

Proposed Amendments to the Code of Conduct for Elected Official Bylaw (26M2018) and Reasons

For ease of reading, amendments are underlined.

CITY OF CALGARY
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#	New Provision	Old Provision (if applicable)	Reasons
1			Amendments to correct typographical errors and inconsistencies in the Bylaw, including consistent referencing to defined terms, formatting and headings
2	Amend the <i>Code of Conduct Bylaw</i> to replace “reporter” and “report” with “complainant” and “complaint” respectively, and “decision” with “report” as appropriate. Use the term “report” solely to refer to the Integrity Commissioner’s investigative report.		To clarify the terms used in the <i>Bylaw</i> to refer to complainant, complaint and <i>Integrity Commissioner</i> report. The amendment would be consistent with the language in other municipal codes of conduct.
3	3(i) “ <i>Gift or Personal Benefit</i> ” is an item or service of value that is received by a <i>Member of Council</i> for their personal use. It includes but is not limited to money, gift cards, tickets to events, clothing, jewelry, pens, food or beverages, discounts/rebates on personal purchases, free or subsidized drinks or meals, entertainment, participation in sport and recreation activities, and invitations to social functions. <i>Gift or Personal Benefit</i> does not include:	3(i) “ <i>Gift or Personal Benefit</i> ” is an item or service of value that is received by a <i>Member of Council</i> for their personal use. It includes but is not limited to money, gift cards, tickets to events, clothing, jewelry, pens, food or beverages, discounts/rebates on personal purchases, free or subsidized drinks or meals,	To clarify in the Bylaw that a provision in the <i>Indemnification of Members of Council Policy</i> (CC010, 1977 August 22), which allows solicitation of donations to the City to defray legal fees and disbursements paid under indemnification, is not a gift or personal benefit.

	<p>(i) <u>campaign contributions received by a Member in compliance with the <i>Local Authorities Election Act</i>, R.S.A. 2000, c. L-21; or</u></p> <p>(ii) <u>in the event that the City becomes responsible for the payment of external legal fees and disbursements for a Member, any donations the Member may solicit to the City of Calgary to defray those amounts.</u></p>	<p>entertainment, participation in sport and recreation activities, and invitations to social functions. <i>Gift or Personal Benefit</i> does not include campaign contributions received by a Member of Council in compliance with the <i>Local Authorities Election Act</i>, R.S.A. 2000, c. L-21 or funds received in accordance with the <i>Indemnification of Members of Council Policy</i> (CC010, 1977 August 22);</p>	
4	<p><u>3(j.1) “<i>Integrity and Ethics Office</i>” means the office of the <i>Integrity Commissioner and Ethics Advisor</i>;</u></p>	New provision.	For clarity of terms used in the <i>Bylaw</i> .
5	<p>3(m) “<i>Member of Council</i>” or “<i>Member</i>” means all <u>current</u> elected officials on <i>Council</i>, including the <i>Mayor</i>, <u>but does not include past members of <i>Council</i>;</u></p>	3(m) <i>Member of Council</i> ” or “ <i>Member</i> ” means all elected officials on council, including the <i>Mayor</i> ;	To clarify that the <i>Bylaw</i> does not apply to past <i>Members</i> to make clear that the <i>Integrity Commissioner</i> will not initiate or continue an investigation of a <i>Member</i> once they are no longer in office.
6	<p>8.1 The <i>Integrity and Ethics Office</i> will prepare an annual report to <i>Council</i> to provide information about the office’s</p>	New provision.	The <i>Integrity Commissioner</i> and <i>Ethics Advisor</i> are required to prepare

	<p>activities during the preceding year. The annual report must contain the information set out in Appendix B.</p>		<p>an annual report per their Terms of Reference. The proposed provision and appendix would set out the information that must be provided in annual reports.</p>
<p>7</p>	<p>9. A <i>Member</i> must approach their obligations under this Bylaw in good faith, taking into account <u>all obligations imposed on the Member by statute or other legal enactment, and by applicable City’s bylaws, policies and procedures, as well as any reports, opinions, guidelines or interpretation bulletins issued by the Integrity and Ethics Office.</u></p>	<p>9. A <i>Member</i> must approach their obligations under this Bylaw in good faith, taking into account the Context and Commentary to this Bylaw published by the Integrity and Ethics Office, as well as any decisions, opinions or interpretive guidelines issued by that Office.</p>	<p>To update and clarify types of communications from the <i>Integrity and Ethics Office</i> that apply to <i>Members</i>. It is recommended that the Context and Commentary is no longer referenced as it is out of date and should be replaced with interpretation bulletins.</p>
<p>8</p>	<p>18. A <i>Member</i> must respect and comply with all obligations imposed on the <i>Member</i> by statute or other legal enactment, and by the <i>City’s bylaws, policies and procedures</i>, including but not limited to the:</p> <p>...</p> <p>(k) <u>Alberta Human Rights Act, R.S.A. 2000, C. A-25.5.</u></p>	<p>18. A <i>Member</i> must respect and comply with all obligations imposed on the <i>Member</i> by statute or other legal enactment, and by the <i>City’s policies and procedures</i>, including but not limited to the:</p>	<p>To clarify that some <i>City bylaws</i> apply to <i>Members</i>, such as the <i>Councillors’ Budgets and Expenses Bylaw</i>. To add the <i>Human Rights Act</i> to the list of applicable legislation. While the list is non-exhaustive, it reflects the legislation, bylaws and policies most often applicable to <i>Member</i> conduct, and therefore should include the <i>Human Rights Act</i>.</p>

