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Audit of Recruitment

2023-09-06

Internal Audit Branch

Internal Audit and Evaluation Sector

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1. Executive summary

1.1 Introduction

The Department of Justice Canada (JUS), like all public service employers, is facing a competitive labour market. With a job vacancy rate of 4.9% (up from 3.1% at the beginning of 2020), all federal institutions are being asked to think about what sets the Public Service apart and how to promote its mission of serving Canada and Canadians so as to attract, recruit, and retain top talent.

Recruitment practices at JUS (Department of Justice) have historically been relatively straightforward. The Department would select the best-qualified people from large pools of applicants, with little consideration on how recruitment practices were fairing, or how they aligned with the strategic interests and long-term needs of the Department. In today's environment, however – one characterized by a shortage of talent and a high demand for skilled individuals – recruitment practices and programs need to be more strategic than ever. A poor recruitment strategy, or the lack of a strategy altogether, can make the difference between the Department's long-term success and failure in effectively locating, targeting, and attracting desired individuals.

Recruiting strategically requires that JUS (Department of Justice) have an integrated Human Resource (HR) planning process that considers all of the Department's occupational groups (legal and non-legal), and accesses good workforce and labour market data. Strategic recruitment also requires that the Department undertake a comprehensive organizational analysis to better understand its existing workforce, its long-term human resource needs, and its strategic and operational goals. Whereas different organizational goals can lead to different recruitment strategies,

organizational analysis helps to clarify priorities and to identify values the Department wants to emphasize in its recruitment efforts. Organizational analysis also helps highlight factors that make JUS (Department of Justice) attractive. These factors, in turn, help in the development of a successful recruitment campaign and an effective recruiting message.

At JUS (Department of Justice), strategic recruitment was identified as both a strategic priority and a critical risk. For several years, the Department has suffered from persistent challenges in attracting, developing, and retaining skilled professionals. It has also faced challenges in recruiting employees that are representative of the Canadian population. Compounded by department-wide workforce readiness issues, increasingly high workloads, and concerns over employee health and wellness, these risks could impact JUS (Department of Justice)' ability to deliver effective and timely legal services and to respond to new government priorities.

1.2 Strengths

JUS (Department of Justice)' 2021-2024 Human Resources Management Strategy is aligned with the Department's 'Vision' and Strategic Plan. Recruitment efforts are connected to the Department's equity, diversity, and inclusion objectives and a formal, results-oriented framework is in place to help support the development and recruitment of a diverse applicant pool.

1.3 Areas for Improvement

The Department does not have an integrated recruitment strategy. The absence of a recruitment strategy, informed by organizational and marketplace data, makes it unclear whether the Department is using appropriate recruitment tools, techniques, and messaging to reach targeted applicants.

Although there is a national program in place to attract and recruit new legal professionals through JUS (Department of Justice)' Legal Excellence Program, there are no formal programs or systems in place to recruit individuals from other non-legal professional cohorts, despite a dire need for talent in such areas.

The Department is not tracking data or metrics to measure whether its recruitment programming and plans are effective to meet the Department's needs.

1.4 Audit Opinion and Conclusion

The Department has developed recruitment plans that take into account the organization's long-term strategy and vision, including the need to foster a skilled, diverse, and inclusive workforce. Integrating organizational and marketplace data to inform its decision-making, will allow the Department to position itself as an 'employer of choice'. Furthermore, developing integrated plans will allow recruitment and staffing actions to be more proactive in nature and, utilized with data analytics and metrics will allow the Department to continuously measure whether its recruitment programming and plans are effective to meet the Department's needs.

1.5 Management Response

Management agrees with the audit findings, has accepted the recommendations included in this report, and has developed a management action plan to address them. The management action plan has been integrated in this report.

2. Statement of conformance

In my professional judgment as A/Chief Audit and Evaluation Executive, the audit conforms to the *International Standards for the Professional Practice of Internal Auditing*, as supported by the results of the Quality Assurance and Improvement Program.

