



**SUBJECT: Appointment of Integrity Commissioner**

**TO: Committee of the Whole**

**FROM: Clerks Department**

Report Number: CL-14-18

Wards Affected: all

File Numbers: 110-03

Date to Committee: June 4, 2018

Date to Council: June 18, 2018

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**Recommendation:**

Direct the Mayor and City Clerk to enter into an agreement, to the satisfaction of the City Solicitor, with Principles *Integrity* for the provision of Integrity Commissioner services for a term of four (4) years and;

Direct the City Clerk to proceed with the preparation of the appointment by-law.

**Purpose:**

- An Engaging City
- Good Governance

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**Background and Discussion:**

Bill 68, the *Modernizing Ontario's Municipal Legislation Act, 2017*, which received Royal Assent on May 30, 2017, expanded the responsibilities of the Integrity Commissioners and required that all municipal governments provide access to an Integrity Commissioner and either appoint its own Integrity Commissioner or make provisions that the services of an Integrity Commissioner be provided by another municipality by March 1, 2019.

On April 23, 2018 Council approved its Code of Good Governance. Following this approval, the City Clerk along with the Regional Clerk and other area municipal clerks participated in a joint RFP to select and retain an Integrity Commissioner. Multiple bids

were received, evaluated and references were checked, with Principles *Integrity* scoring the highest.

The Integrity Commissioner is appointed to act in an independent manner on the application of the Code of Good Governance and other rules and procedures governing the ethical behaviour of members of council.

The Integrity Commissioner appointed by Council shall be responsible for providing Integrity Commissioner services on an as required basis in accordance with sections 223.3 to 223.8 of the Municipal Act, 2001, as amended.

The services include, but are not limited to, the following duties and responsibilities:

- act as an advisor to Council
- provide advice on and assist with any drafting related to the code of conduct governing members of Council
- conduct investigations regarding alleged breaches of the code of good governance governing members of Council
- provide information to Council as to obligations under the code of good governance, policies and procedures, rules and legislation governing members on ethical behaviour
- provide advice to individual members regarding specific situations as they relate to the application of the code of good governance, policies and procedures, rules and legislation governing members on ethical behaviour
- provide information to the public regarding the code of good governance and the obligations of members of Council under the code of good governance, policies and procedures, rules and legislation governing their members on ethical behaviour
- provide annual reports to Council summarizing the activities of the Integrity Commissioner

The Integrity Commissioner will report directly to Council. The Integrity Commissioner is required to preserve secrecy in all matters that come to his or her knowledge in the course of his or her duties. At the same time, the municipality is required to ensure that reports received from the Integrity Commissioner are made available to the public. The contact/contract administrator for the Integrity Commissioner will be the Clerk and/or their designate.

Upon successful completion of an agreement with Principles Integrity, a by-law formally appointing them as Integrity Commissioner for the city will be brought forward for council's approval.

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## **Financial Matters:**

The annual cost of the Integrity Commissioner is dependent on the number and nature of the complaints brought forward. The annual retainer for the Integrity Commissioner is \$1000 with an hourly rate of \$230 for advice or investigations.

### **Source of Funding**

Funding to be provided from the Contingency Reserve.

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### **Public Engagement Matters:**

Information regarding the Integrity Commissioner will be available on the City's website along with a copy of Council's Code of Good Governance.

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### **Conclusion:**

Staff recommend the appointment of Principles *Integrity* to act as the Integrity Commissioner for the City of Burlington and to uphold the principles outlined in Council's Code of Good Governance.

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Respectfully submitted,

Andrea Holland

Manager of Records and Information

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### **Notifications:**

Graham Milne, Regional Clerk

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### **Report Approval:**

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.