

BAO

Bereavement
Authority of
Ontario

FY 2018/19—2020/21

Business Plan

Updated April 2020

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1.

Overview of the Bereavement Authority of Ontario

The Bereavement Authority of Ontario (BAO) was established as a Delegated Administrative Authority (DAA) on Jan. 16, 2016.

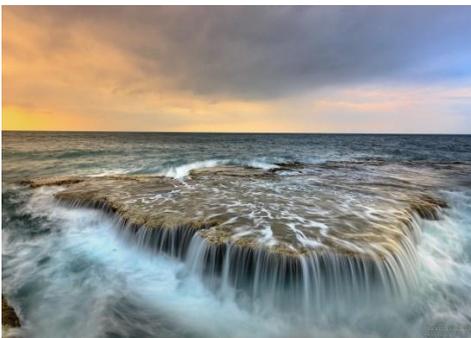
The licensing and enforcement responsibilities previously exercised by the Board of Funeral Services (BOFS) and the Ministry of Government and Consumer Services Cemetery and Crematorium Regulations Unit, were transferred to the BAO.

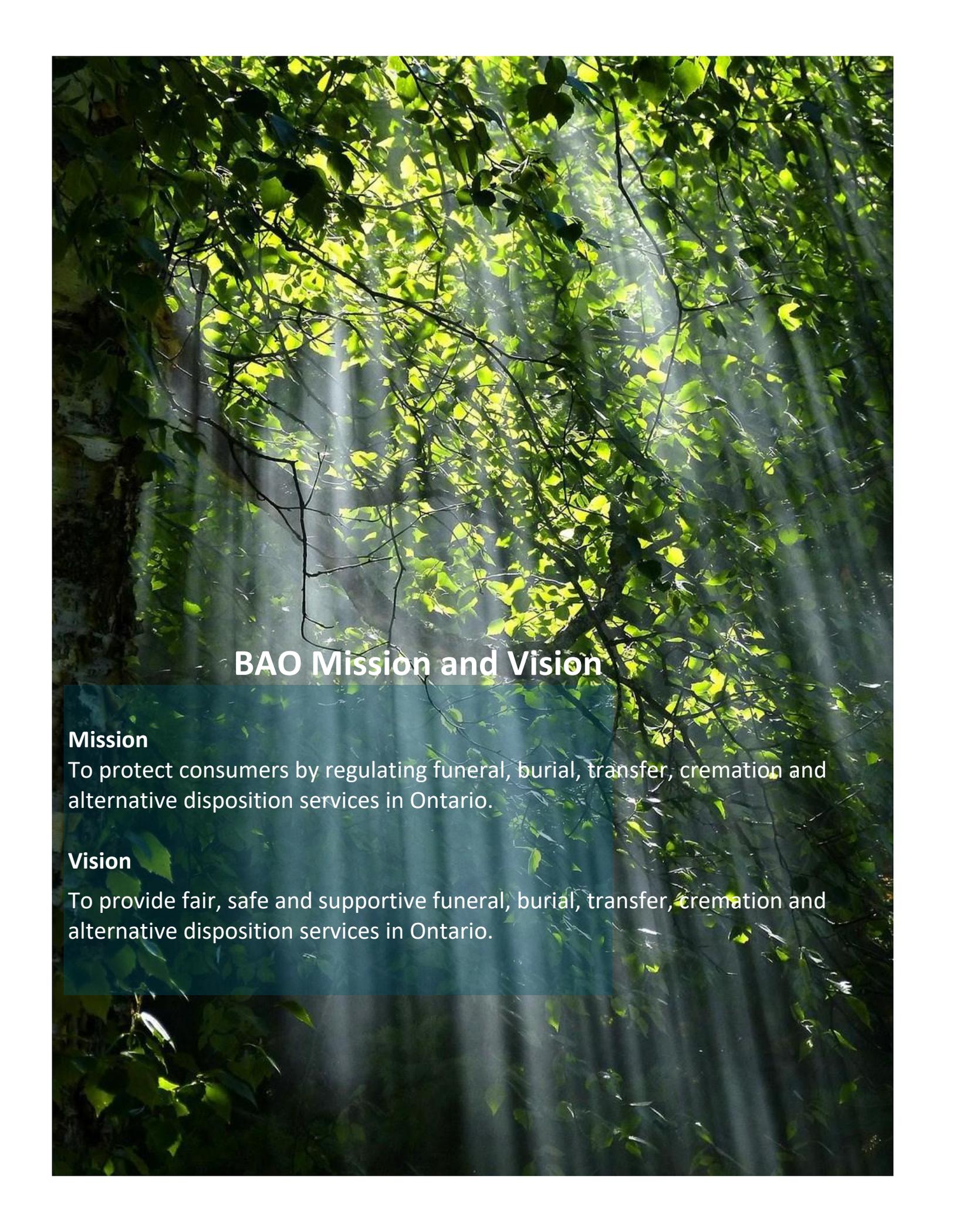
The BAO administers provisions of the *Funeral, Burial and Cremation Services Act, 2002* (FBCSA) on behalf of the Ministry of Government and Consumer Services. The FBCSA consolidated and modernized two statutes: The *Cemeteries Act (Revised)* and the *Board of Funeral Services Act* (formerly titled the *Funeral Directors and Establishments Act*).

