

MANAGEMENT RESPONSE AND ACTION PLAN (MRAP)

In response to the recommendations of the Report - Audit of Enforcement of Quarantine and COVID-19 Testing Orders
of the Auditor General of Canada to the Parliament of Canada

Report Ref. No.	OAG Recommendation	Departmental Response	Description of Final Expected Outcome/Result	Expected Final Completion Date	Key Interim Milestones (Description/Dates)	Responsible Organization/ Point of Contact (Name, Position, Tel #)	Indicator of Achievement (For Committee Use Only)
Para. 47	<p>PHAC should improve its enforcement of emergency orders imposed to limit the spread of COVID-19 by:</p> <ul style="list-style-type: none"> • Improving its automated tracking and data quality so it can better follow up with travellers who are subject to border measures; and • Implementing GBA+ considerations to mitigate any potentially adverse impacts of existing and future programs on diverse and vulnerable groups. 	<p>Agreed. In November 2021, the Agency initiated an assessment of its IT systems and data requirements for border measures. The results of this assessment will inform a review of current IT systems and broad requirements to improve data and address issues related to the consistency and quality of data used for matching test results to traveller records. The Agency will also improve and streamline internal methods for assessing data quality. In conjunction with efforts to improve matching and data quality, the Agency will continue to review and, where necessary, expand upon existing practices for contacting and tracking travellers who test positive for COVID-19, or who are suspected of non-compliance.</p> <p>The Agency agrees that automated tracking would have improved tracking of travellers at government-authorized hotels when this requirement was first introduced. The Agency implemented an automated process in June 2021 to obtain better check-in and check-out data to facilitate enforcement against non-compliant travellers. While this requirement was phased out soon afterwards, the Agency found that the automated process had enhanced program administration and integrity, and it has initiated an assessment of its IT systems and data requirements related to border measures. This assessment and other separate reviews of the pandemic response will help to identify requirements for future responses.</p> <p>Regarding GBA+ considerations, while the emergency orders issued under section 58 of the <i>Quarantine Act</i> are not subject to the <i>Cabinet Directive on Regulations</i>, nor the requirement for a GBA+ analysis, the Agency nonetheless completed a GBA+ analysis to inform the development of border measures. The Agency also provided specialized training on gender and diversity considerations to frontline staff at the border and at designated quarantine facilities, including training on bias (launched in September 2021), security awareness, and de-escalation. In November 2021, in the context of the ongoing renewal of the emergency orders, the Agency started to update its GBA+ analysis and to incorporate its results in the implementation of future border measures.</p>	<ol style="list-style-type: none"> 1. PHAC has methods and systems in place that enable the automated capture and use of quality data to support border measures. 2. Potential disparate impacts of PHAC-led COVID-19 border measures on vulnerable groups are identified, and appropriate mitigations (consistent with public health objectives) are identified and implemented. 	<ol style="list-style-type: none"> 1. April 2024, subject to approval of the proposed solution and dependent on the approval and allocation of appropriate resources for systems development. 2. GBA+ analysis on current PHAC-led border measures is updated by the end of Q4 FY 2021-22. <p>Formal integration of GBA+ considerations into the border policy process will then be incorporated, where applicable and feasible, into the implementation of new border measures on an ongoing</p>	<p>For Outcome/Result 1:</p> <p>Access to timely and reliable data is a key component to successfully implementing border measures for mitigating the risks of international travel during the pandemic. PHAC is working to enhance existing system functionality in the near term in order to improve data quality and tracking.</p> <ol style="list-style-type: none"> 1. End Q1 FY2022-23: Integrate Quarantine Case Management System (QCMS) Quarantine Officer (QO) and Compliance and Enforcement (C&E) Modules, as much as technically feasible. <p>Enhancing existing functionality will allow PHAC to take immediate steps to address the recommendations of the OAG report to improve data quality until a more comprehensive solution can be developed and implemented.