



Public Prosecution Service of Canada
Service des poursuites pénales du Canada

Internal Audit Division

AUDIT OF LEARNING, TRAINING AND
PROFESSIONAL DEVELOPMENT
FINAL AUDIT REPORT
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1.0 EXECUTIVE SUMMARY

1.1 AUDIT OBJECTIVE AND SCOPE

The overall objectives of this audit are to review and assess:

- the adequacy and effectiveness of the management framework in place for learning, training and professional development (LTPD) activities;
- the Public Prosecution Service of Canada (PPSC)'s compliance with relevant policy, directives and guidance pertaining to LTPD; and,
- the PPSC's monitoring of the results of LTPD activities against expectations and taking corrective action when necessary.

The audit was national in scope and focused on:

- the PPSC compliance with its [Policy on Learning, Training and Development](#) ('Policy'), including Treasury Board Secretariat (TBS) required training, regulated training, and PPSC-driven training; and
- the controls in place to ensure that LTPD activities for both legal and non-legal employees are:
 - completed in compliance with the 'Policy';
 - added value to the PPSC in a cost-effective manner; and
 - monitored and reported in an accurate manner.

The audit methodology included:

- interviews conducted with PPSC personnel and senior management in regions and Headquarters;
- a review of relevant processes and documents;
- a review and analysis of training and learning policies, procedures, guidelines, standards and reports; and
- a review of information captured in PeopleSoft, iCase and the Individual Learning Plans (ILP) systems and the training and learning information that the branches and regions maintained.

This audit was planned and conducted during August to September 2013.

1.2 AUDIT CONCLUSION

The Internal Audit Division assessed the adequacy and effectiveness of the management framework in place for LTPD activities, compliance with relevant policy, directives and guidance pertaining to, and monitoring of the results of LTPD activities against predetermined audit criteria based on TB policies and directives, PPSC policies, directives, procedures and guidelines. Overall, there are opportunities for improvement in strengthening the management framework in terms of ensuring clear accountabilities, roles and responsibilities; identifying training, learning and development needs; and promoting coordination and use of technology which will result in more effective and efficient LTPD activities.

1.3 SUMMARY OF FINDINGS AND RECOMMENDATIONS

While there are opportunities for improvement, the management framework for LTPD activities includes positive components such as the existing ‘Policy’, the operational training delivery within the regions and the development of the Federal Prosecutors Development Program (FPDP).

Management should ensure that:

- accountabilities and responsibilities are clarified and directives and procedures are finalized;
- national coordination is used to develop a national work plan;
- a consistent approach is used to support employee orientation, training and development;
- knowledge, skills, abilities and behaviours are identified and developed for main functions; and
- a framework is in place to monitor and report on LTPD activities.

1.4 STATEMENT OF ASSURANCE

In my professional judgment as the PPSC Chief Audit Executive, sufficient and appropriate audit procedures have been conducted and evidence gathered to support the accuracy of the conclusion provided and contained in this report. The audit findings and conclusion are based on a comparison of the conditions, as they existed at the time of the audit, against pre-established and approved audit criteria that were agreed upon with the PPSC’s management. The findings and conclusion are applicable only to the entity examined. The audit was conducted in accordance with the *Internal Auditing Standards for the Government of Canada*.

I appreciate the cooperation and assistance afforded to the audit team by PPSC staff at headquarters and in the regional offices interviewed.

Julie Betts
Chief Audit Executive

2.0. INTRODUCTION

2.1. BACKGROUND

Pursuant to section 12(1)(a) of the *Financial Administration Act*, Deputy Heads have the authority to determine the learning, training and development requirements of their organization and the terms on which the learning, training and development may be carried out.

The PPSC recognizes the importance of employee training¹ and supports the concept of career development as a method of enhancing organizational capacity and contributing to the engagement and increased competencies of its workforce. During the fiscal year (FY) 2012-2013, the PPSC spent \$1.2 M² on learning, training and professional development (LTPD) activities (course fees and travel costs only), which represents 4.5% of the \$ 27 M spent on Operations and Maintenance (O&M), excluding the Drug Prosecution Fund. The amount spent in FY 2012-2013 is slightly below the \$1.3 M spent in FY 2011-2012. For staff who time-keep in iCase the total number of hours coded to LTPD activities is approximately 50,000 hours for each of the two FYs.

The PPSC noted employee development as a priority to achieve and support its mandate for FY 2013-2014. The PPSC is committed to a long-term, coordinated approach to learning and knowledge management that is aligned with the PPSC's vision, priorities and objectives as well as the career goals of its employees. The PPSC approved its [Policy on Learning, Training and Development](#) ('Policy') in 2012.

Learning activities, organized by the PPSC and other federal organizations and those associated to maintaining continuing professional educational requirements are defined as training. Development refers to the systematic enhancement and maintenance of competencies over a period of time to meet specific objectives or requirements. The PPSC recognizes three (3) types of learning. The following list demonstrates the priority level associated with each type in order of descending priority:

- a) **Job-Related Training** – a learning activity that assists employees in an immediate and direct way, to obtain the necessary competencies or know-how required in order to perform successfully in his or her position.
- b) **Job Development** – an activity that assists employees further their performance and expand their competencies to better perform in the position or their occupational group. It is aligned with the business priorities and management improvement objectives of the PPSC.
- c) **Career Development** – an activity that assists employees further their professional or career objectives in the PPSC or the public service.

