

**ICBC
Fairness
Officer**

2021/22 Annual Report

Michael Skinner
Fairness Officer

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Introduction

The Annual Report of the ICBC Fairness Officer is a summary of activities in 2021/22. The report is a requirement of the Fairness Officer's Terms and Conditions, outlined in Appendix C.

This report includes:

- Fairness Officer professional biography, and personal message from the Fairness Officer
- The concept and elements of the Office of the ICBC Fairness Officer, with some examples of customer complaints and resolved cases
- Statistics from 2020/21 (12 month fiscal year: November 1, 2021 – March 31, 2022)
- Terms and Conditions for the Fairness Officer

The ICBC Fairness Officer

Michael Skinner is an experienced investigator, administrator and dispute resolution specialist. In his 30-year public sector career he has served as Executive Director of the Health Professions Review Board and led civil justice reform projects with the Dispute Resolution Office at the B.C. Ministry of Attorney General. His extensive work with two Offices of the British Columbia legislature – the Office of the Information and Privacy Commissioner and Office of the Ombudsperson – shaped his commitment to multi-party dispute resolution, complex investigations and major public reporting. He has authored several significant public reports incorporating recommendations for systemic reform.

Prior to his public sector career, Michael practiced as a barrister at two Vancouver law firms from 1982 to 1987, focusing on personal injury and general litigation. He is currently a director with the B.C. Council of Administrative Tribunals and a former member of the Law Society of B.C. and the British Columbia and American Trial Lawyers Associations. He obtained his law degree from the University of British Columbia after acquiring a business administration degree at the University of Alberta. He is active in community justice and relief organizations in the city of Victoria. He began his tenure as ICBC Fairness Officer on June 12, 2021, and was formally confirmed by Order in Council appointment July 12, 2021.

Fairness Officer's Message

UBC Law School, Fall 1978

Torts class, 1st year cohort

The professor put the facts of the case to the class: Two young boys, about 6 years old, pulled a chair out from behind an elderly woman as she was sitting down. The woman fell backward, sustaining significant injuries. Task for the class: construct a theory of liability in this case.

Throwing common sense behind and mustering all the ignorance of human nature that could possibly be demonstrated by an early 20-something law student, I offered the insight that children of such tender years were incapable of a malicious conspiracy.

The prof, with a predatory grin, locked eyes with me. I was the dumb fish and he was the shark. "Oh yeah?" he shot back. "How many kids have YOU got?"

The prof was Peter Burns, later Peter Burns QC, dean of UBC Law School, member of many advisory panels and law reform commissions, and most recently my predecessor in the position of Fairness Commissioner for ICBC. While that witty retort 44 years ago was effective (the class roared with laughter while I tried to disappear into my seat), it also illustrated an essential and enduring truth: law is about humanity. Human behaviour – and misbehaviour, or "malfeasance" – incentives, deterrents, the ordering and protection of society, are what the law, both civil and criminal, is about. Those involved with designing structures of law and regulation are faced with the never-ending challenge of doing the right thing. The most carefully-crafted structures carry with them an unavoidable potential for unintended consequences. And when the structure is a public insurance program serving millions of persons with a vast range of specialized needs, the resulting complexity makes the occasional unforeseen result a virtual certainty.

That's where the Fairness Officer – my position, created in the summer of 2021 – comes in. I build on the fine work carried out by Fairness Commissioner Peter Burns over 16 years, from 2005 to 2021. I am grateful for the example he set in rigorous examination of complaints, clear thinking and writing, and demonstrating a keen eye for unintended consequences. He demonstrated consistent independence of thought, while at the same time acknowledging the humanity of those persons who make the system work. In the brief period of time I have been in this position I have found without exception that the people I deal with at the Insurance Corporation, particularly those in the Fair Practices Office, with whom I deal most frequently, are motivated to do the right thing. They recognize that an insurance program is, at its core, about a shared response to the unavoidable risks associated with daily living.

That does not mean that insurance is another form of humanitarian aid program: it is a business built on legal requirements and contracts between the insurer and insured. Around the world, insurance law for centuries has required open communication between the parties and *uberima fides* – utmost good faith and honest dealing.