</p> <p>The Directors General responsible for Border Measures Information Systems Governance Committee will steer the identification, requirement development, and option analysis to deliver the long-term systems capability required to manage future pandemic-related border measures.</p> <ol style="list-style-type: none"> 2. End FY 2021-22: Establish an integrated project team to act on the outcomes of the IT systems and data assessment. 3. End Q2 FY 2022-23: Complete assessment of IT systems and data requirements for border measures. 4. End Q3 FY 2022-23: Identify requirements for enhancing IT systems. 	<ol style="list-style-type: none"> 1. Marie-Hélène Lévesque (DG HSRO/CCEE) 2-4. HSRO and IMSD co-lead (specific responsibilities and champion TBD) 	

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				<p>basis for the duration of the pandemic.</p>	<p>5. End FY22-23: Secure Senior Management support for proposed solution and seek source of funding for system implementation.</p> <p><u>For Outcome/Result 2:</u></p> <p>In the context of the ongoing renewal of the emergency orders, the Agency will update its GBA+ analysis, and will incorporate its results in the implementation of future border measures, as feasible.</p> <p>End Q1 FY 2022-23: A GBA+ lens is considered during the following processes:</p> <ul style="list-style-type: none"> i. Development of PHAC-led border measures to the extent feasible, given the status of emergency orders under section 58 of the <i>Quarantine Act</i> in respect of the <i>Cabinet Directive on Regulations</i>; and ii. Operationalization of PHAC-led border measures. 	<ul style="list-style-type: none"> i. Katarina Stephenson (DG CBTH) ii. Luc Brisebois (DG HSRO/RO), and Marie-Hélène Lévesque (DG HSRO/CCEE) 	
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Para. 57	<p>PHAC should use information on the outcomes of its referrals for follow-up better, in order to assess whether its enforcement approach is working to limit the introduction of COVID-19 and its variants. The Agency should also improve its capability to achieve a consistent enforcement approach to border measures nationwide, including exploring other tools in certain jurisdictions that could be used in all Canadian jurisdictions.</p>	<p>Agreed. The Agency continues to have regular meetings and discussions with the law enforcement community regarding enforcement of the <i>Quarantine Act</i>. Outcomes reported for priority referrals have improved since the beginning of the year. In November 2021, the Agency also renewed efforts to engage law enforcement partners, with a particular focus on seeking information regarding referral outcomes for priority cases. The Agency will use this information in its risk-based approach to compliance and enforcement.</p> <p>The Agency's compliance and enforcement program includes a full suite of activities that are applied consistently to all travellers in all Canadian jurisdictions. However, as noted in the audit report, the issuance of tickets under the <i>Quarantine Act</i> can only occur in jurisdictions that have signed onto the <i>Contraventions Act</i> regime. Starting in 2022-23, additional mechanisms will be assessed to enforce the <i>Quarantine Act</i> more consistently at a national level. In addition, the Agency will continue to engage with its provincial and territorial counterparts to ensure maximum collaboration in following up with travellers, particularly those who have tested positive or are in quarantine.</p>	<p>1. PHAC will implement processes using the information on outcomes of referrals to continually assess and evaluate the efficacy of PHAC's enforcement approach to border measures.</p> <p>2. PHAC will implement a consistent national <i>Quarantine Act</i> enforcement approach to ensure that travellers arriving in different Canadian jurisdictions are subject to the same enforcement processes, procedures, and mechanisms, including potential consequences for non-compliance.</p>	<p>1. Implement new automated processes to systematically obtain information from referrals by the end of Q1 FY2023-24, subject to agreement by provinces and territories.</p> <p>2. If no legislative changes are required, PHAC will implement a permanent national <i>Quarantine Act</i> Compliance and Enforcement (C&E) program by the beginning of January 2024, pending PHAC Senior Management approval of the proposed approach, and if appropriate funding is in place.