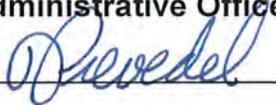


<b>Procedure Title:</b> Code of Conduct Policy		<b>Policy Number</b> ADM 070	
<b>Reference</b> <i>Municipal Act, 2001</i> , as amended <i>Municipal Conflict of Interest Act, 1990</i> Council Resolution # 45/12 Council Resolution # 186/14 Council Resolution # 53/19	<b>Date Originated (m/d/y)</b> March 2012	<b>Date Revised (m/d/y)</b> February 2014 March 2019	<b>Pages</b> 19
<b>Approval: Chief Administrative Officer</b> 		<b>Point of Contact</b> Director, Corporate Services & City Solicitor	

**Policy Objective**

1. This Code of Conduct is intended to complement the oath of office sworn by each of the Members of Council of the City of Pickering.
  
2. Attaining an elected position within one's community is a privilege which carries significant responsibilities and obligations. Members of Council are held to a high standard as leaders of the community and are expected to become well informed on all aspects of municipal governance, administration, planning and operations. They are also expected to carry out their duties in a fair, impartial, transparent, professional, and respectful manner.
  
3. All Members of the Council of the City of Pickering are committed to protecting and promoting the well-being and best interests of the citizens of the City with the highest standards of integrity and ethical conduct. This Code is an affirmation of this commitment. It recognizes and is based on the following key statements of principle:
  - a) Members are committed to performing their duties of office, and arranging their private affairs, in a manner that promotes public confidence in the integrity of each Member and respect for Council as a whole.
  
  - b) Members are committed to acting and being seen to act with integrity and impartiality that will bear the closest scrutiny.
  
  - c) Members are committed to serving their constituents in a conscientious and diligent manner.
  
  - d) Members are committed to working with City officials and staff in a conscientious and respectful manner.
  
  - e) Members are committed to ensuring that their actions are open and transparent to the greatest extent possible.

- f) Members are committed to avoiding waste, abuse, and extravagance in the provision and use of any of the City's resources.

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**01 Definitions**

01.01 In this Code and in the Policy Objective:

- a) **Child** - means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family.
- b) **City** – means The Corporation of the City of Pickering.
- c) **City Property** - includes City-owned and leased facilities, vehicles, equipment, supplies, services, computer hardware and software, and intellectual property.
- d) **Complaint** - means a written request to investigate the conduct of any Member or a possible violation of the Code of Conduct or an inquiry into an allegation that the Member has contravened Section 5, 5.1, or 5.2 of the *Municipal Conflict of Interest Act* filed in accordance with Complaint Procedure ADM 070-001.
- e) **Confidential Information** - includes information relating to the subject matters set out in Section 08 of this Code and information in the possession of the City that the City is prohibited from disclosing under the *Municipal Freedom of Information and Protection of Privacy Act* and other legislation.
- f) **Council** - means the Council of The Corporation of the City of Pickering.
- g) **Gift or Benefit** - means anything of value including but not limited to cash or monetary equivalent, fee, object of value, service, meal, travel, accommodation, or entertainment.
- h) **Integrity Commissioner** - means the Integrity Commissioner appointed by the City pursuant to Section 223.3 of the *Municipal Act, 2001*.
- i) **Legitimate Municipal Purpose** - when used in this Code means that the activity or event in which the Member participates relates in the first instance and directly to the fulfillment of duties as a Member of Pickering City Council and not in relation to a private interest or individually to that Member of Council.
- j) **Member** - when used in this Code, means every Member of Council of the City as well as every other person described in Section 03.

- k) **Parent** - means a person who has demonstrated a settled intention to treat a child as a member of his or her family whether or not that person is the natural parent of the child.
- l) **Spouse** - means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage.
- m) **Third Party** - includes any individual, corporation, and other legally recognized person or entity, but does not include:
  - (i) the City, and those bodies referenced in Section 03 of the Code;
  - (ii) any other Ontario municipality;
  - (iii) the Government of Ontario; and
  - (iv) the Government of Canada;
  - (v) or any of their respective staff, employees, committees, advisory committees, boards, authorities, departments and related entities, in their capacities as such.