Submitted by:

Danielle Payant,
A/Chief Audit and Evaluation
Executive
Department of Justice Canada

Date

3. Acknowledgement

The A/Chief Audit and Evaluation Executive would like to thank the audit team and those individuals who contributed to this engagement, in particular the Department's Human Resources Branch, Directors of Business Management, regional Legal Excellence Program Coordinators, and articling students.

4. Background

4.1 The Importance of People

People are JUS (Department of Justice)' most important asset. Employees at JUS (Department of Justice) are part of a long and proud tradition of providing legal services, advice, and support to the Government of Canada – a tradition that dates back over 150 years. With a diverse and dedicated

workforce of over 5,000 employees coast to coast, the Department is involved in virtually every area of law in Canada. JUS (Department of Justice) also supports the Attorney General as the Chief Law Officer of the Crown.

In support of its mandate, JUS (Department of Justice) is always seeking talented and dedicated legal professionals. It is also in need of professionals from other fields, including administration, policy, communications, finance, human resources, information technology, security, procurement, and more. In 2020-21, the Department hired more than 200 lawyers, and over 400 other professionals. It also experienced nearly 600 departures. Currently, demand for legal and other professionals remains high, with the Department forecasting the need for nearly 300 new lawyers and more than 150 other employees in 2023.

4.2 About Recruitment

For organizations such as JUS (Department of Justice), which rely heavily on people for service delivery, recruitment is an essential part of human resource (HR) management. By definition, recruitment is the process by which an organization identifies workforce requirements and attracts a pool of potential candidates. Selection and staffing is, by comparison, the choice and appointment of job candidates from that applicant pool.

Although selection and staffing are important HR (Human Resources) and managerial functions, recruitment is the first step in the selection of new employees, and one of the most critical steps in building and maintaining a high-performance workforce. It provides the desired applicant pool from which an employer will select the individuals that will help to meet organizational goals and objectives. Recruitment is also critical in shaping and sustaining an organization's vision and values.

4.3 Why Recruitment is Important

Effective recruitment practices can mean the difference between an organization's success and failure. Recruiting the right people in the right numbers is critical. Recruiting people with the right skills can lead to strong organizational performance and other positive outcomes for an organization following the selection and staffing processes. Conversely, recruiting an insufficient number of individuals with the right skills or worse recruiting individuals with the wrong skills can result in challenges and/or delays in completing the selection and staffing processes. In the short-term, poor recruitment can affect workplace performance, service standards, and the health and wellness of employees. Ultimately, practices can affect an organization's culture, values, reputation, and standing.

4.4 Recruitment at Justice

At JUS (Department of Justice), recruitment is recognized as both a strategic priority and a critical risk. In its 2022-23 Strategic Risk Profile (SRP), the Department highlighted persistent challenges in attracting, developing, and retaining a skilled workforce. It also identified challenges in recruiting employees that are representative of the Canadian population. These challenges are not unique to JUS (Department of Justice). As set out in the Clerk's Annual Report to the Prime Minister, the federal Public Service, like all employers, is facing an extremely competitive labour market. Yet risks relating to recruitment at JUS (Department of Justice) may be more acute. In its SRP, the Department also identified workforce readiness, employee wellness, and high workloads as critical risk factors – all of which are linked to and affected by recruitment planning and programming. If not properly addressed or managed, these risks could affect JUS (Department of Justice)'

ability to recruit which would then further impact the delivery of effective and timely legal services, and its ability to respond to new government programs and priorities.

4.5 Recruitment Roles and Responsibilities

While responsibility for the Department's strategic recruitment efforts resides with the Management Sector's Human Resources Branch (HRB), recruitment at JUS (Department of Justice) is a shared responsibility, as Portfolio/Sector managers are directly accountable for the recruiting and staffing decisions associated with their groups. HRB (Human Resources Branch)'s Strategic Recruitment and Official Languages group, which consists of 1-2 resources, is responsible for supporting these managers and helping them develop and implement effective recruitment strategies in partnership with other departmental functions such as Communications (e.g., creating promotional digital materials, promoting job opportunities on social media, etc.). The group is also responsible for administering the Legal Excellence Program for the National Capital Region, which is described below.

