

OmbudsPEI



Approachable | Fair | Impartial



Annual Report 2025-26



June 2026

The Honourable Brad Trivers
Speaker of the Legislative Assembly
197 Richmond Street, Charlottetown

Dear Mr. Speaker,

I am honoured to present our Annual Reports for both the Office of the Ombudsperson and the Office of the Public Interest Disclosure Commissioner to the Legislative Assembly.

This Report has been prepared in accordance with section 38 of the *Ombudsperson Act* and section 5 of the *Public Interest Disclosure and Whistleblower Protection Act*. It covers the period from April 1, 2025, to March 31, 2026.

Respectfully,

A handwritten signature in blue ink, appearing to read "M. Chapman", is written over a light blue rectangular background.

Matthew Chapman
Ombudsperson and Public Interest Disclosure Commissioner



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Land Acknowledgement

In the spirit of Reconciliation, we acknowledge that the land upon which our organization stands is traditional Mi'kmaq territory. Epekwitk (PEI), Mi'kma'ki, is covered by the historic Treaties of Peace and Friendship. We pay our respects to the Indigenous Mi'kmaq People who have occupied this Island; past, present and future.





Ombudsperson and Public Interest Disclosure Commissioner's Message

I am pleased to present OmbudsPEI's 2025-2026 annual report, which demonstrates our ongoing impact as an independent and impartial oversight body on Prince Edward Island. In our fourth year, we continued to see an increase in the use of our services, up 16% from 2024-2025 and 29% from 2023-2024.

Our track record of resolving complaints without the need for lengthy, complex formal investigations continues. When we assess that a complaint has the potential for merit, we reach out to the public agency to hear their side of the story. If, through discussions with us, they agree that something should have happened differently, we work with them to resolve the matter informally. A resolution can take many forms and may include changing a decision, reconsidering program eligibility or providing an apology, while taking steps to ensure what went wrong does not happen again. This report includes a selection of some of the resolutions we achieved this year.

When necessary, we do not shy away from formal investigations. While we have a track record of resolving validated complaints without the need to make findings and recommendations, we recognize that the day will come when we will be unable to do this. Should an authority be unwilling to recognize that it acted unfairly and take appropriate action when warranted, we will make findings and recommendations and report publicly so that all Islanders are aware of the situation.

The key to our success continues to be our approach of building trust with everyone we interact with. We specialize in having difficult conversations while remaining focused on positive change. At a time when public agencies are being asked to do more with less, ombudsperson offices play a critical role in ensuring the fair delivery of programs and services under strain. Regardless of what the future holds, OmbudsPEI will continue to work with Islanders to promote fairness in the public sector from tip to tip.

I would like to thank all Islanders for placing their trust in me as I continue the work of the province's first Ombudsperson, Sandy Hermiston. I spent the last four years working as Sandy's Deputy to develop an office that I am proud to now lead. I thank her and the dedicated staff at OmbudsPEI for the work they have done and will continue to do in the years to come.

Matthew Chapman



Our role

OmbudsPEI promotes fairness, transparency and accountability in the Island's public sector. We also investigate reports of serious wrongdoing in the provincial government. Our work improves public services for all Islanders.

Our services are free and confidential.

As PEI's independent voice for fairness and accountability, we work to make sure the Island's public sector is treating people fairly and following the rules. We receive, respond to and help resolve complaints about fairness in government programs and services. We also provide a safe avenue for public servants to report serious wrongdoings or reprisals occurring in their workplace.

We recommend solutions that are fair and reasonable.

What is our legal authority?

Our offices were established as independent offices of the Legislature by the *Ombudsperson Act* and the *Public Interest Disclosure and Whistleblower Protection Act* (the *Whistleblower Act*).

Under the *Ombudsperson Act* we have the authority to investigate "matters of administration" which include complaints about fairness in treatment, process and decision-making by government agencies, municipalities, Health PEI and post-secondary institutions.