However, between carefully-structured law on one hand and unintended consequences on the other, lie gradations of interpretation where a Fairness Officer can offer an independent perspective, and spot opportunities for resolution, at a reasonable distance from the arena of business. Mine is a specialized type of Ombuds position, focusing on the operations of the Insurance Corporation, as contrasted with the broad jurisdiction of the provincial Office of the Ombudsperson that covers hundreds of “authorities”. These include provincial, municipal and other organizations, including the Insurance Corporation, where the Ombudsperson can look at matters beyond my jurisdiction as described in the *Insurance Corporation Act (ICA)* and the companion *Fairness Officer Regulation*.

The Fairness Officer’s authority is limited to investigating and recommending on matters of process – that is all. Far from being powerless, the central strength of the position is independence and insulation from the distracting or destructive influence of order making, where there are inevitably winners and losers. The true power of the institution is demonstrated, as I learned in the 1980s during my time with the provincial Ombuds Office, through “thorough investigation, balanced analysis and respectful reporting.” When that is done, the recommendations are typically accepted and implemented. I say that while looking to the past, and hopefully the future.

That is the perspective and ethos I attempt to bring to this work. This is fundamentally a collaborative enterprise, requiring and receiving the cooperation of the people at ICBC who deal with an endless range of issues and challenges on a daily basis. I am pleased that one of the provisions in the amendments to the ICA that created the position of Fairness Officer is the power to “make recommendations about systemic problems with the fairness of corporation processes” (section 56 of the ICA, for those who are interested). This is where a Fairness Officer can provide the biggest bang for the buck, so to speak, by observing trends, listening to both the details and tenor of complaints, and ferreting out processes or provisions that lead to unfair results. It is the most challenging and satisfying aspect of the work.

Practical Observations

I started my appointment with job #1 set out in my terms and conditions letter (included in this report) being setting up the office, getting to know key players at the Corporation, immersing myself in the details of the new non-adversarial Enhanced Care regime, and hiring a Registrar/Executive Assistant/sensible sounding board in the person of Deidre Matheson, an accomplished complaints management professional with extensive experience at the Office of the Ombudsperson. I’m happy to have her (virtual, as we enter year 3 of the pandemic) assistance and wise counsel.

I oversee a process mostly unchanged from that carried on by Fairness Commissioner Peter Burns. The Fair Practices Office (FPO) gets the first opportunity to investigate internally and attempt to resolve complaints; complainants dissatisfied with FPO outcomes then have the right to file a complaint with my office. The steps are outlined in greater detail in the process chart in this report. As I note, the process is mostly unchanged as there is no compelling reason to change it. It is consistent with most investigative processes at Ombuds offices and similar institutions in Canada and around the world. I have the authority – and the duty – to develop procedural rules to govern the operation of my office, and will do that as appropriate in response to experience gained in the months and years ahead.

As my office formally began accepting and investigating complaints in November of 2021, and as noted above, those complaints have to first go through the FPO investigation and reporting process, there was a time lag resulting in only a small number of complaints (17) being received in the last five months of this fiscal year, November to March. While the office has approximately a dozen cases on the go at present, four were completed before March 31. Case summaries are included in this report.

Lastly, with the fundamental and comprehensive overhaul of ICBC processes that is represented by the new Enhanced Care model, it will be a matter of interest to compare complaint numbers with those encountered by my predecessor, who dealt until the last year of his tenure with the adversarial litigation-based model of insurance claims and dispute resolution. I look forward to assisting the Insurance Corporation to set ever higher standards of fairness as it works through the business of making this new model work.

Respectfully submitted,

Michael Skinner
ICBC Fairness Officer

Mission Statement

To ensure customers affected by ICBC's products, services or decisions are treated fairly in all matters of process and administration.

Role and Authority

The ICBC Fairness Officer will focus on ensuring the Corporation's decisions, actions and practices are transparent and fair, while further strengthening public trust in ICBC as dedicated to providing affordable auto insurance coverage and caring for people who are injured in a crash.

The Fairness Officer will have the authority to review and make recommendations to resolve customer complaints about the policy and process ICBC used to make a decision in their case. The officer may also make broader systemic recommendations to enhance fair decision-making.

