

Office of the Integrity Commissioner's Annual Report July 2023 – July 2024

Commissioner's Remarks

This report covers the period from July 2023 to July 2024.

Subsection 223.6(1) of the *Municipal Act* states that the Integrity Commissioner shall provide a periodic report to the municipality on his or her activities. In the Report, the Commissioner may summarize advice he or she has given but shall not disclose confidential information that could identify a person concerned.

During the period covered by this Annual Report, I have not received any formal complaints. I received 1 informal complaint relating to a Code issue dating back to 2018 and I advised the Complainant that I was time barred from receiving or reviewing the matter. I set out below, the reporting of activities of the Office of the Integrity Commissioner in fulfilment of my statutory role.

Issues of Notes:

Matters relating to a Member's conduct in 2018:

I received a query from the public regarding a Code concern that was raised in 2018 about the conduct of a Member of Council. The query related to alleged conduct that a Member carried out in August 2018.

The Complainant advised that they had been waiting 4 years for a report from the Integrity Commissioner and that having found nothing on the Town's website, they requested a copy of the investigation report along with a copy of the complaint form that was filed by a Member of Council. The matter subject of the Complaint related to a planning variance and the concern that a Member of Council should have been disqualified from voting on the variance because of a "conflict of interest" with one of the parties involved in the planning application.

I advised the Complainant that I was appointed as Integrity Commissioner for the Town of Seguin in July 2020 and that I did not have carriage of any Code of Conduct complaints received or reviewed in 2018 by the former Integrity Commissioner, Mr. Harold Elston as I was not the Integrity Commissioner at that time.

By way of explanation, I advised that under the Code of Conduct for Members of Council and Local Boards, following the receipt and review of a formal complaint, or at any time during the investigation, where the Integrity Commissioner believes that an opportunity to resolve the matter may be successfully pursued without a formal investigation, and both the complainant and the Member agree, efforts may be pursued

to achieve an informal resolution. I advised that generally, if during the initial classification of a Code of Conduct complaint, the Integrity Commissioner determines that the subject matter of the complaint is not, on its face, a complaint with respect to non-compliance with the Code of Conduct, the matter will be dismissed, with reasons to the Complainant.

Both in the situation where the Integrity Commissioner resolves the matter informally and if the Integrity Commission dismisses the complaint, there is no public reporting requirement and no public report is submitted to Council.

I also explained that with reference to conflicts of interest under the Municipal Conflict of Interest Act (the "MCIA"), section 8 of the MCIA states that:

- an application may only be made within six weeks after the applicant became aware of the alleged contravention.

The Seguin Code of Conduct sets out that a complaint alleging a contravention of the MCIA, in which a Member of Council did not declare a pecuniary interest in accordance with the rules of the MCIA, must be brought forward no later than 6 weeks after the alleged contravention took place. I was unable to receive the matter.

General Queries to the Office

Q. A resident contacted my Office regarding behaviour or neighbours and their placement of sand bags that were alleged to have caused "dangerously high water levels". The resident was concerned that there could be flood damage and resulting damage to septic systems.

A. I advised the resident that my authority was limited to receiving complaints against individual Members of Council with respect to alleged contraventions of Code of Conduct rules. I passed on the information Town staff for action, as appropriate.

Q. A design consultant representing a client in a minor variance application, sought information regarding the process.

A. I advised that while I am able to commission Code complaints, commissioning or notarizing for Town or other documents, are not within my jurisdiction as Integrity Commissioner.

I received a query setting out a resident's disagreement with a Council decision and another query relating to a bylaw enforcement action. These matters were not within the jurisdiction of my Office. In all situations where I found that the questions raised were not within my jurisdiction to review or investigate and not properly within the application of the Code of Conduct rules, I provided clarification to the resident advising what my Office's role is and forwarded the matter on to the appropriate area of the Township for action.

Statement of Expenditures

\$5,600.00 – Integrity Commissioner Services (including remuneration for advice to Members of Council and Council, Investigation of Code Complaints (formal and informal) and Professional Fees, Delivery of Council Education Session, office administration).

Code of Conduct General Inquiries:

	From Members of Council	From the Public	From staff	Total Inquiries
2023-24	0	4	1	5

Code of Conduct Complaints

	July 2023-July 2024
Formal complaints	0
Informal complaints - Disposition	1 Not within the Commissioner’s jurisdiction
Total Code of Conduct Complaints	1

Respectfully submitted,

July 16, 2024


Suzanne Craig
Integrity Commissioner