

Town of Caledon

Office of the Integrity Commissioner

To: Mayor and Members of Council

From: John E. Fleming
Integrity Commissioner

Date: December 18, 2017

Subject: Annual Report (2017)

BACKGROUND

It has been my honour and pleasure to have served as Caledon's Integrity Commissioner since the Council first put a Code of Conduct in place in late 2010, followed by my appointment in early 2011, with a number of refinements made to the Code in 2015. The term of my appointment was extended to coincide with the end of the term of Council in 2018.

I thank Council for its confidence in me, and appreciate the opportunity to have worked with all Members, and Town staff, throughout 2017. It has surely been an active year.

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 is my seventh such report, covering the period from January 1, 2017 to year end.

ACTIVITIES DURING THE YEAR

1. Inquiries and Investigations

2017 has proven to be a considerably more active year.

In the early years, no formal complaints respecting alleged contraventions of the Council Code of Conduct or the Employee Code of Conduct were filed with my office. This year, there have been several formal complaints filed, some of which were dismissed, others which I proceeded to investigate and render decisions. .

- Six written complaints were submitted to the office of the General Manager Corporate Services / Town Clerk and forwarded to me. The complaints were in conformity with the requirements of the Code, and in all cases I determined that they were legitimate and should be investigated.

Reports were submitted to Council on April 11 respecting the first three, and on December 18 respecting the more recent ones.

As Council will recall, I imposed a sanction on the first set of complaints against the Councillor who I found to have breached the Code.

In the second set, I did not find any breaches of the Code, and accordingly imposed no sanctions.

Wherever possible in those formal complaints I have considered and in some cases attempted informal resolution, as contemplated in Section 12.1 of the Code.

- One complaint filed with me, in two parts, I dismissed. I determined that there was no legitimate basis on which to investigate in respect to either part, and the complaint was dismissed without proceeding to an investigation.
- In one other case, where concerns were raised, I undertook to assist the party by facilitating an informal process to address the issue involved.

2. Requests for other services

2.1 Requests for advice

On occasion during the year, I am asked for advice by members of Council and on occasion by senior staff, regarding the Code of Conduct. I am always pleased to see Caledon's Council taking a thoughtful approach to its responsibilities under the Code of Conduct, and a ready willingness to seek my advice. When I'm asked for such advice, I consider the request carefully and respond on a timely basis. Such requests have been somewhat less frequent in 2017 when compared to other years.

As in the past, the source and nature of those requests are held private between my office and the member making the request. Changes being introduced over the next year or so will have an effect on the matter of Members seeking advice; I will be working with the General Manager of Corporate Services / Town Clerk to report to Council on those changes and their impact in the new year.

2.2 Education and Information

I have not been requested to provide any service in this aspect of my mandate through the past year. I did, however, participate in an educational session at the annual conference of the Rural Ontario Municipal Association in January.

2.3 Municipal Integrity Commissioners of Ontario (MICO)

I continue to attend the regular MICO meetings, this year in May and October. Our informal association of Integrity Commissioners has been active in providing advice and consultation to the Ontario Ministry of Municipal Affairs and Housing throughout their review process in 2017 of the several municipal statutes in the province, including the Municipal Act.

I will continue to participate in the Municipal Integrity Commissioners of Ontario meetings, and to advise Council further as necessary.

Conclusion

I am pleased to continue to serve the Council and the people of Caledon in this important role, and look forward to an interesting year ahead.

Respectfully submitted

John E. Fleming
Integrity Commissioner