Under the Fairness Officer Regulation, the officer will report annually on complaints received. ICBC will provide an annual report to the Minister responsible for ICBC, outlining its response to any recommendations made by the officer, which will be made publicly available. Amendments to the *Insurance Corporation Act* received Royal Assent on March 25, 2021, and regulations approved on June 2, 2021, provide further parameters for the role of the Fairness Officer.

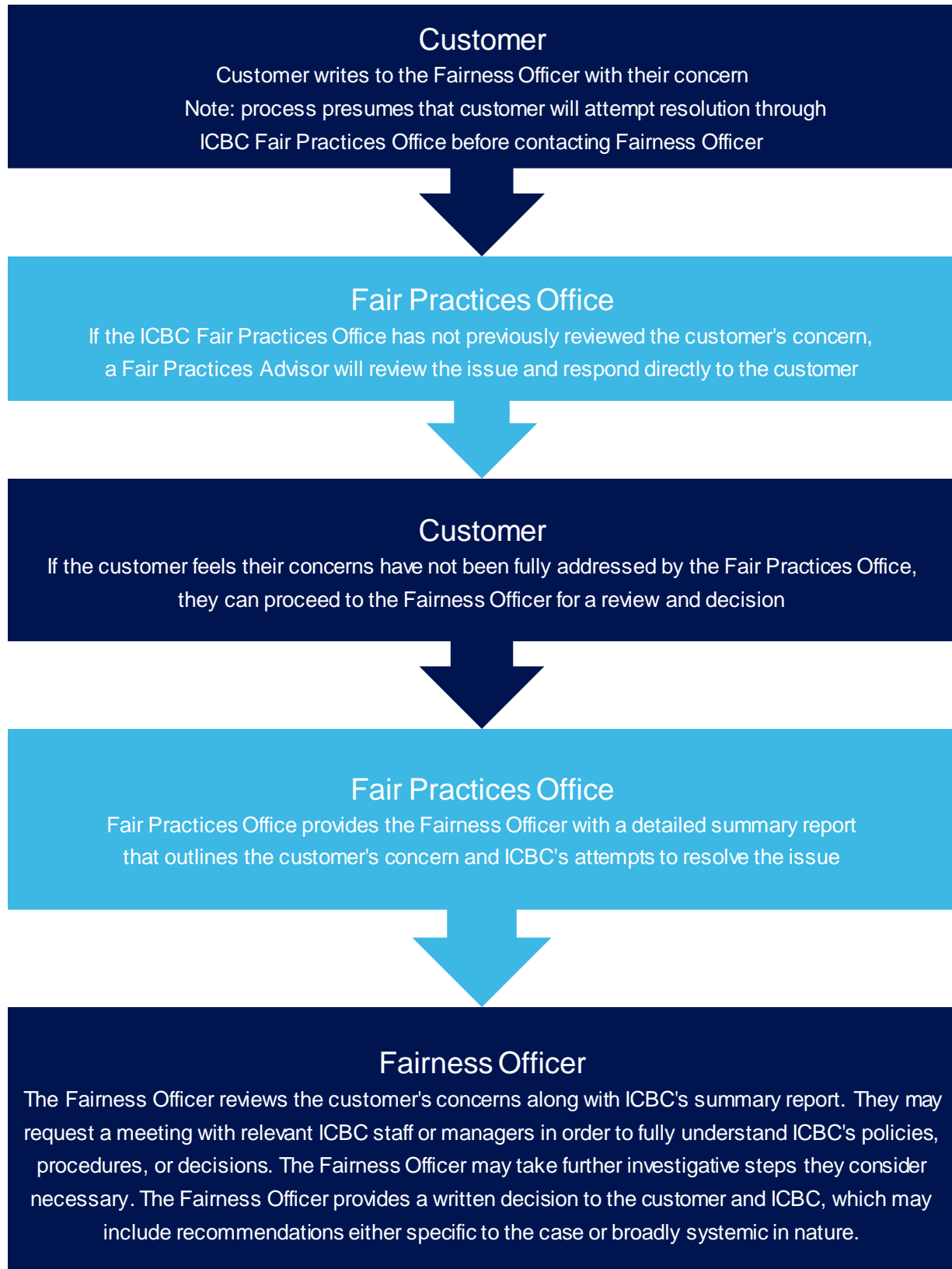
The Fairness Officer must be:

- **Totally independent**, in particular, the Fairness Officer is independent of ICBC and any prior decisions that may have been made by ICBC
- **Impartial** in all respects
- **Accessible** to the public in writing and online
- **Responsive** to those who write

Upon completion of a review, the Fairness Officer may:

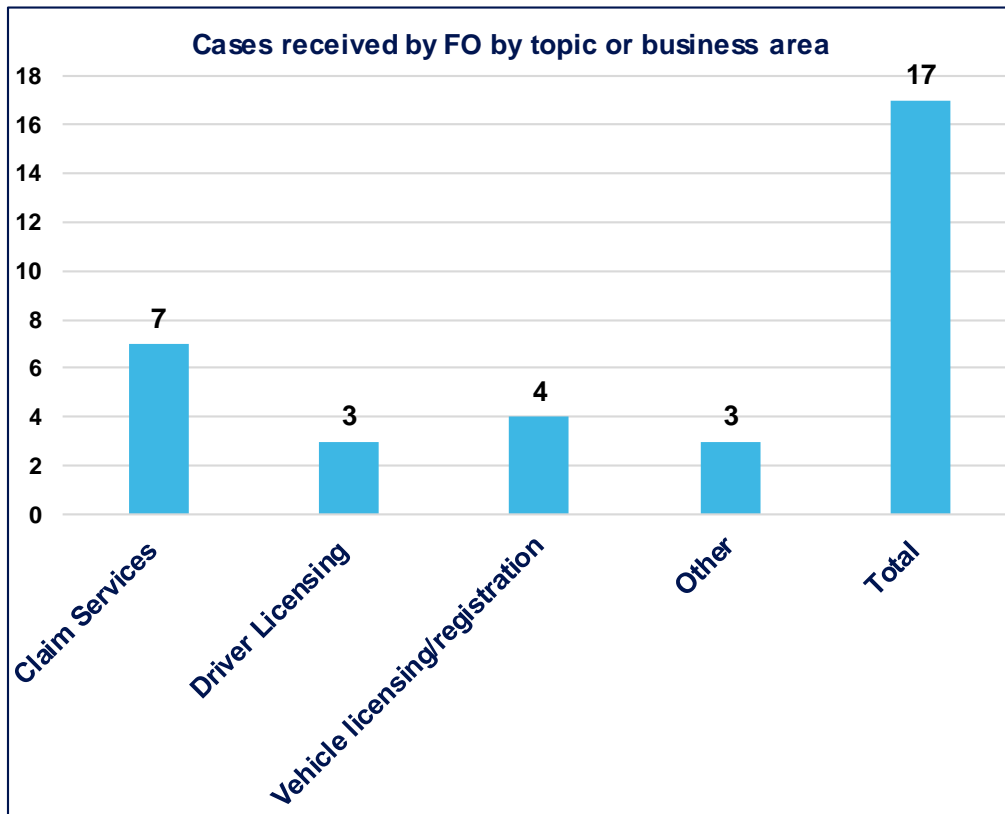
- Refer the matter back to ICBC for reconsideration.
- Make a specific recommendation to ICBC that the complaint be resolved in a particular manner. Should ICBC reject the Fairness Officer's recommendation, the Fairness Officer is empowered to take the matter directly to the Board of Directors of ICBC. If the Board rejects the recommendation, the Fairness Officer is empowered to take that matter to the public through the press where appropriate.
- Dismiss the complaint if the Fairness Officer finds no unfairness on the part of ICBC or its employees.

The Fairness Process



Highlights of 2021/22

After summer preparatory work, the Office of the Fairness Officer opened for business in November 2021 with a functional website for the submission of complaints. The Office, as at the writing of this report, is fully functional and is completing and reporting on complaint investigations. The subject areas of the 17 cases we have received in the first five months of the Office's operation (to the end of the 2021/22 fiscal year) are illustrated in the graph below, with further information in the statistics on the following page.