The *Whistleblower Act* applies to the provincial government and its employees. It allows public servants to complain about wrongdoing or complain about reprisals.



The Canadian Council of Parliamentary Ombudsmen produced an excellent resource called “*Fairness by Design*”. We have adopted this fairness model in our work on PEI. Below is a summary of the Canadian fairness model, which can be found in that resource:

What is Fairness?

Although we all have an instinctive sense of what fairness is, it can be a difficult concept to define, and there are often different views of the requirements of fairness in any particular case.

OmbudsPEI focuses on three main aspects of fairness as shown in the Fairness Triangle here.



Fair Process

Public organizations must follow fair decision-making processes when making decisions that directly impact a person, group of people or organization. This includes meeting the duty of procedural fairness owed to those impacted by a decision. The duty of procedural fairness has two key elements:

- 1. Right to be heard:** Those directly impacted by a decision should have an opportunity to understand and meaningfully participate and be heard in the decision-making process.
- 2. Right to an impartial decision maker:** The decision maker must have an open mind, be unbiased and not prejudge the decision they will make.

Fair Decision

Public organizations must make fair decisions. Fair decisions follow the applicable rules, consider the individual circumstances and case, and reflect a fair exercise of discretion. Public organizations should ensure they have policies and processes that support making fair decisions.

Fair Service

Public organizations must treat people fairly. Fair service is about how people are treated when they access public programs and services. It includes ensuring organizations provide respectful, accessible and responsive service and are accountable to the public they serve.

Year 3

Year 4



CONTACTS

346

256 by phone
55 by email
12 in person
23 online

410

252 by phone
83 by email
37 in person
38 online



ENQUIRIES

266

208 within jurisdiction
58 external referrals

317

261 within jurisdiction
56 external referrals



COMPLAINTS

80

93



Closed Complaints

	Year 3	Year 4
Non-jurisdictional	0	3
Informal Resolution	21	15
Investigation	1	0
Investigation Declined	51	46
Abandoned or withdrawn	15	16
Cases closed	88	80

Open Complaints

	Year 3	Year 4
Assessment in Progress	5	9
Ongoing Resolution	6	14
Total	11	23

Top Public Bodies by Complaints Received

Community and Correction Services	126	127
Health PEI	36	30
Department Social Development and Seniors	22	34





Selected Highlights From Previous Years:



First Public Report

In our first public report *Committing to Care: Improving the Treatment of Opioid Use Disorder in the Provincial Correctional System*, OmbudsPEI examined how inmates at the Provincial Correctional Centre (PCC) were being treated for Opioid Use Disorder (OUD) compared to other Islanders, inmates at other correctional facilities across the country and the current standard of medical care for treating the disorder.

Best Practices Guide for Municipalities – Closed Meetings

OmbudsPEI released a guide to help lead municipal governments through the process of holding closed meetings to ensure that the province's open meeting laws are consistently applied. The guide explains the legal framework and requirements for closed meetings. It also explains how to properly close a meeting, the reasons why a meeting can be closed and provides checklists for councils and committees to follow when closing a meeting.

Second Public Report

Following a Fall 2023 referral from the Standing Committee on Health and Social Development, OmbudsPEI was tasked with determining why the Mobile Mental Health Unit (MMHU) was not dispatched to an event that preceded the death of an Islander, and to review the overall communication with and by the unit in cases of mental health crisis calls. In *Joining Forces: Improving Collaboration and Communication between PEI's Mobile Mental Health Crisis Response Team and Police*, we detailed the MMHU's development history, how its operating model was chosen and how that choice impacted the unit's operational capabilities.



Stamp Confusion

An inmate who wanted to mail letters to acquaintances complained that the Provincial Correctional Centre (PCC) was not allowing them to buy stamps in accordance with policy. This was despite the inmate claiming they had sufficient funds in their account.

