

# BAO

Bereavement  
Authority of  
Ontario

## Annual Report

April 1, 2019 - March 31, 2020



# Table of Contents

|   |    |
|---|----|
| Organizational Overview .....                             | 3  |
| Message from the Chair .....                              | 4  |
| Message from the CEO/Registrar .....                      | 6  |
| By the Numbers .....                                      | 8  |
| Organizational Chart.....                                 | 9  |
| CEO/Registrar's COVID-19 Report .....                     | 10 |
| Corporate Governance .....                                | 14 |
| BAO Board of Directors 2019/20.....                       | 16 |
| Business Plan Actions: 2019/20 Strategic Plan Update..... | 17 |
| Service Standards .....                                   | 23 |
| Report on Performance                                     |    |
| Licensing .....   | 24 |
| Licensee Education .....                                  | 26 |
| Trust Funds .....   | 27 |
| Prepaid Funds / Compensation Fund.....                    | 28 |
| Inspections & Investigations.....                         | 29 |
| Registrar's Actions.....                                  | 30 |
| Complaints.....   | 31 |
| Outreach .....  | 32 |
| Other Updates .....                                       | 33 |
| Financial Statements .....                                | 34 |
| BAO Contact Information .....                             | 36 |

# Organizational Overview

## 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.

## VALUES

- Honesty and Integrity
- Accountability
- Communication and Confidentiality
- Compliance
- Cooperation and Teamwork
- Healthy Co-existence with our Environment

## MANDATE

The Bereavement Authority of Ontario (BAO) is an independent, not-for-profit corporation that administers provisions of the *Funeral, Burial and Cremation Services Act, 2002* (FBCSA). The BAO's mandate is to serve and protect public interest and govern the bereavement sector in the province of Ontario.

## OBJECTIVES

- Increase consumer awareness of the BAO and access to useful and relevant regulatory information.
- Develop and maintain effective communications with key stakeholders.
- Improve resolution of consumer complaints.
- Enhance educational requirements.
- Conduct inspections and reviews and resolve matters of non-compliance.
- Increase the effectiveness and efficiency of inspections and compliance methods.
- Coach for compliance.
- Ensure financial sustainability.
- Improve operational capabilities.
- Ensure effective Board oversight of the BAO.
- Ensure compliance with the FBCSA and regulations.

## THE BAO IS RESPONSIBLE FOR:

- The licensing of establishments: funeral; burial; transfer; cremation; and alternative disposition services.
- The licensing of individuals: funeral directors; funeral preplanners; transfer service; cemetery and crematorium sales representatives.
- The monitoring of cemetery care and maintenance trust funds/accounts and prepaid trust funds.
- Promoting confidence and awareness in Ontario's bereavement sector through licensing, inspections, investigations, responding to complaints and public education activities.
- Providing information and education to the public.

# Message from the Chair

**Aubrey LeBlanc**

## **PROGRESS AT THE BAO**



A new chapter is set to begin as we enter the third and final year of our current Strategic Plan at the Bereavement Authority of Ontario (BAO).

Our progress as a regulatory authority working for the public, consumers and licensees has continued at a steady pace throughout the implementation of the second year of our Strategic Plan 2018/19—2020/21.

The BAO Board of Directors set ambitious and focused Strategic Priorities in the three-year plan. The senior management team and staff delivered on strategic priorities through the realization of objectives and performance measures in its aligned Business Plan.

### **The Strategic Priorities we set were:**

1. Inform and support stakeholders in matters related to the *Funeral, Burial and Cremation Services Act, 2002* (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

The Board congratulates staff in the ongoing achievement and progress on the Business Plan, as highlighted in the *Message From The CEO/Registrar Carey Smith*. We will now look forward to developing a new Strategic Plan with the CEO/Registrar and staff.

Progress to date has occurred thanks to partnerships and collaborations in the sector. We are very appreciative of our strong partnership with the Ministry of Government and Consumer Services, and the Minister, for oversight and support of our mandate to serve and protect public interest and govern the bereavement sector in the province of Ontario.

# Message from the Chair

Leadership at the BAO has also been a driver for success. After running on the lean side for a few years the Board of Directors itself is finally at full complement with 10 members.

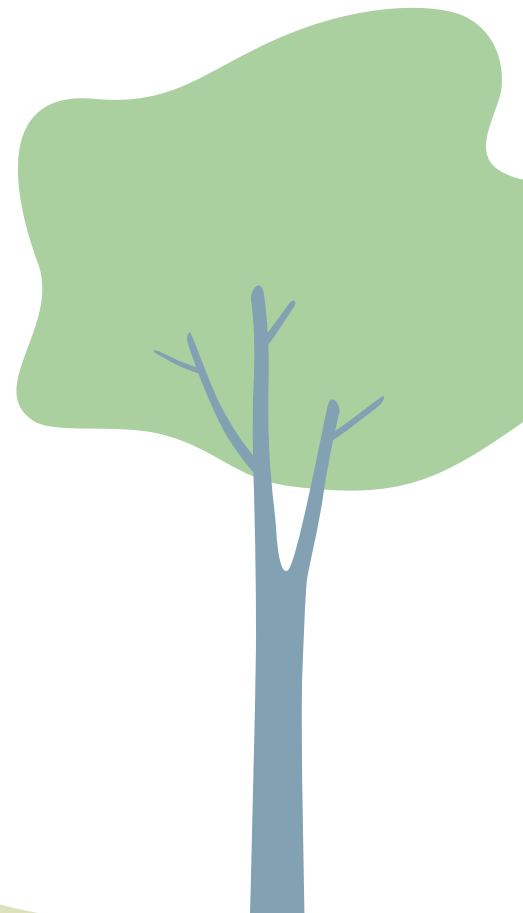
I want to thank our three Advisory Committees for their valuable advice provided throughout the year and for their diligent work individually and jointly. The work of the Advisory Committees is an integral part of the BAO's policy development, directives and is key to the success of our provincial regulatory authority.

The committees are:

- Cemetery, Crematorium and Municipal Advisory Committee – Chair Glen Timney
- Faith-based Advisory Committee – Chair John O'Brien
- Funeral and Transfer Service Advisory Committee – Chair Brian Parent

The future holds many challenges and opportunities as we strengthen our organizational structure and adapt to new technologies. It will be vital that the Board and its active Audit and Risk Committee navigate new challenges in the sector from a science-based approach. One of these challenges is the lack of scientific study in emerging industry disposition of human remains technologies. More research will continue to be vital.

We thank consumers for turning to the BAO for information and for placing trust in us to uphold our government mandate. We also thank our licensees for their adherence to licensing and consumer protection requirements, consumer protection and for serving families honourably in their times of need.



# Message from the CEO/Registrar

**Carey Smith**

## **CONSUMER PROTECTION REQUIRES TEAMWORK**



The previous 12 months have meant relentless strategic focus and work on what matters to the Ontario public, consumers, licensees, government, associations, colleges and all our stakeholders.

The end of this fiscal year, also marks the close of the second year of the three-year Business Plan at the Bereavement Authority of Ontario (BAO).

There are many highlights of how we progressed toward achievement of the BAO's five Strategic Priorities, as developed in lockstep with the BAO's Strategic Plan.

### **EXAMPLES OF SUCCESS**

It was very much a team effort. I am proud to share examples of this success, from the first two years of the Business Plan, thanks to the commitment and efforts of our staff, Board and committees, and to our partners at the Ministry of Government and Consumer Services.

#### **Priority 1 – *Inform and support stakeholders in matters related to the Funeral, Burial and Cremation Services Act, 2002 (FBCSA)***

- Revision and enhancement of the BAO's online presence through the website and social media. Both the website and social media profiles were established, with each to be renewed in the 2020/21 fiscal year to provide an even greater focus on ease of access to information for the public, consumers and licensees
- Access to our sought-after and valued Consumer Information Guide – A Guide to Death Care in Ontario, in thousands of printed copies and in the digital version on the BAO's website
- Engagement with licensees through communications, public presentations and displays at conferences and events throughout Ontario

#### **Priority 2 – *Comply with regulatory obligations for administering and enforcing the FBCSA***

- Ongoing implementation of consumer protection through education and enforcement of high standards of practice and ethics of funeral, transfer, cemetery and crematorium services,
- A Code of Ethics and Discipline Regulation, effective licensing of the funeral, transfer, alternative disposition, cemetery and crematorium sectors, including web-published Notices to the Profession and Notices of Proposals to Revoke Licences
- Implementation of defined continuing education requirements

#### **Priority 3 – *Adopt innovative methods for achieving compliance with the FBCSA***

- Ongoing coaching for compliance of at-risk small cemeteries on proper trust and cemetery management
- Providing direction on cemetery and funeral education requirements to sector associations for their members
- Establishment of the Bereavement Education Committee (BEC) to determine and authorize approved educational programs that are relevant to the sector

# Message from the CEO/Registrar

## **Priority 4 – Optimize operational economy, efficiency and effectiveness**

- Identification and elimination of redundant, outdated and inefficient licensing processes and requirements
- Transformation of our database
- Management of a reserve fund for long-term needs of the BAO, and prudent fiscal management overall

## **Priority 5 – Enhance corporate governance**

- Ensuring effective Board governance and oversight of the BAO through the development of committees, policies, procedures, Strategic Plan with aligned Business Plan
- Development of Enterprise Risk Management Plan, and more

Please read our more detailed list of accomplishments in Business Plan Actions starting on page 17.