Statistics of 2021/22

Cases received by the Fairness Officer (FO) - 2021/22 Fiscal	
Total Cases received by the FO	17
Total Cases reviewed and closed	4
Files that remain open/pending FO response	13

Outcome of Cases Reported on by the FO	
Determination of no unfairness	3
Outside FO jurisdiction	1
Customer withdrew complaint	0
FO facilitated resolution	0
Recommendation by the FO	0
Total Cases reviewed	4

Cases by Topic/Business Area of Complaints received by FO	
Claim Services	7
Driver Licensing	3
Vehicle Licensing/Registration	4
Other	3
Total	17

Cases by Topic/Business Area of Complaints reported on by FO	
Claim Services	2
Driver Licensing	0
Vehicle Licensing/Registration	2
Other	0
Total	4

Appendix A

Case Summaries

Business Area: Vehicle Licensing
Topic: Collector Plates

The complainant owned a vehicle that had been constructed in the 1980s and met the 25-year minimum vehicle age for the issuance of collector plates. The Corporation denied the complainant's request for collector plates on the basis that the vehicle, previously registered in Ontario after having been constructed in the US, did not resemble the vehicle that was listed on the vehicle identification number, or VIN. The criteria for the collector plate program include that the vehicle must not have been extensively modified (other than upgrades for road safety) and must be in well-maintained condition, showing a high degree of fidelity to the appearance and condition of the vehicle when it was manufactured.

The complainant's vehicle was a highly modified Ford product, with the VIN identifying it as a particular Ford model. Only a very knowledgeable individual would have been able to recognize the visible portions of the car that formed the basis for the complainant's vehicle. Because the VIN could not be readily matched to a recognizable Ford product, the Corporation required the complainant to apply for a provincially-issued VIN, which was done. As the vehicle in the form in which it left the custom manufacturing plant was not the product of a recognized, federally-approved manufacturer, it was categorized as a "U-Bilt", meaning a vehicle constructed from a variety of parts supplied by different manufacturers.

None of this sat well with the complainant, who considered his vehicle to be a rare and unique example of a car that had a reasonable production run in the 1980s (in other words, it was not a one-off), and was clearly in excellent and well-maintained condition. But its provenance, and its origin as a highly modified but otherwise unrecognizable vehicle when finished, meant it could never meet the collector plate criteria, which were clear and defensible. On this basis I was unable to substantiate the owner's complaint.

Business Area: Vehicle Licensing

Topic: Veteran Plates

A veteran was concerned that ICBC refused to issue him veteran plates for his luxury grand touring passenger vehicle because his vehicle was not registered in his name; rather, it was registered in the name of the company he owned. He qualified as a veteran based on his military service; however, ICBC had informed him that under the Veteran Plates Program – a program established in partnership with the BC Veteran's Commemorative Association (BCVCA) - veteran plates cannot be placed on company-owned vehicles. They must only be used on the owner's vehicle registered in the owner's name.

The owner objected to this restriction because he had no corporate identification or logos on his vehicle, it was a passenger car never intended for any form of commercial use, and he was the only driver of that vehicle. He didn't think that the form of ownership should make any difference if the driver was a veteran and the vehicle was not obviously being used for commercial purposes. He also questioned ICBC's position that the Corporation did not have jurisdiction over the policy related to restrictions on vehicle ownership.

My review confirmed the information ICBC had provided to the owner. In 2004, the provincial government and ICBC worked with BCVCA to set criteria for inclusion into the BC Veteran Plates Program. BCVCA established the eligibility criteria and related policy; the Corporation agreed to simply administer the program by applying the criteria developed by the BCVCA. On this basis, neither ICBC nor the Fairness Officer had jurisdiction over his concern regarding the policy on the restriction on corporate ownership and the issuance of veteran plates.

Turning to whether ICBC had applied the criteria correctly, the BCVCA confirmed with my office what is clearly stated on ICBC's website - that veteran plates cannot be placed on "company-owned vehicles or vehicles owned by an organization, even when driven exclusively by a veteran". Therefore, even though the BCVCA had approved his application for veteran's plates, in this case, ICBC was correct when they refused to issue veteran plates for the company-owned vehicle.

On this basis, I was unable to substantiate the complaint. The Corporation was simply honouring its agreement with BCVCA. I did note to the complainant that he might want to take up his case in the form of further discussions with BCVCA; I also observed that leased vehicles (arguably a different type of corporate ownership) were permitted to have veteran plates.