The FBCSA and its regulations recognize that bereavement related decisions are often made during stressful and emotional times. The FBCSA requires that consumers are clearly informed of their options and have necessary information on hand when making bereavement related decisions.

The FBCSA generally applies to those significant facets of the bereavement sector, including funeral establishments, transfer services, cemeteries, crematoriums, funeral directors, sales representatives and funeral preplanners.

The BAO is responsible for consumer protection and consideration of the public interest in its oversight of bereavement services in Ontario. The BAO licenses and regulates more than 5,000 bereavement related professionals.





BAO Mission and Vision

Mission

To protect consumers by regulating funeral, burial, transfer, cremation and alternative disposition services in Ontario.

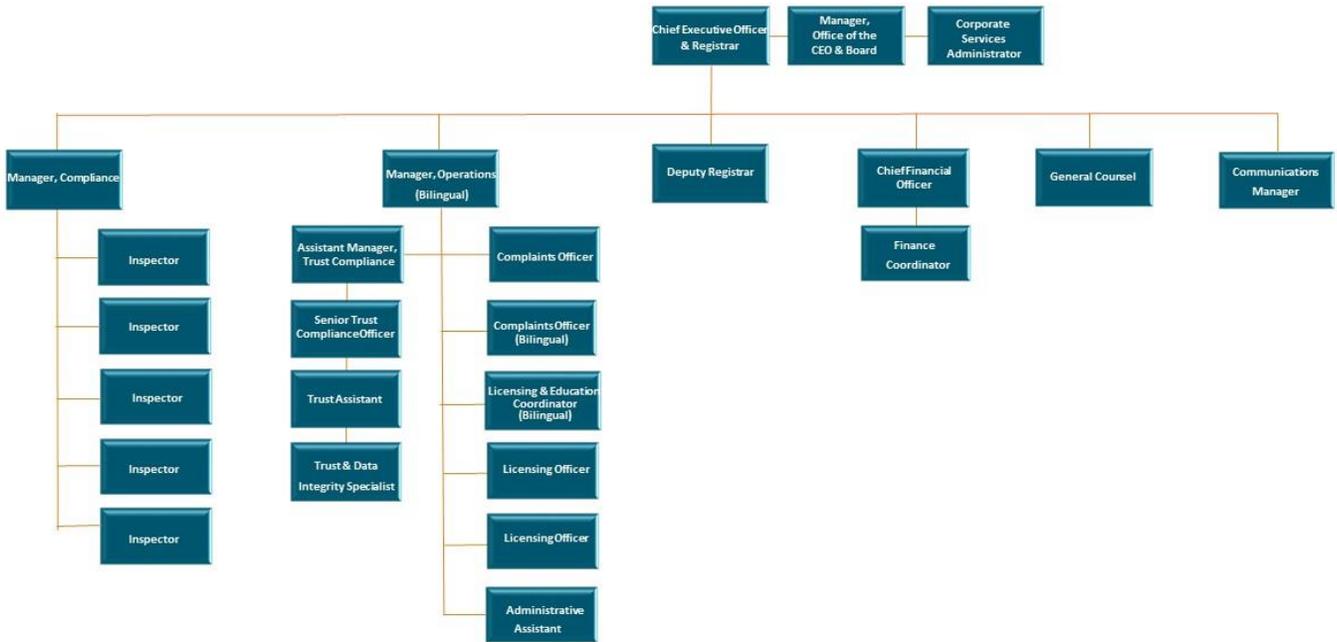
Vision

To provide fair, safe and supportive funeral, burial, transfer, cremation and alternative disposition services in Ontario.

1 b.

