



The Provincial Public Appointment Process

Chapter 4: Toward Better Accountability

Why We Did This Audit

- Timely appointment of qualified candidates to the Province's various agencies, boards and commissions, as well as other entities, is essential to ensure the proper functioning of the entities and to ensure public interests are protected.
- Appointees at provincial agencies, boards and commissions were having problems attracting qualified candidates, problems with quorum and meeting mandates due to delays in appointments.

Why It Matters

- Timely appointments of qualified candidates are important for ensuring that:
 - Provincial agencies, boards and commissions are well-governed and meet their mandates; and
 - The public's interest is represented through provincial appointments to the boards of other entities.
- A transparent and timely appointment process helps attract strong potential appointees.

What We Found

- Ontario has a mature appointment process including a centralized appointment Secretariat, mandatory training of appointees and a public website with information on upcoming vacancies and how to apply.
- Training provided by the Public Appointments Secretariat, which is part of the Treasury Board Secretariat, has generally been well received by the appointees.
- There have been significant delays in the appointment and reappointment process in the last five years:
 - From our sample, we found that positions were vacant for 15 to 16 months on average before new appointments were made.
 - From our sample, 15% of reappointments were delayed over two months.
 - 165 of the 215 vacancies at August 2016 were vacant for over six months. Of the 215 vacancies, 199 are to agencies and other entities where the delay caused the number of public appointees to fall below legislative requirements.
- Lack of transparency in the selection and approval process undermines its credibility. In our survey, 28% of the chairs, 21% of the other appointees and 54% of CEOs rated the transparency of the appointment process as poor or very poor.
- As of July 2016, 275 (22%) of appointees to non-board-governed agencies are serving longer than 10 years in the same position, contrary to the maximum term allowed by the government's Agencies and Appointments Directive (Directive).
- 208 agencies have 50% or more of their appointees' terms expiring in the same year, increasing the difficulty of finding and transitioning qualified candidates. A better process is needed to attract qualified candidates to certain provincial agencies and other entities, especially in Northern Ontario.
- Compensation is not in line with the Directive, with 23% of board-governed and advisory agency appointees receiving per diem rates higher than the Directive. However, the higher rates for these appointees are separately approved by Order-in-Council as allowed for under the Directive.

Conclusions

- The appointment of members to provincial agencies, boards and other entities is not timely.
- Better and more timely communication is needed between the Treasury Board Secretariat and ministries, and between ministries and agencies to: increase the transparency of the selection process; provide timely updates on the status of appointments; ensure appointees have the required competencies and training; and support agencies transitioning to new appointees including staggering of appointees' terms.
- More work is needed to proactively promote vacant positions in Northern Ontario, publicly report diversity statistics and assess the need to prioritize and fill long-standing vacant positions.