

FAIRNESS FACTS

EFFECTIVE APOLOGIES

Everyone makes mistakes. When a public body makes a mistake or provides poor service, a sincere apology acknowledges any harm caused, rebuilds trust and helps everyone move forward. The content of each apology will differ based on the circumstances but effective apologies feature the following key elements:

Recognition. Recognize the person has been inconvenienced and possibly harmed by the error. Clearly state you understand this to be the case.

“I understand that receiving incorrect information from our organization led you to file your application after the deadline”

Responsibility. If a representative from your organization is responsible for the error, take responsibility.

“Our organization’s role is to facilitate applications and we did not provide you with correct information”

Reasons. Provide reasons for the error or offer to uncover the source of the error.

It may not be necessary to provide reasons if a person is complaining about rudeness or other interpersonal issues.

“The information provided to our front-line staff was not up to date” or “I cannot identify the source of the error right now, but I will find out and contact you when I have an explanation”.

Regret. Express regret for the error and its impact.

“I am sorry that I did not provide you with adequate information about our application process and this caused confusion for you.”

Remedy. Explain how you or your organization will fix the error.

“I will send you the up-to-date information and will extend the application deadline for you.”

Reconciliation with Indigenous People.

Apologize sincerely for your mistake. An apology shows you are aware of your actions, acknowledges any harm caused and shows a commitment to changing your behaviour. Even when the error is minor, an apology mirrors and reinforces essential steps on the path of repairing relationships with Indigenous People.

“I am sorry for this mistake. I hope we can continue to build trust”.

5 Rs adapted from Kleefeld, J. C. (2007). Thinking Like a Human: British Columbia’s Apology Act. UBCL Rev., 40, 769 and New South Wales Ombudsman. (2009). Apologies: A practical guide.

Apology FAQs

Q: Can I get in trouble if I apologize?

A: No! In 2006, the BC Legislature passed the *Apology Act*¹. This Act does not allow apologies to be used as an admission of liability or fault. You are also not liable for any event or issue for which you apologize.

For more detailed information on how this *Apology Act* may apply to your work, seek advice from your supervisor and/or legal counsel.

Q: What should I avoid when apologizing?

A: Avoid these three behaviours:

- **Don't downplay or dismiss the impact of the mistake.** While you personally may not think the harm is significant or serious, the person experiencing it may be very distressed. Downplaying the error makes your apology seem insincere.
- **Avoid the passive voice** such as saying “a mistake was made”. This is unclear, does not show who made a mistake and can make the apology feel less sincere. Instead, say “Our organization made a mistake” or “I provided you with incorrect information”.
- **Saying “sorry, but”.** This introduces an excuse or justification for mistakes or poor behavior and can make it seem like you think they are at fault. An apology is not the time to tell your side of the story or to assign blame.

British Columbia's *Apology Act*

This legislation outlines that an apology does not constitute an admission of liability and is not admissible in any court as evidence of fault.

It defines apology broadly as:

*“an expression of sympathy or regret, a statement that one is sorry or any other words or actions indicating contrition or commiseration, whether or not the words or actions admit or imply an admission of fault in connection with the matter to which the words or actions relate.”*²

This Act encourages apologies.

When it was introduced, the Attorney General explained that it was part of an attempt to *“promote the early and effective resolution of disputes by removing concerns about the legal impact of an apology.”*

Hon. W. Oppal

¹ *Apology Act*, SBC 2006, c 19

² *Apology Act*, SBC 2006, c 19