## 02 Statutory Provisions and References to Legislation

02.01 In this Code, reference to any *Act* or By-law is reference to that *Act* or By-law as amended or re-enacted from time to time.

02.02 This Code of Conduct operates along with, and as a supplement to, the existing statutes governing the conduct of Members. The following *Acts* of Provincial legislation govern the conduct of Members of Council:

- a) *The Municipal Act, 2001;*
- b) *The Municipal Conflict of Interest Act, 1990;*
- c) *The Municipal Elections Act, 1996;*
- d) *The Municipal Freedom of Information and Protection of Privacy Act, 1990;*
- e) *The Occupational Health and Safety Act, 1990; and*
- f) *The Human Rights Code, 1990.*

02.03 The Criminal Code of Canada also governs the conduct of Members of Council.

### 03 Application

03.01 Subject to Section 03.02, this Code applies to all Members of City Council and, with any necessary modifications, to:

- a) all persons appointed by the City to exercise any statutory power of decision (e.g., Fence Viewers and members of the Committee of Adjustment, the Animal Services Committee, and the Property Standards Committee);
- b) all members of the City's advisory committees (e.g., Heritage Pickering Advisory Committee, Accessibility Advisory Committee, and Pickering Museum Advisory Committee); and
- c) all persons appointed by the City to any agency, board, or commission including Elexicon Energy (formerly Veridian Corporation) and the Toronto and Region Conservation Authority (TRCA).

03.02 This Code does not apply to members of the Pickering Public Library Board.

### Member Conduct

#### 04 Gifts and Benefits

Members often receive Gifts and Benefits in the course of their duties, and attendance at public functions is expected and considered a legitimate part of their role. The object of this rule is not to prohibit Members from participating in events in their community, but rather to provide transparency around the receipt of incidental Gifts and Benefits, where the total value may be perceived as potentially influencing decision-making. Maintaining a public record of Member Disclosure Statements functions as a transparency tool and not an impediment to Member participation at community events.

Personal integrity and sound business practices require that relationships with vendors, contractors, or others doing business with the City, be such that no Member of Council is perceived as showing favouritism or bias toward the vendor, contractor, or other.

A Gift or Benefit to a Member's Spouse, Child, or Parent that is connected directly or indirectly to the performance of the Member's duties is deemed to be a Gift or Benefit to the Member if provided with the Member's knowledge or solicited by the Member.

#### **General Rules on Gifts and Benefits:**

04.01 A Member shall not solicit or accept any Gift or Benefit that:

- a) is intended to influence, might influence, could reasonably be perceived that it might influence, or is intended to influence, the Member in the performance of the Member's duties as an elected official; or

- b) is intended, or could reasonably be perceived that it is intended, as a reward for any action or impending action by the Member.

**Exceptions:**

04.02 Despite section 04.01, a Member may accept the following:

- a) a political contribution offered, accepted, and reported in accordance with applicable law;
- b) food or beverage, of reasonable value, at a banquet, reception, ceremony or similar event that the Member attends for a legitimate municipal purpose;
- c) a Gift or Benefit that is received as an incident of protocol or social obligation that normally and reasonably accompanies the responsibilities of office;
- d) a token gift such as a souvenir, memento, or commemorative gift that is given in recognition of service on a committee, for speaking at an event, or for representing the City at an event;
- e) a communication to the office of a Member, including a subscription to a newspaper or periodical;
- f) a service provided by a person volunteering time without compensation;
- g) food, lodging, transportation, or entertainment lawfully provided by a government (federal, provincial, local, or foreign) or government agency, or by a not-for-profit organization whose members are governments or government agencies (examples of such a not-for-profit organization include the Canadian Association of Nuclear Host Communities and the Federation of Canadian Municipalities);
- h) food, lodging, transportation, or entertainment lawfully provided by the organizer of a conference, seminar, charity fundraiser, reception, ceremony, cultural event, sporting event, business, or political event where the Member is speaking or attending in an official capacity;
- i) an invitation from, and at the expense of, a private third party to attend a conference, seminar, charity fundraiser, reception, ceremony, cultural event, or other similar event where the proceeds raised are to support a not-for-profit or charity organization provided that the Member is not lobbied at the event;
- j) reimbursement of a reasonable expense incurred, or an honorarium received, in the performance of activities connected with a public authority,