In response to our questions, PCC explained that when the inmate initially requested stamps through the existing administrative process, they did not have sufficient funds in their account. PCC recognized, however, the possibility of miscommunication or a reasonable misunderstanding by the inmate about how stamps could be purchased once funds were placed in their account.

To address this, PCC, at its own initiative, simplified its process so inmates can now buy stamps directly through PCC's canteen rather than through the administration. This should avoid future confusion regarding when an inmate can purchase stamps.



Duties on Discharge

A complaint was raised that Health PEI had not notified a patient's substitute decision-maker, the Public Guardian and Trustee (PGT), at the time of a patient's discharge from hospital. Further, the complainant stated that Health PEI had not advised or consulted the PGT regarding the patient's discharge plan in advance. The complainant explained that this created challenges for the patient at the time of discharge.

In response to our assessment, Health PEI acknowledged that they had not sufficiently notified the PGT that the patient would be discharged before it happened and that they had a duty to collaborate with the PGT on discharge planning, as required by Health PEI policies. To address this error, Health PEI apologized and committed to collaborating with the PGT to create standard operating procedures when treating patients subject to the PGT. Further, Health PEI updated its internal database to prompt its staff to communicate with substitute decision-makers in accordance with policy requirements.



Coverage Approved

A representative from a privately owned seniors' care home explained that despite Health PEI pre-approving coverage for exceptional health care costs for a resident, that coverage was declined after the services were provided. The home explained that while the care was administered within the period Health PEI agreed to cover related costs, the third-party healthcare provider submitted its invoices to the home after the period ended. When these invoices were submitted to Health PEI for coverage, Health PEI explained that the costs would not be covered due to the invoice dates.

We contacted Health PEI to ask what happened. It then reviewed the matter and concluded that it had made a mistake in not covering the costs. It explained that staff transition during the invoice review period led to confusion about what had been pre-approved. Acknowledging that the costs had, in fact, been pre-approved, Health PEI provided coverage to the private care home and apologized for its mistake.



Complaint Response

A person explained that they had submitted a complaint to Health PEI about the care provided to their child while at hospital. While Health PEI had initially responded to the complaint and committed to arranging a time to meet with the person, communication ceased and no appointment was made. After repeated follow-up attempts and the submission of a new complaint, none of which were responded to, the person contacted OmbudsPEI.

We reached out to Health PEI, which then reviewed the matter and realized its lapse in communication. It then committed to meeting the person as soon as possible. Following this meeting, Health PEI began an investigation of the complaint. This resolved the administrative fairness concerns about adequacy of communication.





2025-2026 Selected Cases



Clear Communication

A student complained that they were treated unfairly through Holland College's harassment complaint process. They alleged that Holland College unfairly imposed a no-contact agreement between them and another student, found them guilty of breaching it and imposed sanctions without giving them a chance to make representations. They also complained that Holland College did not investigate a harassment complaint that they made.

We found that Holland College did not clearly communicate its harassment policy or process to the student. However, we concluded that Holland College had the authority and reasonable grounds to issue the no-contact agreement and came to a fair decision when finding them guilty of breaching it. We also concluded that Holland College investigated the student's harassment complaint, despite not addressing some of the student's supplementary questions and investigative requests.

To prevent similar confusion in the future, the College agreed to tell students subject to misconduct proceedings of its decision-making process and the policy under which it is acting. The College also committed to adopting a consistent approach when considering correspondence relating to harassment complaints.



Fairly Served

An individual who applied for dispute resolution through the Residential Tenancy Office (RTO) complained to OmbudsPEI that they were required to serve the Notice of Hearing to the respondent. While they complied, the individual argued that, according to the RTO's stated rules, the responsibility for serving the Notice rested with the RTO, not the applicant.

Upon review, OmbudsPEI agreed that the RTO did not follow its published practice. While the Director has the discretion to approve alternative methods of serving a Notice of Hearing, the RTO's public-facing information did not accurately reflect this.

