

Protecting

Consumers, families and
bereavement professionals



Annual Report

April 1, 2020 - March 31, 2021

Table of Contents

Organizational Overview	3
Message from the Chair	4
Message from the CEO/Registrar	6
By the Numbers.....	8
Organizational Chart	9
Corporate Governance.....	10
BAO Board of Directors 2020/21	12
Business Plan Actions: Strategic Plan Update.....	13
CEO/Registrar’s COVID-19 Report	20
Communications.....	22
Service Standards	24
Report on Performance	
Registrar’s Actions.....	25
Licensing	26
Licensee Education	28
Trust Funds	29
Prepaid Funds / Compensation Fund	30
Inspections & Investigations	31
Complaints.....	32
Financial Statements	33
BAO Contact Information	34

Organizational Overview

We are here for you

The Bereavement Authority of Ontario (BAO) is a government delegated authority administering provisions of the *Funeral, Burial and Cremation Services Act, 2002 (FBCSA)* on behalf of the Ministry of Government and Consumer Services. Responsible for protection of the public interest, the BAO regulates and supports licensed:

- Funeral establishment operators, directors and preplanners;
- Cemetery, crematorium and *alternative disposition operators;
- Transfer service operators; and
- Bereavement sector sales representatives across Ontario.

The BAO is wholly funded by licensee fees (not tax dollars).



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 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.

* Alternative disposition = Currently this relates to alkaline hydrolysis, a chemical process that uses a heated solution of water and potassium hydroxide or sodium hydroxide under pressure and agitation to reduce a body to components of liquid and bone.

Message from the Chair

Glen Timney



A year of challenges and an opportunity to envision the future...

On behalf of the Bereavement Authority of Ontario (BAO) it is my pleasure to introduce this year's Annual Report, which highlights the BAO's activities and efforts to fulfill our mandate to protect consumers through regulatory oversight of all funeral, transfer, burial, cremation, and alternative disposition services in Ontario.

The year began similar to previous years. As an organization we continued to improve service levels for consumers and licensees alike. We looked forward to entering the final year of our Strategic Plan and to accomplishing the remaining outstanding objectives to increase consumer awareness of the BAO, enhance educational requirements and standards for licensees, and increase the effectiveness and efficiency of our inspections and compliance methods.

But as the fiscal year unfolded, the COVID-19 pandemic began spreading throughout the world. As illnesses and death rates began to rise in Ontario, the funeral bereavement sector the public so often takes for granted as being there when needed but rarely talked about took on another dimension. Funeral directors, cemetery and crematorium operators became essential frontline workers prepared to support the public at a most unfortunate and critical time in their lives.

Leadership and guidance

While staff adjusted to working remotely from home, the BAO Registrar assumed a leading role in providing guidance to all bereavement sector licensees. Working in partnership with the Chief Coroner of Ontario, an Expedited Death Response system (EDR) was developed to assist Ontario hospitals, retirement and long-term care homes. Funeral homes adjusted staffing and hours of operation to accommodate the changing conditions. Cemeteries extended their hours of operation from

sunrise to sunset. Crematoriums trained additional staff to operate cremation equipment, prepared to operate on a 24/7 basis if required. Restrictions on the number of visitors who could attend a funeral service, graveside burial, or cremation witnessing were established to prevent community spread and contract tracing was introduced at all locations.

At the time of writing (May 18, 2021), more than 8,500 Ontarians have died from COVID-19 over a 15-month period. The BAO and the bereavement sector continue to support Ontario's consumers and wish to express our sincerest condolences to those who have experienced a personal loss during these trying circumstances.

Audit welcomed

While much of the BAO's focus centred on serving Ontario's consumers during the pandemic, the Auditor General of Ontario was completing a thorough audit of several of Ontario's delegated administrative authorities, including the BAO. The Board of Directors welcomed the audit as it provided an opportunity for an independent professional assessment of our operations. The Value-For-Money audit made several recommendations and observed that "there is a need to strengthen consumer protection and enforcement measures within the bereavement sector."

The BAO has worked closely with the Ministry of Government and Consumer Services to develop a comprehensive action implementation management plan (AIM) to address all Auditor General recommendations. AIM plans are well underway to establish a risk-based operational framework that will enhance consumer protection.

Message from the Chair...continued

Efforts to re-engineer the BAO staffing model to increase the organization's capacity and ability to track and respond to consumer issues in a timely fashion have been put in place. To complement the new risk-based framework, the BAO has also started work on customizing software and artificial intelligence data that will reduce manual tracking and improve reporting capabilities. The Board of Directors looks forward to this fall when we will develop a new five-year Strategic Plan that will guide future BAO business plans and initiatives.

the future, a future that will see the BAO transform into a more robust delegated administrative authority with enhanced consumer protection and regulatory oversight capacity.