</p> <p>If legislative changes are required to</p>	<p>For Outcome/Result 1:</p> <p>Provinces and territories are engaged through the Crime Prevention and Policing Committee (CPPC), an Assistant Deputy Minister-level federal-provincial-territorial forum to discuss crime prevention and policing policy issues within and across jurisdictions. Under the auspices of the CPPC, PHAC will propose an ad-hoc Law Enforcement (LE) sub-working group (WG) to identify administrative burdens and other obstacles to law enforcement organizations consistently reporting outcomes of referrals to PHAC.</p> <p>Membership in the WG should be comprised of those Police of Jurisdiction (PoJ) that receive the highest volume of referrals, such as those responsible for the largest international airports or land ports of entry (e.g., RCMP, Calgary Police Service, Peel Regional Police, Montreal Police Service, Windsor Police, Sûreté du Québec).</p> <p>The sub-WG will identify barriers to reporting and propose solutions before returning to the larger plenary CPPC for discussion and implementation planning, if the group reaches agreement on a way forward. The focus will be on identifying near-term solutions to de-duplicate the reporting process to reduce the administrative burden on PoJ and facilitate systematic, but simplified, reporting on the outcome of referrals in a manner compatible with current PoJ and PHAC systems.</p> <p>Once improved PoJ reporting systems and methods are put in place and the frequency of reports increases, PHAC will then use these results to analyze outcomes, look for trends and patterns, and identify gaps in its enforcement of border measures. The information will factor into PHAC's risk-based approach to C&E and be used on an ongoing basis to develop specific</p>	<p>Marie-Hélène Lévesque, Director General, Centre for Compliance, Enforcement, and Exemptions, HSRO</p>
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				<p>implement the proposed approach, PHAC will, by January 2024, seek authority to introduce legislative amendments, pending PHAC Senior Management approval of proposed approach.</p>	<p>solutions to address or mitigate any issues identified.</p> <p>In addition, under the authority of the Special Advisory Committee on COVID-19, PHAC will establish and convene an FPT committee on compliance and enforcement. The FPT Committee on COVID-19 Compliance and Enforcement (the Committee) will bring together federal, provincial, and territorial partners engaged in compliance and enforcement of COVID-19 border measures to discuss compliance promotion, verification and enforcement related to border measures, and the linkages between federal, provincial, and territorial activities. This committee will also be used as a forum to promote best practices and contribute to a more efficient national approach.</p> <p>Enhancements to IT systems requirements and capabilities may delay the timelines below.</p> <p>Milestones for Outcome/Result 1:</p> <ul style="list-style-type: none"> • End of FY2021-22: LE Reporting WG launched and Terms of Reference developed • End Q1 FY2022-23: FPT Committee on COVID-10 Compliance and Enforcement established and Terms of Reference developed • End Q2 FY2022-23: WG findings reported to main CPPC • Start Q3 FY2022-23: Development of new and improved reporting processes (subject to CPPC agreement) • End Q3 FY2022-23: Ensure funding and FTEs are in place to implement proposed solution. <p><u>For Outcome/Result 2:</u></p> <p>PHAC will develop a permanent national compliance and enforcement program under the <i>Quarantine Act</i> to respond to future disease</p>	
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					<p>outbreaks that are national or international in scope. As part of this process, PHAC will undertake lessons learned throughout the COVID-19 pandemic and conduct an environmental scan of comparable programs to determine their applicability in the context of <i>Quarantine Act</i> enforcement. These activities will contribute to the maturity of the existing programs and will support the development of recommendations for the future.</p> <p>Milestones for Outcome/Result 2:</p> <ul style="list-style-type: none"> • End of Q1 FY 2022-23: Initiate enforcement environmental scan. • End of Q4 FY2022-23: Complete enforcement environmental scan and identify possible <i>Quarantine Act</i> implications. • End of Q1 FY 2023-24: Complete lessons learned review and develop recommendations for permanent national <i>Quarantine Act</i> C&E program, including an assessment on structure, and financial and legislative authorities and impacts. • End Q1 FY2023-24: Secure PHAC Senior Management support and approval for proposed approach. 		
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