

TOWN OF CALEDON INTEGRITY COMMISSIONER, DAVID G. BOGHOSIAN

Citation: Complaint re: Mayor Groves Complaint re Staff Comments – DGB-CaledonICI-2025-003

Date: September 30, 2025

REPORT ON COMPLAINT

Overview

[1] On September 18, 2025, I received a formal Complaint from Councillor Dave Sheen regarding comments attributed to Mayor Groves in a Caledon Enterprise article consisting of a summary of an interview of Mayor Groves by reporter Sabrina Almeida entitled “‘Not a done deal’: Caledon mayor addresses controversial Swan Lake proposal amid public outcry.” The article was originally published on-line on September 12, 2025.

Complaint

[2] The text of the article complained of is as follows:

She also admitted that the town made a mistake by bundling the fill bylaw motion with four others on the same night. Groves said neither she, nor the senior leadership team, were aware of the scheduling at the time.

“Putting five of these things on that evening is wrong, because it looked like we were trying to push this off somewhere. Trust me, I gave them an earful on this... This can never happen again.”

[3] In his submissions in support of the Complaint, Cllr. Sheen stated, among other things:

-The mayor’s remarks appear to constitute **public criticism of Town staff in a manner that may impugn their professional competence and credibility**, contrary to the Town of Caledon’s Code of Conduct for Members of Council and Designated Boards (“Code”) as well as the Council-Staff Relations Policy.

-Given your recent investigations regarding my own comments - reports of which are scheduled to come before Town Council on September 23, 2025
- I wish to underscore the necessity for **equitable, consistent treatment and analysis of similar conduct under these same policies**.

...

-Town Council will soon consider pending Integrity Commissioner reports [being my Reports 25-001 and 25-002 which were considered at the

September 23rd Council Meeting] regarding my own public remarks that have been alleged to have **impugned the credibility of staff** in a comparable public context.¹ In those matters, it is anticipated that the application of the Code centers on the objective impact of criticism, not subjective intent or the particular language used.

- For the Code and Council-Staff Relations Policy to retain legitimacy, **analysis and enforcement must be applied impartially**** - to every member, including the Head of Council. In the absence of such consistent application, there is significant risk of perceived or actual double standards.” **[all emphasis original]**

[4] Prior to submitting the formal Complaint against Mayor Groves, on September 12, 2025, Cllr. Sheen sent me an email attaching a DRAFT Complaint which was identical to the formal Complaint submitted on September 18th that is addressed herein. In the email transmitting the Complaint, he requested that, in light of his DRAFT Complaint, it should be dealt with through the Informal Resolution provisions of the Code of Conduct along with the Complaints that were the subject-matter of my Reports 25-001 and 25-002 concerning comments he made about staff and the Mayor at the May 20, 2025 meeting of Caledon Council. He further submitted that in light of his request, my Reports 25-001 and 25-002 should be withdrawn. Those Reports had already been sent to him and the two Complainants, submitted to the Clerk’s office, and were to be on the agenda for consideration at the September 23rd Council meeting. They were to be publicly released along with the agenda for that meeting on September 18th. I advised him that in order for these Complaints to be dealt with through the Informal Resolution process, both Complainants in respect of those Complaints, Mayor Groves and CAO Hyde, would have to agree to that process, and I asked him whether he wanted me to approach the Complainants in that regard. He agreed that I should do so. On September 16, 2025, I forwarded his email making the request along with the DRAFT Complaint and an explanation for why I was forwarding it to them to Mayor Groves and CAO Hyde. Both Complainants declined to engage in the Informal Resolution process for among other reasons, the fact that my Reports had already been prepared and submitted and the fact that Cllr. Sheen’s Complaint was DRAFT with instructions not to consider it as a Complaint at that time, such that I had not dealt with it on the merits. In her email back to me, Mayor Groves also briefly addressed the merits of the DRAFT Complaint, which I will summarize below under the heading Response.

Code of Conduct Provision in Issue

[5] The Code provision alleged by Cllr. Sheen to have been violated by Mayor Groves is the following:

5. Relations with Employees

...

¹ The matter now being referred to as the Swan Lake proposal was referred to as the 0 Shaw’s Creek Road Fill Permit motion in my Reports 25-001 and 25-002. In other words, the underlying subject-matter of both the earlier Complaints and this Complaint is the same.

5.4 Members shall refrain from publicly criticizing employees, in a way that casts aspersions on their professional competence and credibility.

Response

[6] In her response to my September 16th email forwarding Cllr. Sheen's informal resolution request, Mayor Groves addressed the merits of the DRAFT Complaint I had attached to the request as follows:

[7] I confirm that my statement to the reporter was as follows:

“Putting five of these things on that evening is wrong, because it looked like we were trying to push this off somewhere. Trust me, I gave them an earful on this... This can never happen again.”