I thank all our partners, stakeholders, licensees, our engaged Board, and the hard-working, dedicated staff members of the BAO for their commitment to achieving our provincial mandate to serve and protect the public interest in the bereavement sector.

We will continue to provide leadership for our licensees – while protecting families. We will also deliver on strengthening public safety, while educating and supporting our licensees to achieve this mandate with us.

## **COVID-19**

The fiscal year ended with the COVID-19 pandemic. I'm proud to say the BAO applied new regulations, pro-actively wrote new directives, provided guidance and communicated frequently with its licensees. They in turn provided us with valuable insights into the issues and questions from families and sector staff. BAO staff and licensees stepped-up to maximize safety and minimize risk for all. Please read my [COVID-19 Report](#) starting on [page 10](#).

I congratulate our staff and our licensees on their work throughout the fiscal year ended March 31, 2020. By adhering to licensing requirements and regulations, licensees make consumer and family protection a reality in the bereavement sector.

It is after all, a team effort.



# BAO by the Numbers 2019/20



**25** Exam  
administrations



**132** Inspections  
conducted



**9**

Tradeshows with  
77,000+ consumers



**179,135**

Consumer Information Guides  
distributed (175,058 ENG, 4,077 FR)



**9,564**

Active licensees



**17**

Stakeholder  
events with

**500+**

Attendees



**455**

Licence exams written



**13,495**

Phone calls received



205,484  
webpage views



1,191 followers  
85 posts



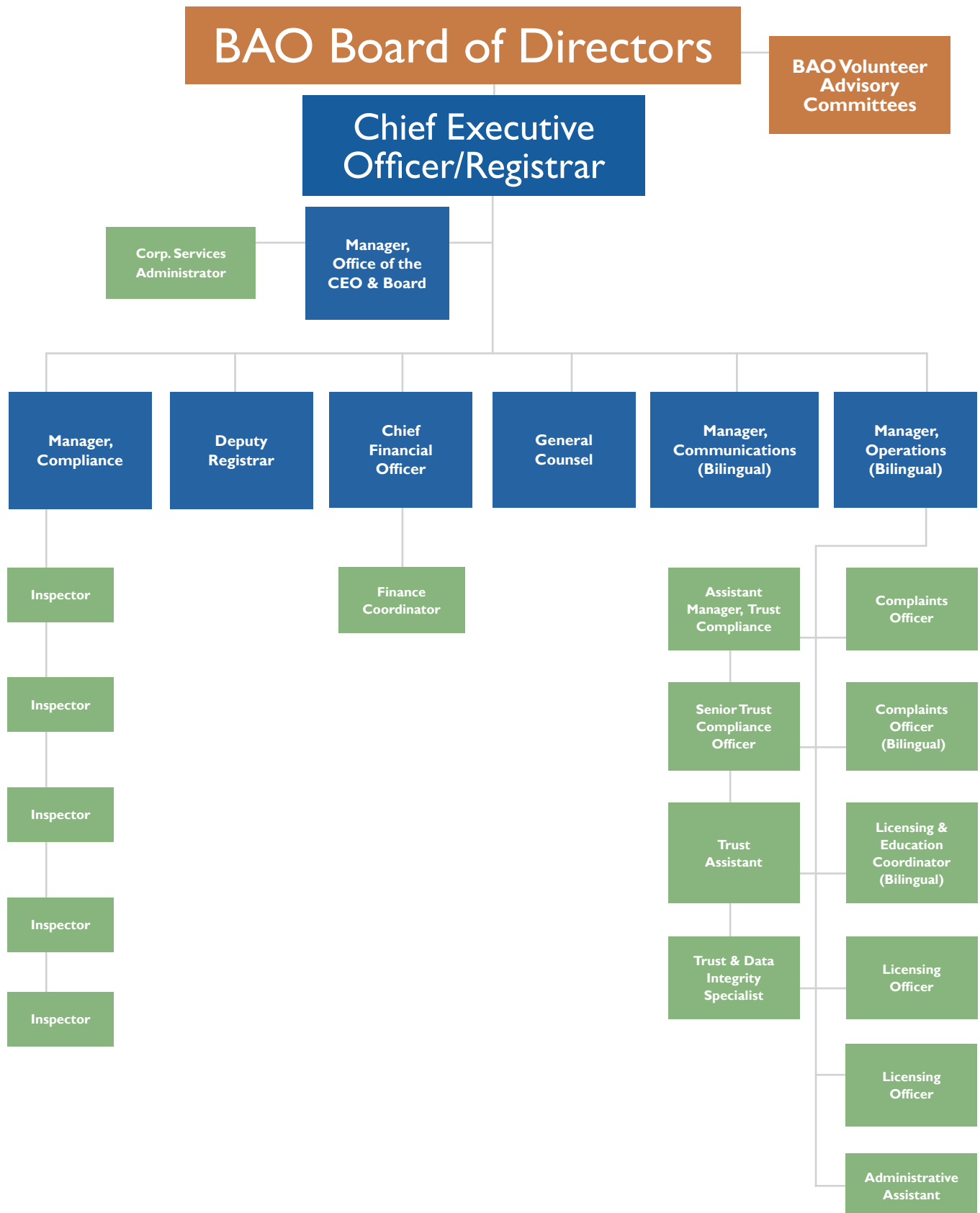
74 followers  
98 posts



98 followers  
24 posts



# Organizational Chart



# CEO/Registrar's COVID-19 Report

By Carey Smith - June 16, 2020

The Bereavement Authority of Ontario's response to the COVID-19 pandemic has focused on the safety and health of consumers/families and BAO licensees, while minimizing the spread of this deadly virus. The BAO's actions began in late February with communications to its licensees and the public through Registrar's Directives, Notices to the Profession, BAO Guidance, presentations, and blogs delivered via:

- Eblasts to licensees
  - The [COVID-19 Ready...together](#) public web section
  - Webinars for licensees with industry associations – 748 to 2,121 licensees in each webinar
  - Government relations, consultation and collaboration, led by the CEO/Registrar
  - Media interviews with CBC News, Toronto Star, Globe and Mail, Ottawa Citizen, CTV News, Global TV, and many others across the province
  - Social media posts on Facebook, Twitter and LinkedIn
  - Answering many questions from licensees and the public via hundreds of emails and phone calls daily.
- In April 2020 staff responded to 37 per cent more calls than April 2019.

## CONSULTATION WITH STAKEHOLDERS



**BAO Advisory Committees** – The CEO/Registrar held several meetings with the BAO Board of Directors' Advisory Committees. We greatly appreciate their availability on short notice and their insight into sector issues. Their feedback enabled the BAO to take swift action to address issues such as: provincial electronic death certificates; burial permits; identifying regions that were not complying with the provincial Expedited Death Response process.



**Ontario**

**Leadership and consistent alignment with government** – The CEO/Registrar has worked closely with the provincial government, in particular the Ministry of Government and Consumer Services (MGCS), including regular calls with:

- MGCS Minister and MGCS senior staff
- The Chief Coroner for Ontario, and
- Senior staff at the Ministry of Health

The government has thanked the BAO for its swift and decisive actions, often quoting our directives and guidance in its materials.

## BAO EMPLOYEES MAINTAIN BUSINESS



Our BAO staff members have worked relentlessly and effectively throughout this pandemic period, having started working from home on their BAO laptops on March 16. As well as maintaining normal business operations, staff are fielding a high volume of COVID-19 related queries from licensees and consumers. Staff have been fully functional working at home in their existing roles, or in some cases re-deployed

to more pressing areas. Staff have regularly worked long days and weekends, including working throughout the Easter long weekend. Our team's response has been the backbone of the BAO service and information provided every day to licensees and consumers/families. I have expressed my appreciation and thanks to our staff many times.

# CEO/Registrar's COVID-19 Report

## IMPACT ON CONSUMERS/FAMILIES



While our BAO measures have been put in place to ensure the safety of families and of our licensees, we know the measures have also caused hardship and added to the stress of those grieving loved ones. Unfortunately, the measures have been entirely necessary. Families are restricted to greatly reduced numbers of relatives and friends at gatherings and formal grieving at funeral homes, because of the safety measures put into place by us and by the government.

The new measure has resulted in emotional family members contacting the BAO to confirm their rights, while seeking ways around the 10-person maximum in funeral homes. Catering and serving of food have also been prohibited. We realize how difficult this is on families. All of the measures are aimed at providing everyone with the greatest level of safety to minimize the risk of spreading the COVID-19 virus.



## IMPACT ON LICENSEES

Funeral and visitations were frequently attended by dozens and often hundreds of people at each prior to the pandemic measures. The greatly reduced funeral services, visitations and graveside services have resulted in licensees taking financial hits, as their revenue streams have been curtailed. At the same time, licensees are having to risk their health and that of their employees in continuing to go hospitals and long-term care (LTC) facilities, where there are many people with COVID-19.