¹ Training is defined in the PPSC 'Policy' as an organized, disciplined way to obtain the knowledge and know-how that is required for successful performance of a job, occupation or profession.

² This data collected from Integrated Financial Management System and the amounts include travel for training.

PPSC has two key in-house LTPD activities for its prosecutorial staff:

- The School for Prosecutors ('School'), which was created in 1997 under the former Federal Prosecution Service of Department of Justice Canada, is an in-house training program that is currently administered within the Law Practice Management (LPM) section of the PPSC. Its mandate is to provide legal training to PPSC prosecutors. Between 1997 and 2004, the School offered one annual intensive 7-day legal training event covering a myriad of criminal law topics designed for junior prosecutors and new prosecutors. In 2005, a second week-long course for experienced practitioners addressing more complex legal issues was introduced. In 2010, a written advocacy course was added to the program and plans are underway to launch an oral advocacy course to complement the other courses.

In recent years, the 'School' has moved from a predominantly lecture/panel/question and answer-based instruction format to one that incorporates more problem solving and practical exercises. For example, the Written Advocacy course divides its instruction time between plenary presentations, followed by small workshop groups, where participants work on specific exercises relevant to the instruction received in plenary. The 'School' summer 2013 Session included the delivery of three courses, which, combined, provided training to more than 130 participants.

- The Federal Prosecutor Development Program (FPDP) is a PPSC-wide program designed to ensure that new federal prosecutors gain the knowledge, skills, and abilities required to be effective working-level prosecutors. The program offers a standardized framework for learning and career progression, ensuring transparency and consistency in the development and qualification of prosecutors. It is a four-year comprehensive program that combines training, mentoring and on-the-job activities, designed to provide prosecutors with the opportunity to advance from the developmental level (LA-01) to the working level (LA-2A) while under the tutelage of more experienced prosecutors. There are three core learning domains for the program: Legal Knowledge and Prosecutorial Skills; Professionalism; and Leadership Skills. The goal of the FPDP is to ensure national consistency and fairness by establishing a road map that provides clear expectations, access to training, and regular and structured feedback to participants.

LTPD activities are managed by two entities within PPSC – Human Resources Directorate (HRD) is responsible for corporate function such as the policy and required training; and the Law Practice Management (LPM) group is responsible for these activities for the legal side. Previously, the PPSC acquired operational LTPD activities from a corporate service provider (CSP) through a component of an internal service Memorandum of Understanding (MOU). This arrangement was terminated in August 2013. A revised MOU is being negotiated for the use of systems being supported by the CSP.

The Internal Audit Division (IAD) conducted this Audit of LTPD in accordance with the PPSC's 2013-2016 Risk-Based Audit Plan, which was approved by the Director of Public Prosecutions (DPP) on May 15th, 2013.

2.2. OBJECTIVES AND SCOPE

The overall objectives of this audit are to review and assess:

- the adequacy and effectiveness of the management framework in place for LTPD activities;
- the PPSC's compliance with relevant policy, directives and guidance pertaining to LTPD; and,
- the PPSC's monitoring of the results of LTPD activities against expectations and taking corrective action when necessary.

The audit was national in scope and focus on compliance with the PPSC's 'Policy', including TBS required training, regulated training, and PPSC-driven training. The audit examined the controls in place to ensure that LTPD activities for both legal and non-legal employees are: completed in compliance with the 'Policy', adding value to the PPSC in a cost-effective manner; monitored; and reported in an accurate manner.

The National Capital, Ontario, and Quebec Regional Offices and Headquarters were the primary sites with respect to interviews. Selected interviews, at the employee and management level from British Columbia, the Northern Territories, and Alberta, were conducted to assist in gaining a national perspective of LTPD.

LTPD of Crown agents, and training provided to other organizations, such as investigative agencies, were considered outside of the scope of this audit. Additionally, the methodology used in employee performance evaluations and individual ratings were outside of the scope of this audit.

2.3. METHODOLOGY

The audit work was carried out from August to September 2013. The audit criteria were based on the Office of the Comptroller General of Canada's Guide for Auditors.

The examination phase of this audit used the following approach:

- interviews conducted with PPSC personnel and senior management in regions and Headquarters;
- a review of relevant processes and documents;
- a review and analysis of training and learning policies, procedures, guidelines, standards and reports; and
- a review of information captured in PeopleSoft, iCase and the Individual Learning Plans (ILP) systems and the training and learning information that the branches and regions maintained.

3.0 OBSERVATIONS AND RECOMMENDATIONS

3.1 MANAGEMENT FRAMEWORK

A more formalized structure for LTPD including clearly communicated policies and procedures, accountabilities, roles and responsibilities would support the learning framework and increase the adequacy and effectiveness of the management framework.

The objective of this line of enquiry is to review and assess the adequacy and effectiveness of the management framework in place for LTPD activities. Governance, or the management framework, is the decision-making structure, roles, policies and procedures, and accountabilities in place to achieve an objective.

Oversight

The audit team expected that a clear and effective organizational structure would be documented and in place and that effective oversight bodies were established to ensure that LTPD objectives are met.

The current organizational structure for LTPD at PPSC has two primary components. The LPM group is responsible for the job-related training, job development and career development of the legal side and the HRD is responsible for all required training, statutory language training, policy development and the administration of the provision of training by external organizations such as the Canada School of Public Service (CSPS).

