



**Integrity Commissioner's Preliminary Information Report
To Reeve and Council – The Corporation of the Township of Jocelyn**

Date Preliminary Information Report Provided to Council: Thursday November 14, 2023

Complaint #: 2023-1

Request for Investigation – Code of Conduct (Council and Local Boards, By-law 2019-1417)

Date of Request for Investigation: 30 August 2023

Name of Requester (Complainant): Phyllis L. MacKay

Name of member of Council or local board who is alleged to have contravened Code of Conduct:

An individual Counsellor and one allegation of Council not abiding by a Hiring Policy By-law.

Sections of Code Alleged to have been contravened: Overall Purpose of the Code

These statements are from the Code of Conduct (Council and Local Boards), Bylaw 2019-1417; 5 February 2019, and specifically stated as follows:

“A written Code of Conduct for Council and local boards helps to ensure that the members of Council, advisory committees, and local boards of the municipality (as defined in the Municipal Act) share a common basis for acceptable conduct. This Code is designed to provide a reference guide and a supplement to the legislative parameters within which the members must operate. These standards should enhance public confidence that The Corporation of the Township of Jocelyn's elected and appointed representatives operate from a base of integrity, justice, and courtesy. The key principles underlining the Code of Conduct are:

- a. All members shall serve and be seen to serve their constituents in a conscientious and diligent manner.*
- b. Members should be committed to performing their functions with integrity and to avoiding the improper use of the influence of their office, and conflicts of interest, both real and apparent.*
- c. Members are expected to perform their duties in office in a manner that promotes public.*
- d. confidence and will bear close public scrutiny.*
- e. Members shall seek to serve the public interest by upholding both the letter and the spirit of the laws and policies established by the Federal Parliament, Ontario Legislature and Council.*

Municipal Council members hold positions of privilege; therefore, they must discharge their duties in a manner that recognizes a fundamental commitment to the wellbeing of the

community and regard for the integrity of the Corporation. The purpose of the Code of Conduct is to: protect the public interest; encourage high ethical standards among members of The Corporation of the Township of Jocelyn Council and local boards; provide a universal understanding of the fundamental rights, privileges, and obligations of members of The Corporation of the Township of Jocelyn Council and local boards; provide a means for members of The Corporation of the Township of Jocelyn.

Council and local boards to obtain information on some contemplated conduct in circumstances where they are uncertain as to the ethical appropriateness of that conduct.”

The Particulars:

The Complainant has alleged that an individual Counsellor:

- a. Has *“demonstrated inappropriate conduct” ... “with respect to unacceptable actions exhibited in open meeting, the lack of decorum and respect.”* (See letter to A. Blunt dated August 30, 2023).
- b. Had a *“real or apparent” conflict of interest on July 21, 2023, when appointing this individual Counsellor’s immediate family member as an officer of the Corporation.”*
- c. Had *“Refused to answer questions posed by the public on July 21, 2023.”*

The Complainant has alleged that an individual Counsellor and Council as a whole:

- a. *“Did not abide by their own Hiring Policy By-law which states very clearly that positions for staff and vacant council positions are to be advertised.”*

Copies of Documents and Records Relevant to Requested Inquiry:

1. Letter to Ms. Blunt dated August 30, 2023.
2. Copy of letter to Minister Steven Clark, Minister of Municipal Affairs and Housing dated August 10, 2023.
3. Personal notes of Ms. Phyllis MacKay of Jocelyn Township Council meetings held July 21 and August 9, 2023.
4. Copy of letter from Melanie Hooker-Dorscht to Reeve Henderson and Council dated July 20, 2023, that was distributed with July 20, 2023, Council Meeting Agenda.

Assessment:

1. This Preliminary Information Report is being provided in accordance with By-law No. 2019-1417 of The Corporation of the Township of Jocelyn, Code of Conduct for Council and Local Boards, section 4, which indicates that upon receipt of a complaint or request to conduct an inquiry within jurisdiction, the Integrity Commissioner will deliver a preliminary information report to an open meeting of Council. In accordance with the requirement, the following information is provided:
2. The complaint or inquiry is within the Integrity commissioner’s jurisdiction and can be conducted within the law applicable to such an inquiry.
3. If determined necessary, the Integrity Commissioner may conduct this inquiry under sections 33 and 34 of the Public Inquiries Act.

4. Assistance from staff may be required to access documents in file at the Municipal office that are not available on the website.
5. The estimated cost of the inquiry is up to \$15,000, exclusive of HST. This estimate will be revised as the inquiry is in process if the ceiling of this estimate is close to being reached and may be exceeded.
6. The estimated time to complete the inquiry and prepare the final report is four months.

Conclusions:

1. The Integrity Commissioner concludes there are grounds for an inquiry.

Regards,



Antoinette Blunt MPA, CHRL, CHRE, FHRPA
Integrity Commissioner
The Corporation of the Township of Jocelyn