The recently introduced Expedited Death Response (EDR) process, developed by the BAO and the Chief Coroner for Ontario, has minimized the risk to licensees of becoming infected, or spreading the virus at LTC facilities and hospitals. As of April 14, the EDR means that funeral home and transfer service licensees are no longer permitted to enter the hospital or LTC facilities to transport bodies, as they had before the pandemic. LTC and hospital staff now move the bodies to a staging area for licensees to transfer the bodies to funeral homes.

## SUMMARY OF COVID-19 MEASURES AND COMMUNICATIONS

The BAO has introduced new Registrar's Directives, guidance documents and information for licensees and consumers/families in its proactive response to COVID-19. The BAO has inventoried capacities of funeral homes, transfer services and crematoriums. We continue to monitor crematoriums to ensure that they can meet demand. We also monitor inventory and supply chains of caskets.

**Registrar's COVID-19 Update Webinars** – The BAO has maintained a steady stream of communications with licensees through eblasts, answers to questions via email and phone, and especially through frequent interactive webinars averaging more than 1,200 licensees on each. From March 18 to June 16, 2020, the Registrar has made 11 presentations to licensees outlining Directives, Notices to the Profession, Guidance plus listening to and answering questions from licensees, in online sessions with the Ontario Association of Cemetery and Funeral Professionals and the Ontario Funeral Service Association. The Good Friday April 10 webinar hosted the highest number, with 2,121 licensees.

Presentation materials are shared on the BAO's public website for easy access by licensees, and for information sharing and transparency to consumers.

# CEO/Registrar's COVID-19 Report

## CHECKLIST OF OTHER BAO COVID-19 ACTIONS

Initial guidance was provided starting in February, as the BAO made information such as its Routine Practices in the Bereavement Care Setting and other authoritative documents from international sources available to licensees. BAO Notices offered licensees information on funerals, visitations, embalming, disposition and more as the virus began to spread in Canada.



- Feb. 28 – BAO COVID-19 blog
- March 14 – Notice to the Profession: Guidance on COVID-19
- March 17 – Notice to the Profession: Guidance 2 on COVID-19



All cemeteries, crematoriums and hydrolysis disposition services were informed in Registrar's Directives on March 23 and March 24, to be ready to operate 24/7 stating: "This means staff and equipment must be ready to accommodate requests for interments, including ground burials, crypts in a mausoleum, crematoriums, and cremated remains in a columbarium." An April 11 Registrar's Reminder reinforced this message saying that "all crematoriums in Ontario must be ready to operate all day, every day, seven (7) days a week."



Guidance to mosques – concerning traditions rites, transportation and preparation of the deceased – was issued on in two documents on March 27, following consultation with Imam Shaykh Imran Ally, the BAO's Muslim Advisor:

- Registrar's Notice to Muslim Community – COVID-19 PDF provides an introduction the BAO's guidance for the Muslim community in handling human remains
- Guidance: Handling Human Remains – Mosque volunteers PDF provides a detailed guide and the BAO's strong recommendation that only licensed individuals, or others working on behalf of a licensed funeral establishment operator or transfer service operator, participate in the handling of human remains, especially for those who have died as a result of COVID-19.



Registrar's Directive: The 10-person maximum limitation of people, not counting funeral staff, on funeral establishment property or within the entire funeral home for all funerals and visitations – not just those in which a person has died of COVID-19 or is suspected to have died from it.

This restriction was put into place in two phases, to proactively address the anticipated pandemic surge:

- On March 28, the Registrar's Directive set 10 people, not counting funeral home staff, as the maximum at a funeral service or visitation - in accordance the government's emergency order.
- On April 7, the directive was tightened to a 10 maximum for the entire funeral home, not counting funeral home staff. The directive also applied funeral gatherings at cemeteries. The directive remained in place until June 13, aligning with the government's phased reopening of the province.

The Expedited Death Response (EDR) process was created by the BAO and the Office of the Chief Coroner for Ontario. The EDR, effective starting April 14, meant that families needed to choose their funeral home immediately upon the death of a loved one in hospital or long-term care facility (LTC) in order to expedite disposition of the deceased. The focus of the EDR has been to prevent the sad state of stockpiling the bodies of deceased

# CEO/Registrar's COVID-19 Report

loved ones – which has been occurring in Spain, Italy, New York State in the US, and next door to us in Quebec – during the pandemic.



In-person witnessing at cremations was prohibited as of April 22, meaning no one other than crematorium staff could be present to see a cremation occur in real-time.

To alleviate some stress on families who are accustomed to this, online video recorded playback of the cremation of a loved one was permitted.



An April 30 Notice to the Profession: COVID-19 Fees outlined guidance concerning fees that can be charged by licensees related to extraordinary precautions required during the pandemic, stating: “If the costs associated with those measures are above and beyond your normal practice, then you are entitled to recover these costs... Ultimately any charges related to contagion must be justifiable to the families you serve and the BAO.”

## PHASED REOPENING OF ONTARIO

As the Ontario government started its phased reopening of the province in May, the BAO issued successive Registrar's Directives, Notices to the Profession and Guidance providing consumers and funeral licensees with greater leeway for families to grieve with more people, while observing all safety measures:



*June 15 – BAO Attendance Guidance: Funerals & Visitations*

*June 15 – Notice to the Profession: Expedited Death Response discontinued in hospitals*

*June 15 – Registrar rescinds prohibition on in-person witnessing at cremations*

*June 13 – Registrar's Directive: Changes to funeral & visitation attendance*

*June 10 – Registrar's Directive: Drive-Thru Visitations*

*June 9 – Registrar's Directive: 10 is still the max*

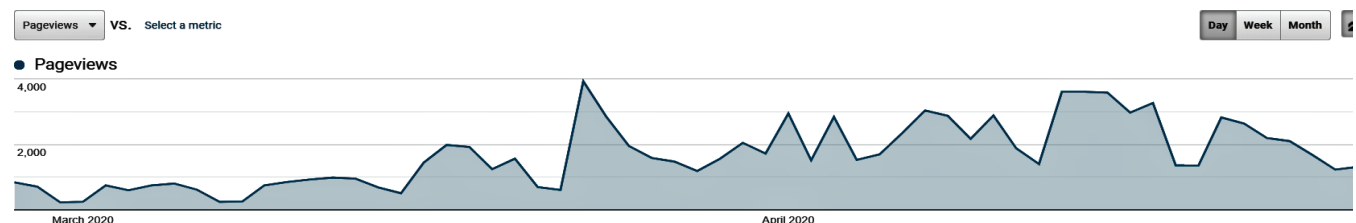
*May 26 – Registrar's Directive: Organized groupings of visitors at funerals & visitations*

*May 23 – Notice to the Profession: Changes in Expedited Death Response (EDR) hours*



## MORE TURNING TO BAO

With more people turning to the BAO for authoritative information our website has seen quite an uptick in attention. In January-February 2020, the highest number of pageviews in a day was 519. During a sample COVID-19 period of Feb. 27 to April 27, 2020, there were 2,000 to 4,000 pageviews a day.



# Corporate Governance

## **ROLE OF THE BEREAVEMENT AUTHORITY OF ONTARIO (BAO) BOARD OF DIRECTORS**

The governance of the BAO is established through the *Funeral, Burial and Cremation Services Act, 2002* (FBCSA), its Regulations, by-laws, policies as well as an Administrative Agreement with the government through the Minister of Government and Consumer Services (MGCS). The Board is accountable to the Minister for the performance of the BAO and is responsible for corporate governance, regulatory oversight and guiding the development of the BAO's strategic plan and priorities. The Board is committed to continually strengthening its governance practices and oversight of the organization and supporting the government's consumer protection mandate.

## **BOARD COMPOSITION AND DIRECTOR QUALIFICATIONS**

The BAO is governed by a 10-member Board of Directors. The Board is comprised of:

- Four skills-based directors with regulatory and governance experience and who have no direct interest in the bereavement sector.
- Three directors who are selected and appointed by the Minister, MGCS.
- Three directors who are also the Chairs of the three Advisory Committees. These individuals represent all sectors of the bereavement industry: faith, funeral and transfer services, cemetery and cremation.

## **BOARD REMUNERATION**

The Board met formally five times during the 2019/20 fiscal year. The Board Remuneration Policy sets out the following rates for Board members (for meetings that are more than three hours in duration):

- Per diem rate for Chair is \$744
- Per diem rate for Vice Chair is \$583
- Per diem rate for Board Directors is \$472

For fiscal year 2019/20 the total Board remuneration was \$86,364.

# Corporate Governance

## BOARD COMMITTEES

The Board is supported by the work of these committees:

### Audit and Risk Committee

*Chair Jay O'Neill*

The Audit and Risk Committee's mandate is to assist the Board in fulfilling its oversight responsibilities with respect to the organization's standards of integrity and behaviours, reporting of financial information, risk management control practices.

### CEO Performance Evaluation Committee

*Chair Aubrey LeBlanc*

The CEO Performance Evaluation Committee's mandate is to assist with the evaluation of the CEO on an annual basis and to make recommendations on alterations to the CEO job description, incentives and salary.

### Compensation Fund Committee

*Chair Brian Parent*

The Compensation Fund Committee's mandate is to manage the affairs of the Funeral Services Compensation Fund, to ensure compliance with the FBCSA and its regulations and to determine eligibility of claims.