Lastly, I made the courtesy observation to staff administering the Veteran Plates Program that the Corporation might wish to consider formalizing its agreement with BCVCA by way of regulation or similar instrument of law. That might make its task a bit easier when disputes arise.

Business area: Claims Management

Topic: Vehicle Finance Agreement

The complainant co-signed a vehicle loan to assist his former spouse, the new vehicle's owner. The former spouse then had a major accident, and the vehicle was written off. Following its standard practice, ICBC made a claim payout by way of cheque jointly payable to the former spouse and the finance institution. The complainant believed that the former spouse had used the payout to purchase a replacement vehicle. The complainant was extremely concerned that he was financially on the hook in a financing agreement for which the security – the vehicle itself – was now gone.

The complainant requested payout details from the Corporation, including information relating to the replacement vehicle now registered in the former spouse's name. The Corporation responded under the *Freedom of Information and Protection of Privacy Act* that it could not release this personal financial information without the consent of the former spouse. The complainant might have co-signed a loan, but unfortunately, he was not the vehicle co-owner, which would have given information access rights.

On the basis of the application of provincial privacy law I was unable to substantiate the co-signer's complaint – although he did remain at liberty to take his concerns to the Office of the Information and Privacy Commissioner. In the spirit of assistance as envisaged by section 56(2)(c) of the *Insurance Corporation Act*, I made the observation that the information he sought was most likely in the hands of the financial institution, and as the party to a contract with that institution, he would probably have full access to the information detailing the extent of his liability, and the nature of any security attaching to the loan agreement. Should the financial institution deny his information request, he might consider taking his concerns to the federal Access to Information Commissioner's office, as banks are federally-regulated institutions.

Business Area: Accident Claims

Topic: Assessment of Liability

The complainant was involved in an intersection accident in Vancouver and believed the vehicle with which he collided was at fault for attempting a turn across the complainant's path in an unsafe manner while the light was yellow. The Corporation, relying on a witness statement from the driver of a vehicle that was behind the complainant's vehicle at the time of the collision, assessed the complainant's liability for the incident at 75%. The complainant disagreed with this assessment and believed he was also being unfairly assessed as he did not have collision coverage on his vehicle.

The complainant applied for a Claims Assessment Review (CAR), a free service provided to ICBC customers when dealing with relatively uncomplicated claims, and conducted by an independent arbiter who reviews the available facts and the applicable law. Following the CAR, the liability assessment remained unchanged. The complainant believed that the independent arbiter had not taken the time to read the complainant's extensive submission, and continued to disagree with the liability assessment. He then filed a complaint with the Fair Practices Office, who reviewed the file in detail and reported that there was no departure from law, policy or fair practices that appeared in the chronology of the file as managed by the Corporation. The complainant immediately filed a complaint with my office.

My reporting letter to the complainant was relatively brief, reiterating part of what the Fair Practices Office had said, which is that, even under the new Enhanced Care model that bars litigation as a form of judicial claim assessment, the complainant retains the right to take his concerns about the liability assessment to the Civil Resolution Tribunal – another independent forum that can review the facts and make its own liability determination.

As for me, I had no choice but to quote section 57 of the *Insurance Corporation Act*, a section that, along with the Fairness Officer Regulation, sets out the restrictions on my jurisdiction. Specifically, section 57(1) states that I may not comment or make recommendations on an amount payable by the Corporation, or the extent, as determined by the Corporation, that a person is responsible for an accident. Therefore, I could not investigate his concerns.

However, I did note that in theory, the only observations I could make in the matter of dollar amounts or determination of liability would be purely process related, for example, if the Corporation failed to conduct the most elementary examination of the evidence. Even then, I could not refer to the results, only to fair process. The entry bar for my participation would be high indeed, and was certainly not met in this case.

Appendix B

Case(s) Requiring a Fairness Officer Recommendation

None to date.

Appendix C

Terms and Conditions for the ICBC Fairness Officer

June 12, 2021

Michael T. Skinner

Dear Mr. Skinner:

Congratulations on your appointment as the Fairness Officer (the “Officer”). ICBC is looking forward to working with you, ensuring ICBC’s decisions, actions, and practices are transparent and fair.

The Officer position is established in Part 3 of the *Insurance Corporation Act* (the “Act”). The Officer’s powers, duties and responsibilities are set out in the Act and the *Fairness Officer Regulation*, B.C. Reg. 142/2021 (the “Regulations”).

