

Declaration under the Public Sector Compensation Disclosure Act

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Information Session for Child Care Facilities

Early Learning and Child Care Division

Department of Education and Early Childhood Learning

Tuesday, June 20, 2023 - 11 a.m.



Welcome!

We recognize that Manitoba is on Treaty 1, 2, 3, 4, 5, 6 and 10 Territories and the ancestral lands of the Anishinaabe, Anishinewuk, Dakota Oyate, Denesuline, Ininiwak and Nehethowuk Peoples.

We acknowledge Manitoba is located on the Homeland of the Red River Métis. We acknowledge northern Manitoba includes lands that were and are the ancestral lands of the Inuit.

We respect the spirit and intent of Treaties and Treaty Making and remain committed to working in partnership with First Nations, Inuit and Métis people in the spirit of truth, reconciliation and collaboration.



Agenda

1. Background:
The Public Sector Compensation Disclosure Act
2. Publicly-Funded & Public Sector Bodies
3. Disclosure Requirements
4. Declaration Form and Disclosure Statement
5. Frequently Asked Questions
6. Resources
7. Questions

Background – The PSCDA

The Public Sector Compensation Disclosure Act

The Public Sector Compensation Disclosure Act (PSCDA) requires information about wages and payments above a legislated threshold to be publicly disclosed for the public sector. It is compiled annually and has been published on the government's proactive disclosure website since 2020.

Background – The PSCDA

The PSCDA is part of a government commitment to greater transparency and accountability of government funding. Although the Act was established in 1996, the declaration FORM is new to licensed child care facilities. An exemption from completing the form was granted for the 2021/22 fiscal year, as ELCC had just joined with Education. The new requirements come at the request of the Office of the Provincial Comptroller.

Background – The PSCDA

The Act includes a requirement for the reporting threshold amount be reviewed every five years.

Effective January 1, 2023, the new threshold for salary disclosures has increased from \$75,000 to \$85,000. All fiscal years ending after December 31, 2022 will therefore adopt the \$85,000 threshold.

Background – The PSCDA

Publicly-funded bodies are required to:

- Provide no later than July 7 each year, a **Declaration Form** stating that the organization is aware of, and is in full compliance with PSCDA requirements as at March 31 of the same year.

Publicly-Funded Bodies

Child-care facilities are considered **Publicly Funded Bodies** under the Act if they:

- are not-for-profit, and
- receive funding from one or more Public Sector Bodies (such as the Government of Manitoba), equal to or greater than:
 - \$500,000, or
 - \$200,000, if the funding is 50% or more of its total revenue for the fiscal year.

Publicly Sector Bodies

Funding from a Public Sector Body could include:

- The Government of Manitoba
- A Government Agency,
- The City of Winnipeg or a Municipality
- A University or College
- Other (A Crown Corporation, Hospital, Care Home, etc.)

Note that the Federal Government is **not** considered a Public Sector Body under the Act.

Disclosure Requirement

Publicly-funded bodies are required to:

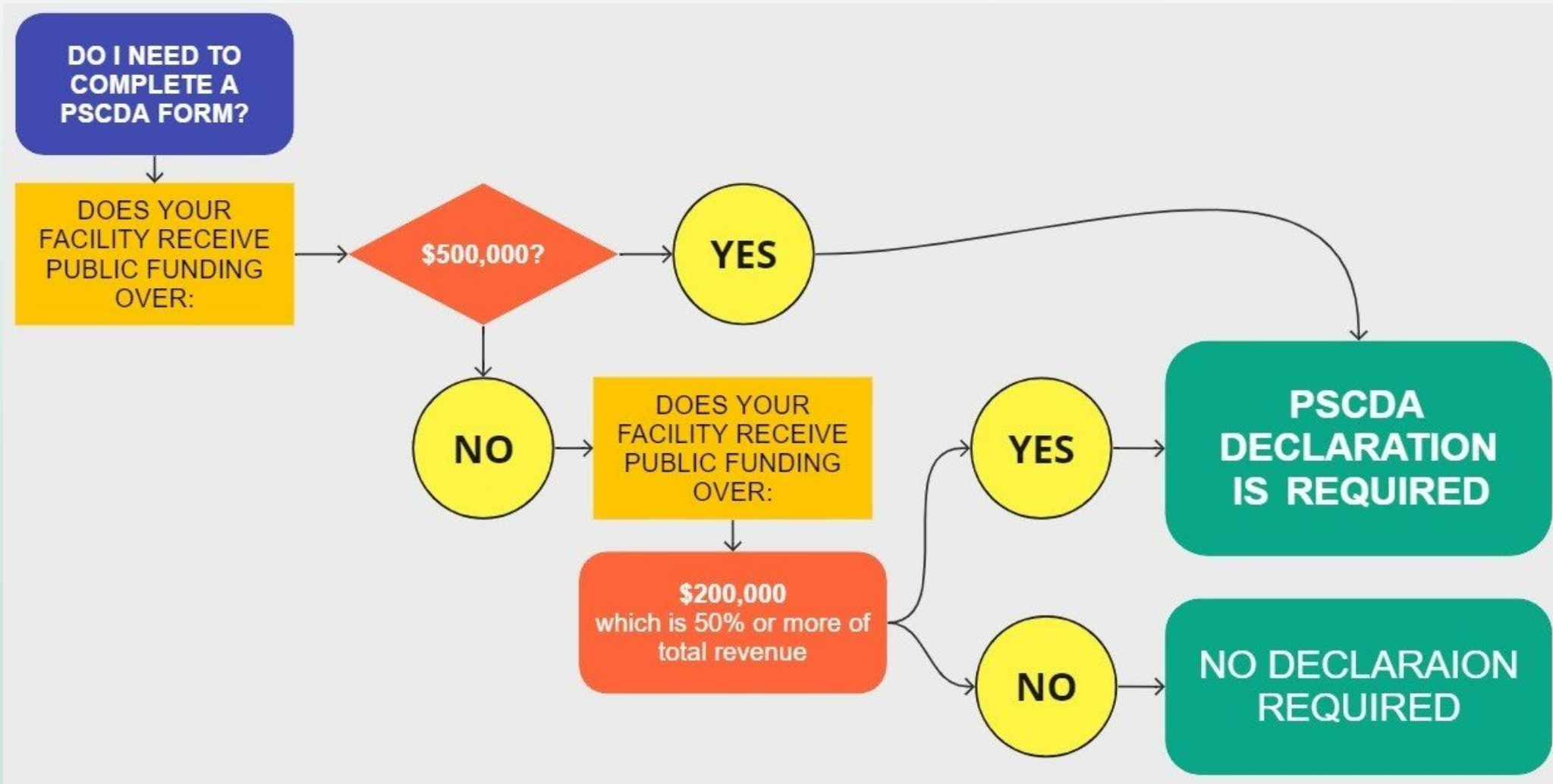
- Disclose compensation above \$85,000, in their Audited Financial Statements or a special Compensation Disclosure statement no more than six months after the end of their fiscal or calendar year.
- Make the required information available for inspection upon request, if it is not published on their website.

Disclosure Requirement

All facilities that received at least \$200,000 from ELCC between April 1, 2022 and March 31, 2023, should have received an email on June 15 reminding them to sign and return the Declaration Form (attached in that email) by July 7, 2023.

This lower threshold of \$200,000 is in consideration of the fact that child care facilities may have received revenue from other public sector bodies.

Disclosure Requirement



Declaration Form

All eligible facilities must sign and return the requisite **Declaration Form**, which was sent out to all facilities on June 6, 2023 through ELCC Circular-2023-06 - *Declaration under the Public Sector Compensation Disclosure Act*, which is also available on our website.



Declaration Under the Public Sector Compensation Disclosure Act
Early Learning and Child Care Division

Name of Organization :

Declaration Form

The Fillable PDF form can be downloaded, completed, signed electronically, and emailed to elccfinance@gov.mb.ca

Or, it can be printed, completed by hand, signed and sent by mail or fax to the address indicated.

 **Manitoba**

Declaration Under the Public Sector Compensation Disclosure Act
Early Learning and Child Care Division

Name of Organization :

This is to certify that our organization is aware of and is in full compliance with the requirements under [The Public Sector Compensation Disclosure Act](#) (C.C.S.M. c. P265), Sections 2(1) and 3(1) as at March 31, 2023.

a) The list of salaries greater than the Act's threshold * is located at the following online location:

or, if you are a publicly funded organizations with no web access

b) Information will be made available as per Section 6 of the Act by the following means:

COMMENTS:

Authorized Financial Officer :

Date :