4.6 The Legal Excellence Program

One of the Department's key recruitment programs is the Legal Excellence Program (LEP or Program), a department-wide program aimed at attracting and recruiting students at law (i.e., 'articling students'). The LEP (Legal Excellence Program) is designed to provide students with professional knowledge, skills, and experience by exposing them to a variety of legal and policy work. Although the LEP (Legal Excellence Program) is a national program, each region is responsible for its own unique recruitment process, and for adhering to provincial law society's recruitment procedures and timeframes.

Law students may apply to as many regional offices as they wish based on their career interests and personal needs. Once hired, the LEP (Legal Excellence Program)'s articling students are considered participants in the Department's LP-01 Training and Development Program, and following their Call to the Bar, are to be appointed indeterminately to an LP-01 position. The LEP (Legal Excellence Program) is the Department's only formal recruitment program, generating on average twenty new lawyers per year at National Headquarters, and thirty-five new lawyers regionally. HRB (Human Resources Branch) has corporate responsibility for the Program and administers its operations in the National Capital Region (NCR). The National Litigation Sector (NLS) is responsible for administering the LEP (Legal Excellence Program) in regional offices, with the support of regional LEP (Legal Excellence Program) Coordinators. HRB (Human Resources Branch) and NLS (National Litigation Sector) are individually responsible for the LEP (Legal Excellence Program)'s finances: HRB (Human Resources Branch) (Management Sector) funds articling students located in the NCR (National Capital Region) through a fixed salary or Operations and Maintenance (O&M) Budget, while NLS (National Litigation Sector) funds articling students located in regional offices on a cost recovery basis.

4.7 Recruiting Other Professionals

JUS (Department of Justice) renewed its commitment to increasing the reliance on paralegals across the Department by adopting its National Paralegal Strategy (the Strategy), in February 2020. Under the guidance of a legal professional, paralegals perform a variety of tasks in different areas of law. Aligned with the JUS (Department of Justice)' '2018 Vision' and 2017-2022 Strategic Plan, the Strategy aims to build a strong, engaged paralegal community, a vital asset to Canada's Legal Team. Among the initiatives to achieve this Strategy is the establishment of a national approach for

paralegal recruitment. As an initiative included among the measures identified in JUS (Department of Justice)' 2022-23 SRP to mitigate the Department's workforce readiness risk, HRB (Human Resources Branch), along with other key departmental stakeholders, continues to advance the approach by standardizing the job descriptions and statements of merit criteria for paralegal positions, which is considered a foundational activity.

Although legal professionals are the Department's most critical cohort, JUS (Department of Justice) requires professionals from other cohorts to support and enable their work. These include professionals in Information Technology (IT), Information Management (IM), Finance, HR (Human Resources), Communications, Contracting, Policy and Administration. Professionals in these areas support legal practitioners in the delivery of their work, and help ensure that corporate services are delivered in an effective and efficient manner. They can also add to the interdisciplinary perspectives of legal service providers, helping improve their business literacy and broaden their understanding of the context in which their clients operate. While JUS (Department of Justice) has no formal recruitment programs or systems in place for these non-legal professionals, HRB (Human Resources Branch) and JUS (Department of Justice) managers responsible for hiring in these areas can leverage the recruitment programs that are undertaken by the Government of Canada (e.g., the Treasury Board of Canada Secretariat's Careers in Finance, Procurement, Audit, etc.).

5. Audit objective

The objective of this audit was to determine whether the Department has effective practices and processes in place to support its recruitment programs so as to attract diverse and skilled candidates and to meet its

current and future workforce requirements.

6. Audit scope

This audit included an assessment of recruitment programs, practices, and policies in place at JUS (Department of Justice) during fiscal years 2020-21 and 2021-22. This included an assessment of the LEP (Legal Excellence Program) for articling students, as well as recruitment activities for experienced legal and other professionals (such as HR (Human Resources), Finance, Information Management, Information Technology, and Communications personnel). The audit did not include an assessment of employee selection and staffing activities, which were assessed in the Audit of Staffing in June 2021.