This letter sets out in detail the terms and conditions of your Order-in-Council (“OIC”) appointment OIC# 474-2021. The Officer is expected to comply with the terms and conditions outlined in this letter and the Officer’s powers, duties, and responsibilities as set out in the Act and the Regulations.

This letter is not intended to duplicate or conflict with the powers, duties, and responsibilities of the Officer set out in the Act and the Regulations. To the extent of any conflict between the provision of this letter and the Act or the Regulations, the provisions of the Act or the Regulations will govern.

Term

The initial term of your OIC appointment OIC# 474-2021 is for three (3) years, with an effective date of July 12, 2021 and with the possibility of renewal for additional three (3) year terms in accordance with s. 55 of the Act (the “Term”).

Location of Fairness Office

The Fairness Office (the “Office”) and the Officer position may be operated in a virtual environment.

It will be up to the Officer to determine if physical office space is necessary, in consultation with ICBC’s Board of Directors (the “Board”) and in accordance with s. 55 of the Act, to ensure effective operations and the successful achievement of the Officer’s mandate.

Responsibilities and Accountabilities of Role

The Officer will perform the following services, which are in addition to the Officer's powers, duties, and responsibilities as set out in the Act and the Regulations:

i. Establish the Fairness Office

- Work with ICBC to establish the Office, including determining operational needs, any staffing requirements, and physical office space, if necessary.
- Hire and/or contract staff if and as necessary, after consultation with the Board.
- Develop and implement a stakeholder consultation plan that will inform the policies and procedures for the Office.
- Establish processes, policies and procedures for the Office, informed in part by the consultation with stakeholders, to be fully operational no later than October 31, 2021.
- Prepare a budget for the Board's approval, covering the period between the effective date of your OIC appointment OIC# 474-2021 to the end of the 2021/2022 fiscal year by August 31, 2021. Thereafter, the Officer will submit an annual budget in accordance with s. 55 of the Act by September 30 for the subsequent fiscal year.

ii. Administration

- The Officer is responsible for the administration of the Office, including obtaining support services necessary to fulfil the Officer's mandate.

iii. Reporting

- ICBC will, upon request, make all reasonable efforts to provide information and data to assist the Officer in meeting their reporting obligations as established in the Act and the Regulations.
- ICBC will assist the Officer with the development and maintenance of a publically accessible website. If the Officer chooses to host a publically accessible website without ICBC's support, for information security reasons, the hosting of the website is to be done in consultation with ICBC.
- The Officer will submit to the Board a report on expenditures on a quarterly basis in accordance with s. 2 of the Regulations within two weeks of the end of the quarter.

(collectively, the "Services")

Time Commitment

While daily availability is not essential, availability for telephone meetings on two-to-three days' notice and face-to-face meetings on one-to-two weeks' notice is required.

The time commitment will be dependent on the number and complexity of the complaints received by the Office. There may be a greater time commitment immediately following the Officer's appointment in order

to establish the Office, develop processes and procedures, and undertake the initial stakeholder engagement.

It is anticipated the time commitment required will be between 0.25 and 0.5 full time hours averaged on an annual basis.

ICBC Policies

In providing the Services, the Officer must adhere to the provisions of the most current version of the following ICBC policies, as applicable:

- (a) ICBC Code of Ethics;
- (b) Information Security;
- (c) Diversity, Equity and Inclusion;
- (d) Privacy;
- (e) Acceptable Use;
- (f) Health and Safety;
- (g) Respectful Workplace;
- (h) Alcohol, Cannabis, Controlled Drugs and Medication;
- (i) Security;
- (j) Corporate Acquisition; and
- (k) Use and Protection of Corporate Assets.

ICBC will provide a copy of the most current ICBC Code of Ethics and Information Security policy to the Officer for acknowledgement and signature confirming awareness and acceptance prior to the commencement of the Services, and annually thereafter.

ICBC will also provide a copy of each of the foregoing policies to the Officer prior to the commencement of the Services.

Relationship of the Officer, ICBC and Staff

The Officer will ensure that the Services are provided exclusively by the Officer. Notwithstanding this limitation, the Officer may retain, as may be necessary and in accordance with s. 55 of the Act, staff to assist the Officer in providing the Services (the "Staff").