or a municipal association, agency, board, or corporation, including a corporation of which the City is a shareholder or member;

- k) a sponsorship or donation for a community event organized or run by a Member, or a third party on behalf of a Member, subject to the limitations set out in any applicable policy of the City; and
- l) compensation authorized by Council or law.

**Solicitation:**

04.03 This section does not preclude a Member from soliciting funds or donations in support of a charitable or philanthropic cause, organization, or charity provided that all funds or donations are provided directly by the donor(s) to the recipient organization or charity.

**Maximum Acceptable Value:**

04.04 Despite anything else in this Code, a Member shall not accept a Gift or Benefit of value greater than \$500.00 and shall not accept from a single source during a 12-month period Gifts and Benefits of total value greater than \$500.00. This dollar-limit does not apply to an item described in paragraph (a), (g), (h), (i), (j) or (l) of section 04.02.

**Public Disclosure:**

04.05 A Member who receives a Gift or Benefit of value greater than \$200.00, or receives from a single source during a 12-month period Gifts and Benefits of total value greater than \$200.00, shall within 30 days of receipt, file a Disclosure Statement with the City Clerk (Refer to Appendix 1).

04.06 No Disclosure Statement is required for an item described in paragraph (a), (b), (f), or (l) of section 04.02.

04.07 The Disclosure Statement shall set out:

- a) nature of Gift or Benefit;
- b) source;
- c) date received;
- d) circumstances under which Gift or Benefit was given and received;
- e) estimated value;

- f) what the recipient intends to do with Gift or Benefit; and
- g) whether the Gift or Benefit will at some point be provided to the municipality.

04.08 Every Disclosure Statement shall be made a public record and posted on the City's website.

### **Recommendations of Integrity Commissioner and Authority of Council**

04.09 In a report on a Complaint that relates to a Gift or Benefit, in addition to the range of recommendations otherwise provided under this Code, the Integrity Commissioner may recommend, and upon consideration of the Integrity Commissioner's report, the Council, in addition to its other powers under this Code, may impose, one or more of the following remedies:

- a) that the Member be directed to return the Gift or Benefit;
- b) that the Member be directed to reimburse the donor for the value of a Gift or Benefit already consumed;
- c) that the Member forfeit the Gift or Benefit to the City; or
- d) that the Member be directed to remit to the City the value of a Gift or Benefit already consumed.

## **05 Interaction with the Public, Other Members, and Council/Staff Relations**

05.01 Members have a duty to treat members of the public, one another, and staff, with respect and dignity and without abuse, bullying, or intimidation.

05.02 Members have a duty to ensure that the City's work environment is safe, and free from discrimination and harassment.

05.03 No Member shall compel staff to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in any such activity.

05.04 Members must recognize that staff serve Council as a whole and the collective interests of all Members as evidenced through the decisions of Council, and that the role of staff is to provide advice that is based on political neutrality, objectivity and professional judgment which may not necessarily reflect the opinion or position of any single Member of Council.

05.05 Every Member shall conduct himself or herself properly and with decorum at Council meetings in accordance with the provisions of the City's Procedural By-law or any revision thereof.

