to demand more of our leadership.

We will be setting very specific outcomes that we want to achieve, and we will be holding deputy ministers specifically - and they, their leadership - to those specific targets.

THE CHAIR: Thank you. The time for the PC caucus has run out. We'll go to the NDP caucus for 20 minutes - Ms. Roberts.

LISA ROBERTS: Thank you all for your work, and I'm grateful for this opportunity to ask some questions. That said, after so many opening remarks, I'm kind of struggling to figure out which holes I want to fill.

I was interested to hear the references to designated positions and newly designated positions in Community Services. I was just wondering, for comparison, if Justice and Agriculture could speak to whether you're also employing the use of designated positions, so that we have a ballpark of what's happening; maybe Agriculture first and then Justice.

FRANK DUNN: Thanks for the question. Agriculture is moving on designated positions. To give you some examples, last year we designated an agriculture programming coordinator's position, which operates out of our Truro office. That role is to act as a coordinator for agriculture programs for the agriculture sector in Nova Scotia.

I can tell you that there will be a manager position that will be designated, and I will say that it will be designated and posted within the week. It will be a manager position in our sector development program; it'll be designated for either First Nations or African Nova Scotians in Nova Scotia. That position will be a senior management position that will look at sector development and innovation in the agriculture field.

THE CHAIR: Thank you. Ms. Roberts, I think you wanted a response from Justice too.

KAREN HUDSON: I have four things to say. In terms of the number of designated positions, we have 19 across six divisions in the Department of Justice. That does not include the Accessibility Directorate, and Gerry can correct me if I get it wrong, but there are eight people in the Directorate right now. There is an Accessibility Advisory Board and there are 10 members on the Board, and seven of those 10 members have identified as having a disability. Four of the eight members of the Directorate have lived with a disability every day. In terms of that first point, of 19 across the other six divisions, I can say that the focus on designating positions, which is allowed, is only one focus.

I am proud to say, second point, that we have focused efforts on proactive targeting with recruitment. In the Department of Corrections - and I mentioned that in the Department of Corrections, one of my colleagues received a Premier's Award of Excellence - we are replicating his focus on reaching out to community, and reaching across government, in order to put on the radar screen when we have an opening in the Department of Justice.

What we have seen has been great progress in corrections, and that is replicating now across all divisions with respect to working with community, and working with government contacts such as the African Nova Scotian Affairs and the Office of Aboriginal Affairs, as examples of connections across government; connecting specifically with African Nova Scotian communities and Indigenous communities.

A couple of examples on that - as I said, the Maintenance Enforcement Program has a position that they wanted to recruit from a First Nations community for. They reached out to the First Nations communities and had contact and conversations and understood that the best approach there can be simply having conversations, as opposed to sending emails. Focused on, yes, the number of designated positions that we have, but also focusing and accelerating our focus on targeted recruitment.

I would wrap up by saying the third point - because I don't think you want me to go into the four - with respect to our work with the Public Service Commission about how we can do a better job of recruiting and what should be our target. We have had three sessions with the senior management team over the last six months, since March, and the last one was just this week in terms of how we can do a better job on recruitment issues.

LISA ROBERTS: Yes, I have 20 minutes, so I do want to get to a few different things, but I appreciate that information.

To go to the audit specifically, one of the areas that was tested was around the use of hiring panels specifically. When the Auditor General's Office tested a number of actions that were committed to under Raising the Bar, it found that the work around making sure that hiring panels were set up to achieve diversity was incomplete.

They tested an action which was to "develop and implement a diversity recruitment strategy", to support recruitment of under-represented groups, which was found to be incomplete. Also, to "increase the participation of under-represented groups on hiring panels", which was incomplete.

There were two other actions: "Ensure hiring processes are accessible to all", and "Strengthen awareness of hiring panels about diversity and inclusion, including the Employment Equity Policy and Guidelines", which were not tested by the Auditor General's Office.

I wonder if you could give me some information about whether that work actually did happen, or is it happening now? What's the update on those actions that were incomplete?

LAURA LEE LANGLEY: I would say that this work is not - I feel like I need to say that in our enthusiasm with this strategy, I honestly think we bit off way more we could actually do. I don't mean to say that as a way to get off the hook for anything. I would say that we have a very small team, and they are committed beyond what I can even make you understand.

I will say this: that is definitely under way. It's far more comprehensive, I think, than we understand. We are looking at and reviewing our respectful workplace policy and our employee equity policy. Both of those things feed into any kind of a recruitment strategy that we would be able to employ. We're doing those things, and we actively ensure that equity-seeking candidates, self-identified candidates who even meet the minimum qualifications for any position in government are screened in and given every consideration - that's important to note. A recruitment strategy is something that we are working on, and that will be informed not only by this report but by a review of our own policies.