7. Audit approach

This engagement was conducted in accordance with the Treasury Board of Canada Secretariat's *Policy on Internal Audit* and *Directive on Internal Audit*, and the Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*. These standards require that the engagement be planned and performed in such a way as to obtain reasonable assurance that the objectives of the engagement are achieved.

8. Findings, recommendations and management response and action plan

This section summarizes the findings and recommendations of the audit, as carried out by the Internal Audit Branch. The audit was performed in keeping with the lines of enquiry and audit criteria identified in the planning phase of the audit, detailed in Appendix A to this report.

8.1 Organizational and Environmental Analysis

HRB (Human Resources Branch) is aware of JUS (Department of Justice)' vision, goals, and strategic plans. Strengths and weaknesses in human resources needed to achieve departmental plans have been identified, and efforts are being undertaken to address perceived weaknesses in skills, in part, through recruitment planning. Further work is needed to understand the Department from the perspective of potential job candidates. This includes professionals from non-legal groups. A better understanding and defining of the factors that make JUS (Department of Justice) attractive would help in the development of a more effective recruitment campaign and recruiting message. It would also help in communicating and espousing departmental values.

Recruiting within a strategic Human Resources (HR) context

Recruitment takes place within a strategic HR (Human Resources) management context. Recruitment decisions should be based on, among other things, an awareness of the mission, goals, and vision of the organization, and an assessment of an organization's needs. When integrated with strategic and operational planning, HR (Human Resources) planning – the process of anticipating and providing for the movement of employees into, within, and out of an organization – helps support the achievement of organizational priorities. It also helps to ensure that the right number and right kinds of people are available when and where needed.

JUS (Department of Justice) does have an HR (Human Resources) planning process that is integrated with the Department's strategy and vision. Recruitment is linked to the strategic goals of the organization and guiding principles for recruitment are in turn linked to the Department's Strategic Recruitment Plan. That plan includes a clear articulation of organizational

goals. It also reflects an understanding of the environment in which the Department operates and how recruitment and selection processes can contribute to JUS (Department of Justice)' overall success. Although the recruitment plan does not expressly set out the Department's recruitment philosophy or strategy, it does reflect the values of the organization and the types of people the Department is trying to attract.

Recruiting diversity

A central objective of JUS (Department of Justice)' recruitment programs is to support efforts to achieve equity and diversity across the Department and to combat racism and address systemic barriers in the workplace.

These efforts are intended to help realize the goals set out in the renewed Department's Employment Equity Plan, and to ensure JUS (Department of Justice)' on-going compliance with employment equity legislation.

Recruitment practices can present systematic barriers to the employment of members from protected groups and thereby perpetuate discrimination against these groups. Diversity recruitment is not just about setting quotas, but rather removing barriers that exist in recruitment practices that prevent fair access for these groups to the workforce.

JUS (Department of Justice) has committed to becoming a representative, diverse, and inclusive organization that ensures all Canadians have equitable access to justice. To this end, HRB (Human Resources Branch) has actively engaged the Department's Anti-Racism and Anti-Discrimination Secretariat so as to apply an equity, diversity and inclusion lens in its recruitment and people management plans. This work is reflected, in part, in the Department's Anti-Racism and Anti-Discrimination Results Framework 2021-2024. To help promote representation and inclusion of Indigenous communities, Black and other racialized groups, persons with disabilities, and LGBTQ2S+ (Lesbian, Gay, Bisexual, Transgender, Queer or

Questioning and Two Spirit) communities within its ranks, JUS (Department of Justice) has initiated targeted staffing processes to fill key gaps at executive, management, and feeder group levels. It has also launched an awareness campaign to raise the profile of equity, diversity, and inclusion resources available in support of recruitment and staffing processes.