Formal structures are in place for specific national legal programs such as the ‘School’ and the FPDP. Within the regions the structure for LTPD varies: in one region it is managed by an Associate Chief Federal Prosecutor, in another it is managed by the General Counsel and one region did not have any formal structure. The scope of LTPD activities also varies greatly between regions due to differences in size, focus or nature of work.

Employee training and development is identified as a priority for the PPSC within the Report on Plans and Priorities and an action plan has been developed to address this priority although specific accountabilities have not been established. This is due to the fact that there is no oversight body with a mandate to oversee all LTPD activities.

Individual committees and formal working groups related to LTPD have been established to oversee the ‘School’, the FPDP and educational leave/education assistance. The Human Resources Management Committee’s (HRMC) mandate includes recommending policies for Executive Council’s (EC) approval, approving human resource management directives, and approving requests for the educational leave and education assistance for the purpose career development.

Policies and Procedures

The audit team expected policies and procedures, including clearly communicated roles, responsibilities and accountabilities, to be compliant with Treasury Board (TB) requirements and meet the needs of the PPSC.

An overarching ‘Policy’, in line with [TB Policy on Learning, Training and Development](#), was approved by EC on March 29, 2012. It outlines generic roles and responsibilities though specific accountabilities are not addressed. The roles and responsibilities for LPM, CFPs, and training coordinators are not clearly defined and the HRD responsibilities for LTPD support to the regions are not identified. In addition, the responsibilities for coordination of these activities across the PPSC are not assigned. A draft Learning Organization Framework has been developed and was discussed by HRMC in September 2012. The draft framework identified multiple directives/procedures to support the implementation of the ‘Policy’; however, the framework has yet to be approved.

The ‘Policy’ aims to provide employees with the opportunity to attain 37.5 hours of learning per year; however, in any given year the number of hours may vary due to operational requirements. While this target is defined, there is no accountability or guidance on the attainment of the target or on learning and training budgets. Each region/division/directorate is assigned an O&M budget and expected to fund learning and training from that budget. As a result, the amount of funding allocated to LTPD activities in FY 2013-2014 are inconsistent from one region to another. According to PeopleSoft learning and training cost data for FY 2012-2013, the funding varied from region to region by over 1000% based upon a Full Time Equivalent (FTE) basis. For example, one regional office spent \$197 per FTE compared to another region that spent \$2,321 per FTE in FY 2012-2013.

The Deputy Director of Public Prosecutions (DDPP) Regulatory & Economic Prosecutions and Management Branch’s (REPMB) approval as Designated Learning Authority is required for all training related expenditures, including travel, above \$1,000. This procedure is part of the PPSC ‘Policy’ and was initiated to ensure consistency and fairness in training related expenditures across the PPSC but has resulted in a duplication of work for approvals from senior management for internally developed and delivered courses such as the ‘School’ or for LTPD activities that are defined as an event³ under the [TB Directive on Travel, Hospitality, Conference and Event Expenditures](#).

As of August 29, 2013, the DDPP reviewed and approved 114 training requests over \$1,000. Of these requests, 57 (50%) were for internal PPSC courses, the majority being for the ‘School’, which had already received senior management approval. Interviews indicated that the \$1,000 limit, including in travel costs, may not be appropriate given the number of requests. The \$1,000

³According to the directive “events include business meetings, departmental or corporate management meetings, conferences as well as any other formal gathering of public servants or non-public servants invited to participate in these activities including prestigious ceremonies, awards and recognition ceremonies. Events do not include meetings or activities whose sole purpose is the direct delivery of core departmental mandates, including examples such as inspections of food processing plants, the conduct of military exercises, or undertaking regulatory or quasi-judicial proceedings which may involve participants from other levels of government or foreign governments, foreign or political dignitaries, national or international organizations, industry representatives and public interest groups”.

limit is increasing the workload of senior PPSC managers and may be resulting in inefficiencies. Senior management indicated that the limit was being reviewed and the procedure may be modified.

In January 2012, TB Ministers approved the adoption of [Common Human Resources Business Process](#) (CHRBPs), with a module on Employee Performance, Learning, Development and Recognition, as the Government of Canada standard to be implemented by April 1, 2014. HRD developed a draft work plan to meet the CHRBPs requirements; however, it has yet to be approved. The audit team noted that the work plan does not contain sufficient detailed steps to meet the requirements as some activities within the work plan have yet to be assigned within HRD, and formal status updates have yet to be provided. Interviews with HRD and LPM representatives believe that PPSC will be compliant conceptually, in terms of results by April 1st, however not procedurally. The CHRBPs requirements are quite extensive with regards to the areas of training needs analysis, design of training materials, training delivery and its evaluation and there is no assurance that PPSC current practices relating to formal training initiatives would be compliant by the deadline.

The requirements of the CHRBPs will also have implications on the reporting of training provided and received; and the quality of LTPD data. Interviews indicated that PeopleSoft is not always used to record training activities, especially if no cost is associated to the activity. When PeopleSoft is used, it is not used in a consistent manner across the PPSC. For example, the use of External Training Requests and the Canada School of Public Service Training Request where the Departmental Training Request should be used. As well, HRD has an online training calendar to capture and promote training activities across the country; however it does not contain LTPD activities as learning functional authorities/ regions are not providing the information to HRD and/or HRD is not updating the information.