Organizational Structure

(as at March 31, 2020)



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Governance

The BAO is governed by a ten-member Board.

The Board is comprised of:

- (a) Four Directors who are selected based on their skills and governance experience (these individuals can have no direct interest in the bereavement sector).
- (b) Three Appointed Directors who are selected and appointed by the Minister of Government and Consumer Services, for terms determined by the Minister.
- (c) Three Elected Directors who are also the chairs of the three Advisory Committees.

1 d.

Advisory Committees

As part of its governance structure, the BAO Board is supported by three Advisory Committees. These volunteer committees are comprised of sector and consumer representatives who provide the Board and the Registrar with expert advice on matters affecting the bereavement sector. The Chair of each committee also serves as a director on the Board of Directors.

- Funeral & Transfer Services Advisory Committee
- Cemetery, Crematorium & Municipal Advisory Committee
- Faith-based Advisory Committee

More information on the Advisory Committees can be found here: <https://thebao.ca/home/governance/committees/>

1 e.

Services

The core services that the BAO provides include:

- Licensing of establishments and individuals, including new applications and renewals
- Oversight of internships
- Approval of education programs
- Consumer Protection:
 - Complaint Handling
 - Mediation
 - Inspections
 - Investigations
 - Compliance Actions (Registrar's Actions)
- Public Education & Outreach
- Trust Fund Oversight
- Compensation Fund Administration
- Liaison with Government
- Liaison with Stakeholders

1 f.

Stakeholders

The BAO maintains a productive and positive relationship with its key stakeholders, which include:

- Consumers
- Licensees
- The Ministry of Government and Consumer Services
- The Ontario Association of Cemetery and Funeral Professionals
- The Ontario Funeral Service Association
- The Federation of Ontario Memorial Societies
- Community Deathcare Canada
- The Good Green Death Project
- Humber College
- Collège Boréal

1 g.

Relationship with the Government of Ontario

The Minister of Government and Consumer Services has delegated the authority to administer most provisions in the FBCSA to the BAO, including those related to the licensing and regulation of bereavement service providers, but retains legislative oversight.



2.

Complaints Handling

The BAO will entertain complaints received via phone, letter, email or via our online complaint form found at <https://thebao.ca/for-consumers/complaints/>. The BAO reviews and handles complaints pursuant to the FBCSA. Parties are encouraged to discuss their concerns before proceeding through the BAO's complaint process.

Pursuant to [section 66 of the FBCSA](#), in handling complaints, the Registrar may do any of the following, as appropriate:

- Attempt to mediate or resolve the complaint
- Give the licensee a written warning
- Require the licensee or other persons to attend a specified educational program
- Refuse to issue or renew a licence, or suspend or revoke a licence.
- Take other appropriate actions in accordance with the FBCSA which may include, but is not limited to, imposing Conditions of Licensure

The Registrar cannot award damages or require refunds or discounts where services and/or merchandise have been provided.

Complaint Process

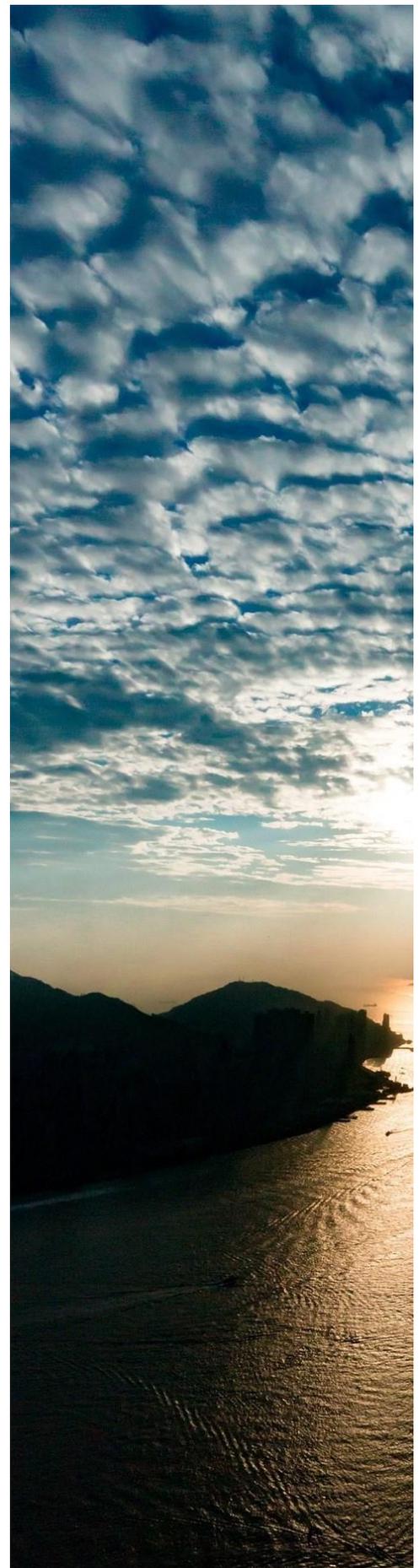
The BAO's complaint process involves the following steps:

- Complaint received via phone, email, regular mail or online complaint form
- Complaint acknowledged and additional information/documentation requested from the complainant
- Applicable licensee contacted regarding complaint and clarification, documentation and response requested
- Complaint documentation thoroughly reviewed by BAO Management and Complaint Unit
- Licensee and complainant kept apprised of the process throughout the investigation
- Final written response provided to both the licensee and the complainant

OUTCOMES

of a Complaint

- | | |
|--|---|
| 1. In favour of licensee (no action taken) | 3. Resolution |
| 2. In favour of complainant | 4. Withdrawn by complainant |
| • Possible refund (e.g. services charged but not provided, excess funds) | ❖ Sometimes referred for inspection |
| • Further education for licensee | ❖ BAO cannot reward damages or demand that a refund be made for services that were provided |
| • Reminder or warning to licensee | |
| • Discipline (coming by early next year) | |





3.

French Language Services

The bereavement sector employs many francophone licensees. Funeral services education is offered at Collège Boréal – a fully French-speaking college. The BAO employs several bilingual staff members and provides French language services as required. BAO publications are provided in English and French.

4.

Business Planning Overview and Early Insights

To guide the BAO toward achieving its vision and mission over the next three years, the board and management team of the BAO participated in its first facilitated strategic planning process in the fall of 2017. The process included consultation with a wide array of stakeholders. Several key insights have been identified during the first two years of the BAO's existence:

- Consumers and the sector are benefiting from funeral and cemetery professionals working with one regulator.
- Some previously unknown consumer risks are being identified through initial assessments of the sector.
- Some challenges caused by changing demographics, land use, and technology will require innovation, cooperation and adaptation to resolve.
- Growth of the organization's resources may be required to properly execute on its mandate and strategic plan.

The strategic planning process identified five strategic priorities which will guide the BAO toward achieving its vision and mission over the next three years.

5.

Strategic Priorities

1. Inform and support stakeholders in matters related to the FBCSA.
2. Comply with regulatory obligations for administering and enforcing the FBCSA.
3. Adopt innovative methods for achieving compliance with the FBCSA.
4. Optimize operational economy, efficiency and effectiveness.
5. Enhance corporate governance.

5 a.

Strategic Priorities, Objectives, and Performance Measures

1. Inform and support stakeholders in matters related to the FBCSA		
Objectives	Performance Measures	Target
A. Increase consumer awareness of the BAO and access to useful and relevant regulatory information.	<ul style="list-style-type: none"> Revise and enhance the organization’s online presence for ease of access; website being redesigned in order to improve navigation and usability, enhance the visitor experience, and attract more users e.g. via mobile accessibility. 	<ul style="list-style-type: none"> 2018
	<ul style="list-style-type: none"> Build BAO’s social media presence to reach a broader range of consumers; Engaging and informative content will be posted on a monthly basis on Facebook, Twitter and LinkedIn; Various social media advertising campaigns will be implemented to boost followers and engagement; Social media links will be included in employee signatures, in the Consumer Information Guide and incorporated into the BAO trade show booth graphics. 	<ul style="list-style-type: none"> 2018
	<ul style="list-style-type: none"> Develop additional ways of ensuring consumers are provided with the BAO’s Consumer Information Guide, prior to their entering into contracts when making purchases of bereavement related supplies and services. 	<ul style="list-style-type: none"> 2019
	<ul style="list-style-type: none"> Engage with licensees to include and promote the BAO in their advertising. 	<ul style="list-style-type: none"> 2019
	<ul style="list-style-type: none"> Participate in consumer events (Zoomer Show, 55+ Lifestyle Show and other consumer-focused trade shows) and make presentations to consumer groups (FOOMS, community centers etc.) to promote the BAO. This is an opportunity to inform consumers of the services the organization provides and about their rights). 	<ul style="list-style-type: none"> 2018
	<ul style="list-style-type: none"> Provide consumer information on the choices available to them in different preplanning arrangements. 	<ul style="list-style-type: none"> 2019
	<ul style="list-style-type: none"> Institute requirements for Funeral Directors to approve preneed contracts negotiated by funeral preplanners/sales staff when consumers are entering into contracts. 	<ul style="list-style-type: none"> 2019