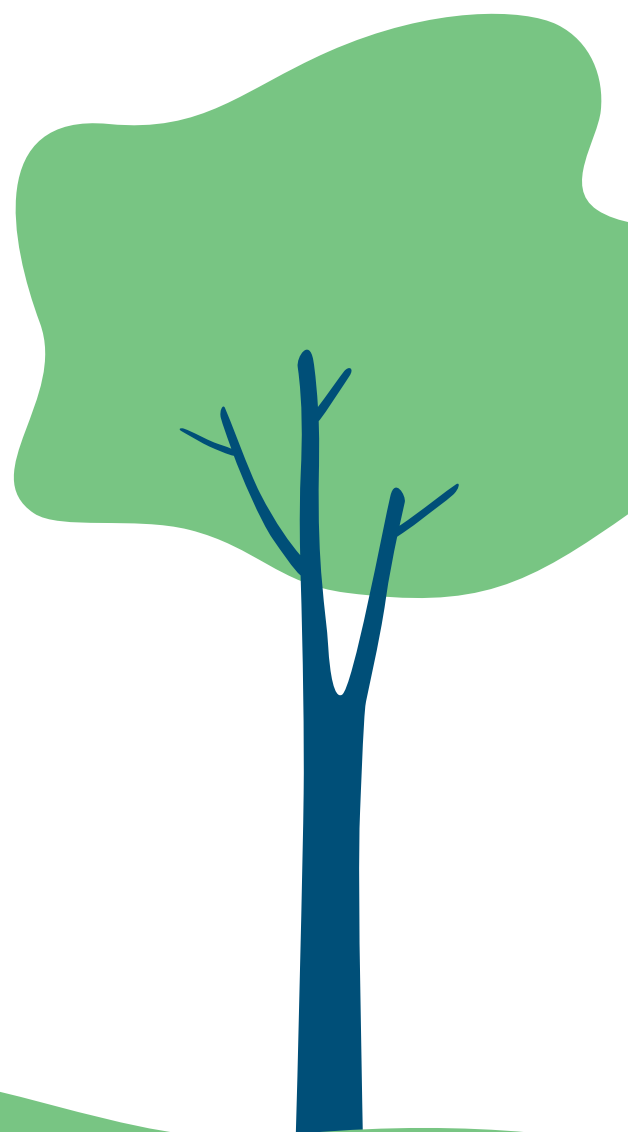
Thank you Minister and government

I would like to take this opportunity to thank Minister of Government and Consumer Services Lisa Thompson for her ongoing support. Throughout the pandemic Minister Thompson made it a point to regularly check in to see if there was anything the government could do to assist, and always made herself available and accessible. Thank you also to Ministry of Government and Consumer Services staff who have worked closely with BAO staff to develop the AIM program.

Thank you licensees, BAO Registrar and staff

I would be remiss if I did not thank all Ontario bereavement sector licensees, who have made countless personal sacrifices to provide the highest levels of service to Ontario's consumers throughout the past 15 months. Finally, and by no means least, I would like to take this opportunity to thank CEO/Registrar Carey Smith and an amazingly dedicated BAO team for not missing a beat and continuing to serve Ontario's consumers remotely.

Despite the challenges faced by the BAO throughout the past year the Board of Directors has a feeling of anticipation and optimism when looking to the future. While there is some disappointment that we did not accomplish all our business plan objectives, we are cognisant of the extraneous circumstances and proud of the important leadership role the BAO has played during the past year. The foundations have been laid for



Message from the CEO/Registrar

Carey Smith



A year of leadership

Challenging times present an opportunity to bring out the best in people.

Thanks to our dedicated staff and professional licensees, that's exactly what we witnessed at the Bereavement Authority of Ontario.

The end of the fiscal year on March 31, 2021, marked 12 months of the BAO's response to the pandemic and leadership-role in providing clear Directives and supportive information to keep our licensees and the families they serve safe. For our pandemic actions, please read my COVID-19 Report [on pages 20 to 21](#).

Highlights of our pandemic leadership actions include:

- Definitive and always timely Directives, such as the 10-maximum attendees restriction during the first and third waves of COVID-19
- Our innovative Expedited Death Response plan in collaboration with the Office of the Chief Coroner for Ontario. This helped ensure the capacity of the bereavement sector and prevent stockpiling of bodies, as seen in countries including Italy, Spain, the US and India
- Informing of licensees and the public of restrictions in the evolving pandemic through communications on multiple platforms, including 15 webinars averaging 1,000-plus licensees each
- Inspections and monitoring of establishments to make sure all rules were being followed and
- Widespread adherence to the restrictions and rules by our conscientious and professional licensees.

Our leadership is an indicator of the BAO's increasing value in protecting consumers in addition to regulating and supporting the businesses and professionals we licence at funeral homes, transfer services, cemeteries, crematoriums and hydrolysis facilities throughout Ontario.

As part of earning that reputation, we closed out the fiscal year by checking off a list of objectives in our Business Plan on [pages 13 to 19](#).

Auditor General's Report

With five years as a government delegated authority now under our belt, the Auditor General of Ontario published her detailed and instructive report on the BAO. Her 20 recommendations, issued in December of 2020, will guide our actions to better serve and track our consumer protection and regulatory initiatives.

In fact, the BAO had already identified and started on improvements that related to several of the recommendations months before the Auditor General's report.

Our [BAO Progress Report: Implementing recommendations of the Auditor General](#) provides a public record of what we are doing to make the recommendations a reality.

All action items to achieve the recommendations are on schedule for completion – many of them before the end of December 2021 and more to follow in 2022.

Message from the CEO/Registrar...continued

To help achieve the Auditor General's recommendations we are strategically adding to our staff in the new year.

Included among the many BAO actions already well underway toward implementation are:

In 2021:

- Online posting of price lists, for all products and services by all licensed bereavement sector operators, on their websites.
- Standardizing of those price lists formats, to make it easier for consumers to understand and compare, is also underway.
- Inspections, imposed conditions or other appropriate consequences will become standard, if funeral homes or transfer services do not file reports on prepaid funds within 90 days after their fiscal year end, or fail to take timely action to correct identified deficiencies.
- The addition of the BAO's plain-language [Consumer Information Guide](#) to every website belonging to funeral homes, transfer services, cemeteries, crematoriums and hydrolysis facilities.
- Increasing public awareness of the BAO (and its consumer-protection work).

