

REPORT

Council

Meeting Date: December 19, 2022

FROM: Clerk's Department

DATE: December 6, 2022

SUBJECT: Extension of Integrity Commissioner Contract

LOCATION:

WARD: Town-wide

Page 1

RECOMMENDATION:

That the appointment of Principles *Integrity* for the Town of Oakville be extended for a period of up to one year, in accordance with the agreement satisfactory to the Director of Legal Services with the Region of Halton.

KEY FACTS:

The following are key points for consideration with respect to this report:

- Section 223.3 (1) of the *Municipal Act, 2001* authorizes municipalities to appoint an Integrity Commissioner
- The Town's current Integrity Commissioner, Principles *Integrity*, was appointed in 2018 for a term to expire on December 31, 2022.
- The purpose to this report is to seek approval to extend the appointment of Principles *Integrity* for a period of up to one year.

BACKGROUND:

Section 223.3 (1) of the *Municipal Act, 2001* authorizes municipalities to appoint an Integrity Commissioner who reports to Council and who is responsible for performing in an independent manner the functions assigned by the Town with respect to, but not be limited to: acting as an advisor to Council, providing assistance on potential amendments to the Council Code of Conduct, guidance on the application of and obligations of Members under the Council Code of Conduct, conducting investigations of alleged breaches of the Council Code of Conduct, providing advice to individual Members on the Council Code of Conduct and policies and legislation governing ethical behaviour, and providing education and training.

The Integrity Commissioner is also required under provincial legislation to provide guidance on the applicability of the *Municipal Conflict of Interest Act*.

The Town of Oakville's current Integrity Commissioner, Principles *Integrity*, is a two-person firm that acts for several municipalities across Ontario, including the other local municipalities in Halton. Principles *Integrity* was initially appointed in 2018 through a joint procurement process with the Halton local municipalities, and for a term to expire on December 31, 2022. An extension to their contract will provide continuance of service while allowing sufficient time to carry out a search for Integrity Commissioner Services and give Council the opportunity to select the Integrity Commissioner for the remainder of the term.

COMMENT/OPTIONS:

Halton Region, on behalf of the Halton Cooperative Purchasing Group (HCPG), issued the Request for Proposal for Integrity Commissioner services in 2018 and have expressed their desire to continue to participate in a joint procurement process for the new term of Council. The purpose of this report is to recommend extending the current Integrity Commissioner's contract for a period of up to one year ahead of the undertaking of a formal procurement and appointment process. The joint procurement will take place and a report recommending an appointment will be brought to Council before December 31, 2023. Principles *Integrity* has expressed its willingness to agree to the proposed contract extension.

Given the limited number of firms that provide this service to municipalities in Ontario, staff are strongly recommending approval of the extension to avoid Council having to select an interim candidate from a small roster of available alternatives.

CONSIDERATIONS:

(A) PUBLIC

The Integrity Commissioner is provided for under the *Municipal Act*, as amended to address potential improvement to the transparency and accountability of municipalities to the public. The retention of an Integrity Officer would provide an independent body to address any public requests for investigations into any alleged violation of ethical practices by any member of Council or its local boards.

(B) FINANCIAL

The annual cost of the Integrity Commissioner service includes a \$1,000.00 retainer fee however the total cost is unknown as it will depend on the services that they will be called upon to perform, which is driven by requests for advice, educational information and other supports as well as inquiries into complaints received.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

All departments would be required to assist an Integrity Commissioner in providing information as required under an inquiry process.

(D) CORPORATE STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- be accountable in everything we do
- be honest in everything we do

(E) CLIMATE CHANGE/ACTION

n/a

Prepared and Submitted by:

Vicki Tytaneck

Town Clerk