Separate from the work of HRB (Human Resources Branch), the Anti-Racism and Anti-Discrimination Secretariat has initiated a review of general public service and collective staffing recruitment processes with a view to providing recommendations on how best to generate a critical mass or talent pool of individuals from equity seeking groups. The Secretariat also plans on hiring an external party to conduct an independent Equity, Diversity and Inclusion (EDI) review of all departmental HR (Human Resources) practices, including recruitment, to help identify and address systemic barriers at JUS (Department of Justice). Together, these efforts are expected to further the Department's representation objectives.

Assessing internal attributes

Individuals become job applicants after forming an opinion on the desirability of working in a particular job or within a specific organization. Organizational characteristics can steer individuals towards or away from an organization and influence an individual's interest in and impression of a particular job position. While an individual's interests and values will ultimately influence the relative importance of different organizational attributes, knowledge and awareness of what makes an organization attractive is critical in positioning and in creating a favorable first impression for potential job candidates. Understanding and defining internal organizational attributes and values is also critical in informing organizational needs, since it is not only the knowledge and skills of new hires that matter, but their values and principles.

What JUS (Department of Justice) stands for, and the kind of organization it wishes to be, is best articulated in the Department's Strategic Plan. It highlights the services of its people to the ideals of public service, and the work they do in advancing equality and the rule of law. While it is reasonable to assume that most applicants to the Department – certainly those applying for positions as lawyers – share those ideals, those ideals are not the Department's only distinguishing attributes, and may not be those that job applicants find most attractive. Becoming an employer of choice requires that JUS (Department of Justice) deliberate and better understand the organization it wants to be, and understand and meet the needs of prospective employees through the reinforcement of its strategic recruitment.

JUS (Department of Justice)' last survey of new hires was conducted in 2014. It has however recommitted to gathering feedback from recent hires on why they joined JUS (Department of Justice) in its 2021-2022 Recruitment Plan. The Department also plans on increasing its profile and presence at career fairs, networking activities, and on university campuses – where JUS (Department of Justice) recruiters can speak directly with individuals and gauge their needs and interests. These efforts, along with internal surveys of JUS (Department of Justice) employees, should help identify factors and attributes that influence (or have historically influenced) employees' decisions to join the Department. They may also help identify or clarify attributes and values the Department wants to emphasize in its recruitment efforts.

Anticipating workforce requirements

As previously stated, the HR (Human Resources) planning process at JUS (Department of Justice) is aligned and integrated with the Department's strategic planning process. JUS (Department of Justice) does not however

have sufficient systems and practices in place to support integrated operational HR (Human Resources) planning. Given the importance of forecasting future workforce needs, we expected HRB (Human Resources Branch) to have a process in place to solicit and analyze future workload demands from the Department's Portfolios and Sectors which include corporate service groups. Although financial situation reporting is conducted several times a year, during which the Department solicits information from its Portfolios and Sectors on anticipated revenues and expenditures, the reporting exercise is intended for financial planning purposes only. While salary forecasting tools exist to support financial situation reporting, the results of salary forecasting are of limited value for HR (Human Resources) planning purposes and in their outlook. While efforts are undertaken by individual Portfolios and Sectors to calculate net requirements for personnel, that information is not always shared with HRB (Human Resources Branch) in a formal and timely manner. This planning information, though often elaborate, is therefore not integrated with the results of the Department's broader organizational and job analysis.

Without an integrated operational HR (Human Resources) planning process, JUS (Department of Justice) is unable to identify the type and number of human resources it needs to carry out its business plans. As it stands, HRB (Human Resources Branch) has a general understanding of the resources that exist within the organization nationally and those that must be secured through recruitment programs. The absence of an operational HR (Human Resources) planning process, and the absence of planning data precludes the Department in engaging in meaningful, long-term, and strategic recruitment efforts.

Analyzing labour markets and leveraging internal and external data

Setting aside internal attributes at JUS (Department of Justice) which may influence recruitment plans, the Department's recruiting efforts may be influenced by external factors over which it has little control. These include, for example, the economic environment and labour market. Organizations must develop recruitment plans that make sense in the context of the environment in which they are operating. The overall nature of the economy may influence JUS (Department of Justice)' decision to hire or not to hire, but the nature of the labour market will often determine how extensively it will have to search to fill a job with a qualified candidate.