In 2022:

- BAO proactive and unannounced inspections of a sample of licensed operators in the province to identify and deter upselling and/or other unethical practices or actions of non-compliance with legislation and regulations.
- We will also be sending secret shoppers to determine compliance with legislation and directives.
- Improving our contact with all cemeteries (especially many smaller ones) to ensure compliance with legislation and regulations – and to ensure they are receiving information from us regularly.
- Upgrade the functionality of our information database system so that summary reports on the number and nature of complaints can be produced electronically.

We look forward to completion of all recommendations, which are being incorporated into our new Business Plan.

We are an ambitious and focused team at the BAO. We thank the Auditor General for providing a roadmap to our goal of constant improvement in consumer protection for grieving families, and the regulation and support of the professionals we licence across the province. .



BAO by the Numbers 2020/21

 **1,465**
followers
94 posts

 **127** Inspections
conducted

 **130**
followers
94 posts

 **107,093**
Consumer Information Guides
printed & distributed
(105,058 English and 1,827 French)

 **337**
followers
94 posts

 **9,472**
Active licensees

 **572,712**
webpage views

 **360**
174 Licencing exams
plus 186 Jurisprudence
exams


No in person
trade shows or
conferences in
this COVID year

 **18,384**
Phone calls received

Organizational Chart



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 (4) skills-based directors with regulatory and governance experience and who have no direct interest in the bereavement sector.
- Three (3) directors who are selected and appointed by the Minister, MGCS.
- Three (3) 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 seven times during the 2020/21 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 members is \$472

For fiscal year 2020/21 the total Board remuneration was \$76,290.08

Corporate Governance

BAO 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, and risk management control practices.

CEO Performance Evaluation Committee

Chair Glen Timney

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 Normand Allaire

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.

Selection Committee

Chair Laurie Macdonald

The Selection Committee is an ad-hoc committee that meets as needed to review applications for appointment to the Discipline and Appeal Committees.

Governance and Nominations Committee

Chair John O'Brien

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 and Appeal Committees

In December 2019, the Discipline and Appeal Committees Regulation, O. Reg. 374/18, under the FBCSA, came into force. The BAO is currently reviewing applicants and will be recommending membership to the Board in June 2021. Both committees should be functional by Fall 2021.

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 Scott Miller

BAO Board of Directors 2020/21



Glen Timney
Chair

Vice President (Retired) Corporate Development
Mount Pleasant Group of Cemeteries



Glenda Brindle
Vice Chair

Broker
Royal LePage Team Realty Brokerage



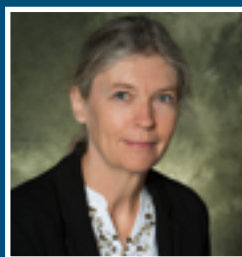
John O'Brien
Secretary

Episcopal Delegate for Cemeteries and Insurance
The Roman Catholic Diocese of Hamilton



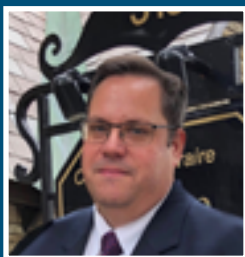
Jay O'Neill
Director

CEO/Registrar
Retirement
Homes Regulatory Authority



Laurie Macdonald
Director

Chief Staff Officer/ Executive Director
Ontario Wine Appellation Authority



Scott Miller
Director

General Manager
Hulse, Playfair and McGarry Funeral Home



Normand A. Allaire
Director

President/CEO (Retired)
Runnymede Healthcare Centre



Jane van Alphen
Director

Clinical Director
Brant Community Healthcare System



Leith Coghlin
Director

Managing Director
EnPointe Public Affairs

Business Plan Actions: Strategic Plan Update 2020/21

The BAO's three-year Business Plan drew to a close on March 31, 2021 with many important check marks on key initiatives toward constant improvement in providing consumer protection and regulatory oversight to the bereavement sector. Recommendations made in the December 2020 report of the Office of the Auditor General of Ontario have been included in the last quarter of this Business Plan and will be in future plans.

Strategic Priority	
1. Inform and support stakeholders in matters related to the <i>Funeral, Burial and Cremation Services Act, 2002</i> (FBCSA)	
Objectives	
A. Increase consumer awareness of the BAO and access to useful and relevant regulatory information.	
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.	A redesigned website was launched in September 2020 with key improvements including: -More consumer-protection alerts and posts, COVID-19 page indexed for easy access to information; -AODA compliant; simplified navigation; user experience tested; mobile functionality improved -Compensation fund webpage created; consumer resources; family-led death care; green burial information pages added; a media room was established; blog started in February 2020 The BAO issues two or more social media posts per week, plus promoted posts. To increase access to bereavement sector information and the BAO's role for grieving families, the authority heavily promoted its website information resources to consumers, families, licensees and the news media. This strategy continues to be especially effective throughout the pandemic as evidenced by website pageviews more than doubling: -From 205,484 in 2019/20; -To 572,712 in 2020/21.
Engage with licensees to include and promote the BAO in their advertising.	In 2020/21 the BAO informed licensees of their obligation to provide a digital or printed copy of the CIG through their contracts with consumers. Since August 2020, licensees display a 'Licensed by the BAO' badge on their website homepage. This is a result of a campaign to increase knowledge of the authority and its consumer protection actions and information services.