With respect to diverse hiring panels, we do have a pool of equity-seeking employees who can sit on hiring panels in government. This is one of those things that will never be complete for us, and the reason for that is that we have between 500 and 600 competitions every year. We have brought people together who have self-identified and volunteered to sit on panels for us, and we have trained them.

It's almost impossible to rely on this very small pool to sit on every hiring panel. They would never be doing their day job. What we do try to focus on is making sure that, for certain, if we have a competition where we have candidates who have self-identified, we want to make sure that those hiring panels, if possible, have somebody from a diverse background sitting on the panel. This is something that is ongoing, and we're working really hard.

I'm looking to April to see if she would like to add anything. I would say that this work that we think is very, very important, and trying to get to how we can make certain of it is something that we're continuing to work on.

[10:00 a.m.]

There is something I think we can do a much better job of and that is recording and understanding who is using diverse hiring panels and who isn't, because I think we can identify pockets where people are throwing together panels, like they always have, and haven't turned their minds to the importance of this. So, we would turn to our human resource business partners to be able to ensure in their client departments that, if at all possible, we are using panels that are representative.

LISA ROBERTS: I don't know if Ms. Howe had something specific to add.

APRIL HOWE: I'd like to add to the commissioner's response that the diversity hiring panels and the equity-seeking individuals who look to participate on hiring panels oftentimes that happens without someone who is putting together a competition necessarily accessing the pool of equity-seeking candidates.

By way of example, I am an equity-seeking individual working for the province, and I am not a member of the pool of equity panelists, but yet I sat on many competitions. I do just want to underscore the fact that this does happen necessarily without the use of this tool, which really at the end of the day is what we want to happen. We kind of want these tools to not be necessary. We are seeing some shift in movement there and I just wanted to add that piece, so thank you.

LISA ROBERTS: There has been acknowledgement of the shortfalls when it comes to data that is self-reported. Nonetheless the Public Service Commission collects employment engagement information every two years with How's Work Going? survey. That survey also asks employees to report if they belong to an equity-seeking group.

I guess my question is: Are we using that data as fully as we can, to be giving us insight about employees' experience? Specifically, my question is: Has the Public Service Commission looked at the employment engagement data cross-referenced by equity-seeking employees?

LAURA LEE LANGLEY: Thank you for the question. The answer is yes, absolutely. The data we get from our How's Work Going? survey in fact drives a lot of our work, particularly around engagement but also around diversity, inclusion, respectful workplace and many other factors – leadership practices, communication practices, fair hiring and so on.

What is never reported in the public, because we can't - we also collect verbatim comments from people which are aggregated and themed, so we can cross-reference for example how are managers feeling, how are equity-seeking groups feeling. We can parse that data so that we understand who is more or less engaged and where, more or less, we must put our efforts in terms of programming for employees in the Public Service.

LISA ROBERTS: I understand that some departments are small and some departments wouldn't have many equity-seeking employees so there might be concerns around privacy, but I'm wondering if for the larger departments such as Justice and Community Services - has that information been broken down either by department or corporately and been provided to departments so that they are able to use it and action it in some way?

LAURA LEE LANGLEY: Yes, absolutely. For example, we are in a survey now. The survey closes next Tuesday and what will happen probably by the calendar year end is that we will get not only corporate data, but we will get data by department. Departments can also ask for the data to show specifics for them so they might be able to understand if they are having an impact in one way or another.

We hope then that that data will drive their employee engagement and their diversity and inclusion efforts for the next while. That data helps us understand where we're doing better or where we're doing well so we can enhance our efforts in those areas. It also helps us understand where, as an organization and as leaders, we are not doing so well and the kinds of things that our employees are thinking and worried about.

We do that by department and you are correct that some departments are quite small. We do require a specific critical mass otherwise people worry that they can be identified so they're not as likely to be as honest in the survey. In some of those departments - for example I'm thinking of Seniors which is very small - it is rolled in with another department or another unit that works closely with them.

That data is broadly used and I'm still digging into data from 2006 just to see what our trend lines are.

LISA ROBERTS: Thank you. That same survey asks employees whether they feel that they are fairly paid for the work they do and 53 per cent of employees agreed in 2017. Can you speak to what that figure looks like for employees who self-reported as belonging to one or more equity seeking groups?