Given its size and stature, and its relationship with Canadian law schools, law societies, and the legal community at large, JUS (Department of Justice) has a reasonable sense of the market for legal practitioners. However, recruitment planning at JUS (Department of Justice) would benefit from a better understanding of labour markets and the supply of labour needed to fill priority positions such as those in other occupational groups such as IT (Information Technology), IM (Information Management), Finance, Communications and Contracting. Although JUS (Department of Justice) has identified and begun the process of sourcing independent and professional market research and data reports, those reports had yet not been received at the time of our audit.

Furthermore, in its 2021-2024 Digital Transformation Strategy, JUS (Department of Justice) committed to improving its use of data – and the insight and intelligence it provides – to inform decision making on policies and programs to improve service delivery to clients and all Canadians. While that commitment is intended to assist legal professionals in improving legal services, the same strategy could be applied to improving the Department's recruitment programs and practices. While JUS (Department of Justice) has access to extensive internal data sets and tools

that can be utilized by the Department's Business Analytics Group and HR (Human Resources) Reporting Group, this data is not being leveraged to its full potential due to internal capacity limits within these groups.

8.2 Recruiting Strategically

JUS (Department of Justice)' Human Resources Management Strategy is aligned with the Department's '2018 Vision' and 2017-2022 Strategic Plan. Recruitment is connected to the Department's strategic goal of recognizing and building expertise, and supportive of its equity, diversity, and inclusion objectives. HR (Human Resources) plans are not however integrated into operational planning. The Department does not have an HR (Human Resources) process in place to forecast its long-term workforce requirements, or the means to map available talent to its long-term operational needs. As a result, the Department lacks an integrated understanding of human resources that exist within the organization and those that must be secured through recruitment.

Although strategic recruitment has been identified as a strategic priority of the Department and as a critical operating risk, JUS (Department of Justice) does not have a long-term and integrated recruitment strategy. Without a recruitment strategy, informed by a broader organizational analysis, it is unclear whether the Department is using appropriate recruitment methods and messaging to reach targeted applicants. Although HRB (Human Resources Branch) has developed a formal Recruitment Plan, which sets out the Department's priorities for external recruitment for 2021-2022, few, if any, of the priorities set out in the plan have been resourced or achieved.

Recruitment methods

Informed by an assessment of organizational and environmental factors, and an analysis of their targeted applicant pool, organizations must choose the best recruitment methods to reach and attract their targeted applicant pool. Recruiting can be undertaken internally, externally, or in combination, but recruitment methods should be tied to the needs of the organization and the kinds of individuals the organization is trying to recruit.

Internal recruiting at JUS.(Department of Justice) has generally been successful. More often than not, internal postings result in the identification of quality candidates, most certainly when resources are procured from talent management or other employee development programs. Internal candidates also have a better understanding of the Department's mandate, operations, and culture. Their interest in remaining with JUS.(Department of Justice) make them well-suited for new opportunities within the Department and alleviate the need for some succession planning. That said, recruiting internally is generally regarded as a zero-sum game; one Portfolio's gain is equivalent to another Portfolio's loss, resulting in little net benefit to the Department as a whole, and forcing JUS.(Department of Justice) to look outside the organization to fill in gaps.

External recruitment requires the Department to be more thoughtful and varied in its selection of recruitment methods. Analyzing sources of new recruits, evaluating recruitment tools and techniques, and developing recruitment materials is time and resource intensive. Choosing the right recruitment methods – whether job advertisements, recruiting events, e-recruiting, or other techniques – requires that the Department have a firm understanding of who it is trying to reach, what methods and media is most likely to reach those individuals, and what type of content is likely to attract their attention. Recruitment methods may vary by candidate type or cohort and may be impacted by a chosen recruiting message or brand.