Strategic Plan Update

Participate in consumer events (Zoomer Show, 55+ Lifestyle Show and other consumer-focused trade shows) and make presentations to consumer groups (FAMS, community centers etc.) to inform people about BAO, its services and value in consumer protection and licensees' education.	Since March 2020, all events have been postponed re. COVID-19, with a few going online. The BAO participated in the digital annual general meetings and events of industry associations (Ontario Association of Cemetery and Funeral Professionals and the Ontario Funeral Services Association). So to fill the engagement void left by real-world events, the BAO increased its advertising on Facebook and Instagram, as started in 2020. This drew more than 100,000 views of BAO Facebook posts in 2020/21. The authority also increased its number of <i>Notices to the Consumer</i> in online & print advertising alerts in Kingston, Cornwall, Simcoe, and an ad promoting the Consumer Information Guide in <i>55-Plus</i>, a provincial magazine. In 2019, BAO print and digital advertising consisted of ads in The London Free Press, Windsor Star and Cottage Life.
Provide consumer information on the choices available to them in different preplanning arrangements.	Information on preplanning arrangement choices are included in the BAO's <i>Consumer Information Guide (CIG) – A Guide to Death Care in Ontario</i>. With a greatly increased focus on consumer protection in monthly promoted posts on Facebook/Instagram, web pageviews of the Consumer Information Guide doubled: -From 6,566 in 2019/20; -To 12,043 in 2020/21. New information added to the CIG and the website includes: Family-led Death Care; Green Burial; and on Alkaline hydrolysis.

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 were held as needed to provide the CEO/Registrar with valuable feedback on industry issues, more frequently during the pandemic when more Directives were issued. The committees were also consulted about regulatory changes recommended by the Auditor General.
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 and 167 in 2020/21, including guidance. new Registrar's Directives and Notices including those related to COVID-19, in addition to the BAO's Facebook, LinkedIn and Twitter posts throughout the year. In non-pandemic times, the BAO regularly 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. Since March 2020 these presentations have gone virtual, but continued. 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 the provincial associations, called the Bereavement Education Committee, which has its own website and course listings.

Strategic Plan Update

Develop effective understanding and support of consumer needs.	BAO meets regularly with the following consumer groups to stay apprised of their needs and concerns and to advise on regulatory matters: Community Death Care Canada, FAMS, Green Burial Society, Good Green Death Project and Council for Consumer and Industry Fairness in Bereavement. BAO's complaint unit is continuing to identify trends in consumer needs and to assess 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 regularly engages with stakeholders concerning new and emerging technologies in the disposition of the deceased. We also have 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 have been tracking issues that have arisen over time related to the administration of the legislation and regulations which may require amendments. Additionally, the MGCS has drafted regulation changes stemming from Auditor General recommendations and is working with the BAO and its Advisory Committees to obtain feedback.

C. Improve resolution of consumer complaints.	
Performance Measures	Actions Completed
Provide ongoing training to BAO staff in effective complaint handling techniques.	Staff are trained on various dispute resolution techniques. Grief support resources are posted on BAO website and provided to consumers who contact the BAO with issues that fall outside of the organization's regulatory oversight.
Develop better methods for dealing with complaints that are non-regulatory in nature	Complaints that fall outside of the BAO's mandate have been tracked as such – these represent the majority of consumer complaints.

Strategic Plan Update

Strategic Priority

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

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.	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. We are increasing the size of our Inspection team to more consistently monitor and assess the compliance of our licensees.
Create a Code of Ethics and Discipline Regulation.	An amendment to the Safety and Consumer Statutes Administration Act (SCSAA) was put in place in December 2019, which delegates the BAO the authority to administer these two regulations. We are making progress toward a Code of Ethics with more work to be done in the establishment of the Discipline Committee and the Appeals Committee. Licensees can be brought to these new committees for violations of the Code of Ethics.
Maintain and update effective licensing of funeral establishments, cemetery operators, crematorium operators, alternative disposition operators, transfer service operators, funeral directors, funeral preplanners, transfer service sales representatives, and cemetery sales representatives.	A detailed licensing process review has been completed, and improvements are being implemented by staff and through database customization. Licensing applications/forms have been simplified and combined. There is an expanded online portal presence to include Cemetery Operator annual licensure renewals. Further enhancements to our online renewal portal will be addressed during our strategic IT development and roadmap. The BAO has also promoted changes coming to regulations that will remove the requirement to post licences in establishments. We have promoted and made licensure more accessible for Islamic centres and masjids by allowing application to a restricted licence. The BAO has also made it possible for Islamic centres and masjids to complete the educational component within the first year of licensure for the business.
Continue to provide Entry-to-Practice Examinations.	Exam sittings available upon request at BAO office or volunteer licensee sites (on ad hoc basis). Multiple options for exam delivery were implemented. Physical distancing and COVID precautions were implemented and followed during the pandemic.

Strategic Plan Update

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	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 potential sanctions. Inspections and financial audits are prioritized and ordered as needed. Database colour codes indicate non-compliant licensees so that staff are easily made aware when extra attention is required.
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.	Database module developed to assist with capture and reporting capabilities regarding care and maintenance compliance data. 400 non-compliant small cemeteries reduced to 100 high risk, and majority brought into compliance.
Continue education for non-licensed employees of cemetery/ crematorium operators.	As requested by the BAO, OACFP developed and launched online course for cemetery sales reps and for volunteer cemetery board members. Non-licensed crematorium staff now take OACFP Crematorium Operator Certification Program.
Initiate immediate Registrar's actions or sanctions when non-compliance is identified.	Ongoing and continuous actions with necessary COVID-19 precautions taken to ensure safety for all participants.