LAURA LEE LANGLEY: I can't. I don't have that data now and I think that that probably could be parsed out, but it would be very dependent on where those employees are. I say that if you'd like that, we can see if we can get it for you and I'll leave it at that.

LISA ROBERTS: I think we would like that. It's sort of like self-reported experience of pay equity - do you perceive yourself as being treated fairly - which might lead us to other questions.

In your response to the Auditor General under Recommendation 1.2 around developing and using evaluation plans for future diversity and inclusion strategies, there was a commitment to report on progress under the Employment Equity Policy through an annual report tabled in the Legislature and it said here that this report will reflect more robust and detailed reporting on both progress and effort by the Public Service Commission and other departments.

The suggestion was that this would happen in September 2019. Has that happened? Did I miss it?

LAURA LEE LANGLEY: I'll tell you, the report is on my desk and is just about ready for dissemination.

LISA ROBERTS: Similarly, there was also a commitment under Recommendation 1.3 related to the process for identifying, collecting, and analyzing data related to the new goals of the diversity strategy, and the timing there was October 2019.

You made references to this new diversity strategy. Does that mean that this entire recommendation commitment is going to be met this month?

LAURA LEE LANGLEY: I would say that it's part of our new strategy, which is expected now to be released early in the new year. We have to beg forgiveness - it's in play and I would love for it to be ready this month. If we can do it, we will.

There's a mindfulness around making sure that we have everything we need before we release it and being certain that what we're releasing is something that we can account to. So, October-ish.

LISA ROBERTS: I guess this is sort of just for my own learning and clarity. I'm the NDP spokesperson on housing and so I interact a lot with Metropolitan Regional Housing Authority, for example. Do your programs and surveys reach out to organizations like the housing authorities, which are part of government but not part of the core Public Service?

APRIL HOWE: We have been inclusive of different departments. When we look at agencies, boards, and commissions - sometimes that can be outside of the purview of some of the work that we do.

That said, we certainly have been wanting to include and have had conversations with different departments, we'll say, outside of the normal purview of what these surveys cover. So "sort of" is the answer.

LAURA LEE LANGLEY: I know that we have surveyed Housing staff in the past through this, some of the housing authorities, and in our last survey, they were part of the Community Services measurement. This year I am not certain if Housing is involved.

APRIL HOWE: They are.

THE CHAIR: Ms. Roberts, you have about 20 seconds.

LISA ROBERTS: Because my time is short, maybe I will just flag one question that is niggling for me around self-identifying. There are some concerns being raised about the increase in self-identifying of people who may have some Indigenous background deep in their family history, but are not actually intimately connected through current family ties with Indigenous communities - with Mi'kmaq communities in Nova Scotia. I wonder if that is something that the Public Service Commission is grappling with and aware of.

THE CHAIR: We will allow a quick answer and then we will turn it over to the Liberal caucus.

LAURA LEE LANGLEY: That is not something that we've had an issue with. In fact, we wish that we had more Indigenous employees in the province.

I have recently become aware of the issue you are speaking of. I have to say that we take people at their word, and there are certain privacy issues beyond which we will not venture. But it is not an issue that we have seen as prevalent, at least not yet.

THE CHAIR: The time for the New Democratic Party caucus has expired. We will go now to the Liberal caucus. Ms. Lohnes-Croft.

SUZANNE LOHNES-CROFT: I want to thank all of you for your opening remarks. Mr. Halman and I have been saying how impressive and detailed they were, and it helps us with formulating questions. We get packages, but your remarks were very detailed today, and I thank you for that.

I also wanted to recognize Mr. Post. This will probably be your last Public Accounts Committee meeting, so I don't want to leave you out on questioning. You were working



with the Access by Design program, and I would just like to know where you are with that and what the timelines are.

THE CHAIR: Mr. Post.

GERRY POST: Thank you for the question. An important thing to note is that we developed the legislation in collaboration with community. In fact, I think it was the first time in the history of the province that the community sat with the policymakers and the lawyers to redraft an Act, and so we are continuing that.

We developed this document called Access by Design 2030 with community, again - lots of consultation, focus groups, and all of that. Out of that came certain priorities. You know, we can't do it all. We've had generations of neglect, basically, on accessibility and to catch up on that, what are the priorities? The community helped us set the priorities.

One has to do with standards, and that is best practice around the world where they have done well. We have six standards that are prescribed in the Act, but two were identified as particular priorities by the community. They are the built environment and education - very different aspects.

We have two groups of volunteers from around the province with various disabilities working on those activities of developing standards in those areas, and again, borrowing from best practices around the country and elsewhere. But on education, we will be the first province in Canada to develop an accessible education policy and standard.