### Finance Committee

*Chair Aubrey LeBlanc*

The Finance Committee's mandate is to assist the Board in fulfilling its governance responsibilities with respect to financial planning, funding/revenue strategies, approval of budgets, financial monitoring and financial policies.

### Governance and Nominations Committee

*Chair Glenda Brindle*

The Governance and Nominations Committee has a dual mandate to: provide the Board of Directors with recommendations for the membership of the Board and committees, and; assess the BAO's governance development, practices and policies.

### Discipline & Appeal Committees

In December 2019, the Discipline and Appeal Committees Regulation, O. Reg. 374/18, under the FBCSA, came into force. The BAO will move forward with the establishment of its Discipline and Appeal Committees and begin addressing non-compliant licensees in house, rather than escalating cases to LAT or creating conditions of licensure. Both committees should be functional by Q4 2020/21.

### BAO Volunteer Advisory Committees

- Cemetery, Crematorium and Municipal Advisory Committee – Chair Glen Timney
- Faith-based Advisory Committee – Chair John O'Brien
- Funeral and Transfer Service Advisory Committee – Chair Brian Parent



# BAO Board of Directors 2019/20



**Aubrey LeBlanc, Chair**  
Chief Administrative Officer  
Ontario Building  
Officials Association



**Jane van Alphen, Director**  
Clinical Director  
Brant Community  
Healthcare System



**Glen Timney, Vice Chair**  
Vice President (Retired)  
Corporate Development  
Mount Pleasant  
Group of Cemeteries



**Jay O'Neill, Director**  
CEO/Registrar  
Retirement Homes  
Regulatory Authority



**John O'Brien, Secretary**  
Episcopal Delegate for Cemeteries  
and Insurance  
The Roman Catholic Diocese  
of Hamilton



**Laurie Macdonald, Director**  
Executive Director  
VQA Ontario



**Brian Parent, Director**  
President  
Families First Funeral Home



**Normand A. Allaire, Director**  
President/CEO (Retired)  
Runnymede Healthcare Centre



**Glenda Brindle, Director**  
Broker  
Royal LePage Team  
Realty Brokerage



**Tom Wright, Director**  
Retired



# Business Plan Actions: Strategic Plan Update 2019/20

The Bereavement Authority of Ontario's (BAO) staff members have worked hard and effectively to achieve many goals in year-two of the BAO's three-year Strategic Plan 2018/19 – 2020/21. Here's an outline of how staff are getting things done in their strategically aligned Business Plan for consumers, licensees and all stakeholders of the BAO.

| Strategic Priority   |  |
|--|--|
| <b>I. Inform and support stakeholders in matters related to the <i>Funeral, Burial and Cremation Services Act, 2002</i> (FBCSA)</b>  |  |
| Objectives   |  |
| <b>A. Increase consumer awareness of the BAO and access to useful and relevant regulatory information.</b>   |  |
| Performance Measures   | Actions Completed  |
| Revise and enhance the organization's online presence for ease of access; website being redesigned in order to improve navigation enhance content, and mobile accessibility.   | Many improvements were made to the current BAO website: a media room was established; compensation fund webpage created; consumer resources; family-led death care; green burial information pages added; plus, a new blog and COVID-19 web pages. Updates to mobile functionality were completed to ensure easier navigation and improved accessibility. A website redesign will be completed during the 2020/21 fiscal year. |
| Engage with licensees to include and promote the BAO in their advertising.   | Regulations have been amended to allow licensees to provide a digital copy of the Consumer Information Guide (CIG) to consumers.<br>Organizational outreach to hospices and senior living facilities who are very thankful for both the printed and online versions of the CIG.<br>An outreach program to religious organizations will also continue.  |
| Participated in consumer events (Zoomer Show, 55+ Lifestyle Show and other consumer-focused trade shows) and made presentations to consumer groups (FAMS, community centers etc.) to inform people about BAO, its services and value in consumer protection and licensees' education. This is an opportunity to inform consumers of the services the organization provides and about their rights. Starting in March 2020, several have been postponed re. COVID-19. | The BAO ran an advertorial in Cottage Life along with a promoted post on their Facebook page. Print and digital advertising ran in the London Free Press and Windsor Star. Advertising space to be purchased in religious publications, to make their members aware of the BAO's role.   |
| Provide consumer information on the choices available to them in different preplanning arrangements.   | Information on preplanning arrangement choices are included in the BAO's Consumer Information Guide (CIG) – A Guide to Death Care in Ontario.<br>Family-led Death Care and Green Burial options were added to the CIG and on the BAO website.  |

## Strategic Priority

### I. Inform and support stakeholders in matters related to the *Funeral, Burial and Cremation Services Act, 2002* (FBCSA)

## Objectives

### B. Develop and maintain effective communication with key stakeholders

| Performance Measures   | Actions Completed  |
|--|--|
| Continue to work closely with the BAO Advisory Committees.   | Advisory Committee meetings are scheduled as needed to provide the CEO/Registrar with valuable feedback on industry issues.  |
| Continue to engage and work collaboratively with associations and other stakeholders through emails, conferences, events and informative social media posts. | A total of 55 eblasts were sent to licensees in 2019/20 including guidance and new directives for COVID-19, in addition to the BAO's Facebook, LinkedIn and Twitter posts throughout the year. The BAO also presents to and educates stakeholders such as: Ontario Association of Cemetery and Funeral Professionals (OACFP; Ontario Funeral Service Association (OFSA); Association of Municipal Managers, Clerks and Treasurers of Ontario; Ontario Monument Builders Association; and others. Coroner announcements are relayed through BAO eblasts. The BAO has been collaborating with OACFP on cemetery operator training. Approval of continuing education has been delegated to a committee of provincial associations, called the Bereavement Education Committee |
| Develop effective understanding and support of consumer needs.   | BAO meeting regularly with consumer groups e.g. Community Death Care Canada, FAMS, Green Burial Society, Good Green Death Project. The BAO's complaints unit is continuing to identify trends in consumer needs and ways to address them.  |
| Work collaboratively with the Ministry to provide advice and insight on emerging trends and methods for the disposition of dead human bodies.                | The BAO has regular meetings with the Ministry of Government and Consumer Services (MGCS) regarding alternative methods of disposition and other new technologies.   |
| Develop recommendations with Government on legislation, regulation, policies and practices.  | The BAO tracks issues that arise with the administration of the legislation that may lead to recommended changes to the legislation or regulations.  |

| Strategic Priority  |  |
|---|--|
| <b>1. Inform and support stakeholders in matters related to the <i>Funeral, Burial and Cremation Services Act, 2002 (FBCSA)</i></b> |  |
| Objectives  |  |
| C. Improve resolution of consumer complaints.   |  |
| Performance Measures  | Actions Completed  |
| Provide ongoing training to BAO staff in effective complaint handling techniques.   | Training: Alternate Dispute Resolution (ADR), Stages of Grief; communications at end of Life; alternative dispositions.<br>Grief support resources are now posted on BAO website - callers are provided with referral information as needed. |
| Develop better methods for dealing with complaints that are non-regulatory in nature  |  |

| Strategic Priority  |  |
|---|--|
| <b>2. Comply with regulatory obligations for administering and enforcing the <i>Funeral, Burial and Cremation Services Act, 2002 (FBCSA)</i></b>  |  |
| Objectives  |  |
| A. Oversee sector standards and requirements  |  |
| Performance Measures  | Actions Completed  |
| Establish, implement and maintain high standards of practice, and ethics in the provision of funeral, transfer, cemetery and crematorium services.  | Another inspector with cemetery expertise was hired in August 2019.<br>A new Complaints Officer, with 10 years complaint intake experience, was hired in November 2019. A high level of standards of practice are maintained via discipline of licensees who violate ethical practices - non-compliant licensees and the public have access to this information on the homepage of BAO website via the public register directory.  |
| Create a Code of Ethics and Discipline Regulation.  | An amendment to the Safety and Consumer Statutes Administration Act (SCSAA) has been made, which grants the BAO the authority to administer these two regulations.   |
| 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. | A detailed licensing process review was completed, and improvements are being implemented by staff and through database customization.<br>Licencing applications/forms are being simplified and combined. There is an improved online renewal process. Expanded online renewal options currently being assessed and priced.<br>Replaced old licence format with new wall-mounted licences for all cemetery site operators. Personal licence identification cards improved, and intern identification cards eliminated. |
| Continue to provide Entry-to-Practice Examinations.   | Exam sittings available upon request at BAO office (on weekly basis). Multiple options for exam delivery were implemented.   |

## Strategic Priority

### 2. Comply with regulatory obligations for administering and enforcing the *Funeral, Burial and Cremation Services Act, 2002 (FBCSA)*

#### Objectives

##### B. Enhance education requirements and standards

| Performance Measures  | Actions Completed  |
|---|--|
| Maintain a high level of educational standards/requirements for licensees.        | Since Jan. 1, 2020, funeral licensees are required to complete a minimum of six hours of continuing education or professional development each year. |
| Restructure funeral preplanner and transfer service operator education in Ontario | Online funeral preplanner course developed by Humber College.  |
| Define continuing education requirements.   | The Registrar has developed a set of criteria for continuing education requirements.   |