Please submit the complete form by **email** to elccfinance@gov.mb.ca or a send a completed print copy by mail or fax to : **Early Learning and Child Care Division**
Manitoba Education and Early Childhood Learning
210 - 114 Garry Street | R3C 4V4
Winnipeg, Manitoba
FAX: 204-948-3540
ATTN: Financial Accountability and Reporting Branch

* The Public Sector Compensation Disclosure Act threshold for salary disclosure has increased from \$75,000 to \$85,000 effective January 1, 2023. If the entity is reporting as at December 31, 2022, the former threshold of \$75,000 applies.

manitoba.ca/childcare

Declaration Form

Facilities with no website should make the information available as per Section 6 of the Act via:

- Contacting the Facility
- Disclosing the Information on Audited Financial Statements
- or Other Agreed-Upon Means



b) Information will be made available as per Section 6 of the Act by the following means:

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1. By contacting the administration office
2. By disclosing the information on audited financial statements
3. Other - please describe below

Disclosure Statement

If a facility has staff compensated more than \$85,000 per year, they must provide a Disclosure Statement.

This statement must be a letter or addition to notes to audited financial statements provided to ELCC (electronically) and emailed to elccfinance@gov.mb.ca Or, it can be printed and sent by mail or fax to the address indicated.

Disclosure Statement

The disclosure statement must indicate the staff member(s) by name, and their salary— here is an example.

Dear Directors:

In connection with our audit of DOE Child Care Inc. for the year ending March 31, 2023, we are writing to confirm the number of staff members that earned greater than \$85,000.00 from the organization in 2023.

For the 2023 calendar year, there were two employees that earned greater than \$85,000.00, being Jane Doe, who earned a gross salary in the amount of \$85,451.88, and John Doe, who earned a gross salary in the amount of \$85,410.68.

If you have any further questions please contact our office.

Yours truly,

Auditor's name/signature
Chartered Professional Accountants LLP
SC\dh

Frequently Asked Questions

Does a Nursery School need to submit this?

Although Nursery Schools are not required to submit audited financial statements to ELCC for operating grant funding, they are still required to submit the PSCDA declaration form and make any required disclosures under the Act IF the facility meets the public disclosure threshold.

Other means of disclosure are available, such as a separate compensation statement, or disclosure on demand.

Frequently Asked Questions

Does the declaration form need to be signed if no one in our facility makes \$85,000 a year?

Yes. Signing is required if your facility meets the public disclosure threshold, regardless of individual salaries.

If no staff meets the \$85,000 salary threshold, your disclosure can simply indicate: NIL.

You are **not required to sign the declaration** if your facility does not meet public disclosure threshold (\$500K/\$200K).

Frequently Asked Questions

Can I post this information online as part of disclosure?

- **Yes.** A facility can disclose the list of salaries greater than the Act's threshold on its website, if it meets the public disclosure threshold.

What if our auditor already does this for us?

- An Auditor may have been including PSCDA disclosure in that section of your audited financial statements. However, the signing requirement of the PSCDA Declaration for child care facilities is new, and can only be signed by a Financial Officer.

Frequently Asked Questions

Does a facility subject to the PSCDA disclosure this year still have to disclose the compensation information going forward? Even if it does not meet the threshold in subsequent years?

- A facility meeting the threshold criteria is required to continue disclosing. If the facility does not meet the threshold, then no.
- A facility can choose whether to report on a fiscal or calendar year. If your facility chooses calendar year, you must continue with it.

Frequently Asked Questions

Who is the Financial Officer?

A Financial Officer is an employee or volunteer designated by the Board, in most cases it would be the Board Treasurer, Chair/President, or any other Director.

This information is already disclosed in our audited financial statements. Is there anything else we need to do?

You just need to sign the declaration form stating that your facility complies with the PSCDA and the way your disclosure is made.

Frequently Asked Questions

What if you don't have a website?

Disclosure can be made available by other means as per Section 6 of PSCDA. For instance, by getting directly in touch with the facility's administrative office or by disclosing the information on the audited financial statements.

Resources

Provincial Proactive Disclosure page:

<https://www.gov.mb.ca/openmb/infomb/pscd.html>

PSCDA Circular 2023-06:

https://gov.mb.ca/education/childcare/pubs/circulars/elcc_2023_06_circular_v3.pdf

If you have any further questions about the Declaration Form or compliance with the PSCDA that have not been covered here, please contact the Early Learning and Child Care division at elccfinance@gov.mb.ca with the subject line “Questions – PSCDA.”

THANK YOU!
Questions?