In addition to apologizing to the individual, the RTO updated its website to clarify that the Director has the authority to approve alternative methods for delivering a Notice of Hearing.



Facilitating Communication

An individual contacted us to complain that they believed the Public Guardian and Trustee (PGT) mishandled their deceased relative's affairs, for which they were now the estate administrator. Despite making various efforts to raise their concerns with the PGT, the individual alleged that their requests and questions were not satisfactorily answered by the PGT in a timely manner.

We contacted the PGT through our informal resolution process to ask about the individual's situation. Shortly thereafter, the PGT contacted the individual to arrange a further in-person meeting, which occurred one month later. At this meeting the PGT answered the individual's questions. The PGT also provided the complainant with further requested documentation shortly thereafter. This led to dialogue and meetings between the complainant and the PGT and, ultimately, a resolution of all issues, which permitted the complainant to proceed with the administration of their relative's estate.

The actions taken by the PGT allowed us to close our file as resolved.



Reasons to Sanction

A municipal councilor contacted OmbudsPEI to explain that they were the subject of a complaint which led to them being found in violation of the municipality's Code of Conduct bylaw. The complaint to OmbudsPEI was that the councilor had not been provided with sufficient reasons for the decision.

While the municipality had provided a letter to the councilor explaining its vote to sanction, it acknowledged that an investigative report into the complaint had not been shared as required by provincial legislation and the municipality's own bylaw.

The councilor's ability to view the investigative report would not have impacted the vote. Despite this, sharing it was necessary to comply with policy and to ensure the councilor understood what information was before the rest of the council for its vote.

The municipality agreed to provide the councilor with an opportunity to review the report and apologized for not having done so earlier. The municipality also acknowledged that it had not posted notice of the sanction on its website in the manner required and agreed to do so.

Protecting Vulnerable Youth

A person complained that Child and Family Services (CFS) did not respond appropriately to their disclosure of sexual assault while they were a youth in care. They explained that CFS did not remove the offender, another youth in care, from the care home. Additionally, they complained that CFS did not ensure that the police conducted interviews to determine whether criminal charges should have been laid.

After leaving the care of the province, the person contacted the police, leading to criminal charges and ultimately the offender's participation in the Alternative Measures and Extrajudicial Sanctions Program. The person then contacted CFS and, after receiving what they believed to be unreasonable responses, contacted OmbudsPEI.

We learned that CFS was made aware of the sexual assault shortly after it occurred and implemented safeguards to protect the complainant. These safeguards were in accordance with procedures that existed at the time. CFS also contacted the police to disclose anonymized information, consulted with the family and ensured that a trained Child Protection Social Worker interviewed the person. The person was told, however, that it was up to them or their family to report the assault to police should they wish to pursue criminal charges.

On review of the incident recently, CFS recognized that although planning was in place to keep the youth safe, they should have ensured that police

spoke directly with the complainant and that the offender was promptly placed in another care home.

CFS apologized to the complainant for not doing more to support them after the disclosure was made. They also recognized and expressed regret for the emotional distress the complainant suffered and offered counseling support for them.

CFS explained that they have implemented measures to ensure this does not happen again. As of September 9, 2024, the Child, Youth and Family Services Act, strengthens rights of children and youth and their right to be heard. This includes specific rights for children in care, ensuring they have greater access to advocacy, legal counsel and trauma-informed services.





Service Error

A resident of a municipality was issued a Notice of Violation of the municipality's Animal Control Bylaw. The notice, which is a warning of future penalties, was provided to the complainant's landlord, who then used it as grounds for eviction and as evidence in proceedings before the Island Regulatory and Appeals Commission (IRAC). The complainant disputed the validity of the notice and did not understand why it was provided to their landlord.

When we contacted the municipality, it was quick to acknowledge that the notice was incorrectly provided to the landlord rather than the complainant. It explained that some bylaws permit the issuance of notices to owners of impacted properties, which the bylaw enforcement officer mistakenly believed was the correct procedure for violations of the Animal Control Bylaw.