- 05.06 Respect shall be shown at all times for the roles and responsibilities which Members of Council have in the decision-making process through elected office and which City Staff have in formulating and providing recommendations to Council.
- 05.07 The priorities and timelines of Council and City staff must be understood and respected, including sufficient communication if there are adjustments made to any previously stated timelines.
- 05.08 At no time shall a Member of Council involve themselves in matters of administration or departmental management.
- 05.09 Notwithstanding the provisions noted above, Members shall have regard for the following City Policies that outline further parameters pertaining to Council/Staff relations including:
- a) Hiring Policy (HUR 040);
  - b) Workplace Harassment Policy (HUR 070);
  - c) Occupational Health & Safety Policy (HUR 130);
  - d) Council Compensation Policy (ADM 190);
  - e) Information Technology Policy (ADM 030);
  - f) Personal Computer Procedure (ADM 030-001);
  - g) Freedom of Information and Protection of Privacy Policy (ADM 050);
  - h) Purchasing Policy (PUR 010);
  - i) Mobile Electronic Devices Policy (ADM 080);
  - j) Employee Code of Conduct (HUR 050); and
  - k) The City's Procedural By-law, as amended from time to time.
- 05.10 To the extent that there is any inconsistency between this Code and any of the City's policies, this Code prevails.

## **06 Influence**

- 06.01 No Member shall use his or her office to seek to influence any decision made or to be made by Council, any Member, or any other person to the Member's private advantage or to the advantage of another person.

- 06.02 No Member shall use his or her office to seek to influence or interfere with the administration or enforcement of the City's regulatory By-laws or other laws enforced by the City. Notwithstanding this, it is recognized that Members of Council may, in good faith, raise the concerns of residents with City staff for the purpose of determining if those concerns can be resolved, having due regard for the public interest in fair and impartial By-law enforcement.
- 06.03 All applicants for City positions shall have an equal opportunity to obtain employment. No Member shall use his or her office to seek to inappropriately influence the hiring of specific individuals for any position within the City, including part-time employees and summer students. Nothing in this Section prohibits a Member from: (i) providing a reference for an applicant for any position within the City, or (ii) offering his or her opinions and voting on any decision to hire a Chief Administrative Officer.
- 06.04 No Member shall use the City's corporate logo or the City letterhead in any communication intended to solicit funds to support any cause, unless such cause has been sanctioned by the City.

## **07 Conflicts of Interest**

- 07.01 It is the responsibility of each Member to be familiar with and adhere to the provisions of the *Municipal Conflict of Interest Act*. In addition, recognizing the importance of avoiding even the appearance of a conflict of interest, Members are encouraged to interpret the phrase "conflict of interest" in its broadest possible terms, and shall avoid taking any action or making any decision where there are grounds for a reasonable person to think that a conflict exists between the Member's personal interests and the public interest.

## **08 Confidential Information**

- 08.01 In accordance with Section 239 of the *Municipal Act, 2001* and City's Procedural By-law, meetings may be held in camera if the subject matter being considered is:
- a) the security of the property of the municipality or local board;
  - b) personal matters about an identifiable individual, including municipal or local board employees;
  - c) a proposed or pending acquisition or disposition of land by the municipality or local board;
  - d) labour relations or employee negotiations;
  - e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

- f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- g) a matter in respect of which Council, board, committee or other body may hold a closed meeting under another *Act*;
- h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory, or a Crown agency of any of them;
- i) a trade secret or scientific, technical, commercial, financial, or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- j) a trade secret or scientific, technical, commercial, or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- k) a position, plan, procedure, criteria, or instruction to be applied to any negotiations carried on, or to be carried on by, or on behalf of, the municipality or local board.

08.02 In accordance with the *Municipal Act, 2001*, a meeting may also be held in camera if it is held for the purpose of educating or training Members and, at the meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council.

08.03 Members shall hold in strict confidence all information concerning matters dealt with in camera. No Member shall release, make public, or in any way divulge any such confidential information or any aspect of the in camera deliberations, unless expressly authorized or required by law.

