

Integrity Commissioner handled four Code of Conduct complaints last year

Aurora's Integrity Commissioner received and addressed four Code of Conduct complaints against members of Council last year, according to Principles Integrity.

Principles Integrity, who serves as the Town's Integrity Commissioner, presented their annual report to Council this month.

There, they said during the year in question, four complaints were received, which we were able to dispose of, without need for a recommendation report.

Our approach to reviewing complaints starts with a determination as to whether an inquiry to us is within our jurisdiction, is beyond a trifling matter, is not either frivolous or vexatious and, more importantly, whether in its totality it is in the public interest to pursue, the Commissioners presented. We always look to the possibility of informal resolution in favour of formal investigation and reporting. Once a formal investigation is commenced, the opportunity to seek informal resolution is not abandoned.

Where we are able to resolve a matter without concluding a formal investigation, our practice is to provide a written explanation to the complainant to close the matter. Often the potentially respondent member is involved in preliminary fact-finding and will also be provided with an explanation.

Some Council members, however, said further explanations would be needed in future reports.

Councillor Wendy Gaertner, for instance, said that while she appreciated all the information that was included in their report, some further information, including whether the complaints in question were from members of the public, was missing from the presentation.

Janice Atwood of Principles Integrity responded that the process, as outlined in legislation, is when a Commissioner receives a complaint, and it is able to be resolved, there is no further report to Council.

That is not to say that there is not a detailed letter back to both the complainant and typically the respondent member of Council to explain how the matter was resolved and why the matter was not proceeding, said Ms. Atwood. There is a confidential disposition which is provided back to the complainant to say that either the matter is not within jurisdiction or the matter is operational, or for these reasons we have done a review of the matter [and determined] the facts are not born out and we will not be proceeding further.

The respondent Councillor who would have been apprised there was a complaint against him or her would then receive a copy or a summary of that disposition so that they are then understanding that, okay, there was a complaint, the matter has been reviewed, and it is not going forward to a public report to Council because there was no finding for whatever reason. Those reasons are set out, but those dispositions are treated as confidential as between the complainant and the Integrity Commissioner.

Councillor Gaertner responded that she didn't disagree with the public's assessment but as the public's money is being used to pay for the service, some information on the general nature of the complaint would be welcomed.

This really has to give the public an idea of any surface details on how we're spending their money, the Councillor contended. I would like to know the general area and I think that would be fair to the taxpayer.

Councillor Michael Thompson voiced similar concerns.

He too looped back to the process, particularly the Integrity Commissioner's approach to determining whether or not an issue falls within their jurisdiction.

?With respect to the four complaints?you were able to dispose of them without a recommendation or a report,? said Councillor Thompson. ?I guess what I am trying to understand then is it possible that some of those complaints weren't within your jurisdiction and that is why they were disposed of, or they were, in your view, just a trifling matter. Can you give us some clarity around those complaints and why they didn't require a further report??

One of the things they try to do, said Ms. Atwood, is determine ?when it is in the public's interest? to move forward with a complaint and bring it back to a public report.

?It needs to be a matter which has some contravention but it warrants the time and effort and the attention of Council in order to bring it forward as a report,? she said. ?We typically put a lot of effort into trying to resolve matters where they can be or recognizing where it is not in our jurisdiction.?

While the average cost for investigating each individual complaint was ?a loaded question?, she said when posed it by Councillor Thompson, she said their rate is \$230 an hour and a complaint not within their jurisdiction can take as little as 15 ? 30 minutes to settle, while a full investigation could ?run three or four thousand dollars.?

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