

FAIRNESS FACTS

UNDERSTANDING ADMINISTRATIVE FAIRNESS

What is administrative fairness?

Administrative fairness is the expectation that public bodies provide services to the public fairly. It includes following fair decision-making processes, making fair decisions and treating people fairly.

Administrative fairness comes from a body of law in Canada called administrative law, which includes laws and past decisions of judges that create precedent (also known as case law).

The Fairness Triangle explains the three main areas of administrative fairness:
PROCESS, **DECISION** and **SERVICE**.

A fair decision-making process requires:

- an impartial and unbiased decision maker
- providing reasonable notice of the decision
- providing information about the decision-making criteria and process
- a meaningful opportunity to be heard
- clear and understandable reasons for the decision
- information about review or appeal options

A fair decision:

- is made with appropriate legal authority
- follows the applicable rules, laws and policies
- is based on complete and relevant information
- is equitable and considers the unique circumstances of the person/group impacted
- is based on fair rules

Fair service includes:

- respectful treatment
 - cultural safety and cultural humility
 - using a trauma-informed approach
- effective communication
- accessible information, programs and services
- transparency and accountability
- handling complaints, fixing mistakes and apologizing
- continuous improvement

Indigenous rights and administrative fairness

Upholding Indigenous rights, as stated in the [Declaration on the Rights of Indigenous Peoples Act](#) (DRIPA), and using a distinctions or rights-based approach is part of administrative fairness. This means acknowledging and upholding the rights, interests and priorities of the diversity of Indigenous People.

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