



City of
Peterborough

To: Members of General Committee

From: John Kennedy, City Clerk

Meeting Date: June 14, 2021

Subject: Report CLSCLK21-021
Integrity Commissioner Report on Complaint

Purpose

A report to provide Council and the public with the Report on Complaint, received from Guy Giorno, City of Peterborough Integrity Commissioner.

Recommendation

That Council approve the recommendation outlined in Report CLSCLK21-021 dated June 14, 2021, of the City Clerk, on behalf of the Integrity Commissioner, as follows:

That the Report on Complaint of the City of Peterborough Integrity Commissioner, Chan v. Therrien, 2021 ONMIC 6, dated June 3, 2021, attached as Appendix A to Report CLSCLK21-021, be received for information.

Budget and Financial Implications

There are no budget or financial implications as a result of the adoption of these recommendations.

Background

Section 223.3(1) of the **Municipal Act** authorizes a 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 which include the application of the Code of Conduct for members of council.

At its meeting of January 28, 2019 Council approved a Code of Conduct in the form of By-law 19-028 and two Integrity Commissioner positions. John Ewart was approved as the Integrity Commissioner assigned to the advice-giving and educational functions outlined in clauses 223.3(1) 4, 5, 6 and 7 of the **Municipal Act 2001, S.O. 2001, c. 25**. Guy Giorno was appointed as the Integrity Commissioner assigned to the investigative, reporting and, as applicable, inquiry functions outlined in clauses 223.3(1)1, 2 and 3 of the **Municipal Act 2001, S.O. 2001, c. 25**.

Section 31 of the Code of Conduct indicates, “A person who believes that a Member has contravened any provision of this Code of Conduct may give to the Integrity Commissioner the person’s complaint which must be in writing and must set out the particulars of the alleged contravention”. On May 3, 2021, Integrity Commissioner Giorno received a complaint under Section 10 of the Code of Conduct entitled Conduct Respecting Others and commenced an investigation.

Municipal Act section 223.6 (3) entitled Publication of Reports directs that, “The municipality and each local board shall ensure that reports received from the Commissioner by the municipality or by the board, as the case may be, are made available to the public”. The Report on Complaint from Integrity Commissioner Giorno, Chan v. Therrien, 2021 ONMIC 6, dated June 3, 2021, attached as Appendix A to this report, outlines the nature of the complaint and the findings of the investigation.

Submitted by,

John Kennedy
City Clerk

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Attachment: Appendix A – Report on Complaint, Chan v. Therrien 2021, ONMIC 6