##### C. Complete inspections and reviews and resolve non-compliance findings.

|   |  |
|---|--|
| Maintain an effective inspection and compliance review program                                      | <p>The BAO's regular weekly watchlist monitoring and intake meetings help to identify licensees posing potential risk to consumers, and lead to appropriate escalation, action and discipline. Investigations, inspections and financial audits are ordered as needed.</p> <p>Database colour codes indicate non-compliant licensees so that staff are easily made aware when extra attention is required.</p> |
| Review proposed trustee agreements and financial statements for trust compliance.                   | Ongoing: BAO inspectors identify deficiencies during their inspections. The BAO provides self-evaluation checklists for licensed operator classes.   |
| Monitor trust (Care and Maintenance Trust Fund/Account and Pre- paid Trusts) compliance activities. | <p>Database module developed to assist with capture and reporting capabilities regarding care and maintenance contribution data.</p> <p>400 non-compliant small cemeteries reduced to 100 high risk, and majority brought into compliance.</p>   |
| Continue education for non-licensed employees of cemetery/crematorium operators.                    | <p>As requested by the BAO, OACFP developed and launched online course for cemetery sales reps and for volunteer cemetery board members.</p> <p>Non-licensed crematorium staff now take OACFP Crematorium Operator Certification Program.</p>  |
| Initiate immediate Registrar's actions or sanctions when non-compliance is identified.              | Ongoing  |

## Strategic Priority

### 3. Adopt innovative methods for achieving compliance with the *Funeral, Burial and Cremation Services Act, 2002 (FBCSA)*

#### Objectives

A. Increase the effectiveness and efficiency of inspections and compliance methods.

B. Coach for compliance.

| Performance Measures  | Actions Completed  |
|---|--|
| Coach at-risk small cemeteries on proper trust and cemetery management.   | At-risk cemetery inspections continue to be a priority.  |
| Provide direction on cemetery education requirements to sector associations and encourage them to provide the necessary education to their members. | <p>As requested by the BAO, OACFP developed and launched online course for cemetery sales reps and for volunteer cemetery board members.</p> <p>Non-licensed crematorium staff now take OACFP Crematorium Operator Certification Program.</p> <p>The BAO Deputy Registrar conducted 17 educational seminars, reaching more than 500 attendees from various religious sectors and municipal organizations (including AMCTO, and Ontario Recreation Facilities Association).</p> |

## Strategic Priority

### 4. Optimize operational economy, efficiency and effectiveness

#### Objectives

A. Ensure financial sustainability.

| Performance Measures   | Actions Completed   |
|--|---|
| Ensure careful management of resources.                                    | <p>Audit and Risk (AR) Committee oversight: With the establishment of the AR Committee, staff is required to regularly report to the committee on the internal control measures in place. New and existing policies are reviewed by the committee to ensure continued relevance. External auditors independently report into the BAO Board through the AR Committee to ensure adequate and competent management of resources. Audit findings are addressed by the BAO Board.</p> <p>Segregation of duties ensure checks and balances.</p> |
| Manage reserve funds to appropriately meet the long-term needs of the BAO. | Reserve Policy implemented by Board.  |

| Strategic Priority   |  |
|--|--|
| 4. Optimize operational economy, efficiency and effectiveness                                      |  |
| Objectives   |  |
| B. Improve operational capabilities.   |  |
| Performance Measures   | Actions Completed  |
| Improve integration of processes and procedures for licensing.                                     | Application and forms simplified and combined, streamlined licensing processes in order to achieve quicker turnaround. New hydrolysis application form developed. Operations Manager hired to oversee licensing team and to work closely with them to improve processes. Process review for each department completed and changes being implemented. |
| Identify and eliminate outdated and inefficient licensing processes and requirements               | This is ongoing. Some examples are: Recently eliminated 'inactive' personal license class (no need to be employed in order to maintain licence), eliminated need for signature from Commissioner of Oaths on applications.   |
| Ensure licensing requirements are aligned with the FBCSA.  | Licensing team conducts detailed review of documentation (price lists, by-laws, insurance, corporate documents, signage, MOH/MOE/TSSA inspections, plans/surveys, CPIC, etc.) annually upon renewal and as needed throughout the year. Licensing application forms reviewed and revised.   |
| Transform IT system to merge CATS into the OASIS database, with design and reporting improvements. | Historical data merged into new database system in 2018. Customization and fine tuning continues in 2020.  |
| Develop IT reporting systems to provide statistics and ensure staff accountability.                | Workload tracking and assignment module implemented. Processing time monitored. Customization and fine tuning of reports will continue in 2020.  |
| Maintain appropriate staff levels to meet the regulatory and strategic needs of the BAO.           | Hired a Legal Counsel in January 2019 and a Communications Manager in January 2020.  |

| Strategic Priority   |  |
|--|--|
| 5. Enhance corporate governance  |  |
| Objectives   |  |
| A. Ensure effective Board functioning and oversight of the BAO.          |  |
| Performance Measures   | Actions Completed  |
| Develop and maintain a current Strategic Plan.                           | Board approved three-year Strategic Plan and reviews annually.   |
| Develop and approve a Business Plan that aligns with the Strategic Plan. | Board approved three-year Business Plan consisting of five strategic priorities, and reviews annually. |
| Develop and implement appropriate performance metrics for the org.       | Ongoing  |

# Service Standards

The BAO prides itself on delivering exceptional customer service and endeavours to meet or exceed these standards of service. Licensees and consumers can expect these turnaround times for services under normal circumstances.

| Service Standards                          |                        |
|--|------------------------|
| Service                                    | Target Turnaround Time |
| Personal Licence Application               | 10 Business Days       |
| Business/Establishment Licence Application | 45 Business Days       |
| Inquiry Acknowledgement                    | 1 Business Day         |
| Complaint Processing                       | 60 Business Days       |
| Inspection Results Delivered to Licensee   | 14 Business Days       |



# Report on Performance

## LICENSING

Under the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), anyone in Ontario who provides or offers to provide bereavement-related supplies and services must be licensed with the BAO. The total number of licensees (Cemetery, Crematorium, Alternative Disposition, Funeral Establishment and Transfer Service Operators; Funeral Directors, Preplanners; and Transfer Service, Cemetery and Crematorium Sales Representatives) during this fiscal year is 9,564.

## ESTABLISHMENT LICENSING

This fiscal year continues to see growth in Transfer Service Operators, both Class 1 and Class 2. The increase in the number of these operators correlates with what Ontario, and Canada as a whole, are seeing in the higher demand for more economical and less traditional funeral services. Funeral Establishment Operators, along with Cemetery and Crematorium Operators have been embracing this trend and incorporating a licensed Transfer Service to increase their offered services and their ability to work with consumers every step of the way.

| Establishment Licensing Statistics       |         |         |         |         |
|--|---------|---------|---------|---------|
| Licence Classes                          | 2016/17 | 2017/18 | 2018/19 | 2019/20 |
| Funeral Establishment Operator - Class 1 | 574     | 579     | 580     | 576     |
| Funeral Establishment Operator - Class 2 | 9       | 10      | 10      | 11      |
| Transfer Service Operator - Class 1      | 41      | 48      | 47      | 50      |
| Transfer Service Operator - Class 2      | 21      | 24      | 26      | 31      |
| Cemetery Operators (2,368 organizations) | 2,370   | 2,359   | 5,215*  | 5,217   |
| Crematorium Operators (51 organizations) | 53      | 53      | 77      | 72      |
| Alternative Disposition (Hydrolysis)     | N/A     | N/A     | N/A     | 4       |

\*Change in numbering structure: Previously only cemetery operators were licensed. Now all cemetery sites have a unique identification number. 2,374 cemetery operators were licenced in 2018/19.

## LICENCE CLASSES DEFINED

- Funeral Establishment Operator – Class 1: Can offer embalming services, full funeral services, removal of pace-makers or implants. Will make available an inexpensive transfer service.
- Funeral Establishment Operator - Class-2: Can temporarily place human remains so person may attend and pay their respects, such as visitation or funeral. Cannot offer embalming services, transfer services, or removal of pacemakers or implants.
- Transfer Service Operator – Class 1: Can sell and provide the service of placing a dead human body in a casket, washing and setting the features and transporting a dead human body from one location to another.
- Transfer Service Operator – Class 2: Can sell and provide the service of placing a dead human body in a casket, removing personal effects and transporting a dead human body from one location to another.
- Cemetery Operator: Person (Corporation, Partnership, Sole Proprietor, Trustee/Volunteer Board – Religious or other) licensed to offer or sell cemetery supplies and services.
- Crematorium Operator: Person (Corporation, Partnership, Sole Proprietor, Trustee/Volunteer Board – Religious or other) licensed to offer or sell crematorium supplies and services.
- Alternative Disposition (Hydrolysis): Licensed to offer or sell hydrolysis services.