The other thing is on awareness and capacity in that a lot of people just aren't aware of some of the barriers that are in our way, depending on your disability. We are doing a lot of work with that, making presentations to community groups. As well, we have partnered with the Rick Hansen Foundation, and Rick Hansen himself has been here a number of times to raise awareness.

On capacity - now that's interesting. My background is in city planning. I graduated back in 1975, so that's a long, long time ago. I spent about 30 years in the field working in this and I did not have a clue about accessibility - here I am, a city planner. The same with architects.

We're doing a lot of work - in fact they're called both bookends - with the universities now to imbed accessibility into the curriculum of the various key professions like architecture and planning. In fact, we're also talking to the School of Journalism so that the language is used appropriately.

We're also working at the other end with preschoolers. We have a whole program we call ReadABILITY. When I first became disabled and I have some friends who had little kids, I went to the library and asked, what books do you have on disability? They

came up with a pile about three feet high. We picked some out and we're working with the disability community so persons with a disability will read about disability to children.

Blind will read it in Braille to children - will teach them a little Braille, talk about service dog etiquette. The same with the deaf where they read in ASL - teach them ASL. In fact, there's a story about one little boy who was so taken by it that for two days he did not speak; he invented his own sign language. So it's working on both bookends to help build that capacity within our community.

Then, collaboration - this is not just a job of this Accessibility Directorate. This is the job of everybody, including this Legislature. In fact, I didn't know this, but when I opened this - that little sign here - you can take a picture of that. In fact, there's live captioning now happening, so that the deaf can follow this.

On collaboration, working with municipalities will play a key role, so we've been working with them in that they will be required to prepare their own plans with community. So, we're working with the Federation of Municipalities. We've done the first plan as a demonstration with Wolfville. We've done a whole training program and handbook - doing the same with the universities, colleges and other public sector bodies, including a partnership with various departments.

A good example is the Department of Communities, Culture and Heritage, where the Act was proclaimed in September 2017. Within two months, we had developed a whole program to assist business in becoming more accessible. In fact, it's probably the best program in Canada.

There's a lot going on with it and I'm pretty proud of the work we're doing, working really hard. Still, the biggest barrier that we have is attitude, and that's something. That's why we're working with the kids, the universities, and others in our community. I can talk for hours but I'll stop there.

SUZANNE LOHNES-CROFT: I'm going to have to agree with you and I'm really happy and pleased about the early years, the going in with preschoolers - as an early childhood educator. Studies have shown for more than 30 or 40 years that their attitudes are already well-developed in the early years. It must be a struggle with the Public Service and departments, working with adults who have ingrained beliefs and attitudes.

It has to be an uphill battle, changing people's attitudes and opening their eyes, but it seems like a lot of the programming that's going on and the changes that are happening in departments in the public service are opening people's eyes and their minds to a new way of looking at inclusiveness, so that really pleases me.

We have a harassment policy, I know, for legislators and I'm sure there's one, as well, in the Public Service. Is it being used by staff and is it helping you with your focus, as well?

LAURA LEE LANGLEY: That would be part of our Respectful Workplace Policy. Harassment would fall under that category. That policy is under review at the moment and one of the reasons is that we've evolved to the point where we feel that it needs to have more robust attention to things like harassment, bullying and various other things.

It's interesting to note that when our employees complain about not feeling respected or feeling harassed in the workplace, and when we look into the verbatim comments and have focus groups on this matter, one of the things they bring to our attention is that it's not necessarily colleagues or even managers. Often they feel disrespected and harassed by citizens in the process of doing their work. People get frustrated. We're dealing with people - these are interpersonal things.

We have launched a campaign called Be The Change and that is designed to restore pride in the Public Service, to celebrate the work of public servants, and to recognize that we have to change the way we think about ourselves as public servants, talk about ourselves as public servants, and talk about one another in our work. What we are doing is a tremendous privilege and a responsibility to help shape the lives of our neighbours and our communities and to help have influence over what makes this place a great place to live. It's to make folks aware of what a public servant does and the work they do because often government is this big thing that is intangible.

Harassment, respectful workplace, bullying - all those things are things we feel we have to take a tougher look at. In fact, I had the opportunity to speak with Jason MacLean of the NSGEU last week about teaming up specifically on doing some training around bullying in the workplace. They have an award-winning program that I think we can all take advantage of.

It's a broad area and I don't think there's one fix. I think it has to be a very comprehensive look at what we do in our workplaces and how we interact with the public in our service to them, to make sure everybody feels respected and served well.

