

INTEGRITY COMMISSIONER AND CODE OF CONDUCT

Whereas under the title “Accountability and Transparency”, and specifically Section 223.3 of the Municipal Act, Regional Council is authorized to appoint an Integrity Commissioner (IC);

Whereas complaints to the IC, related to the conduct of Councillors, is guided by Niagara Region's Code of Conduct for Members of Council;

Whereas the Code of Conduct permits an informal dispute resolution process;

Whereas, within this term of Council, there has been a significant number of complaints involving one Councillor complaining about another Councillor, and no Code of Conduct violation occurred as determined by the IC;

Whereas, when the IC reports contain no findings where a Code of Conduct has been contravened, at times, these IC reports are not made public; and

Whereas previous annual reports from the Niagara Region's Integrity Commissioner recommended that "...the investigation protocol should include a provision conferring on the IC the discretion to mandatorily order a mediation when circumstances so warrant".

NOW THEREFORE BE IT RESOLVED:

1. That the Niagara Region Integrity Commissioner **BE PROVIDED** with the discretion to order mandatory mediation when the Integrity Commissioner believes the circumstances so warrant;
2. That if a complaint received by the Integrity Commissioner is not deemed frivolous and vexatious, then any final report completed by the Integrity Commissioner **BE FORWARDED** to Regional Council immediately upon completion, including reports where no Code of Conduct violation has occurred;
3. That if the complainant is a Member of Council, and the Integrity Commissioner concludes that no violation of the Code of Conduct has occurred by the responding Member of Council, then the complainant **BEAR** the full costs of the complaint, including any respondent's costs;
4. That the Niagara Region's Code of Conduct for Members of Council, and associated process, and this motion, **BE EXTENDED** to include individuals who have been appointed by the municipality to committees, agencies, boards and commissions; and
5. That prior to any appointment, all individuals **BE REQUIRED** to sign the Code of Conduct, retroactively and moving forward during this term of Council.