The PPSC previously relied on a corporate service provider (CSP) for many HR services and used their learning policies and directives. The recent ending of the MOU with the CSP for access to internal activities such as language, legal and other training has left the PPSC in a period of transition. Senior management is aware of the issue and is looking at options available.

Without comprehensive policies and procedures that are compliant with CHRBPs requirements and the needs of the PPSC, there is a risk of inconsistencies in the application of learning and training, inefficiencies due to unclear requirements, employee frustration or perceived inequalities across the PPSC.

Recommendations:

1. *The DDPP for REPMB and the DGHR should ensure that there is a formal understanding and respect for their accountabilities and responsibilities related to LTDP activities.*
2. *The DG HR, in collaboration with the DDPP for REPMB, should develop and finalize the learning and training directives/procedures in order to support the implementation of the 'Policy' and ensure compliance with the CHRBPs requirements.*

3.2 LEARNING, TRAINING AND PROFESSIONAL DEVELOPMENT

The objective of this line of enquiry is to review and assess the PPSC's compliance with relevant policy, directives and guidance pertaining to LTPD. The PPSC should therefore have the controls in place to support the training and development of staff, including the identification of PPSC and employees' needs; and the implementation of LTPD activities such as professional development programs in order to meet those needs. PPSC must implement a work plan to ensure that it is compliant with CHRBP requirements and supporting the LTPD needs of the organization and staff.

3.2.1 Learning and Training

A formal analysis of the organizational, functional and role-based learning and training needs for the PPSC would ensure consistency and fairness in the application of LTPD activities.

Learning and Training Needs

The audit team expected to find that PPSC and employees' learning and training needs at the individual, regional and national level had been identified and analyzed.

Individual Learning Plans (ILP) are required to be developed by each employee once a year, typically in conjunction with the Performance Review and Employee Appraisal, and approved by the manager using a web-based system developed by the CSP. For the FY 2012-2013, 96% of employees developed an ILP. This is the only measure related to ILPs that is tracked as it is reported to TBS annually. Throughout the year as employees complete objectives or activities identified in their ILP, they should update the system to identify those objectives or activities as having been completed. Analysis of 2012-2013 ILPs shows only 4% of activities were identified as completed as there is a lack of awareness of the system function (i.e. completed/on-going activity). Interviews indicated that employees rarely updated their ILP after it was approved given that it is rarely reviewed by managers at year-end.

The methodology used in completing ILPs varies depending on the employee or manager and are inconsistent across the PPSC. Some ILPs are seen to be employee driven wish lists without significant managerial commitment to ensure completion. In others the process is much more rigorous with supervisory involvement, particularly for prosecutors, and is linked to prosecution plans of complex cases being worked on. Most interviews indicated that ILPs are seen only as a requirement to complete, are typically very general and similar from one year to the next and add little value to employee learning and training.

The ILP system and the ILPs themselves do not easily support the roll-up of learning and training needs and have not been used for this in the past. Individual managers have identified needs and developed formal or informal learning events to address these needs at a regional level. No formal roll-up has been completed or analyzed at the regional or the national level to determine the learning and training needs of employees or the PPSC. Management noted that this

was due to system issues. The ILP system was not designed to meet PPSC requirements nor to facilitate the identification of PPSC or group training needs. There are no guidelines or standards for the development of ILPs and as a result the language used varied from general needs to specific courses.

The HRD conducted a limited analysis based upon interviews with corporate managers to identify training needs in terms of their function in such areas as security, values and ethics, and occupational health and safety. However, HRD has yet to consult with regional offices on this analysis. Informal needs analysis occur on an ad-hoc basis, such as actions taken by the 'School' to determine its curriculum and for national events/conferences. The lack of identified learning and training needs has resulted in there not being a regional or national training plan which has caused inconsistencies across PPSC, possible inefficiencies due to duplication of efforts in various regions and reduced value for money from limited learning and training resources.

PPSC have initiated action to deal with the identification of training needs for particular groups. LPM and HRD collaborated on a comprehensive identification of needs for entry level prosecutors based upon consultations at HQ and the regions.

The audit found that there are no needs analysis for other legal levels and groups. Roles and responsibilities for paralegals and legal support differ between the regions; however, these roles are being reviewed. As such, a review of responsibilities and learning requirements for paralegals is at early stages by the PPSC Operational and Organizational Review Committee. There are currently no plans for other groups or levels such as LA-2B (senior practitioners/team leaders) or LC's (managers).

Learning and Training Received

The audit team expected to find that employees received the knowledge and training to meet their needs and those of the PPSC.

The percentage of employees meeting the *Five day learning and training* indicator in FY 2012-2013 varies significantly between regions⁴. For example, analysis of iCase learning data in FY 2012-2013 shows that in the Atlantic, Manitoba and Alberta regional offices, 50% of employees received less than one and a half days, compared to another region, the Northwest Territories, in which 80% of employees reached the target.

Interviews indicated that prosecutors are meeting their training requirements as required by their law societies. Prosecutors take responsibility for completing their provincial law society continuing education hours and are supported in this by management. Analysis of learning data in the FY 2012-2013 shows that 29% of the LA group met or exceeded the 5 day learning and training target and only 27% received less than 1.5 days. Some regions offer specific subject training to their staff, however; it is felt that certain additional subject specific training, such as regulatory or economic component is required. The 'School' offers a 60 to 75 minute session about regulatory prosecutions during its Level One – Prosecution Fundamentals Course as part of its curriculum. PPSC organized a Training Forum on Regulatory Law Issues in March 2013 to address this, which received positive feedback.