# Report on Performance

## PERSONAL LICENSING

Due to recent amendments to the administration of the Entry-to-Practice Examination, license applicants were able to obtain their license more quickly. More details can be found on page 26.

| Personal Licensing Statistics                 |         |         |         |         |
|---|---------|---------|---------|---------|
| Licence Classes                               | 2016/17 | 2017/18 | 2018/19 | 2019/20 |
| Funeral Director - Class 1                    | 2,752   | 2,582   | 2,554   | 2,582   |
| Funeral Director - Class 2                    | 24      | 25      | 29      | 29      |
| Funeral Preplanner                            | 368     | 286     | 296     | 369     |
| Transfer Service Sales Representative         | 19      | 23      | 23      | 32      |
| Cemetery and Crematorium Sales Representative | 689     | 530     | 570     | 591     |

## LICENCE CLASSES DEFINED

- Funeral Director – Class 1: Can embalm and provide all related professional services associated with arranging and directing a funeral and memorial service on behalf of a licensed establishment.
- Funeral Director – Class 2: Can arrange and direct customized funeral rites and ceremonies on behalf of a licensed establishment. Cannot provide embalming services.
- Funeral Preplanner: Can enter into prepaid contracts funded by trust or insurance plans for funeral supplies and services on behalf of a licensed funeral establishment.
- Transfer Service Sales Representative: Can sell transfer services on behalf of a licensed transfer service operator.
- Cemetery Sales Representative: Can sell or offer to sell cemetery supplies and services on behalf of a licensed cemetery operator.
- Crematorium Sales Representative: Can sell or offer to sell crematorium supplies and services on behalf of a licensed crematorium operator.

| • New Licences Issued 2019/20  | • Licences Renewed 2019/20   |
|--|--|
| • 21 new funeral establishment and transfer service operator licences were issued      | • 673 funeral establishment and transfer service operator licences were renewed            |
| • 11 cemetery, crematorium and alternate disposition (hydrolysis) licences were issued | • 3,579 cemetery, crematorium and alternate disposition (hydrolysis) licences were renewed |
| • 349 new personal licences were issued  | • 2,924 personal licences were renewed   |

| Emeritus Status - Funeral Directors in good standing for 50+ years |                  |
|--|------------------|
| Year   | # of individuals |
| 2016 and earlier   | 83               |
| 2017/18  | 7                |
| 2018/19  | 17               |
| 2019/20  | 10               |

# Report on Performance

## LICENSEE EDUCATION

Since 1938, funeral professionals in Ontario have committed to lifelong learning through participation in mandatory professional development programs. The BAO believes that professional development and continuing education is a priority and an important component of any profession.

## EXAMS

Traditionally, exams only took place onsite at Humber College or Collège Boréal three times a year. The BAO now offers additional administrations of the Entry-to-Practice examinations (Licensing and Jurisprudence) for small groups in house or onsite at the licensees' establishment. With the improved availability of exam administration the number of annual exams has increased from three to 25. Total number of individual exams written in the fiscal year: 455.

| Licensing Examinations |             |        |
|------------------------|-------------|--------|
| Year                   | Exams Taken | Pass % |
| 18/19                  | 130         | 91%    |
| 19/20                  | 195         | 95%    |

| Jurisprudence Examinations |             |        |
|----------------------------|-------------|--------|
| Year                       | Exams Taken | Pass % |
| 18/19                      | 191         | 93%    |
| 19/20                      | 260         | 84%    |

## CONTINUING EDUCATION

In 2018, licensees who wished to renew their licences for 2019 were required to complete four hours of continuing education and professional development. Effective January 1, 2020 funeral licensees are required to complete a minimum of six hours each year.

To qualify for continuing education credit, the course must be delivered through the provincial associations (OFSA and OACFP) Collège Boréal, Humber College and/or approved by the Bereavement Education Committee (BEC)\*. No courses, seminars, conferences or events originating from outside of the province or from other associations qualify for credit unless they have received prior approval of the BEC.

Qualifying courses will be identified as either technical/professional skills or self care. A maximum of two hours from self care courses will qualify for continuing education credit. The remaining four hours must be from technical/professional skills.

\*Bereavement Education Committee: The associations, OACFP and OFSA, in consultation with Collège Boréal and Humber College have created a committee to receive and assess applications and give accreditation to third-party providers. Offerings will only be eligible for con-ed credit if the provider and content has been approved and accredited by the BEC.

# Report on Performance

## TRUST FUNDS

The Trust Unit coaches for compliance by educating licensees on the use of income, investment, capital preservation, sale/resale of interment rights, understanding institutional statements, reporting requirements and the difference between individual trust, pooled trust, and insurance products. Licensees have the convenience of using our updated online forms, which now include detailed descriptions, examples of common errors, and a useful care and maintenance fund calculator.

## CARE AND MAINTENANCE FUND

A care and maintenance fund/account (C&M fund) is an irrevocable trust fund that ensures funds are available for the upkeep of a cemetery in perpetuity. Cemetery Operators are required under the FBCSA to deposit appropriate contributions within 60 days of a sale. The C&M fund is held by an eligible trustee under the FBCSA. The use of capital (including realized capital gains) is strictly prohibited. The income generated from the investment of the capital is used for care and maintenance expenses of the cemetery.

| Funeral Establishment & Transfer Service Operators<br>Report of Prepaid Funds Submission Rate |                 |
|---|-----------------|
| Year  | Submission Rate |
| Jan. 1 - Dec. 31, 2017  | 94%             |
| Jan. 1 - Dec. 31, 2018  | 99.5%           |
| Jan. 1 - Dec. 31, 2019  | 100%            |

| Cemetery & Crematorium Operators<br>Report of Prepaid Funds Submission Rate |                 |
|---|-----------------|
| Year  | Submission Rate |
| Jan. 1 - Dec. 31, 2018  | 87.18%          |
| Jan. 1 - Dec. 31, 2019  | 97.4%           |

| Total Prepaid Funds (Trust - Pooled & Individual) |                 | % Increase |
|---|-----------------|------------|
| 2018/2019   | \$1,250,811,898 | 0.94%      |
| 2019/2020   | \$1,262,512,569 |            |

| Total Prepaid Funds (Insurance) |                 | % Increase |
|---------------------------------|-----------------|------------|
| 2018/2019                       | \$1,378,483,664 | 21.07%     |
| 2019/2020                       | \$1,668,980,757 |            |

| Total Cemetery Care and Maintenance Funds |                 | % Increase |
|---|-----------------|------------|
| 2018/2019                                 | \$1,371,322,525 | 10.57%     |
| 2019/2020                                 | \$1,516,337,576 |            |

# Report on Performance

## CARE AND MAINTENANCE FUND...CONTINUED

| Cemetery Care and Maintenance (C&M) Funds Total by Category 2019/20 |                            |                     |
|---|----------------------------|---------------------|
| Category  | Total C&M Amount           | # of Funds/Accounts |
| Corporation – Private   | \$ 382,408,841.15          | 181                 |
| Corporation - Publicly Traded                                       | \$ 72,202,421.00           | 1                   |
| Corporation - Trustee/Volunteer Board                               | \$ 32,156,415.27           | 480                 |
| Corporation - Municipal   | \$ 160,803,526.49          | 397                 |
| Corporation - Non-Profit  | \$ 484,639,599.51          | 123                 |
| Corporation - Religious   | \$ 383,748,267.59          | 943                 |
| Sole Proprietorship   | \$ 378,505.63              | 12                  |
| <b>Total</b>  | <b>\$ 1,516,337,576.64</b> | <b>2,137</b>        |

## PREPAID FUNDS

Licensed operators who enter into prepaid contracts for licensed prepaid supplies or services (excluding the purchase interment/scattering rights) must place funds in trust within 35 days, either in a pooled trust fund, individual trust account, or insurance. Licensed operators report annually to the BAO via a Report of Prepaid Funds form which captures total number of contracts, total value, total interest, contracts provided, cancelled, and new. Licensed operators are required to engage a public accountant (independent of the operator) to submit a review engagement or audit report (excluding pooled trust funds less than \$100,000). Each report is reviewed by a BAO Trust Compliance Officer for compliance with the FBCSA.

## COMPENSATION FUND

Established in 1990, the Prepaid Funeral Service Compensation Fund (“the Compensation Fund”) is designed to compensate consumers who have suffered a financial loss as a result of a licensed funeral professional or transfer service licensee mishandling prepaid funds.

The Compensation Fund fiscal year was Nov. 1, 2018 to Oct. 31, 2019. In that fiscal year, there were five claims made against the Compensation Fund totaling \$6,719.27. Total market value at its fiscal yearend was \$2,456,279 comprised of cash, fixed income and equity holdings. The Compensation Fund had revenues of \$237,443 from its primary income sources including interest and dividend income, net gains on investments as well as contributions from new licensees.

Voluntary payments may also be made by funeral establishment and transfer service operators in relation to prepaid trust funds that have been left unclaimed and for which the recipient (beneficiary) would be at least 120 years old. Should a rightful recipient to the unclaimed funds come forward after they are paid into the Compensation Fund, the funds will be paid out to the rightful recipient.

Claims that are denied payment by the Compensation Fund Committee may be appealed to the Licence Appeal Tribunal.

# Report on Performance

## INSPECTIONS & INVESTIGATIONS

### Compliance Approach

The Compliance Unit employs a risk-based approach in identifying operators requiring inspections. Specific risks are identified, rather than relying exclusively on predetermined fixed time intervals for inspections.