Strategic Plan Update

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 were conducted by BAO inspectors with this continuing to be a priority on an ongoing basis.
Provide direction on cemetery education requirements to sector associations and encourage them to provide the necessary education to their members.	As requested by the BAO, OACFP developed and launched online course for cemetery sales reps and for volunteer cemetery board members. Non-licensed crematorium staff now take OACFP Crematorium Operator Certification Program. In 2019/20 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). In 2020/21 this was significantly reduced by a lack of conferences/meetings during COVID-19. The Deputy Registrar made three virtual presentations in 2020/21 on cemetery regulations, the FBCSA and alkaline hydrolysis to: The Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO); and the Forensic Anthropology Program at the University of Toronto. In addition, in 2020/21 the BAO CEO/Registrar made 15 webcast updates to BAO licensees, plus presentations on regulations and Registrar's Directives to the two bereavement industry associations at their annual general meetings.

Strategic Priority

4. Optimize operational economy, efficiency and effectiveness

Objectives

A. Ensure financial sustainability.

Ensure careful management of resources.	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. Segregation of duties ensure checks and balances.
Manage reserve funds to appropriately meet the long-term needs of the BAO.	Reserve Policy implemented by Board.

Strategic Plan Update

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. A new hydrolysis application form was developed. Operations Manager and Financial Compliance 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.) during the licensing application process 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 continued 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 continued in 2020.
Maintain appropriate staff levels to meet the regulatory and strategic needs of the BAO.	In 2021, the BAO began strategically adding to its staff to better meet regulatory requirements and recommendations of Auditor General.

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 it 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 it annually.
Develop and implement appropriate performance metrics for the organization.	Ongoing. Completed jurisdictional scan of other delegated administrative authorities and provincial bereavement regulators.

A year like no other

CEO/Registrar's COVID-19 Report - Carey Smith

It's been a year like no other.

As the 2020/21 fiscal year closed out with COVID-19 still very much a public health issue, the active commitment of the Bereavement Authority of Ontario and its thousands of licensed individuals and businesses has been more important to public safety than ever.

The authority stepped up with the professionals we license and regulate to overcome the challenges and dangers of this stressful time.

The BAO adapted restrictions to an ever-changing pandemic environment. The licensees have made those safety measures real for grieving families and all staff of funeral homes, transfer services, cemeteries, crematoriums and hydrolysis facilities.

We fulfilled our role to introduce new Registrar's Directives, in alignment with new Government of Ontario regulations, and saw to it that they were implemented at funeral services starting in March 2020 and continuing now.

The government's and the BAO's province-wide rule of 10 proved jarring at first for families and the sector in March 2020. Unfortunately, that maximum number of attendees permitted at a funeral service in the first wave has become a recurring restriction into the second year of the pandemic.

But from day one funeral establishments made sure it was adhered to throughout Ontario.



Safety first

Acceptance of and compliance with safety measures has kept people healthy in the bereavement sector.

Licensees continue to strictly adhere to the BAO's safety-first approach.



We've monitored and stayed on top of changing hot zones across the province.

Over the course of a year, there was only one incident in which the BAO had to penalize a funeral home for breaking the rules.

It was no small matter. The infraction occurred in the Greater Toronto Area in late February 2021. A large funeral home had allowed more than 60 people into a visitation, when the maximum permitted at the time was 10.

As the Registrar, I imposed a two-week suspension of its licence to operate. The funeral home quickly acknowledged its gross overstep and accepted the penalty of having to close its doors to business for 15 days.

Proactive

This incident shows that we cannot let our guard down even as the vaccine rolls out.

Protecting the public and bereavement staff means thinking and acting proactively to prevent community outbreaks, overloading hospitals, and issues such as stockpiling. You may recall that stockpiling of bodies became a major issue during the first wave in countries such as Italy, Spain, the US and elsewhere.

CEO/Registrar's COVID-19 Report...continued



Expedited Death Response

The BAO's proactive approach has included our own innovative work in writing and implementing the Expedited Death Response (EDR) with the Office of the Chief Coroner for Ontario.

We introduced and explained the EDR to licensees in a live webinar on Good Friday, April 10, 2020. As a testament to their commitment, more than 2,100 licensees were on the live webinar on the statutory holiday, plus those who read the EDR itself, our presentation, guidance document and video online afterward.

The EDR was implemented four days later mandating that deaths in hospitals and long-term care (LTC) facilities would receive swift action from funeral homes and/or transfer services. Funeral staff met the tight timeline of removing decedents for disposition within one hour of receiving a call from an LTC facility and three hours from a hospital.

The EDR was rescinded in June 2020, when the risk of an unmanageable death rate had diminished significantly. We reinstated it on Jan. 12, 2021 in a modified form in response to the government's declaration of a second provincial emergency earlier that day.

The BAO also created a chart for the bereavement sector in November 2020 that matched restrictions to the colour code framework introduced by the province. Our chart made it easier for bereavement sector establishments to keep up with a changing pandemic

environment when health unit jurisdictions entered different framework colour zones from Green-Prevent to Grey-Lockdown.

In 2021, the BAO chart continued to provide a quick reference for our licensees, and families, to see what restrictions apply to their establishments when they enter higher or lower restriction levels in the province's framework. The chart was revised matching changes to government restrictions in March 2021 until a provincial lockdown was announced by the government in April.

Trust

It's been a hard time for everyone. Communication by the BAO and its bereavement sector professionals with grieving families has been a key to maximizing safety in this ongoing ordeal.

All of our Registrar's Directives and Notices have been backed up with a steady stream of communications in our webinars with licensees, our COVID-19: Ready... together web index, online FAQs, media relations and swift replies to the many calls and emails from families and licensees.