⁴ The PPSC 'Policy' states that in any given year the number of hours may vary due to operational requirements.

Interviews also indicated that legal support staff (legal assistants and paralegals) in many regions do not usually receive external training if there is a cost associated with it, particularly a travel cost. Analysis of learning data in the 2012-2013 FY shows that 59% of legal support staff (CR and EC groups) received less than 1.5 learning and training days of the 5 day indicator identified in the ‘Policy’ and only 14% of legal support staff met the target. A few regions provided many learning and training opportunities for staff, including legal support such as retreats, lunch and learns and other informal sessions. One region has an agreement in place with a local college for paralegal training.

The ending of the MOU with the CSP has impacted legal support staff the most because access through this medium is no longer available to PPSC employees. The MOU was terminated August 1st, 2013, as senior management concluded that the CSP was not providing value for money for their services. A discussion was held at the Senior Advisory Board on August 22nd to inform managers about this decision. Many legal support staff who were impacted indicated that they only found out when they received an email revoking their registration for various activities. HRD is currently reviewing the situation and looking at alternatives for employees including the legal support staff. The lack of training for legal support staff compared to prosecutors is due to limited resources and the professional requirements of lawyers to take a certain number of training hours to maintain their designations. Interviews with employees indicated that there is a perception that legal support staff are not as important as prosecutors which may be impacting employee morale and performance.

Being a small, relatively flat organization with few managers, interviews indicated that there are concerns that managers/supervisors do not receive adequate and sufficient training. The CSPS management training course is considered beneficial though there is a need for a greater focus on the needs of PPSC and managing lawyers. Specifically, training related to general management principles, human resources management, and communication would add value to the PPSC. Currently there is no national management related training though individual regions such as BCRO and QRO have taken it upon themselves to address this by providing specific management related activities. This is due in part to the lack of a management framework to identify the skills and learning and training needed to be a good manager.

The CSPS maintains a system of training that employees have received, which organizations can query on an individual basis to track mandatory training. Mandatory training, both through the CSPS and PPSC are tracked internally within HRD. Interviews and documents indicated that new managers have received the mandatory training required by CSPS and the mandatory PPSC security training is being rolled out across the PPSC.

Recommendation:

3. *The DDPP for REPMB and the DG HR should develop a national work plan that includes employee needs and meets the organization’s LTPD objectives.*

3.2.2 Learning , Coordination and Value for Money

Increased coordination and use of technology will result in more effective and efficient LTPD activities.

Learning and Training Coordination

The audit team expected to find that the PPSC coordinates and provides learning and training based on identified needs at the regional and national level.

PPSC's national training coordination is limited to the 'School' and FPDP, ad-hoc national conferences/forums such as the recent regulatory conference and previous prosecutor and paralegal conferences. For the most part, regions coordinate and deliver their own training, which varies significantly across the PPSC from semi-annual all staff learning sessions, discussion panels with defense counsel and judges, management training courses, informal lunch and learn sessions, to survival skills when stuck in remote locations in the Arctic. Since April 1, 2011, one region, the British Columbia Regional Office, has had over 1,500 instances of courses attended by employees created in PeopleSoft, accounting for over half of all courses in PeopleSoft, while another, the Atlantic Regional Office has only had 52 courses. This demonstrates a lack of coordination, consistency or use of PeopleSoft amongst the regional offices.

Previously HQ was not tracking the learning and training activities going on in the regions and, except in very limited instances, regions did not invite other regions to their activities. During the audit, senior management requested the learning and training activities for each of the regions and shared them across the PPSC. There are also discussions underway regarding the use of a national training coordinator to track and coordinate activities with the regions.

Value for Money

The audit team also expected to find that PPSC utilizes cost effective tools, technical and human resources to share knowledge. There are opportunities within PPSC to move away from formalized corporate training programs to end user driven collaborative systems such as social learning.

PPSC utilizes technology such as teleconferences or videoconferences. Each regional office has video conference equipment, though not all offices are set up, and there have been service issues in the Northern offices. This equipment has been used to hold meetings and learning and training activities to reduce travel cost and improve participation rates. WebEx⁵ is another tool that is used to deliver learning and training activities. Interviews indicated that video conferencing is widely used across the department, however WebEx has only been utilized a few times, and most recently to deliver training related to the FPDP which was well received. Furthermore, WebEx has been recently used for national discussions of key prosecution areas.

⁵ WebEx provides on-demand collaboration, online meeting, web conferencing and videoconferencing applications.

SharePoint is used for the PPSC Knowledge Management (KM) sites. Currently a national KM and two regional sites are live and most other regions have begun to develop their own sites. The KM sites are used as a library to host useful material such as facts, relevant case law, weekly decisions from the court of appeals and the Supreme Court of Canada, legal precedents and sentencing information. The KM sites are also used to retain learning and training materials. Statistics on the use of the KM site show the majority of legal staff visit the site approximately once a month, though there are only 30 to 40 unique visitors on a daily basis. The use of this technology represents a significant cultural shift and will take time to be fully adopted. The current under utilization is due to a lack of awareness of such resources or lack of availability in certain offices or personal preferences for other tools such as Quicklaw. As more people begin to utilize these technologies, the PPSC should notice more efficiency.