Identified risks include:

- Monitoring and enforcing annual license renewals
- Failing to communicate or reply to the regulator
- Complaints
- Previous compliance history
- New or inexperienced, management

## INSPECTIONS

Our inspectors continue to provide proactive coaching, ongoing education and training to licensees.

| Inspections by Licence Class |                       |            |           |            |
|------------------------------|-----------------------|------------|-----------|------------|
| Licence Class                | # of Inspections/Year |            |           |            |
|                              | 16/17                 | 17/18      | 18/19     | 19/20      |
| Funeral Establishment        | 23                    | 80         | 48        | 56         |
| Transfer Service             | 4                     | 11         | 8         | 11         |
| Cemeteries                   | 15                    | 37         | 20        | 42         |
| Crematoriums                 | 0                     | 12         | 7         | 11         |
| Alternative Dispositions*    | -                     | -          | 2         | 1          |
| Non- Licensees               | -                     | -          | 12        | 11         |
| <b>Total Inspections</b>     | <b>42</b>             | <b>140</b> | <b>97</b> | <b>132</b> |

\*The term *Alternative Dispositions* currently relates to alkaline hydrolysis, a newer service which had been counted as part of *Crematoriums* in previous years.

## ARCHAEOLOGICAL INVESTIGATIONS

The BAO Registrar's Directive, Archaeological Assessments & Investigations on Cemetery Lands, was issued to remind cemetery operators that any invasive activity, either excavation or construction within or at the boundaries of a cemetery for which no credible maps/plans or records exist,

may only be carried out after an archaeological investigation has been conducted. An investigation

authorization must be received from the BAO before any invasive activity begins. Between April 1, 2019 and

March 31, 2020, the Registrar issued 12 investigation authorizations and responded to an additional 15 inquiries related to potential investigation authorizations.

# Report on Performance

## REGISTRAR'S ACTIONS

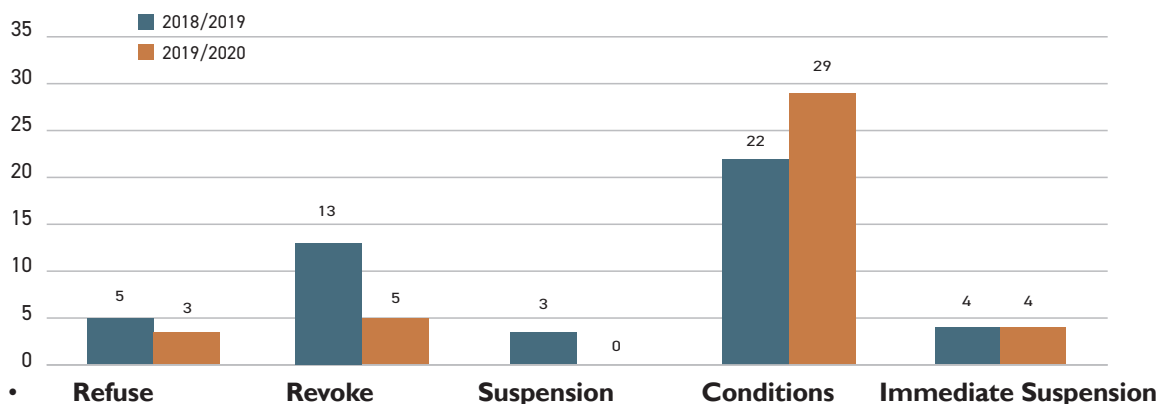
Registrar's actions include issuing Proposals to Suspend, Refuse or Revoke Licences and to impose conditions on licences. The issuing of the Registrar's Immediate/Temporary Suspension Order is reserved for the most serious matters.

## DEFINITIONS

- **Refuse:** Notice of Proposal to Refuse issued by the Registrar
- **Revoke:** Notice of Proposal to Revoke issued by the Registrar
- **Suspension:** Refers to all orders to cease licensed activity, including voluntary and those ordered by the Licence Appeal Tribunal (LAT)
- **Conditions:** Conditions imposed on the Licensee
- **Immediate Suspension:** Registrar's Immediate/Temporary Suspension Order

## REGISTRAR'S ACTIONS YEAR-BY-YEAR COMPARISON

(Fiscal Year 2018/19 vs 2019/20)



## REGISTRAR'S ACTIONS BY LICENSEE TYPE

Fiscal Year (April 1, 2019 to March 31, 2020)

| Operator                       | Total (27) | Percentage |
|--------------------------------|------------|------------|
| Funeral Establishment Operator | 14         | 34%        |
| Transfer Service Operator      | 6          | 15%        |
| Cemetery Operator              | 0          | 0%         |
| Crematorium Operator           | 0          | 0%         |
| Alkaline Hydrolysis Operator   | 7          | 17%        |
| Personal                       | Total (24) | Percentage |
| Funeral Director               | 9          | 22%        |
| Sales Representative           | 1          | 2%         |
| Funeral Preplanner             | 4          | 10%        |

There were seven appeals to the Licence Appeal Tribunal: three by personal licensees; four by operator licensees.

## THE TREND

Year-by-year comparison shows a decline in the number of Registrar's proposals to revoke licences, and an increase in the number of conditions imposed on licensees. The Registrar continues to work with non-compliant licensees to encourage compliance, issuing proposals to revoke licenses for serious matters.

# Report on Performance

## COMPLAINTS

The Complaint Unit has been very effective in addressing consumer inquiries and complaints, fielding a total number of 1,426 communications. The majority of inquiries are resolved through the clarification of legislation. Complaints require investigation and mediation between a licensee and a consumer. The BAO received a total of 173 complaints with the most common being:

- Whom to take direction from
- Contraventions of regulations
- Contract related issues
- Miscommunication between the licensees and consumers
- Interment rights issues
- Requirements for scattering cremated remains

For complaints, the BAO endeavours to conclude and close the matter within 60 days. These efforts are undertaken to ensure Ontario Consumers are always treated in a compassionate and professional manner during a vulnerable time in their lives.

| Inquiry and Complaint Statistics |            |              |
|----------------------------------|------------|--------------|
|                                  | 18/19      | 19/20        |
| # Inquiries                      | 442        | 1,253        |
| # Complaints                     | 80         | 173          |
| <b>*Total</b>                    | <b>522</b> | <b>1,426</b> |

| Complaints by Licence Class |           |            |
|-----------------------------|-----------|------------|
| Class                       | 18/19     | 19/20      |
| Funeral Establishments      | 39        | 94         |
| Cemeteries                  | 29        | 72         |
| Crematoriums                | 4         | 3          |
| Transfer Services           | 6         | 3          |
| Other (Unlicensed)          | 2         | 1          |
| <b>*Total</b>               | <b>80</b> | <b>173</b> |

\*The year-over-year variances are the direct result of the BAO implementing improved processes for tracking. Additional enhancements to our database will continue to be made over the coming year. (The BAO received no complaints about the BAO.)

## COMPLAINTS 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

# Outreach

A total of 175 posts were created across three social media platforms this fiscal year. Total engagements (shares, likes, comments) have risen by a total of 426.

| Social Media    |                   |                 |                 |                |
|-----------------|-------------------|-----------------|-----------------|----------------|
| Facebook        |                   | Twitter         |                 | LinkedIn       |
| 18/19           | 19/20             | 18/19           | 19/20           | 19/20          |
| 1,044 fans      | 1,176 fans        | 42 followers    | 65 Followers    | 96 Followers   |
| 155 posts       | 81 posts          | 442 posts       | 81 posts        | 13 posts       |
| 989 engagements | 1,401 engagements | 161 engagements | 160 engagements | 14 engagements |

## CONSUMER INFORMATION GUIDE (CIG) – A GUIDE TO DEATH CARE IN ONTARIO

The BAO's free CIG - A Guide to Death Care in Ontario helps consumers know their rights and responsibilities, before entering into contracts with organizations that are licensed under the Funeral, Burial and Cremation Services Act, 2002 (FBCSA). All licensees of the BAO are required to provide consumers with a copy of this guide when making arrangements. Government regulations were amended to allow licensees to provide a digital copy of the CIG.

| CIG - A Guide to Death Care in Ontario |                |              |                |
|--|----------------|--------------|----------------|
| Recipients                             | Guides shipped |              | Total          |
|  | English        | French       |                |
| Licensees                              | 174,988        | 4,077        | 179,065        |
| Individual consumers                   | 70             | 0            | 70             |
| <b>Total</b>                           | <b>175,058</b> | <b>4,077</b> | <b>179,135</b> |

## STAKEHOLDER EVENTS

The BAO Deputy Registrar conducted 17 educational seminars, reaching more than 500 attendees from various religious sectors and municipal organizations (including AMCTO, and Ontario Recreation Facilities Association). Several events were cancelled due to COVID-19.

## TRADE SHOWS

The BAO participated in 9 tradeshows with over 77,000 consumers and licensees in attendance and distributed 2,850 copies of the CIG - A Guide to Death Care in Ontario. Several events were cancelled due to COVID-19.