08.04 No Member shall release, make public, or in any way divulge any such confidential information acquired by virtue of his or her office, unless expressly authorized or required by law.

08.05 No Member shall use information gained in the execution of his or her office that is not available to the general public, for any purpose other than his or her official duties.

08.06 No Member shall access or attempt to gain access to confidential information in the custody of the City except to the extent necessary for the performance of his or her duties as a Member.

## **09 Communications and Media Relations**

09.01 Members shall fairly and accurately communicate the decisions of Council even if they disagree with a majority decision of Council, in order to foster respect for the decision-making process of Council.

## **10 Charitable Activities**

10.01 As community leaders, Members of Council are called upon to organize, sponsor, assist, and support various charities, service clubs, and other non-profit and community-based associations. For example, Members support their communities in a variety of ways including, but not limited to:

- a) accepting honorary roles in organizations;
- b) sending their names to organizations and events to assist in fundraising; and
- c) encouraging community donations to registered charitable, not-for-profit, or other community-based groups.

10.02 Members supporting these community endeavours shall respect the need for transparency with respect to their involvement in such enterprises, and shall perform their community service in a manner that promotes public confidence.

10.03 This Code recognizes that Members of Council are community leaders and may lend their support to, and encourage community donations to registered charitable and not-for-profit groups, urge constituents, business and other groups to support community events, and advance the needs of a charitable organization put on by others in the City, in addition to collaborating with the City of Pickering and its agencies to hold community events.

10.04 Members of Council should not handle any funds on behalf of any organizations or community group and should remain at arm's length from the financial aspects of these community and external events. Any funds solicited and/or donated should be handled in accordance with Section 04.03 of this Code.

## **11 Use of City Property**

11.01 A Member who has care or custody of City property shall ensure that such property is properly used, maintained, and secured. Members shall be held personally responsible for loss or damage if, in the opinion of the Chief Administrative Officer, City property under their care or custody has been used, maintained, or secured in a negligent or abusive manner.

11.02 All City property required by Members to perform their duties of office shall be procured by the appropriate City staff in the manner set out in the City's Purchasing Policy and shall be considered purchased for the benefit of the City, not the benefit of the Member.

11.03 A Member shall not use, or permit the use of, City property or any other City resource for activities not associated with the discharge of his or her duties of office.

## **12 Election Campaigns**

12.01 No Member shall use City property for any election campaign or campaign-related activities. For purposes of this Section, City property includes the City's corporate logo.

12.02 No Member shall undertake campaign-related activities on City-owned lands.

12.03 An exemption to Sections 12.01 or 12.02 may be granted by the City Clerk where such is, in the view of the City Clerk, in the public interest (e.g. political debates).

12.04 No Member shall use the services of City employees in work for his or her re-election during hours in which those employees are in the paid employment of the City.

## **13 Use of Alcohol**

13.01 Members shall not be permitted to charge as an expense to the City the cost of purchasing any alcoholic beverage. An exception shall be made for reasonable alcohol costs associated with a legitimate business meeting, lunch, dinner, or event involving business representatives or dignitaries, consistent with conducting City business.

## **14 Professional Development**

14.01 Members shall promote and participate in opportunities for professional development in order to carry out efficiently and effectively the responsibilities of their office, and to remain current on issues affecting the City.

## **15 Conduct of Former Members**

15.01 The City shall not hire or award any contract to any former Member for a period of 12 months from the date the former Member ceased to hold office, except where the former Member is the successful bidder through a quote or tender consistent with appropriate City policies.

15.02 A former Member may not lobby the City, or any Member, for a period of 12 months from the date the former Member ceased to hold office. For purposes of this Section, "lobby" includes being paid to try to influence a Member on an issue.

## **16 Obstruction**

16.01 No Member shall obstruct the Integrity Commissioner in the carrying out of her or his responsibilities.

## **17 Reprisals**

17.01 No Member shall seek any reprisal or threaten any reprisal, against a complainant or any other person for providing relevant information to the Integrity Commissioner in the course of an inquiry pursuant to a complaint.