<p>B. Develop and maintain effective communications with key stakeholders.</p>	<ul style="list-style-type: none"> ● Continue to work closely with the BAO Advisory Committees. ● Continue to engage and work collaboratively with Associations and other stakeholders through various e-blasts and social media posts. ● Develop effective understanding and support of consumer needs. ● Work collaboratively with the Ministry to provide advice and insight on emerging trends and methods for the disposition of dead human bodies. ● Develop recommendations to Government on legislation, regulation, policies and practices. ● Continue to communicate with stakeholders. 	<ul style="list-style-type: none"> ● Ongoing ● Ongoing ● Ongoing ● Ongoing ● Ongoing ● Ongoing
<p>C. Improve resolution of consumer complaints.</p>	<ul style="list-style-type: none"> ● Provide ongoing training to BAO staff in effective complaint handling techniques. ● Develop better methods for dealing with complaints that are non-regulatory in nature. ● Administer Compensation Fund claims in a timely manner. 	<ul style="list-style-type: none"> ● Ongoing ● 2019 ● 2018

2. Comply with regulatory obligations for administering and enforcing the FBCSA

Objectives	Performance Measures	Target
A. Oversee sector standards and requirements.	<ul style="list-style-type: none"> ● Establish, implement and maintain high standards of practice, and ethics in the provision of funeral, transfer, cemetery and crematorium services. ● Create a Code of Ethics and Discipline Regulation. ● Continue to maintain and update effective licensing of funeral establishments, cemetery operators, crematorium operators, transfer service operators, funeral directors, funeral preplanners, transfer service sales representatives, and cemetery sales representatives. ● Continue to provide Entry to Practice Examinations. ● Review license reinstatement standards. ● Recommend and promote preneed contract changes to provide consumers with a clear description of the purchased supplies and services to clarify which other supplies and services are not included. 	<ul style="list-style-type: none"> ● Ongoing ● 2019 ● Ongoing ● Ongoing ● 2018 ● 2019
B. Enhance education requirements and standards.	<ul style="list-style-type: none"> ● Maintain a high level of educational standards/requirements for licensees. ● Monitor and approve programs delivered by course providers. ● Restructure funeral preplanner and transfer service operator education in Ontario. ● Define continuing education requirements. 	<ul style="list-style-type: none"> ● Ongoing ● 2020 ● 2020 ● 2019
C. Complete inspections and reviews and resolve non-compliance findings.	<ul style="list-style-type: none"> ● Maintain an effective inspection and compliance review program. ● Review proposed trustee agreements and financial statements for trust compliance. ● Monitor trust (Care and Maintenance Trust Fund/Account and Pre- paid Trusts) compliance activities. ● Continue education for non-licensed employees of cemetery/ crematorium operators. ● Initiate immediate Registrar's actions or sanctions when non-compliance is identified. 	<ul style="list-style-type: none"> ● Ongoing ● Ongoing ● Ongoing ● Ongoing ● Ongoing

3. Adopt innovative methods for achieving compliance with the FBCSA

Objectives	Performance Measures	Target
A. Increase the effectiveness and efficiency of inspections and compliance methods.	<ul style="list-style-type: none"> Develop and implement a risk-based compliance regime and associated practices. Develop an effective procedure to review and ensure compliance related to preneed contracts. 	<ul style="list-style-type: none"> 2020 2020
B. Coach for compliance.	<ul style="list-style-type: none"> Coach “at risk” small cemeteries on proper trust and cemetery management. Encourage collaboration between funeral professionals, cemeteries and municipal operators to enhance the quality and sustainability of smaller cemetery operators. Provide direction on cemetery education requirements to sector associations and encourage them to provide the necessary education to their members. Jointly develop, brand, distribute and promote a cemetery handbook of regulatory requirements and best practices with sector associations. 	<ul style="list-style-type: none"> Ongoing 2020 2019 2020