SUZANNE LOHNES-CROFT: I have to agree that it's not always just us. It's like our constituency assistants - they do get harassed and bullied a lot. It's unfortunate that sometimes it is the public, not just our co-workers, who are feeling that harassment and bullying.

I'll pass it on to my colleague, Ms. Miller.

THE CHAIR: Ms. Miller.

HON. MARGARET MILLER: Thank you so much for your presentations again, they were wonderful.

First of all, Commissioner Langley, I want to congratulate you and your department for being named one of Canada's best diversity employers. I think we can't stress enough how important that is. I think it's a credit to the work that has been done in all the departments but, even more, I think your passion and your plans for future actions really speak to not saying: okay, we've done this, now we're going to be sitting on our derrieres and letting things move forward because now we've accomplished this. You are always looking for improvements, and that certainly is good to hear.

I've been looking at these Moving Toward Equity reports, where it shows the numbers in most categories have increased: women from 46.3 to 59.5; persons with disabilities from 3.9 to an astounding 9.2, which is certainly a testament to all the work Mr. Post has been doing; other racial visibility, including Black, from 2.2 to 8.2; African Nova Scotians from 2.2 to 3.8. But the Aboriginal peoples went from 2.6 to 2.2.

I know that we're always looking for people on the agencies, boards and commissions and it's very hard to engage anybody from the First Nations community to sit on these boards. What suggestions do you have for all of us to try and encourage more people from our Aboriginal communities to get involved, whether it be with government - as I'd love to see an Aboriginal representative as a MLA in this House - or working more for our departments or sitting on our agencies, boards and commissions, and have input into what goes on with government.

Can you help me here? How can we achieve this?

LAURA LEE LANGLEY: Thank you for the question. It is an excellent question. We design, historically, programs and approaches that work for us. We have not been known to design programs and approaches that put folks at the centre and ask them what it is they need.

I would say that people have to feel, first of all, safe. They want to feel valued and as if their voices are going to be heard if they sit on a board or whether they come into a workplace. People want to feel valued. This is something that we're all wired for, so I think we have to do much better at meeting people where they are, at talking with them directly and not guessing around what it is we think they want and need.

We have to talk with the chiefs. We have to meet people in community and speak about what it is we can do to help make environments safe and inviting and where value is clear. I would also say that first voice is very important in any of these things and I feel like in designing any kind of programs or even an application we can't just post and pray. We need to go out and meet people in community and figure out how we can engage you in this work.

This is something that we're going to be putting more of an emphasis on. I'm alive to the fact that here at committee this morning there's a lot of work in progress and we're going to do X and we're going to do Y. I would say that if you go back to the early 2000s when the very first diversity committee was formed in a department, it was at Communications Nova Scotia and all of the work that has been done since 2004 - I feel like we continue to build on what we've been able to do and learn from it, quite frankly.

I feel like putting people at the centre of designing incentive programs for them is probably more important than us guessing at what might invite them in.

MARGARET MILLER: Thank you. I only have one more small question. It's for Deputy Hudson. You mentioned in your opening remarks something I'd never heard of before about the training. Can you tell me what that is or share that a little bit with the group?

KAREN HUDSON: Thank you for the question. Yes, the L'nuway Training is to increase the understanding and the awareness, and therefore have a more inclusive environment within the department. This training started to be developed in 2015 and has been rolled out over the last few years.

The focus is on understanding and celebrating the Mi'kmaw culture. All of the struggles and the barriers, all of the movement forward, coming from the 1996 inquiry into the Donald Marshall prosecution up through the 2015 Truth and Reconciliation Calls to Action and then incorporating, more recently, the National Inquiry into Missing and Murdered Indigenous Women and Girls across Canada.

It focuses on increasing the understanding of all staff with respect to the value of the Mi'kmaw culture. It focuses on such things as what is important in the Mi'kmaw culture, so you look at things like the eagle feather. The eagle is so revered - and that's not the word that my First Nations colleagues would use, it's my word - because the eagle flies closest to the creator and so it's the importance of having eagle feathers available to people when they're in times of struggle. That has been rolled out across our court system and they're also looking at it now under the L'nuway with the focus on corrections, of having these available for people in our correctional facilities.

It celebrates the culture with such things as understanding smudging; understanding the importance of the seven truths for the Mi'kmaw culture, such as wisdom, respect, love, humility. It increases an understanding of important cultural importances in the Mi'kmaw culture, then it focuses on looking at the issues that affect people coming into the justice system who are First Nations and what can be done to address those issues and have better outcomes in the justice system for First Nations people. So it's celebration, history, and the unique issues within the justice lens for First Nations people.

