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March 22, 2011

Ms Marylou Chatland
Board President
COMMUNITY LIVING BRANT
366 Dalhousie St.
Brantford, Ontario
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Dear Ms Chatland:

I am writing to inform you of the recent passage of the *Broader Public Sector Accountability Act, 2010* ("the Act") and agency obligations that arise from it. The Act introduces new rules and higher accountability standards for broader public sector (BPS) organizations as follows:

- all designated broader public sector organizations as defined in the Act, including: hospitals, school boards, colleges, universities, Community Care Access Corporations, and Children's Aid Societies
- every other publicly funded organization that receives more than \$10 million in annual government funding.

Since your agency received \$10 million or more in total funding from the Province in the 2009-10 fiscal year, the mandatory requirements of the Act apply to it.

The ministry will provide further information on the requirements for agencies to report on compliance with the Act.

Lobbyists

Designated BPS organizations are required to be in compliance with the lobbyist provision of the Act by April 1, 2011.

The Act amends the *Lobbyists Registration Act, 1998*, in two important ways:

- No consultant lobbyist may work for a client and be paid from public funds.
- If a consultant lobbyist is working on behalf of an organization that is prohibited from hiring him or her using public funds, the consultant lobbyist must:
 - a. provide the Registrar with an attestation from the client confirming that the consultant lobbyist is not being paid using public funds or other prohibited revenues.

- b. confirm on the return filed with the Registrar, that his or her client is not prohibited from hiring and paying for the lobbyist by the Broader Public Sector Accountability Act, 2010.

Directives

Under the authority of the *Broader Public Sector Accountability Act, 2010*, Management Board of Cabinet has issued two directives, the BPS Expenses Directive and the BPS Procurement Directive.

In anticipation of the April 1, 2011 proclamation of the related sections of the Act, the BPS Expenses Directive and the BPS Procurement Directive are now available online at the Ministry of Finance, BPS Supply Chain Secretariat website. In addition, this website provides some additional information, tools and templates to support agency procurement activities.

BPS Expenses Directive

Designated BPS organizations are required to be in compliance with the BPS Expenses Directive by April 1, 2011.

This directive requires designated BPS organizations to establish expense rules and sets out requirements that must be included in those rules. This directive will help align the expense rules of designated BPS organizations with the high standards expected in ministries and agencies.

In addition, this directive is intended to serve as a guideline to all other publicly funded organizations. This means that organizations, which receive less than \$10 million in annual public funding, can consider this directive in any review or development of their expense policies and practices.

BPS Procurement Directive

Publicly funded organizations, such as yours, that received public funds of \$10 million or more in the previous fiscal year from the Government of Ontario, will have until January 1, 2012 to comply with the directive. Other designated organizations including hospitals, school boards, colleges, universities, Community Care Access Corporations and Children's Aid Societies are required to comply by April, 2011.

This directive supports the Premier's public commitments to implement new accountability measures in the use of public funds. The new rules will ensure greater transparency and accountability in the purchase of goods and services and the consistent management of procurement processes throughout the BPS.

Please ensure that everyone in your organization is aware of the directive, especially those involved in procurement activities. Note that the directive also applies to goods and services (including IT and consulting) purchased jointly with other organizations.

The Ministry of Finance will host information and training sessions for the BPS so that agencies can ask questions and be clear about how the new rules apply. A schedule of information sessions is now available on the Ministry of Finance, BPS Supply Chain Secretariat website: <http://www.fin.gov.on.ca/en/bpssupplychain/index.html>.

If you have any questions about either directive, you may email them to: BPSSupplychain@ontario.ca. If you have any questions about the ministry's support for implementation of the Act, please email your questions to askfpbm@ontario.ca.

The *Broader Public Sector Accountability Act, 2010* is available on the e-Laws website: <http://www.e-laws.gov.on.ca>.



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