

2021 ANNUAL REPORT OF THE INTEGRITY COMMISSIONER

THE CORPORATION OF THE TOWN OF SOUTH BRUCE PENINSULA

March 24, 2022

Robert J. Swayze
Integrity Commissioner
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Introduction

I was appointed as the Integrity Commissioner for the Town of South Bruce Peninsula by agreement pursuant to subsection 223.3(1) of the *Municipal Act, 2001* on June 1, 2019 for a term of 1 year. A subsequent agreement executed in May of 2020 extended the term to May 31, 2024.

This is the third annual report that I have prepared and it covers the calendar year 2021.

Duties of the Integrity Commissioner

The functions of an Integrity Commissioner are set out in subsection 223.3(1) of the *Municipal Act, 2001* which provides as follows:

223.3(1) Without limiting sections 9, 10 and 11, those sections authorize the municipality to appoint an Integrity Commissioner who reports to council and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to any or all of the following:

1. The application of the code of conduct for members of council and the code of conduct for members of local boards.
2. The application of any procedures, rules and policies of the municipality and local boards governing the ethical behaviour of members of council and of local boards.
3. The application of sections 5, 5.1 and 5.2 of the *Municipal Conflict of Interest Act* to members of council and of local boards.
4. Requests from members of council and of local boards for advice respecting their obligations under the code of conduct applicable to the member.
5. Requests from members of council and of local boards for advice respecting their obligations under a procedure, rule or policy of the municipality or of the local board, as the case may be, governing the ethical behaviour of members.
6. Requests from members of council and of local boards for advice respecting their obligations under the *Municipal Conflict of Interest Act*.
7. The provision of educational information to members of council, members of local boards, the municipality and the public about the municipality's codes of conduct for members of council and members of local boards and about the *Municipal Conflict of Interest Act*.

Complaints Received

During the year, I received three complaints, two of which were dismissed by me and the third settled. It is my practice to provide comprehensive reasons when I dismiss a complaint which

provides a full explanation to the complainant. I am required by the *Municipal Act* to anonymize complaints in annual reports and have done so below.

The first complaint related to a dispute between a property owner and a member of Council which went to Court and as Integrity Commissioner I found that I had no jurisdiction to rule on the issue.

The second complaint was against the whole of Council which I cannot accept. I report to Council and have no jurisdiction to deal with a decision made by the majority. The third complaint was against a member of Council who blocked the complainant from a social media page. I spoke to the member and the complainant was unblocked.

Advice Provided

I received only one request for advice from a member of Council, two from a member of staff and none from a member of the public. The Act requires that all requests for advice be made in writing. It is my policy to accept telephone calls from members of Council requesting advice, but require an E-mail to be sent to me before expressing my opinion in writing. The advice I provided during the year will remain confidential.

Closing Remarks

Again, Council had low complaint activity compared with many of my other clients which speaks well for both members of Council and staff. I am grateful for the trust that Council and the Town continues to place in me as Integrity Commissioner. I would like to particularly acknowledge the support and assistance that I have received this past year from Ms. Angie Cathrae, Director of Legislative Services.

Attachments

None.

Prepared by,



Robert Swayze,
Integrity Commissioner
Date: March 24, 2022