PPSC has a culture of sharing knowledge which is accomplished in different ways. Interviews indicated that most everyone has an unofficial open-door policy to encourage people to ask questions and collaborate on issues they face. All regions that were included in the audit indicated there is informal training offered in the region. This typically consisted of group sessions, either at lunch or after work, depending on court schedules, where a relevant topic would be presented by an experienced prosecutor. These sessions are for prosecutors or all staff depending on the topic and interest. Interviews showed positive feedback from these informal sessions.

Most of the sharing knowledge activities are informal such as coaching or job shadowing. As well, the PPSC does not have a national succession planning framework in place. Depending on the manager and regional circumstances, this issue is being discussed by senior management. A workshop on the topic of succession planning was provided at the last meeting of the Senior Advisory Board; however, there have been no other discussions on the subject or the next steps. The audit noted that the FPDP will help to address succession planning needs at the entry prosecutor level; however, this does not address the other core positions within PPSC where the risk is higher of employee departures due to retirements or appointments to the bench.

Prior to FPDP, the new prosecutors were mentored for a certain amount of time by a more experienced prosecutor within the regional office until they were able to go to court on their own. The length and formality of this mentoring varied from office to office; in one region the senior general counsel is responsible for new hires in terms of training and coaching, in another, limited resources have impacted the amount of mentoring and supervision available to new hires which has resulted in some performance issues.

There is a formal mentoring program in place at the PPSC costing the organization \$60,000 a year to participate in the program. It is a web-based system that the CSP developed in which PPSC employees are encouraged to register as a mentor or mentee. When a mentee registers in the system, it suggests potential matches to enter into a mentoring relationship. The program includes training and is meant to be different from the informal mentoring/coaching and job shadowing that is offered in the regions and should include higher level discussions than specific case work.

The program has been in place for two FYs and as of March 31st, 2013, there were 58 paired PPSC relationships. The audit team conducted a quick survey with the PPSC employees of these

58 paired relationships to confirm if they had a current ongoing relationship (i.e. discussions within the last six months). The survey results showed that based upon a 61% response rate, PPSC has 27 individuals (49%) or an equivalent of 14 mentor/mentees in a current on-going relationship. In terms of the \$60,000 annual cost of the program, this equates to an average cost of \$4,444 per relationship. Some interviewees perceived that the program was intended for lawyers and others compared the formal program to what is often seen in the private sector and questioned the value of the program due to the bureaucracy. These may be why the program is being underutilized.

Given the low utilization of the mentoring program, PPSC may not be getting the best value for money as interviews indicated that they received more guidance from informal mentoring via their managers as coaches. Interviews with senior management noted that they requested a review of the actual cost of the program outlined in the MOU with the CSP to better reflect actual and incremental costs of the current program. As such, the annual payment was not yet been made this fiscal year by HRD as these costs have not been confirmed by the CSP.

Recommendations:

4. *The DDPPs, in collaboration with DG HR, should improve the national training coordination of LTPD activities to permit more effective and efficient use of resources.*
5. *The DG HR should review the PPSC participation in the National Mentoring Program and support coaching/mentoring activities.*

3.2.3 Professional Development Programs

A comprehensive development program is in place for entry level prosecutors and plans have been identified for other core areas within the PPSC.

The audit team expected that the PPSC has professional development programs in place to respond to PPSC requirements, specifically for core areas where professional developmental programs would be beneficial and where identified. Programs are managed in accordance with the appropriate guidelines and directives.

A comprehensive development program is in place for entry level prosecutors. PPSC has created the FPDP to develop prosecutors joining the PPSC at the LA-1 level to the working LA-2A level. The FPDP is the first developmental program to be created at the PPSC and was completed as part of the LA Group Project: Ensuring Excellence and led by a working group with support by LPM and HRD. A complete framework was established for the program including tools to assess and work plans to address competencies. All prosecutors at the LA-1 level were invited to be assessed against the competencies in spring 2013. In the fall, those that were assessed were informed whether they had met all of the competencies and were either appointed to the LA-2A level or were placed into the FPDP. The next step is to develop work plans for each employee in the program to identify learning, training and development needed at each stage in order to

complete the program. The work plans include self learning, core training and work activity requirements as well as expectations for the individuals and their supervisor.

Interviews indicated the FPDP was viewed as generally positive, the competency profiles were in line with the needs of the PPSC and the tools to assess the competencies were straight forward and easy to use. A few issues were noted with the implementation of the program, specifically the communication of the results of the assessment. For example, the training for managers was not always timely. There were also some frustrations noted by managers and employees, although these issues were as a result of the program being new and going through the assessment process for the first time. Interviews with senior management noted that the success of the FPDP will be used to develop programs for other core areas within the PPSC.

Recommendation:

6. *The DDPPs, in collaboration with DG HR, should identify and develop knowledge, skills, abilities and behaviours required for the main functions within PPSCPPSC.*

3.3 MONITORING AND RESULTS

A monitoring and reporting framework will result in more effective and efficient LTPD activities.

The objective of this line of enquiry is to review and assess the PPSC's monitoring of the results of LTPD activities against expectations and taking corrective action when necessary. Monitoring is described as the activities management establishes to oversee LTPD within the organization. These activities should enable management to be aware of significant difficulties, gaps in performance or compliance issues and develop proposals to address them. The audit team expected management to monitor performance and costs for LTPD activities against planned results and adjust course as needed.