Without a formal recruitment strategy and appropriate organizational and environmental data, it is difficult to determine whether JUS (Department of Justice) is using appropriate recruitment methods and messaging to reach targeted applicants. Although recruitment tools and techniques have drastically changed over the past twenty years, recruitment methods at JUS (Department of Justice) have not. Static on-line postings remain the principle means by which JUS (Department of Justice) recruits most all of its external hires, despite the fact that such methods have largely been relegated to the sidelines of modern-day recruitment practices. Although the Department has begun experimenting with the use of more contemporary recruitment methods, including the use of social media sites, such experiments are the exception not the rule as capacity limits in HRB (Human Resources Branch) and its partners prevent these methods from being considered in terms of their potential in reaching and attracting the targeted applicants. While career fairs and recruitment events remain viable recruitment platforms, JUS (Department of Justice)' participation at such events is, for the most part, *ad hoc* as operational priorities may limit counsels' availability to volunteer for and attend these events. In addition, the Department's reception and success at such events is not being measured.

Funding models for the recruitment of new lawyers

The manner in which recruitment programs are funded can impact their ultimate success. As stated in the introduction to this report, HRB (Human Resources Branch) and NLS (National Litigation Sector) are responsible for funding the LEP (Legal Excellence Program), the Department's articling program for law students. Management Sector provides funding for articling students located in the NCR (National Capital Region) through an O&M (Operations and Maintenance) budget, while NLS (National Litigation

Sector) funds articling students for regional offices on a cost recovery basis. In the latter case, where a client institution identifies a need for legal work that can be undertaken by articling students, the salaries of those students are recovered, in part, by agreement with the institution.

Although the origins and rationale for fixed financing of the LEP (Legal Excellence Program) in the NCR (National Capital Region) remain unknown, the model appears to be limiting the number of students that can be hired through the LEP (Legal Excellence Program) in any given year. These limitations appear to be impacting the recruitment needs and practices of affected Portfolios. Most Portfolios operating within the NCR (National Capital Region) indicated that the LEP (Legal Excellence Program), though well designed, was simply not producing the number of candidates needed annually to fulfill their staffing needs – forcing hiring managers to look elsewhere for new resources. The cost recovery model to funding the LEP (Legal Excellence Program) within NLS (National Litigation Sector) and regional offices, by contrast, seems to provide the Department with greater flexibility, agility, and capacity in hiring new recruits.

Securing resources needed to support HR (Human Resources) operational planning capacity

Despite recruitment being recognized as a strategic priority and a key objective to “Strengthen a Culture of Public Service Excellence”, HRB (Human Resources Branch)’s Strategic Recruitment is currently funded for two FTEs: one manager and one assistant. Together, they are responsible for administering the LEP (Legal Excellence Program) for the National Capital Region, for supporting hiring managers and helping them develop and implement effective recruitment strategies. They do not benefit from O&M (Operations and Maintenance) funding for recruitment activities outside the LEP (Legal Excellence Program). Their main partners, the

Communication Branch and hiring managers from Sectors and Portfolios, also work within limited capacity. If positioning itself as an “Employer of Choice”, and “attracting, retaining, recognizing excellence, and developing diverse talent to support the current and future needs of the Department for service excellence” are priorities and key objectives, the Department needs to ensure it has the capacity, and to secure the necessary resources to support them.

Recommendation 1:

It is recommended that the Chief Financial Officer and Assistant Deputy Minister, Management Sector develop a long-term and integrated recruitment strategy that considers the needs of all JUS (Department of Justice)’ occupational groups.

Management Response and Action Plan 1

Agreed.

Action Plan includes:

A long-term and integrated recruitment strategy (Strategy) that considers the needs of all JUS (Department of Justice)’ occupational groups will be prepared.

Office of Primary Interest

Chief Financial Officer and Assistant Deputy Minister, Management Sector

Due Date

September 30, 2024

Recommendation 2:

It is recommended that the Chief Financial Officer and Assistant Deputy Minister, Management Sector ensure the recruitment strategy developed in Recommendation 1 is aligned with available funding.

Management Response and Action Plan 2**Agreed.**

Action Plan includes:

The recruitment strategy developed under recommendation 1 will propose alternate options and identify the resources required for each option so that Senior Management can make informed decisions in the context of the department's Financial Strategy for fiscal year 2025-26.