Families have placed their trust in the bereavement sector. They demonstrated this by following the rules on the hardest days of their lives – grieving the loss of family and friends.

That trust has been well earned by the professionals who make up the bereavement sector.

Communications

The Bereavement Authority of Ontario stepped up its communications to meet the information needs of families and licensees in a year of crisis and rapid change.

We harnessed all of our communications tools to focus on family and consumer protection information. We have also made sure BAO licensees were kept up to date with the many changes in COVID-19 restrictions in alignment with the Government of Ontario's framework and emergency orders.

Analytics

Communications analytics for the 2020/21 fiscal year reveal the dramatic increase in the pace of information the BAO proactively sent – and the increased demand for it – during a year dominated by the pandemic.

The public turned to us for a 27 per cent increase in phone calls and more than doubled the number of website touch points from the previous fiscal year, on our new website launched in September. During the pandemic year, we saw orders of our printed Consumer Information Guides drop, but views of our online guide double. An average of more than 1,000 licensees participated in each of 15 of Carey Smith's CEO/Registrar Update Webcasts, in addition to the many digital communications listed here. He also spoke at the virtual annual general meetings of the two industry associations: the Ontario Association of Cemetery and Funeral Professionals; and the Ontario Funeral Service Association.

	Printed guides shipped		Total
	English	French	
2019/20	174,988	4,077	179,065
2021/21	105,266	1,827	107,093



More phone calls!

2019/20 calls	2020/21 calls	Increase
13,495	18,384	27%

Communications

Instructive and positive survey results

Surveys show how BAO can continue improving and what consumers and licensees want

The Bereavement Authority of Ontario has scored highly in anonymous surveys of consumers and our licensed professionals.

We conducted three surveys with consumers and licensees in the last year showing us that people highly rate:

- Our timely Registrar's Directives, Notices and Guidance
- BAO inspections and regulatory oversight
- BAO achievement of its mandate to protect consumers throughout the year
- Consistent and regular communications from the BAO
- COVID-19 support for licensees from the Government of Ontario

Increasingly, people have turned to the BAO for authoritative regulatory guidance and information in the pandemic, as well as for general licensing information.

Don't just take our word for it. The anonymous, digital client satisfaction value survey results are posted on our public website. The results, with links to each, are found here:

- [Consumer and Licensee Survey Outcomes Overview](#)
- [Consumer Survey](#)
- [Licensee Survey](#)
- [Fee Waiver Survey](#)
 - Government COVID support for licensees

The BAO will use the information from each survey as a tool to improve the work we do for grieving families across the province

Outreach & education presentations

April 1, 2020 to March 31, 2021					
Date	Event	Location	Number of Attendees	Audience	Presenter
2020/21	15 CEO/Registrar Update Webcasts	Virtual presentation	1,000+ average at each of the 15 webcasts	Licensees of the BAO	Carey Smith, CEO/Registrar, BAO
June 2, 2020	Compliance, Management & Approvals of Cemeteries & Crematoriums	Virtual presentation	63	The Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO)	Michael D'Mello, Deputy Registrar, BAO
Sept. 9, 2020	Crematorium/Hydrolysis Certification & Training Program	Virtual presentation	125	AMCTO	Michael D'Mello, Deputy Registrar, BAO
Nov. 17, 2020	Regulating Cemeteries & Burials Sites to Ensure Their Protection, Respect, Dignity, History and Heritage Value	Virtual presentation	35	Dr. Tracy Rogers Forensic Anthropology Program - University of Toronto	Michael D'Mello, Deputy Registrar, BAO

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

Compliance - AODA

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. 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 through Collège Boréal, which offers the program in French.

BAO publications are offered in French and English.

Report on Performance

Registrar's Actions

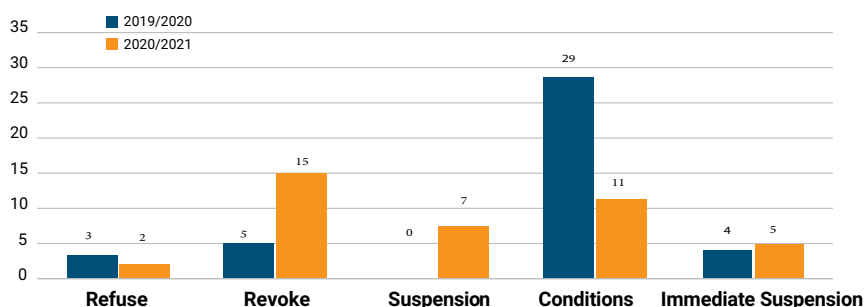
Registrar's actions include issuing Proposals to Suspend, Refuse or Revoke Licences and to impose conditions on licences. The issuing of the Registrar's Immediate/Temporary Suspension Order is reserved for the most serious matters.

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 as part of conditions of licence and those ordered by the Licence Appeal Tribunal (LAT)
- **Conditions:** Conditions imposed on the licensee, by LAT or on consent
- **Immediate Suspension:** Registrar's Immediate/Temporary Suspension Order

Registrar's Actions Year-by-Year Comparison

(Fiscal Year 2019/20 vs 2020/21)



Some licensees operate as both a funeral establishment and a crematorium, and will be licensed on one set of conditions. This can result in a discrepancy between the chart data and the graph.