- Ontario Long Term Care Association - Together We Care Conference, April 1-3, 2019
- Hospice Palliative Care Ontario, April 28-29, 2019
- Niagara District Funeral Directors Association, Sept. 12, 2019
- Ottawa Fall Lifestyle Show, Sept. 20-21, 2019
- Ontario Association of Cemetery and Funeral Professionals, Oct. 8-10, 2019
- Community Deathcare Expo, Oct. 19, 2019
- ZoomerShow, Oct. 26-27, 2019



# Other Updates

## REGULATORY AMENDMENTS

Several regulatory amendments were made this fiscal year:

- Section 31 of General Regulation (O. Reg. 30/11) allows crematorium operators to cremate a deceased person containing a radioactive implant (previously prohibited) if a specified time has passed since the day the body received the implants.
- Sections 112 to 113 of General Regulation (O. Reg. 30/11) allows licensees to distribute a digital version (rather than a printed copy) of the Consumer Information Guide to prospective purchasers – this document summarizes the rights of consumers under the FBCSA in consumer-friendly terms.
- Amendments to the General Regulation (O. Reg. 187/09) under the Safety and Consumer Statutes Administration Act, 1996 grants the BAO the authority to administer two additional regulations:
  - Discipline and Appeal Committees Regulation (O. Reg. 374/18) permit the BAO to establish Discipline and Appeal Committees. The BAO has begun the process of establishing these committees and will soon be soliciting stakeholders to find those interested in becoming members.
  - Code of Ethics Regulation (O. Reg. 216/18) permits the BAO to enforce the BAO's Code of Ethics.

## COMPLIANCE - ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT

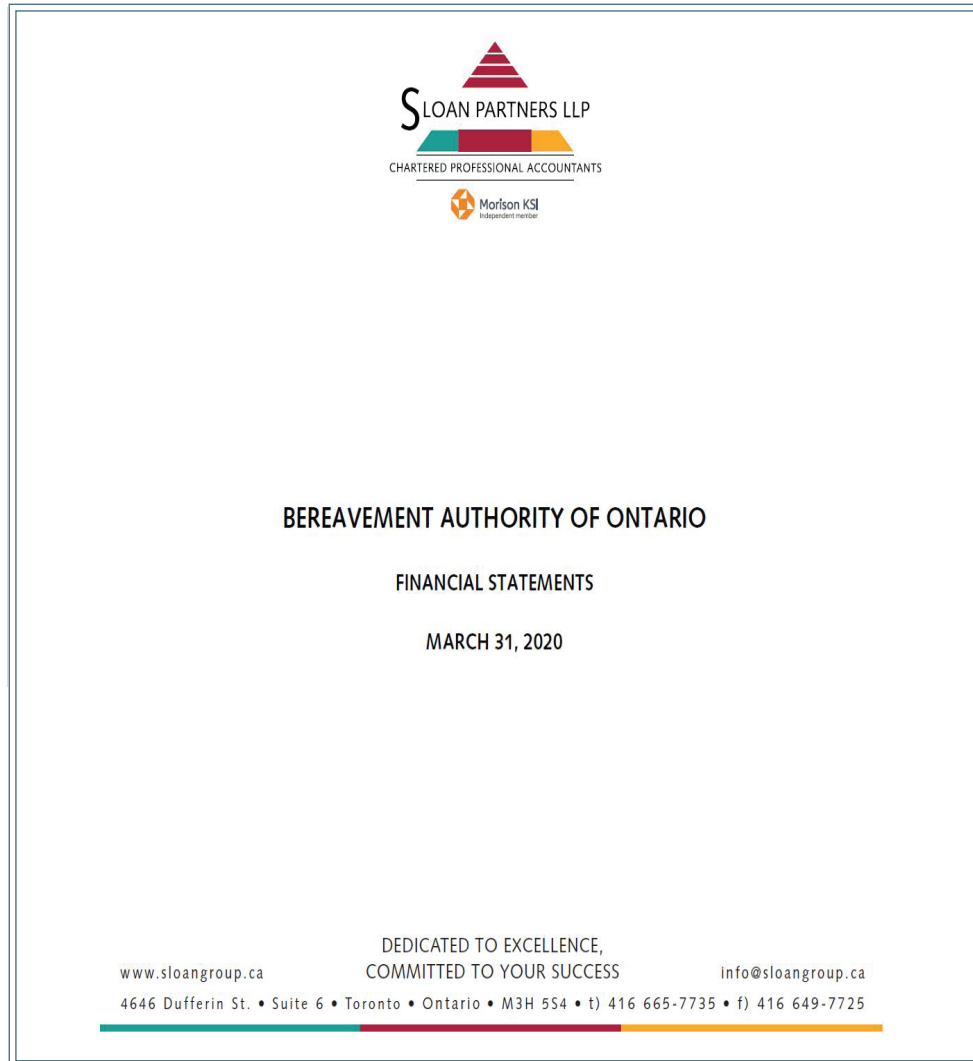
Under the Accessibility for Ontarians with Disabilities Act, the BAO makes every reasonable effort to ensure that its policies, practices and procedures are consistent with the principles of dignity, independence, integration and equal opportunity.

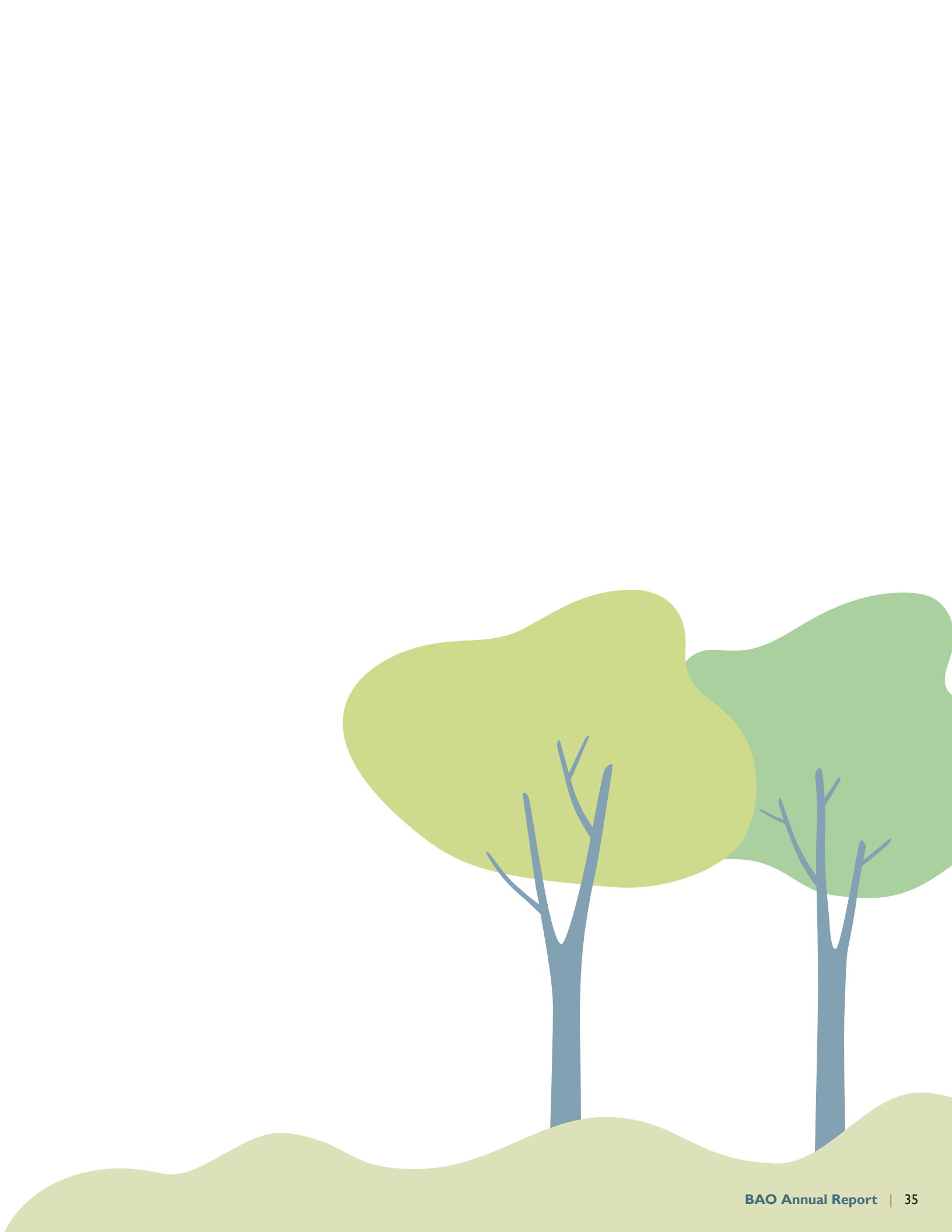
## FRENCH LANGUAGE SERVICES

The BAO employs four bilingual individuals (Manager of Operations, Manager of Communications, Complaints Officer, Licensing and Education Coordinator). These employees provide bilingual support to consumers, stakeholders and licensees via phone and written correspondence, upon request. The BAO also provides bilingual Funeral Service education – Collège Boréal, a fully French-speaking college offers the program in French. Most BAO publications are produced in both French and English.

# Financial Statements

- Please click on this link to read the [Financial Statements](#).







100 Sheppard Avenue East, Suite 505, North York, ON M2N 6N5

647-483-2645 • [info@thebao.ca](mailto:info@thebao.ca) • [www.thebao.ca](http://www.thebao.ca)