THE CHAIR: Mr. Jessome.

BEN JESSOME: Ms. Arana-Stirling, can you jump in here and give us a little bit of information about your role and how long you have been doing it?

THE CHAIR: Ms. Stirling.

ALICIA ARANA-STIRLING: Well, I am pleased to say this role has actually just begun today with you fine folks.

Just a little bit of background on myself: I articulated with the Department of Justice, I am a proud graduate of the Dalhousie Indigenous Blacks & Mi'kmaq Initiative program, and I articulated with the Department of Justice through the designated position that we've had since the 1990s for Indigenous, Black, and Mi'kmaq law students. I've worked with the department for the past 14 years and have done quite a bit of equity and inclusion work. It is my passion and this passion has been supported by the department.

I've managed to grow into this position which is a role that will be sitting on the senior leadership team, supporting the strategic advisor on diversity and inclusion matters. You heard Commissioner Langley speak about holding senior leadership accountable - for the Department of Justice, my role will be helping to hold them accountable, helping to implement some of our plans.

THE CHAIR: Thank you. The time for the Liberal caucus has expired. We are finished the first round and what we are going to do is allow four minutes for each caucus in round two.

Mr. Halman.

TIM HALMAN: Ms. Langley, what is the relationship between our immigration programs and the Public Service Commission? Are there initiatives to hiring new Nova Scotians in the Public Service?

LAURA LEE LANGLEY: We don't have any formal initiatives with the Department of Immigration at the moment. But we do have the New Immigrants Network which is an employee-led network in the Public Service, and that is designed to create a network of support, friendship, and collegiality across government. Of course, immigrants and new Canadians can self-identify in any of our recruitment and hiring programs.

There are some deputies exploring, for example - and I don't want to speak out of turn but I am going to say that I know that Deputy Taweel at Community Services is looking at whether or not there could be some kind of a partnership, for example, around social work in areas where we have hard to recruit jobs. So some deputies, on their own, may have some engagement with Immigration on specific lines of work, but we don't have a formal program with Immigration, at the moment.

TIM HALMAN: With the recent announcement for Count Us In: Nova Scotia's Action Plan in Response to the International Decade for People of African Descent, could you outline how that plan will be imbedded into the civil service? I do realize that this is early on in its genesis, but could you sort of outline for Nova Scotians how this will be implemented throughout the Public Service of Nova Scotia?

LAURA LEE LANGLEY: It is early days. We have worked very closely with the folks at Communities, Culture and Heritage and African Nova Scotian Affairs throughout the last year, and we've had numerous presentations from the coalition to deputy ministers. I would say that we are now in the early days of figuring out what that will look like internally.

I am happy to report back to the committee once we've had an opportunity - we do have a group of deputies that meet regularly to discuss these matters and I would be pleased to report back to the committee on what that might look like inside.

THE CHAIR: Mr. Halman, one minute.

TIM HALMAN: Thank you very much, Ms. Langley. That definitely might be something we'll take you up on.

To what extent will the plan that we were just discussing work in collaboration with Raising the Bar? What potential do you see for these two reports to be implemented together? Do you see a lot of opportunities for a crossover between those two?

LAURA LEE LANGLEY: I just want to make sure I understand your question - do you mean the new strategy? Yes, I would say that early on, when I spoke about many of the 32 actions and Raising the Bar being aspirational, I don't think we let go of those. I think those remain activities that we must continue to undertake, and they help inform the second strategy, for certain. I don't see those activities ceasing in any way, because otherwise our work would stop.

I think the second strategy helps us not boil the ocean. It helps us be very laser-sharp on what our objectives are, so that we can measure them more clearly, and under that umbrella, I think those things will just dovetail in. So I don't see letting go of Raising the Bar and saying, okay, we've finished with that, now we'll move on to the next thing. I do see a continuation of that work.

THE CHAIR: Thank you. The time for the PC caucus has expired, so we'll go to the NDP caucus. Ms. Leblanc.

SUSAN LEBLANC: I have many questions, but I will start with this one. A couple of times today, Deputy Minister Hudson has referred to the overrepresentation of African Nova Scotians and Mi'kmaq people in our prison systems. We know that criminal records

are a barrier to employment when someone is released, so I think this is an appropriate place to take this discussion.

I am wondering if the deputy minister can talk a little bit about what you and your deputy minister colleagues are doing to address the overrepresentation of Black and Mi'kmaw people in our prisons.

THE CHAIR: Ms. Hudson.