4. Optimize operational economy, efficiency and effectiveness

Objectives	Performance Measures	Target
A. Ensure financial sustainability.	<ul style="list-style-type: none"> Ensure careful management of resources. Manage reserve funds to appropriately meet the long-term needs of the BAO. Ensure that the Compensation Fund is adequately funded. 	<ul style="list-style-type: none"> Ongoing Ongoing Ongoing
B. Improve operational capabilities.	<ul style="list-style-type: none"> Improve integration of processes and procedures for licensing. Identify and eliminate outdated and inefficient licensing processes and requirements. Ensure licensing requirements are aligned with the FBCSA. Transform IT system to merge CATS into the OASIS database, with design and reporting improvements. Develop IT reporting systems to provide statistics and ensure staff accountability. Maintain appropriate staff levels to meet the regulatory and strategic needs of the BAO. 	<ul style="list-style-type: none"> Ongoing 2019 Ongoing 2018/ Ongoing 2019 Ongoing

5. Enhance corporate governance

Objectives	Performance Measures	Target
<p>A. Ensure effective Board functioning and oversight of the BAO.</p>	<ul style="list-style-type: none"> • Develop Board and committees, policies and procedures that promote best practices applicable to the BAO. • Develop and maintain a current Strategic Plan. • Develop and approve a Business Plan that aligns with the Strategic Plan. • Develop and implement appropriate performance metrics for the organization. • Approve risk management plan. 	<ul style="list-style-type: none"> • 2018 • Ongoing • Ongoing • 2019 • 2019

5 b.

Key Outcomes, Outputs and Targets

The BAO has set strategic priorities, initiatives and a performance plan in its FY2018/19-2020/21 business plan. The BAO reports on performance in its annual report to ensure both transparency and accountability to its stakeholders and the public.

The BAO's database and computer system, which combines two distinct systems (data from the former Board of Funeral Services with data from the Ministry of Consumer & Government Services) was launched in February 2018. As such, the BAO is in early stages of developing data that will reliably enable year over year comparisons against its first full year of operation (2017). Similarly, for the FY2018/2019 business plan period, the initiatives identified have focused on the build out of the BAO and may not readily lend themselves to quantifiable measures, but instead may reflect activity-based measures to gauge progress rather than outcomes. As the organization matures over this planning period, performance measures will be updated and stabilized to allow for year-to-year comparisons.



6.

Financial Forecast



3-Year Forecast of Revenue and Expenses	Actuals 2019-20*	Forecast 2020-21**	Forecast 2021-22	Forecast 2022-23
REVENUE				
Funeral Revenue	\$ 2,609,916	\$ 2,594,744	\$ 2,613,731	\$ 2,632,907
Cemetery and Crematorium Revenue	1,322,317	1,663,619	1,679,008	1,694,551
Other Revenue - Non-Operational	119,712	87,176	94,626	102,821
Total Revenues (3)	\$ 4,116,384	\$ 4,345,540	\$ 4,387,364	\$ 4,430,278
EXPENSES				
Payroll Expenses (4)	\$ 2,450,607	\$ 2,582,926	\$ 2,642,243	\$ 2,711,576
Specialized Outsourced Expenses (5), (6)	407,849	546,000	568,810	594,064
Communication and IT Expenses	424,716	491,046	420,000	337,552
Office and Other Expenses	689,165	725,568	756,311	787,087
Total Expenses	\$ 3,972,337	\$ 4,345,539	\$ 4,387,364	\$ 4,430,279
Operating Surplus/(Deficit)	\$ 144,047	\$ -	\$ -	\$ -

Budget Notes:

1. *Unaudited financial results for the fiscal year ending, March 31, 2020.
2. **FY2020-21 forecast representative of Board approved budget - March 25, 2020.
3. The three-year forecast reflects a conservative outlook with respect to death count as experienced over the last decade.
4. Includes full time and contract employees in addition to associated benefit and payroll tax expenses. Headcount is considered at full complement.
5. Outside legal support reserved for specialized litigation matters that may arise in the normal course of business.
6. Ministry oversight fees are reflected in Specialized Outsourced Expenses.

7.

Resources Required

A number of the initiatives identified in this business plan required or still require the addition of new resources:

- *Replacement for outsourced legal resources:* A new General Counsel was hired early 2019 to reduce outsourced legal expenses.
- *Enhance management team:* A new management position was filled. The Manager of Communications was hired early 2020.
- *Ensure accuracy and integrity of data systems:* Recruitment of a Business Analyst will begin mid-2020 to lead data analysis and ensure performance targets are met.

These new positions are accounted for in the financial forecast for fiscal years 2018/19, 2019/20, 2020/21.

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