Interviews indicated that there is limited reporting from key systems related to LTPD, other than was required for Management Accountability Framework purposes. These systems are all owned by the CSP and not all of them offer the reporting capabilities that address PPSC needs. Efforts were initiated by HRD to have changes made to the systems but were not successful.

PeopleSoft which is used to track all training activities only identifies the direct costs such as tuition fees and travel. Indirect costs such as time to coordinate and prepare training materials is captured in iCase which is a separate system. Additionally, none of the systems are linked to each other. This requires data to be entered into multiple systems. There is no assurance that all information is being collected in either system and there is also some duplication of information. As a result there is inconsistent data across the systems and an inability to have appropriate information to analyze and report on.

There is no comprehensive reporting on LTPD activities to senior management. Reports are produced on an ad-hoc basis to respond to individual requests such as how much was spent on

LTPD or how many hours were spent on LTPD activities in a given year. Given the systems issues, there are concerns about the reliability of the information presented. There is no tracking of complete costs related to the FPDP or the ‘School’, the two largest LTPD activities, as the indirect costs cannot be reliably calculated due to inconsistent data entry. The lack of reporting on LTPD activities is mainly due to a lack of oversight and of formal reporting requirements/requests. The reliance on the CSP systems that are independent of each other also does not facilitate comprehensive reporting. This results in decisions being made without available data to support them and possible inefficiencies or ineffectiveness caused by ill-informed decisions. A lack of formal reporting mechanisms also may impact the accuracy of reporting when requests by senior management, Parliament or central agencies.

There has been no consistent post validation of LTPD activities to determine the benefit to the PPSC and ensure activities assist in completing day-to-day work. It should be noted that a post validation exercise was conducted relating to the March 2013 Regulatory Law Issues Training Forum. Participants were asked to complete a post training evaluation questionnaire designed to assess the training’s usefulness in their daily practice and responses are being compiled and analyzed. In addition, this year, for the first time, course validation exercises are being conducted of all the 2013 training offered through the ‘School’. Formal evaluations are used for major learning and training activities but they have not yet been implemented across the PPSC. For example, the ‘School’ has used evaluation forms to improve course design and delivery. Individual regions have also begun to conduct formal evaluations for all training to help improve future training and to support decision making. Other regions receive informal feedback through word of mouth but it is not documented.

Recommendation:

7. *The DDPP for REPMB and the DG HR should develop a monitoring and reporting framework for LTPD activities.*

4.0 CONCLUSION

The Internal Audit Division assessed the adequacy and effectiveness of the management framework in place for LTPD activities, compliance with relevant policy, directives and guidance pertaining to and, monitoring of the results of LTDP activities against predetermined audit criteria based on TB policies and directives, PPSC policies, directives, procedures and guidelines.

Overall, there are opportunities for improvement in terms of strengthening the management framework in terms of ensuring clear accountabilities, roles and responsibilities; identifying training, learning and development needs; and promoting coordination and use of technology which will result in more effective and efficient LTPD activities.

5.0. MANAGEMENT ACTION PLAN

RECOMMENDATION	MANAGEMENT RESPONSE AND ACTION PLAN	OFFICE OF PRIMARY INTEREST	TARGET DATE
<p>1. <i>The DDPP for REPMB and the DG HR should ensure that there is a formal understanding and respect for their accountabilities and responsibilities related to LTPD activities.</i></p> <p>(Risk: High)</p>	<p>The DDPP for REPMB and the DG HR will develop a corporate learning framework setting out the mandate and business lines for HRD & LPM.</p>	DDPP for REPMB/ DG HR	Q2 – 2014-2015
<p>2. <i>The DG HR, in collaboration with the DDPP for REPMB, should develop and finalize the learning and training directives/procedures in order to support the implementation of the ‘Policy’ and ensure compliance with the CHRBP requirements.</i></p> <p>(Risk: Medium)</p>	<p>The DG HR, in collaboration with the DDPP for REPMB will review and confirm the need for policy updates and improvements. The policy and procedures will be updated as necessary, based on that review.</p>	DG HR	Q4: 2014-2015
<p>3. <i>The DDPP for REPMB and the DG HR should develop a national work plan that includes employee needs and meets the organization’s LTPD objectives.</i></p> <p>(Risk: High)</p>	<p>The DDPP for REPMB and the DG HR will develop a national work plan.</p>	DDPP for REPMB/ DG HR	Q2: 2015-2016
<p>4. <i>The DDPPs, in collaboration with DG HR, should improve the national training coordination of LTPD activities to permit more effective and efficient use of resources.</i></p> <p>(Risk: High)</p>	<p>The DDPPs, in collaboration with DG HR, will improve coordination between regions. An inventory of training activities in the regions will be developed and shared.</p>	DDPPs	Q1: 2014-2015