ICBC staff will make themselves available to provide any necessary support for the Officer in establishing the Office, and also ongoing support for the Officer and their Office. However, the Officer may retain Staff to support the Office. In that event, the Officer warrants that all Staff have the required qualifications,

skills, and experience to provide the Services and will provide the Services in accordance with terms and conditions outlined in this letter, the Act and the Regulations.

All Staff are required to read and acknowledge, by way of signature, the most current ICBC Code of Ethics and Information Security policy prior to assisting the Officer in providing the Services, and annually thereafter.

No person retained by the Officer will be an employee or agent of ICBC.

As a government appointed position, the Officer agrees that the Officer is not an employee or agent of ICBC and has no authority to bind, commit or speak for or on behalf of ICBC.

Compensation

Services

ICBC will pay the Officer one hundred twenty-five dollars (\$125.00) per hour plus Goods and Services Tax and Provincial Sales Tax as applicable during the Term for performance of the Services upon receipt of an account from the Officer.

Expenses

ICBC will reimburse the Officer for any necessary expenses, including necessary Staff costs to assist the Officer in fulfilling the Officer's duties, over the Term and in accordance with the budgeting process prescribed in the Regulations.

Invoicing

The Officer will submit invoices providing a breakdown of time and services performed. The Officer will identify expenses on a separate invoice and will provide original receipts. ICBC will pay the Officer within thirty (30) business days of receipt of an invoice.

Confidentiality

Recognizing that any fairness complaint could later become the subject of litigation, and that information or documents received in the course of reviewing fairness complaints should not lose any claim of privilege which may attach to them:

The Officer and Staff will,

- i. Maintain the confidentiality of all information and documents provided to the Officer;
- ii. Not disclose to any person, including the other party, any information or documents provided to the Officer by ICBC or the complainant without the consent of the party who provided the information or document having been obtained in advance;
- iii. If appropriate, obtain a written agreement from ICBC or the complainant that any confidential information or documents shared with them will be kept in strict confidence and not disclosed to any other person unless required by law; and
- iv. Not refer any information or documents in any correspondence, report, or recommendation without the consent of the party who provided the information or document having been obtained in advance.

Performance Appraisals

Your formal Performance Appraisal for reappointment will be coordinated by the Crown Agencies and Board Resourcing Office and include consultation with you, the Board, Ministry responsible for ICBC, stakeholders, and Cabinet. This process will be initiated eight (8) months prior to your three (3) year term end.

The Board may make changes to the terms and conditions of this letter as appropriate, subject to the approval of the Minister responsible for ICBC.

General Conduct Principles for Public Appointees and Conflict of Interest

Government appointees are expected to meet high standards of conduct, which enhance and maintain public confidence in the operation of B.C.'s public agencies, boards, and commissions. They must act to instil public confidence in their actions and decisions. Please review the following link with more information: General Conduct Principles for Public Appointees - [Board member information - Province of British Columbia \(gov.bc.ca\)](#).

Note: The above is the minimum for public sector appointees. Additional standards of conduct and conflict of interest provisions that apply to the Fairness Officer are specified in the ICBC Code of Ethics.

The Officer may provide services to other clients during the Term, so long as such services are not performed on ICBC's premises or using ICBC equipment and do not interfere or conflict with the terms and conditions outlined in this letter and the Officer's powers, duties and responsibilities as set out in Act and the Regulations.

Training for Public Appointees

As a public appointee, there are training resources available to you and you can learn more about these by visiting the Crown Agencies and Board Resourcing Office website at: [Governing in the Public Interest Certificate - Province of British Columbia](#).

If you have any questions regarding your appointment or the terms and conditions outlined in this letter, please contact Doug Cooper (doug.cooper@icbc.com; 604 982-6590).

I wish you much success in your position and look forward to working with you.

Yours truly,

Joy MacPhail
Board Chair, Insurance Corporation of British Columbia

cc: Honourable Mike Farnworth, Minister of Public Safety and Solicitor General of British Columbia
Holly Cairns, Principal, Crown Agencies Secretariat
Charley Beresford, Senior Executive Lead, Crown Agencies and Board Resourcing Office