KAREN HUDSON: I didn't hear the very last part - the overrepresentation in what?

SUSAN LEBLANC: In our prison systems.

KAREN HUDSON: With respect to our four adult facilities and our one youth facility, we do know there is overrepresentation, especially with respect to African Nova Scotians. People in our provincial facilities are there more on remand, so they have not been granted bail, then they are there because they are serving a custodial sentence. We do know that with respect to African Nova Scotians in our four adult facilities - and it varies from day to day - at about 2.3 per cent of the population, African Nova Scotians can show up at four to five times that in terms of those who are remanded.

So what are we doing? A few comments: One is with respect to the criminal justice system overall. The correctional system has to take people who are ordered to go there. There is something I chair called the Criminal Justice Transformation Group. That is a group of criminal justice stakeholder leaders who come together, and I've asked them to do so monthly. We have a phone call, and then we get together about three times per year for face-to-face. This is made up of the Chief Judge, the head of the Public Prosecution Service, the head of the PPSC, the head of Nova Scotia Legal Aid, the head of the Criminal Lawyers Association, the Defence Lawyers Association, the chiefs of police, and also Department of Justice people - so corrections and policy and information management and public safety.

What we are looking at - as a group of justice stakeholders who really want to support Nova Scotians to have better opportunity - is around what can be done with respect to issues on the remand population, because that's what's driving the overrepresentation. They are looking at things like the conditions of bail: Are we putting too high and too onerous conditions that have no nexus to the underlying offence that brought you into contact with the justice system in the first place? We are looking at alternatives to remand, such as bail supervision, going forward.

I did want to say that it is a justice system issue overall. It is something that impacts African Nova Scotians and First Nations, and all Nova Scotians should care about this. We certainly do within our correctional facilities.



I'll wrap it up, because you have heard me talk about a specific programming that we have, a specific focus of having a First Nations staff and an African Nova Scotian staff that work with, and ensure that we have a better inclusive and understanding of all staff working with people who are in our custody.

THE CHAIR: The time for the NDP caucus has expired. We'll go to the Liberal caucus.

Mr. Maguire.

BRENDAN MAGUIRE: I have a quick question and I'll pass it on to my colleague. One of the complaints that I've heard from constituents - and this is for the Deputy Minister of Justice - is that they don't see themselves reflected in the criminal justice system, whether that be public prosecution or that be judges and administrators. We hear this a lot from African Nova Scotian and Indigenous members of our community.

What is the justice system - what is your role in this and what are you doing to assure that people who are appointed to the bench, are reflective of the different cultures and the different minority groups in this province?

KAREN HUDSON: I am proud of the appointments made over the last few years with respect to our provincial bench. This government has obtained gender parity on the Provincial Court bench. We have approximately 35 provincial court judges who focus on criminal matters and Family Court matters and I believe we are now at - I'm pretty solid on this - 51 per cent gender parity. That has been achieved just in the last couple of years.

With respect to African Nova Scotians, I am proud that this government has made appointments to the bench that are reflective of African Nova Scotians. We have recent appointments - I believe four in the last few years - of African Nova Scotians being appointed to the Provincial Court bench.

We have also appointed the first Mi'kmaw female to the bench with the appointment of Judge Cathy Benton. The work that she is leading along with the Chief Judge and other members of the judiciary, in terms of being more responsive to the needs of Nova Scotians, to increase the safety and security of all, and to have better outcomes - the work she and other members of the judiciary are doing with respect to wellness and Prevention Court approaches are so valued.

We have also focused on our agencies, boards and commissions. The Department of Justice has 11 agencies, boards and commissions that are under our umbrella. We have a whole ABC strategy, and that has been provided to you, which focuses on recruitment.

Because of a very in-depth consultation with more than 30 groups, what we heard was: you shouldn't just focus on recruitment, you've got to make sure that it's an inclusive

environment when you get there. So we're focusing on the training for people on our agencies, boards and commissions.

We have seen increased and better numbers of diverse appointments to agencies, boards and commissions. We have just completed training last week for 90 per cent of all board members on agencies, boards and commissions for the Department of Justice between June and October 4<sup>th</sup>. So those are a couple examples.

THE CHAIR: Mr. MacKay, you have 30 seconds.

HUGH MACKAY: My question then will be to Ms. Langley. You spoke earlier of systematic barriers; attitudinal barriers, as we heard from Mr. Post, are huge. I'm wondering, what are we doing with our Department of Education and Early Childhood Development so that our students and our teachers could be reflective of your efforts?