Office of Primary Interest

Chief Financial Officer and Assistant Deputy Minister, Management Sector

Due Date

December 31, 2024

Recommendation 3:

It is recommended that the Chief Financial Officer and Assistant Deputy Minister, Management Sector develop an effective recruitment message or brand, as well as other supporting communication materials and resources in support of the recruitment strategy developed in Recommendation 1.

Management Response and Action Plan 3

Agreed.

Action Plan includes:

In partnership with appropriate stakeholders an effective recruitment messaging or brand to support the Department's recruitment strategy will be developed. The development of supporting communication materials and other recruitment resources may also be done in partnership with JUS (Department of Justice)' Communication Branch.

Office of Primary Interest

Chief Financial Officer and Assistant Deputy Minister, Management Sector

Due Date

March 31, 2025

Recommendation 4:

It is recommended that the Chief Financial Officer and Assistant Deputy Minister, Management Sector establish periodic monitoring of JUS (Department of Justice)' recruitment efforts against planned results.

Management Response and Action Plan 4**Agreed.**

Action Plan includes:

Key performance indicators to monitor JUS (Department of Justice)' recruitment efforts against planned results will be identified and updated, as appropriate, and reported to senior management at least annually.

Office of Primary Interest

Chief Financial Officer and Assistant Deputy Minister, Management Sector

Due Date

March 31, 2025

9. Audit opinion

The Department has developed recruitment plans that take into account the organization's long-term strategy and vision, including the need to foster a skilled, diverse, and inclusive workforce. Integrating organizational and marketplace data to inform its decision-making, will allow the Department to position itself as an 'employer of choice'. Furthermore, developing integrated plans will allow recruitment and staffing actions to be more proactive in nature and, utilized with data analytics and metrics will allow the Department to continuously measure whether its recruitment programming and plans are effective to meet its needs.

Appendix A: Audit criteria

Line of Enquiry 1: Organizational Analysis

Criterion 1 – The Department's recruitment programs, practices, and policies take into account an analysis of the organization's vision and its human resource plans.

Sub-criterion 1.1 – The Department has processes in place to forecast the number and profiles of employees required to meet its operational needs and has a funding plan that supports the proper

allocation of resources to meet those needs.

Sub-criterion 1.2 – The Department has a recruitment strategy linked to its organizational vision and strategic goals.

Sub-criterion 1.3 – The Department has developed an effective recruitment message, consistent with its organizational vision and recruitment strategy.

Line of Enquiry 2: Action Plans

Criterion 2 – The Department has developed recruitment programs or action plans that effectively locate, target, and attract the desired applicant pools to support a diverse, inclusive, and skilled workforce.

Sub-criterion 2.1 – Key stakeholders involved in the development of recruitment programs, action plans, and staffing activities are working collaboratively.

Sub-criterion 2.2 – The Department is choosing appropriate recruitment sources, methods, and tools to reach potential and targeted applicants.

Sub-criterion 2.3 – The Department is actively assessing and removing barriers in its recruitment programs and practices that prevent fair access for equity-seeking groups to its workforce.

Line of Enquiry 3: Performance Measurement

Criterion 3 – The Department is tracking, monitoring, and reporting recruitment data and key performance indicators relating to its recruitment strategies and action plans.

Sub-criterion 3.1 –The Department is making data-driven recruitment decisions in the development of recruitment programs, plans, policies, and practices.

Sub-criterion 3.2 – The Department is monitoring and reporting program and practice outputs relating to recruitment to improve its future recruitment activities.

Appendix B: List of acronyms

EDI

Equity, Diversity, and Inclusion

HR

Human Resources

HRB

Human Resources Branch

IT

Information Technology

IM

Information Management

JUS

Department of Justice

LEP

Legal Excellence Program

LGBTQ2S+

Lesbian, Gay, Bisexual, Transgender, Queer or Questioning and Two Spirit

NLS

National Litigation Sector

NCR

National Capital Region

O&M

Operations and Maintenance

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