Recognizing the mistake, the municipality quickly took accountability by writing to the complainant and their landlord, apologizing for the error and

explaining that the notice was retracted. It also wrote a letter that the complainant could provide to IRAC, explaining the municipality's mistake and that the notice was no longer valid. The municipality further committed to ensuring that their Bylaw Enforcement Officers were aware of their obligations under the Animal Control Bylaw to serve notices directly to animal owners.



Public Interest Disclosure

	Year 3	Year 4
ENQUIRIES	11	6
DISCLOSURES	0	0
DECLINED TO INVESTIGATE	0	0

The *Public Interest Disclosure and Whistleblower Protection Act* creates a safe avenue for public servants to report wrongdoing or make complaints of reprisal for having made a disclosure. Employees can choose whether to make their reports with the public body or to come directly to the Public Interest Disclosure Commissioner (who is also the Ombudsperson).

In 2025-2026, there were no disclosures or investigations reported to us by any Deputy Ministers or CEOs of public entities under section 11 or 12 of the *Whistleblower Act*.

As in previous years, the inquiries we received did not meet the threshold for constituting disclosures of wrongdoing. Some inquiries were made to seek advice about whether a matter might reasonably constitute a wrongdoing. A few contacts involved speculation by someone uninvolved with the matter and unable to present any evidence to support their theories. Most inquiries involved employment disputes in which an employee disagreed with their employer's hiring, scheduling or termination practices. These were matters that could be addressed through dispute-resolution

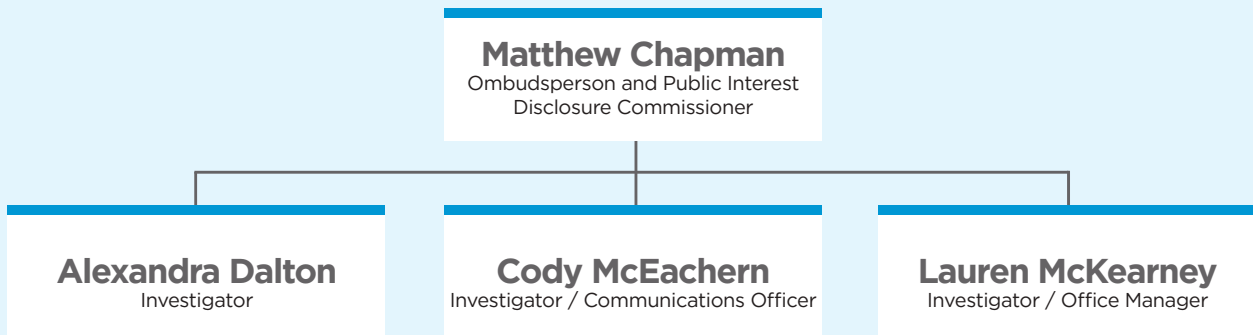
practices available under unionized collective agreements. As is the case for Public Interest Disclosure offices across Canada, OmbudsPEI does not consider employment disputes to be examples of wrongdoing as defined under the *Whistleblower Act*.

OmbudsPEI recognizes that the relatively few contacts received to date may reflect limited education and outreach provided to public sector workers, as well as a lack of standardized province-wide policies to guide employees when considering whether to make a disclosure of wrongdoing. In January and February of 2026, the Ombudsperson began working closely with provincial policymakers to finalize public-sector-wide policy documents to educate and guide provincial employees on their options under the *Whistleblower Act*. The Ombudsperson also committed to developing and delivering outreach programs to educate provincial employees of their options, a process that is ongoing through the 2026-2027 fiscal year.





OmbudsPEI Organizational Chart



OmbudsPEI



ANNUAL REPORT 2025-26



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Photographs Courtesy of Cody McEachern, OmbudsPEI Investigator.