LAURA LEE LANGLEY: I have to say that I don't feel as though I have good insight into the Department of Education and Early Childhood Development, but I'm sure Deputy Minister Cathy Montreuil would be able to respond to your question, and I will see that she does.

THE CHAIR: Thank you, the time has expired for the questioning from the caucuses to our witnesses. We're going to invite you now to make some closing remarks, please feel free to do so.

[10:45 a.m.]

LAURA LEE LANGLEY: I want to thank all of you this morning for your questions and your probing of what we're trying to do here in the Public Service. I feel as though we are all striving for similar things. We want to understand the things that we can do to make ourselves more representative. We want to live in a place and work in a place where people feel as though they can show up and bring themselves, no matter where they are from, what community they are from, what their level of ability is and so on.

I want to point out that diversity is a Public Service value and it is something that I think we are all very committed to. If you can just look around here today, the fact that you had an interest in it, the fact that the Auditor General had an interest in it to take a look, the fact that I am sitting here with colleagues and team members who are so very committed to this work, we have the gallery filled with people whose life passion this is and who work for it. We have seven employee networks that are employee-led to help inform us, to help raise issues with us.

We have the Diversity Round Table which represents every single department and reflects all manner of diversity throughout the Public Service, to give us advice on where we might be able to enhance our efforts, where we are sorely missing and what we need to

be focusing on next. I think all these things speak to our commitment and the fact that we really are trying, I think, in ways that we never have before.

If you just look back over the last two decades at what has happened in the Public Service, I think you can see progress. I am saying this knowing fully in my heart that it is not enough, it will never stop. The work will never stop, and we must always be alive to our obligations in this respect. We've added cultural competence to our leadership competencies. We have unconscious bias sessions because we all have unconscious bias, whether we understand what it is or not, so that we can deeply reflect on where our biases are and where they come from.

We are looking at hiring practices, advancement practices, how we prepare the workplace to be a welcoming and inviting environment, how we recruit people, how we develop them and advance them so that we have a truly representative Public Service.

Having said all that, I invite any of you and any of your colleagues who might have burning questions or unanswered question, not to hesitate to get in touch because I feel as though in this area our objectives are all the same. I would leave it at that in terms of what I have to offer this morning, Mr. Chair. I don't know if any of my colleagues will be invited to wrap up, but I will leave that to you.

THE CHAIR: Thank you very much. I don't know if anyone else wants to have some closing remarks. Ms. Hudson.

KAREN HUDSON: Thank you, Mr. Chair. I am cognizant that I can go on, so I'll try to keep it very short. I do go on because it's something that with all of my 1,800 colleagues and across government we are very passionate about.

I would like to say that I'd like the Public Accounts session to be eight hours because we have only got to the tip of the iceberg - I am not asking for a motion on that, Mr. Chair, just to be clear. (Laughter)

I would wrap up by saying just a couple of comments. My opening comments and a lot of what we spoke about today focused on what we have done. I want to share with you that we are very committed, knowing that there is much more to do. This is important because we want to have an engaged workforce - they have to feel supported, respected, and they have to see themselves reflected. Having a diverse workforce means we will get programs for Nova Scotians that are more responsive.

Finally, I want to say two things, two little nuggets, because we haven't spoken about one of the under-represented or one of the employment equity categories, and that is women in under-represented categories. Within the division of 216 sheriffs across the province, we have 43 women now. Those are not designated positions but that is focusing

on active recruitment and support for those women. Now eight of them are in leadership positions, management positions, within the sheriff division.

My final comment is partnerships, because Deputy Langley has said we must connect with community, that we must connect across government department lines. We have heeded that, and our work with the Nova Scotia Disability Employee Network - and the co-chair was here earlier, up in the gallery - is very important. As well, another one for the Department of Justice - African Canadian Women in Public Service have presented to so many of us and have had great conversations. So I thank you for the airtime this morning.

THE CHAIR: Thank you very much. This was a very interesting topic today, and I think everybody would agree that it's so good to see the departments working together, the commitment you all have shown, and your support that's been in the gallery here today, as well. Keep up the good work. I think there is one item that has to come back that you said you would provide some information for us, so whenever we get that.

To the committee, there is just one piece of business and that's correspondence from the Department of Transportation and Infrastructure Renewal. At the last meeting as well, some information was requested and everybody has been provided that.

Our next meeting will be on November 6<sup>th</sup> in the Committee Room. It is going to be an in-camera meeting with the Department of Finance and Treasury Board - a training session on public accounts.

If there is nothing further to come before the meeting, we stand adjourned. See you on November 6<sup>th</sup>.

[The committee adjourned at 10:51 a.m.]