Registrar's Actions by Licensee Type

Fiscal Year (April 1, 2020 to March 31, 2021)

Operator	Total (16)	Percentage
Funeral Establishment Operator	12	75%
Transfer Service Operator	1	6%
Cemetery Operator	1	6%
Crematorium Operator	1	6%
Alkaline Hydrolysis Operator	1	6%
Personal	Total (15)	Percentage
Funeral Director	12	80%
Sales Representative	1	7%
Funeral Preplanner	2	13%

There were 15 appeals to the Licence Appeal Tribunal: seven by personal licensees; eight by operator licensees.

The Trend

Year-by-year comparison shows an increase in the number revocations and suspensions, a decrease in the number of conditions of licence, and an increase in the number of actions appealed to the Licence Appeal Tribunal. The Registrar is also working with a number of faith based communities to ensure appropriate licences are obtained prior to performing licensed activities.

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 active personal and operator licensees (cemetery, crematorium, alternative disposition operator, funeral establishment and transfer service operators; funeral directors, preplanners; and transfer service, cemetery and crematorium sales representatives) during this fiscal year is 9,472.

Establishment Licensing

The 2020/21 fiscal year continues to see stability across licensed establishments.

Licence Classes Defined

- Funeral Establishment Operator – Class 1: Can offer embalming services, full funeral services, removal of pacemakers or implants. Will make available an inexpensive transfer service.
- Funeral Establishment Operator - Class-2: Can temporarily place human remains so persons 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 the body 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 sell and provide cemetery supplies and services.
- Crematorium Operator: Person (Corporation, Partnership, Sole Proprietor, Trustee/Volunteer Board – Religious or other) licensed to sell and provide crematorium supplies and services.
- Alternative Disposition (hydrolysis): Licensed to sell and provide hydrolysis services.

Establishment Licensing Statistics					
Licence Classes	2016/17	2017/18	2018/19	2019/20	2020/21
Funeral Establishment Operator - Class 1	574	579	580	576	575
Funeral Establishment Operator - Class 2	9	10	10	11	12
Transfer Service Operator - Class 1	41	48	47	50	51
Transfer Service Operator - Class 2	21	24	26	31	31
Cemetery Operators (2,357 organizations)	2,370	2,359	5,215*	5,217	5,222
Crematorium Operators (52 organizations)	53	53	77	72	72
Alternative Disposition (Hydrolysis)	N/A	N/A	N/A	4	4
Totals	3,068	3,073	740	5,961	5,967

* 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.

Report on Performance

Personal Licensing

Due to recent amendments to the administration of the Entry-to-Practice Examination, licence applicants were able to obtain their licence more quickly. More details can be found on [page 28](#). (Total number of active licensees, not counting Emeritus status.)

Personal Licensing Statistics					
Licence Classes	2016/17	2017/18	2018/19	2019/20	2020/21
Funeral Director - Class 1	2,752	2,582	2,554	2,582	2,531
Funeral Director - Class 2	24	25	29	29	33
Funeral Preplanner	368	286	296	369	362
Transfer Service Sales Representative	19	23	23	32	32
Cemetery and Crematorium Sales Representative*	689	530	570	591	547
Totals	3,852	3,446	3,472	3,603	3,505

* This includes alkaline hydrolysis sales representatives.

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 and renewed licences

	Newly issued in 2020/21	Renewed in 2020/21
FE and TS Operator licences	28	667
Cemetery, Crematorium, and Alkaline Hydrolysis Operator licences	6	1,572
Personal licences	214	3,230

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
2020/21	9

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. COVID-19 decreased the number of exams taken.

Licensing Examinations		
Year	Exams Taken	Pass %
18/19	130	91%
19/20	195	95%
20/21	174	93%

Jurisprudence Examinations		
Year	Exams Taken	Pass %
18/19	191	93%
19/20	260	84%
20/21	186	89%

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 Jan. 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 Financial Compliance (formerly 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 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%
Jan. 1 - Dec. 31, 2020	99.7%

Cemetery & Crematorium Operators Report of Prepaid Funds Submission Rate

Year	Submission Rate
Jan. 1 - Dec. 31, 2018	87.18%
Jan 1 - Dec. 31, 2019	97.4%
Jan. 1 - Dec 31, 2020	76.05%

Total Prepaid Funds (Trust - Pooled & Individual)		% Increase
2018/2019	\$1,250,811,898	0.94%
2019/2020	\$1,262,512,569	
2020/2021	\$1,147,934,572	-9.08%

Total Prepaid Funds (Insurance)		% Increase
2018/2019	\$1,378,483,664	21.07%
2019/2020	\$1,668,980,757	
2020/2021	\$1,712,295,414	2.60%

Total Cemetery Care and Maintenance Funds		% Increase
2018/2019	\$1,371,322,525	10.57%
2019/2020	\$1,516,337,576	
2020/2021	\$1,701,619,804	12.22%

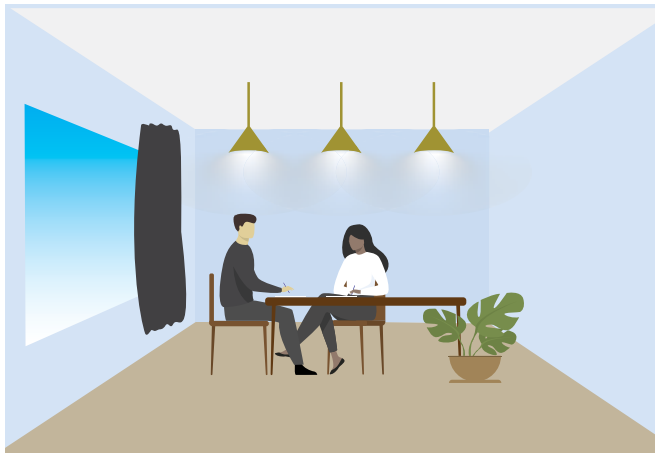
Report on Performance

Care and Maintenance Fund...continued

Cemetery Care and Maintenance (C&M) Funds Total by Category 2020/21		
Category	Total C&M Amount	# of Funds/Accounts
Corporation - Municipal - not for profit	\$170,103,275.13	398
Corporation - Not for profit	\$508,993,396.71	133
Corporation - Private	\$341,928,164.43	163
Corporation - Publicly Traded	\$77,407,565.00	1
Corporation - Religious - not for profit	\$567,248,982.98	941
Corporation - Trustee/Volunteer Board	\$35,435,421.06	504
Sole Proprietorship	\$502,998.94	12
Grand total	\$1,701,619,804.25	2,152

