

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

**To:** Mayor and Members of Council  
**From:** John E. Fleming  
Integrity Commissioner  
**Subject:** **Annual Report (2018)**

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## **BACKGROUND**

It has been my honour to have served as Caledon's Integrity Commissioner (IC) since the Council first put a Code of Conduct in place in late 2010, followed by my appointment in early 2011. There were a number of refinements made to the Code in 2015, and the term of my appointment was extended to coincide with the end of the term of Council in 2018. This Annual Report, then, marks nearly 8 years in this new and evolving aspect of municipal governance.

I thank the Members of the previous Councils for their confidence in me and appreciate the opportunity to have worked with all Members of the 2014-2018 Council, and Town staff. It has been another 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 eighth such report, covering the period from January 1, 2018 to year end.

## **ACTIVITIES DURING THE YEAR**

### **1. Inquiries and Investigations**

There were no new formal complaints filed with my office during the 2018 calendar year. Early in the year, however, three complaints filed and investigated in 2017 were before Council for final reporting and disposition.

There was no finding of a breach of the Code in any of the three, although I did offer some policy advice to the Council for its consideration.

### **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. Such requests were fewer in 2018 than in preceding years.

It's worthy of note that, when and if the amendments to The Municipal Act come into force on March 1, 2019 the processes for both seeking and delivering such advice will change, primarily

with the requirement that both aspects will, by law, have to be in writing. Further comments on the pending changes are below.

It is important that Councillors, particularly those new to elected office, take advantage of this aspect of the ICs role.

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

### **2.3 Advice respecting the Code of Conduct**

2018 saw the introduction and passage of a number of legislative and regulatory changes to The Municipal Act and The Municipal Conflict of Interest Act. The majority of those changes are set for implementation on March 1, 2019, barring any changes that might be put in place by the new government.

I have spent considerable time during the past year reviewing those changes, and their impact on Caledon's Code of Conduct, and on the role of the IC and associated processes and procedures. That review has been provided during 2018 to Town Administration, for consideration and incorporation into a staff report for submission to Council early in the new term.

I have also provided my input to Administration on changes not required by the new legislation but growing out of my experience with the current Code.

### **2.3 Education and Information**

I had the opportunity to make a brief presentation to the Council-elect, outlining the basics of the Code of Conduct, and the role of the Integrity Commissioner.

Along the same lines, I have had the opportunity over the past year to take part in three different conferences/seminars, presenting Caledon's experience with the Town's Code of Conduct, its development and evolution, and directions for the future. Most notable was a presentation to the Ontario Municipal Administrators Association Fall Conference, with Association members seeking a better understanding of the work of Integrity Commissioners, as municipalities across Ontario gear up to meet the legislative changes that lie ahead.

### **2.4 Municipal Integrity Commissioners of Ontario (MICO)**

I continue to attend the regular MICO meetings, this year in April and November.

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 legislative review process over the past two years concerning the several municipal statutes in the province, including the Municipal Act.

In the most recent meeting, members gave approval in principle to a draft Statement of Principles, intended to be a guiding document for Municipal Integrity Commissioners across Ontario, with a view to supporting the work of an expanded number of Commissioners, as it becomes mandatory for all municipalities to have such an officer.

### **2.5 Charting the way forward into 2019**

As I write this Annual Report, I appreciate the fact that the new Council has chosen to renew my appointment for an additional year. During that year, I hope that the Council will undertake some additional training to best understand the Code and the role of the Commissioner.

I stand ready to meet with Members individually, as well as collectively, as a part of that ongoing training and education.

I am certainly available to support Council's consideration of the changes to the Code described above, when Administration brings that report forward to Council.

Respectfully submitted,

John E. Fleming

Integrity Commissioner

2014 - 2018