At no point did I refer to “staff.” My wording — “we” — was deliberate, reflecting my role as Head of Council and acknowledging shared responsibility for how the matter appeared publicly.

[8] On September 19th, I forwarded Cllr. Sheen's now formal Complaint to Mayor Groves asking if she had anything further to submit in response beyond what she had stated in her response to the DRAFT Complaint. That same day, Mayor Groves submitted the following additional response:

I acknowledge receipt of the complaint dated September 18, 2025, alleging that my public remarks regarding the Swan Lake proposal breached the Town of Caledon's Code of Conduct and Council–Staff Relations Policy. I categorically deny that any such breach occurred.

1. Context of Remarks

The cited comments were made in response to resident concerns about agenda management at a public meeting. The focus of my remarks was the scheduling process — specifically, that placing multiple significant items on one agenda was not ideal. Addressing procedural issues is a legitimate responsibility of the Mayor and does not constitute a personal attack on staff.

2. No Impugning of Staff Competence

The Code and Policy prohibit members of Council from publicly questioning staff competence or credibility. At no time did I do so. On the contrary, I explicitly acknowledged that senior leadership and I were not aware of the scheduling, thereby sharing responsibility. My words did not question staff professionalism, integrity, or ability.

3. Colloquial Expression Misinterpreted

The expression "I gave them an earful" was a colloquial shorthand for holding an internal discussion to ensure a similar scheduling situation would not recur. It was not, and should not reasonably be interpreted as, disparagement of staff.

4. Duty of Transparency

As Mayor, I have a responsibility to acknowledge procedural shortcomings when they arise and to assure the public that improvements will be made. To do otherwise would erode public confidence. Publicly addressing process is distinct from criticizing staff and falls squarely within the role of elected office.

5. Complaint Without Merit

On the basis of the above, there is no factual or policy foundation for the claim that my remarks violated the Code of Conduct or Council–Staff Relations Policy. The complaint mischaracterizes both the intent and content of my statements.

Accordingly, I respectfully submit that this complaint is without merit and should be dismissed.

Reply

[9] I forwarded Mayor Groves' Responses to both his DRAFT and formal Complaints to Cllr. Sheen for any reply he might have on September 21st. By email sent to me later the same day, he made the following submissions:

I respectfully submit this brief reply applying the analytical standards you have established in recent decisions.

Prima Facie Analysis Using Your Established Framework

In your Report 25-002, you found that when I stated there was "enormous pressure on staff," this constituted a **prima facie breach** because "the natural interpretation of the words" led reasonable listeners to believe I had factual knowledge of wrongdoing, regardless of my stated intent.

Applying this same "natural interpretation" standard to Mayor Groves' confirmed statements reveals each of her defenses fails your own established tests:

Her Defense #1 ("We" shows shared responsibility):

You wrote that intent claims are irrelevant when "the natural interpretation" creates harm. Her statement "neither she, nor the senior leadership team,

were aware of the scheduling" necessarily identifies **someone else** as responsible for the "mistake."

Her Defense #2 ("No impugning of competence"):

You established that **objective impact matters, not subjective intent**. The "natural interpretation" of publicly describing staff errors and disciplinary action impugns competence regardless of her claimed intent.

Her Defense #3 ("Colloquial shorthand"):

You correctly noted that certain phrases have universal meaning. This defense is precisely the type of post-hoc rationalization you rejected in my case when you wrote: "[The member] reasonably ought to have known" how words would be interpreted.

Her Defense #4 ("Duty of transparency"):

You have found that **legitimate political discussion doesn't shield Code violations**. This defense fails your test that members must find ways to fulfill duties without impugning staff.

Her Defense #5 ("Without merit"):

Her response **confirms she made the complained-of statements** while offering defences you've already established as insufficient.

Consistency Imperative

Your thorough analysis in Reports 25-001 and 25-002 (and others) demonstrates your capability for rejecting similar defenses. I trust you will apply the same rigorous standards that led to your findings against me.

Analysis

[10] The issue is whether Mayor Groves' impugned comments constituted public criticism of Town employees in a way that cast aspersions on their professional competence and credibility, in violation of s. 5.4 of the Code. In this regard, I find as follows:

- Indicating that bundling 5 motions in the same meeting was "wrong" coupled with the phrase "I gave them an earful" objectively implies that certain unnamed Town staff screwed up, which I find constitutes public criticism of Town employees given that it was published (to her knowledge) in an on-line news outlet.
- The reasonable implication of Mayor Groves' remarks was that Town staff should have realized the error in bundling 4 motions together with the Swan Lake proposal in the same meeting, at least from the

standpoint of appearances if not substance, but had not, which amounts to a “casting of aspersions on the professional competence” of whichever staffers were responsible for this.