Prepaid Funds

Licensed operators who enter into prepaid contracts for licensed prepaid supplies or services (excluding the purchase of 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 Financial 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, 2019 to Oct. 31, 2020. In that fiscal year, there were no claims made against the Compensation Fund. Total market value at its fiscal year-end was \$2,467,672, comprised of cash, fixed income and equity holdings.

The Compensation Fund had revenues of \$89,266 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:

- Failure to submit annual licence renewal and/or report on trust funds on time
- 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	20/21
Funeral Establishment	23	80	48	56	47
Transfer Service	4	11	8	11	10
Cemeteries	15	37	20	42	52
Crematoriums	0	12	7	11	5
Alternative Dispositions	-	-	2	1	1
Non- Licensees*	-	-	12	11	12
Total Inspections	42	140	97	132	127

* Includes Temples, Mosques and Cemetery Management Companies.

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 by a professionally licensed archaeologist.

An investigation authorization must be received from the BAO before any invasive activity, which could impact human burials, begins. Between April 1, 2020 and March 31, 2021, the Registrar responded to 30 inquiries related to potential investigation authorizations and issued 11 Cemetery Investigation Authorizations.

Report on Performance

Complaints

The Complaint Unit has been very effective in addressing consumer inquiries and complaints. The majority of inquiries are resolved through the clarification of legislation. Complaints require investigation and mediation between a licensee and a consumer. The most common complaints received by the BAO are:

- 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

In the past fiscal year, the BAO saw a substantial increase in inquiries from consumers and licensees, partly due to COVID-19 related concerns, such as attendance restrictions and service options. For complaints, the BAO endeavours to conclude and close the matter within 60 business 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			
	2018/19	2019/20	2020/21
# Inquiries	442	1,253	2,944*
# Complaints	80	173	105
*Total	522	1,426	3,049

* The 2020/21 # Inquiries number includes 22 received in French.

Complaints by Licence Class			
Class	2018/19	2019/20	2020/21
Funeral Establishments	39	94	52
Cemeteries	29	72	50
Crematoriums	4	3	0
Transfer Services	6	3	1
Other (Unlicensed)	2	1	2
*Total	80	173	105

*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

Financial Statements

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

Report on Performance - Financial Review FY2020/21

The following financial review is based on the audited financial statements, by Sloan Partners LLP, for the year ended March 31, 2021. The BAO uses its revenues to deliver consumer protection initiatives across the province and to ensure the organization's sustainability so the organization can fulfill its mandate.

In the last fiscal year, the organization was directly impacted by the COVID-19 pandemic as the bereavement sector prepared for a surge in deaths in Ontario. In recognition of the sector's important role throughout the pandemic, the Government of Ontario provided funding of nearly \$4 million to allow the organization to facilitate a one-year licence renewal fee waiver to its licensees.

As of March 31, 2021, the Net Assets of the BAO were \$7,006,258, compared to \$5,973,420 for the year ended March 31, 2020. In fiscal year 2021 (April 1, 2020, to March 31, 2021) the BAO achieved a net surplus of revenues over expenses of \$1,032,838 (compared to \$112,021 in FY2020). The strong financial performance was driven by submission and processing delays of prior year licensure renewals directly attributed to the pandemic.

Revenue

The BAO relies on two main revenue streams, funeral and cemetery licensing fees, which are set out in accordance with a fee structure under the Minister's Order made under the Funeral, Burial and Cremation Services Act, 2002. Overall revenues for FY2021 were \$4,916,021, an increase of \$831,663 compared to FY2020. As noted above, this increase was artificially driven by timing of prior year licensure renewals. Non-operating revenue of \$36,513 was generated by the BAO's investment program for FY2021. Investment of excess cash flows were limited to short-term, risk-free, term deposits and held with major Canadian financial institutions.

Expenses

The BAO's expenses in FY2021 were \$3,883,183 (including amortization), an increase of \$89,154 from the previous year. The year-over-year increase in expenses was primarily due to a full staffing complement and partially offset with a reduction in office expenses and outside consulting.

Capital Expenditures

Capital spending including intangible assets in FY2021 amounted to \$14,635 (compared to \$52,940 in FY2020), primarily related to computer hardware for new staff.

Liquidity

Based on cash flows provided by its operations and current investment holdings, the BAO has sufficient liquidity to fund its short-term business plans and obligations.

Long Range Forecast of Revenues and Expenses

To execute the organization's latest business plan, a significant investment in human resources and information technology will be required beginning in FY2022. In the years ahead, operating expenses are forecasted to increase by approximately \$2.0 million annually and outpace revenues by \$1.5 million each year. To address this financial constraint, the BAO plans to draw down on its cash reserves and will ultimately need to give careful and serious consideration to its current licensing fee structure and rates.





BAO | Bereavement
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