## **18 Role of the Integrity Commissioner**

18.01 The Integrity Commissioner shall be responsible for performing in an independent manner the following functions as assigned by the City with respect to:

- a) the application of the Code of Conduct;
- b) the application of any procedures, rules and policies of the City governing the ethical behaviour of Members; and
- c) maintaining custody and control of the Integrity Commissioner's complaint and inquiry files and, on completion of their term of appointment, to transfer open files relating to ongoing matters to the incoming Integrity Commissioner appointed by Council.

18.02 In addition to the responsibilities set out in Section 18.01, the Integrity Commissioner shall also provide:

- a) information to Council as to Members' obligations under the Code of Conduct and the Complaint Procedure;
- b) information to Council with respect to compliance with the requirements of the *Municipal Conflict of Interest Act* including with respect to declaring a conflict of interest, and not using any influence where a matter is being considered by an officer or employee of the City;
- c) advice to individual Members regarding specific situations as they relate to the application of the Code of Conduct;

- d) advice to individual Members regarding their obligations under the *Municipal Conflict of Interest Act*;
- e) advice to Council on other policies and procedures that relate to the ethical behavior of Members;
- f) information to the public regarding the Code of Conduct and the obligations of Members under the Code of Conduct and the *Municipal Conflict of Interest Act*; and
- g) an annual report to Council on the activities of the Integrity Commissioner.

18.03 Without limiting the generality of Section 18.01, the Integrity Commissioner may determine, on a case-by-case basis, whether to undertake an investigation or not to undertake an investigation on whether a Member has contravened the Code of Conduct or sections 5, 5.1, or 5.2 of the *Municipal Conflict of Interest Act*. The Integrity Commissioner shall be entitled to summarily dismiss a Complaint filed in accordance with the Complaint Procedure on the basis that it constitutes, in his or her opinion, an abuse of process or is frivolous or vexatious.

18.04 Without limiting the generality of Section 18, all determinations of the Integrity Commissioner under the Code of Conduct shall be made in his or her own absolute discretion and shall be final and binding.

18.05 Any written advice given by the Integrity Commissioner to a Member binds the Integrity Commissioner in any subsequent consideration of the conduct of the Member in the same matter as long as all the relevant facts known to the Member were disclosed to the Integrity Commissioner.

## **19 Complaints**

19.01 All Complaints pursuant to the Code of Conduct shall be filed in accordance with Complaints Procedure ADM 070-001.

## **20 Inquiries**

20.01 An elector or a person demonstrably acting in the public interest may apply in writing to the Integrity Commissioner for an inquiry to be carried out concerning an alleged contravention of Sections 5, 5.1, or 5.2 of the *Municipal Conflict of Interest Act*.

20.02 The application must set out the reasons for believing that a Member has contravened the aforementioned sections of the *Municipal Conflict of Interest Act*, and include a statutory declaration attesting to the fact that the applicant became aware of the contravention not more than six weeks before the date of

the application (or within the period of time starting six weeks before nomination day for a regular election and ending on voting day).

- 20.03 The Integrity Commissioner must complete the inquiry within 180 days after receiving the completed application, unless the inquiry is terminated.
- 20.04 Upon completion of the inquiry, the Commissioner may apply to a judge for a determination as to whether the Member has contravened the aforementioned section of the *Act*.
- 20.05 All requests for inquiry shall be filed in accordance with the Complaint Procedure.

## **20 Advice**

- 21.01 Requests by a Member for advice must be in writing and provided directly to the Integrity Commissioner. The City Clerk shall be copied on all requests for advice by a Member to the Integrity Commissioner.
- 21.02 Advice given by the Integrity Commissioner to a Member of Council or local board shall be provided in writing.
- 21.03 The Integrity Commissioner shall update the City Clerk on the status of such Member requests.