- With respect to Mayor Groves’ submission that “Publicly addressing process is distinct from criticizing staff and falls squarely within the role of elected office,” this does not overcome the fact that the point could have been made without blaming staff for the error in the process. It could have been stated neutrally without mentioning staff ie. using the collective “we” to describe the error (as she did with the creation of appearances point).
- Using the term “we” in reference to the appearance that there was an attempt to “push” the Swan Lake fill permit issue “off somewhere” does not detract from the rest of the statement that implies the cause of this erroneous appearance was the fault of staff.

[11] Based on the foregoing, I find that there was a violation of s. 5.4 of the Code of Conduct.

Penalty

[12] Mayor Groves did not directly refer to any staff by name or position and spoke in the plural, leaving it unlikely that the vast majority of members of the public, if any, would identify the criticism as being made toward any particular staff member. Furthermore, she stated that no-one on the “senior leadership team” was responsible for the agenda setting problem, thereby exonerating the staffers most likely to be associated with her comments in the absence of this qualification. I therefore regard Mayor Groves violation as technical and minor in nature.

[13] Cllr. Sheen suggests that Mayor Groves’ comments about staff are similar in nature to the statements he made at the May 20th Council meeting. As a reminder, I stated as follows in my Report 25-001 in relation to Cllr. Sheen’s comments at that meeting:

[30] Cllr. Sheen’s comments were made in a highly public forum (a broadcast Council meeting, the video record of which remains available to be seen by the public indefinitely). They were made in the context of a debate that raised serious health and safety concerns amongst the public, concerns which Cllr. Sheen fueled by suggesting, without any evidence, based on mere conjecture, and which I have found to be untrue, that staff may well simply sweep health and safety risks under the rug in order to appease the Mayor.

[31] In determining the penalty, I believe it is also necessary to consider the impact of Cllr. Sheen’s statements on staff generally and the two staffers most directly caught in the cross-hairs – Mr. Lucic and Ms. Zia. As can be seen from what they told me during their interviews, they felt professionally insulted, disrespected and undermined by his comments; that the comments damaged their credibility and that of staff generally in the eyes of the public;

and that the comments have damaged trust between staff and Council. While Cllr. Sheen offered what could be interpreted as an apology in his Response (“I regret any unintended negative impact or discomfort my remarks may have caused”), he has not apologized to Mr. Lucic and Ms. Zia directly.

[32] Cllr. Sheen was given an opportunity following the Mayor’s point of order to retract the statements but he refused to do so. Had he done so, the Complaint, my investigation and this Report would have all been unnecessary.

[14] I further found in Report 25-001 that Cllr. Sheen’s comments would widely be seen to have targeted the two staffpersons responsible for the 0 Shaw’s Creek Road Fill Permit file (referred to herein as the Swan Lake proposal) and who were present at the May 20, 2025 Council meeting responding to questions and comments from members of Council and the public. His comments were made in the context of a highly charged debate where there was strong public anger and distrust over the way the Town had handled the fill permit application, where these staffers were publicly thrown under the bus by a number of councillors, including Cllr. Sheen. In this case, no particular employee was singled out directly or indirectly and the statements of Mayor Groves expressly exonerated leadership team members who might otherwise have been assumed to be the target of her statements. In my opinion, there is no comparison between the gravity of Cllr. Sheen’s breach, which I found warranted a monetary penalty as well as an apology to the two implicated staff members, and the circumstances of the current Complaint.

[15] In all of the circumstances, I find that Mayor Groves breach of the Code of Conduct was technical and minor, such that no penalty should be imposed.

[16] The formal Complaint addressed herein was filed with me on the same day that my Reports 25-001 and 25-002 regarding Code of Conduct complaints against Cllr. Sheen, which I upheld,² were to be released later that day. Mayor Groves was the Complainant in respect of the Complaint addressed in Report 25-002. Given what I find to be the trivial nature of this Complaint, together with its submission on the eve of the release of the two Reports in which Cllr. Sheen was aware I had found him in breach of the Code of Conduct and its prior use in draft form to attempt to have my Reports 25-001 and 25-002 withdrawn after they were submitted, I find that this Complaint was retaliatory in nature and politically motivated, not brought forward due to genuine concern for the values underlying the Code. At the September 23rd Council meeting where my Reports 25-001 and 25-002 were considered, members of the public and Council criticized the use of the COC Complaint process for political purposes, thereby “weaponizing” the Integrity Commissioner process. I agree with such criticism, although I do not find that to have been the case in respect of the Complaints addressed in Reports 25-001 and 25-002. Going forward, before filing a COC Complaint, prospective complainants should carefully consider whether a potential COC complaint is properly motivated by a genuine concern for the values of transparency, integrity and accountability that underlie codes of conduct, not to mention warrant the time and expense involved in IC investigations and reporting, and Council deliberations regarding same.

² Cllr. Sheen was sent these Reports for about a week prior to their public release.

[17] This concludes my investigation.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "D. Boghosian", with a long horizontal flourish extending to the right.

David G. Boghosian,
Integrity Commissioner,
Town of Caledon