RECOMMENDATION	MANAGEMENT RESPONSE AND ACTION PLAN	OFFICE OF PRIMARY INTEREST	TARGET DATE
<p>5. The DG HR should review the PPSC participation on the National Mentoring Program and support coaching/mentoring activities.</p> <p>(Risk: Medium)</p>	<p>The DG HR agrees with the recommendation. Participation in the National Mentoring Program will be reviewed.</p> <p>Managers will direct each of the supervisors reporting to them to determine the need for mentoring / coaching / job shadowing based on identified employee learning needs and on national standards and approaches as required.</p>	DG HR Managers	Q4: 2013-2014
<p>6. The DDPPs, in collaboration with DG HR, should identify and develop knowledge, skills, abilities and behaviours required for the main functions within PPSC.</p> <p>(Risk: Medium)</p>	The DDPPs, in collaboration with DGHR, agree to identify the required knowledge, skills, abilities and behaviours for main functions within PPSC where they have not been previously established.	DDPPs	Q4: 2015-2016
<p>7. The DDPP for REPMB and the DG HR should develop a monitoring and reporting framework for LTPD activities.</p> <p>(Risk: High)</p>	The DDPP for REPMB and the DG HR will ensure that monitoring and reporting is part of the learning framework.	DDPP for REPMB/ DG HR	Q2: 2014-2015

APPENDIX A – LINKS TO RELATED LEGISLATION, POLICIES, DIRECTIVES AND GUIDELINES

Financial Administration Act

TB Policy on Learning, Training and Development

TB Directive on Travel, Hospitality, Conference and Event Expenditures

TB Common Human Resources Business Process

PPSC Policy on Learning, Training and Development.

APPENDIX B -- AUDIT CRITERIA

Criteria		Management Accountability Framework Elements
1.1	A formal structure exists that provides oversight and accountability on learning, training and professional development.	Governance G-1 Accountability AC-3
1.2	Policies and procedures, including roles and responsibilities, are compliant with TB policy and meet the needs of the organization.	People PPL-7
2.1	The organization has professional development programs in place to respond to organizational requirements.	Learning, Innovation and Change Management LICM-4 People PPL-4, PPL-5
2.1.1	The organization has identified areas where professional developmental programs would be beneficial.	Learning, Innovation and Change Management LICM-4
2.1.2	Professional developmental programs are managed in accordance with the appropriate guidelines and directives.	People PPL-4, PPL-5
2.2	The organization provides employees with the necessary training, tools, resources and information to respond to their learning, training and professional development needs.	People PPL-4
2.2.1	The organization has identified and analysed employee learning and training needs, individually, regionally and nationally.	People PPL-4
2.2.2	Employees receive the knowledge and training to meet their needs and those of the organization.	People PPL-4
2.2.3	The organization coordinates and provides learning and training activities (implicit and explicit) based upon identified needs at the regional and national level.	People PPL-4
2.2.4	The organization utilizes cost effective tools, technical and human resources to share knowledge.	People PPL-4
3.1	Management monitors actual performance against planned results and adjusts course as needed.	Results and Performance RP-3

APPENDIX C – LIST OF ACRONYMS

ACFP	Associate Chief Federal Prosecutor (<i>Procureur fédéral en chef adjoint – PFCA</i>)
CFP	Chief Federal Prosecutor (<i>Procureur fédéral en chef – PFC</i>)
CHRB ^P	Common Human Resources Business Process (<i>Processus opérationnel commun des ressources humaines – POCRH</i>)
CSP	Corporate Services Provider (<i>Prestataire de services généraux – PSG</i>)
CSPS	Canada School of Public Service (<i>École de la fonction publique du Canada – EFPC</i>)
DDPP	Deputy Director of Public Prosecutions (<i>Directeur adjoint des poursuites pénales – DAPP</i>)
DG	Director General (<i>Directeur général – DG</i>)
DPP	Director of Public Prosecutions (<i>Directeur des poursuites pénales – DPP</i>)
EC	Executive Council (<i>Conseil exécutif – CE</i>)
FPDP	Federal Prosecutor Development Program (<i>Programme de perfectionnement des procureurs fédéraux – PPPF</i>)
FTE	Full Time Equivalent (<i>Équivalent temps plein – ETP</i>)
FY	Fiscal Year (<i>Exercice financier – exercice</i>)
HQ	Headquarters (<i>Administration centrale – AC</i>)
HR	Human Resources (<i>Ressources humaines – RH</i>)
HRD	Human Resources Directorate (<i>Direction des ressources humaines – DRH</i>)
HRMC	Human Resources Management Committee (<i>Comité de gestion des ressources humaines – CGRH</i>)
IAD	Internal Audit Division (<i>Division de la vérification interne – DVI</i>)
ILP	Individual Learning Plan (<i>Plan d'apprentissage individuel – PAI</i>)
KM	Knowledge Management (<i>Gestion du savoir – GS</i>)
LPM	Law Practice Management (<i>Gestion de la pratique de droit – GPD</i>)
LTPD	Learning, Training and Professional Development (<i>Apprentissage, formation et perfectionnement professionnel – AFPP</i>)
MOU	Memorandum of Understanding (<i>Protocole d'entente – PE</i>)
O&M	Operations and Maintenance (<i>Fonctionnement et entretien – F et E</i>)
PPSC	Public Prosecution Service of Canada (<i>Service des poursuites pénales du Canada – SPPC</i>)
REPMB	Regulatory and Economic Prosecutions and Management Branch (<i>Direction des poursuites réglementaires et économiques, et de la gestion – DPREG</i>)
TB	Treasury Board (<i>Conseil du Trésor – CT</i>)
TBS	Treasury Board Secretariat (<i>Secrétariat du Conseil du Trésor – SCT</i>)