## **20 Penalties**

- 22.01 Council may, where it has received a report from its Integrity Commissioner that there has been a violation of the Code of Conduct, impose one of the following penalties on a Member who has been found to be in contravention of the Code of Conduct:
  - a) a reprimand; or
  - b) suspension of the remuneration paid to the Member in respect of his or her services as a Member for a period of up to ninety (90) days.

## **23 Confidentiality**

- 23.01 The Integrity Commissioner shall preserve the confidentiality of all matters that come to his or her knowledge in the course of his or her duties and shall disclose information only in accordance with this Code or otherwise as required by law.
- 23.02 A Complaint about any Member is to be treated as the personal information of the Member against whom the Complaint is directed, and of the complainant. Under the *Municipal Freedom of Information and Protection of Privacy Act*, both

the Member and the complainant must therefore consent to the public disclosure of the Complaint.

- 23.03 Subject to Section 23.01, the Integrity Commissioner may disclose in any report to Council such matters as in his or her opinion are necessary for the purposes of the report.
- 23.04 Despite Sections 23.01 and 23.02, all reports to Council from the Integrity Commissioner shall be made available to the public
- 23.05 Any matters pertaining to the giving of advice by the Integrity Commissioner under paragraph 4, 5 or 6 of subsection 223,1 (1) of the *Municipal Act*, may be released with the Member's written consent.
- 23.06 If a Member releases only part of the advice provided to the Member by the Integrity Commissioner, he or she may release all or part or all of the advice without obtaining the Member's consent.
- 23.07 The Integrity Commissioner may disclose such information as in his or her opinion is necessary:
- a) for the purposes of a public meeting under subsection 223.4.1(8) of the *Municipal Act*;
  - b) in an application to a judge referred to in subsection 223.4.1(15); or
  - c) in the written reasons given by the Integrity Commissioner under subsection 223.4.1 (17).

## **24 Annual Reports**

- 24.01 The Integrity Commissioner shall submit an annual report to Council which will include information on the nature and volume of activity for the past year and provide examples, while maintaining the anonymity of the persons involved, in respect of advice provided and the nature of Complaints received and responded to.
- 24.02 The annual report of the Integrity Commissioner shall be provided to Council for information purposes. The report is a public document.

## **25 Council Review**

- 25.01 Council shall consider all reports of the Integrity Commissioner and may adopt or reject, in whole or in part, any recommendation of the Integrity Commissioner.

## 26 Costs

- 26.01 Council may, in its discretion, reimburse either a complainant or a Member for actual and reasonable legal expenses related to a Code of Conduct Complaint, on a case-by-case basis.
- 26.02 Costs may be reimbursed to the complainant only if the Integrity Commissioner concludes that the Complaint is not frivolous, vexatious, or made in bad faith.
- 26.03 Costs may be reimbursed to the Member only if the Integrity Commissioner concludes that there has been no contravention of the Code.
- 26.04 Every Member shall comply with the requirements of this Code of Conduct, and shall act in accordance with its spirit and intent, in all matters pertaining to the performance of his or her duties as a Member.
- 26.05 The Commissioner's costs of applying to a judge shall be paid by the following:
- a) If the Member is alleged to have contravened section 5, 5.1, or 5.2 of the *Municipal Conflict of Interest Act* as a Member of Council of a municipality, the municipality.
  - b) If the Member is alleged to have contravened section 5, 5.1, or 5.2 of the *Municipal Conflict of Interest Act* as a Member of a local board, the local board.

### Appendix 1 Council Member Disclosure Statement

**Council Member Disclosure Statement**

1. Nature of Gift/Benefit received:

2. Source:

3. Date Received:

4. Circumstances under which the Gift/Benefit was given and received:

5. Estimated Value:

6. What does the recipient intend to do with the Gift/Benefit?

7. Will the Gift/Benefit at some point be given over to the municipality?

Member's Name:

Member's Signature:

Date