

**Town of Caledon**  
**Office of the Integrity Commissioner**

**To:** Mayor and Members of Council

**From:** John E. Fleming  
Integrity Commissioner

**Date:** December 14, 2022

**Subject:** **Annual Report (2022)**

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**BACKGROUND**

I am pleased to have continued to serve as Caledon's Integrity Commissioner (IC) throughout the calendar 2022 year, having served continuously in this role since early 2011.

As in the past, the terms of appointment require me to report annually to Council summarizing the activities of the Office of the Integrity Commissioner during the calendar year. This Annual Report, then, marks nearly 12 years in this important and still evolving aspect of municipal governance. As advised earlier, the first year of the term of the newly elected Council, i.e. 2023, will be the last year I will be serving the Town in this capacity.

Worthy of note as the new Council takes office is the fact that the new Council is constituted somewhat differently than the previous one, following decisions by Peel Regional Council. Of equal note, further change may be unfolding in the future as the Province of Ontario has indicated its plan to review regional government in Ontario.

Both of these changes may cause some settling in as they unfold. I hope and trust that the hard work of prior years and earlier Councils in drafting the Code of Conduct and other policies will help to guide your deliberations in the days ahead.

**ACTIVITIES DURING THE YEAR**

**1. Inquiries and Investigations**

The process outlined in the Code of Conduct pertaining to Complaints is quite clear as to the steps required. The first step is for the IC to undertake an Intake Review (S 11.6) to determine whether an investigation is appropriate.

On a quite limited number of occasions throughout 2022, I received what I interpreted as filed complaints or at least queries about the process of filing a complaint. For clarity, the interpretation of those communications as complaints is my interpretation, since not all are formally stated or formatted as such, but in each case the complainant was clearly

expressing concern about a specific incident. The purpose of the Intake Review is to determine whether an investigation is appropriate, or whether some other means of redress might be more appropriate.

None of those complaints contained sufficient grounds for me to proceed to an investigation; the complainants were so advised and no further action was taken. In my last Annual Report, I advised that on two occasions a complainant raised an objection with my determination with the Office of the Ombudsman of Ontario. I cooperated fully with the Ombud's request for clarification of my actions and determinations. I am advised that no further action will be taken in respect of either.

In sum, then, no investigations (as defined in the Code) were undertaken in 2022, and consequently no reports have been submitted to Council. Council will be aware that the Code and the law specifically provide for no complaints to be filed with your Integrity Commissioner during the election period, recently completed.

I make note of the fact that no requests were made to me to launch an inquiry under the new provisions of the Municipal Conflict of Interest Act. Consequently, no inquiries under this new role for the IC were undertaken.

## **2. Requests for advice**

On occasion during the year, I am asked for advice by a member of Council or of a Designated Board and on occasion by senior staff, regarding compliance with the Code of Conduct. Such requests continued to be relatively few in 2022.

Apart from advice questions which arise during training sessions, requests for advice generally come in writing, and are responded to accordingly, as now required by the legislation.

There were a number of such requests for advice to which I responded during the year.

Annually, I have stressed the importance attached to Members of Council, and now Members of Designated Boards, being aware that their IC is readily available for such advice. I stress that once again. The Integrity Commissioner is here, in the first instance, to avoid problems, and both education and advice are central to that proactive approach. It is important that Councillors and Members of Designated Boards take advantage of this aspect of the ICs role. The same holds true for staff.

As in the past, the source and nature of those requests, and the advice I provide, are held confidential between my office and the person making the request.

## **3. Requests for other services**

### **TRAINING**

An important part of the role of the IC is to provide periodic training for Members of Council and Designated Boards, and for senior staff.

This is especially true following the election of a new Council and I was pleased to be invited to attend the Inaugural meeting of the new Council. As well I attended and

presented/spoke at two different training and orientation sessions, at which most Members of Council were present. To date, no sessions have been arranged for members of the Designated Boards: I do understand that the appointment process for those is still unfolding.

I will be pleased to work with staff to present further as requested in 2023.

#### **4. Municipal Integrity Commissioners of Ontario (MICO)**

While I continue to be involved in the work of the Municipal Integrity Commissioners of Ontario, the engagement of the members has been somewhat curtailed.

Of note is the fact that the number of integrity commissioners across the province has understandably grown considerably, recognizing the fact that all municipalities are now required to either have or have access to an IC. The pandemic and related matters have made the organizational activities of MICO somewhat more complex in recent months, although two meetings did occur during the year. Those meetings are always an excellent opportunity for ICs to share cases and experiences.

#### **Charting the way forward into 2023**

The rapid change and the need to “pivot” in the last many months has presented many a challenge to municipal government in Ontario. It is abundantly clear that such change and its challenges will continue in the year ahead. I stand ready to provide whatever assistance members of Council and staff may seek, within my mandate, and extend my best wishes for Caledon’s continued success.

Respectfully submitted

John E. Fleming C Dir  
Integrity Commissioner