9	19. A <i>Member</i> must communicate with Members of the public, one another, and with City employees and <i>Members'</i> staff respectfully, without abuse, bullying or intimidation, <u>harassment or discrimination</u> .	19. A <i>Member</i> must communicate with Members of the public, one another, and with City employees and <i>Members'</i> staff respectfully, without abuse, bullying or intimidation.	To define the terms consistent with the <i>Respectful Workplace Policy</i> (HR-LR-001).
10	34(a) compensation authorized by law or <i>Council</i> resolution, including compensation for serving on external bodies such as the <u>Alberta Municipalities</u> or the Federation of Canadian Municipalities (FCM);	34(a) compensation authorized by law or <i>Council</i> resolution, including compensation for serving on external bodies such as the Alberta Urban Municipalities Association (AUMA) or the Federation of Canadian Municipalities (FCM);	To update the reference to Alberta Municipalities.
11	34(g) food, lodging, <u>transportation and</u> entertainment provided by provincial, regional and local governments or political subdivisions of them, by the federal government or by a foreign government within a foreign country;	34(g) food, lodging, or entertainment provided by provincial, regional and local governments or political subdivisions of them, by the federal government or by a foreign government within a foreign country;	To clarify that transportation expenses are covered.
12	34(h) <u>food, lodging, transportation and entertainment</u> associated with travel to and attendance at a conference or other event at which the <i>Member</i> is invited to speak <u>or is attending in an official capacity</u> ;	34(h) reimbursement of expenses associated with travel to and attendance at a conference or other event at which the <i>Member</i> is invited to speak;	To clarify that <i>Members</i> attend events in their official capacity that may not include an invitation to speak, and coverage of expenses might be

			up front or through reimbursement.
13	<p><u>40.1 (1) A Member must not directly or indirectly, demand, request, induce or aid, City employees, Members' staff, members of any boards, commissions, associations and committees to do something which, if done by the Member, would be a breach of this Bylaw.</u></p> <p><u>(2) A Member must not use or attempt to use their authority for the purpose of intimidating, coercing, or influencing City employees or Members' staff with the intent of interfering with such staff's duties.</u></p>	New provision.	The Bylaw includes provisions that prohibit improper use of influence (s. 40) and respectful interactions (ss. 19 and 20). It is recommended that a more explicit provision is added to address conduct directed to City or Members' staff, and associated bodies. A similar provision is included in the codes of conduct of some other Canadian municipalities.
14	53. During the <i>Campaign Period</i> Members must not use City resources to distribute mass e-mails except in cases of emergency as authorized <u>in writing by the Ethics Advisor.</u>	53. During the <i>Campaign Period</i> Members must not use City resources to distribute mass e-mails except in cases of emergency as authorized by the City Manager.	The <i>Integrity and Ethics Office</i> should have oversight of approvals related to Bylaw matters.

<p>15</p>	<p>61.1 All <i>Members</i> must attend the <u>Indigenous relations and anti-racism sessions of <i>Orientation Training</i>, and any other session identified as mandatory by the City Solicitor and General Counsel, City Clerk and <i>Ethics Advisor</i>.</u></p>	<p>61.1 All <i>Members</i> must attend those sessions of <i>Orientation Training</i> identified as mandatory by the City Solicitor, City Clerk and <i>Ethics Advisor</i>.</p>	<p>To embed the <i>City's</i> commitment to Indigenous relations and anti-racism into Council orientation training.</p>
<p>16</p>	<p>66. A <u>complainant</u> who does not provide the <i>Integrity Commissioner</i> with their name, <u>residential address and email address</u> may not receive any notice or other communication from the <i>Integrity Commissioner</i> notwithstanding any contrary requirement under the Bylaw. <u>In such circumstances, the <i>Integrity Commissioner</i> may exercise their discretion to investigate or dismiss such complaints.</u></p>	<p>66. A reporter who does not provide the <i>Integrity Commissioner</i> with their name, current address and phone number will not receive any notice or other communication from the <i>Integrity Commissioner</i> notwithstanding any contrary requirement in this Bylaw.</p>	<p>To amend the information that a complainant should provide to the <i>Integrity Commissioner</i> when submitting a complaint. -The primary way the <i>Integrity Commissioner</i> receives complaints is through email. Complaints through Clearview do not require provision of email addresses, which complicates communications. -To remove the requirement that a complainant provide their phone number. The <i>Integrity Commissioner</i> does not accept or make calls to complainants. Requiring a phone number leads some complainants to believe the <i>Integrity Commissioner</i> should communicate with them over the phone, which has inherent risks.</p>

			<p>To clarify that the <i>Integrity Commissioner</i> may investigate a complaint even though some of the information required in s. 66 have not been provided (e.g. anonymous complaints). Some anonymous complaints may contain evidence suggesting the complaint may have merit and it is in the best interests of the <i>City and Council</i>.</p>
<p>17</p>	<p><u>66.1 A complaint may be withdrawn at any time, by notice in writing to the <i>Integrity Commissioner</i> by regular mail or by email. In such circumstances, the <i>Integrity Commissioner</i> may use their discretion to continue to investigate the matter without further participation of the complainant.</u></p>	<p>New provision.</p>	<p>To clarify that complaints may be withdrawn at any time, although the <i>Integrity Commissioner</i> has discretion to continue an investigation when it is reasonable and it is in the best interests of the <i>City and Council</i>, and the complaint can be investigated without further participation of the complainant.</p>
<p>18</p>	<p><u>66.2 Every reasonable effort will be made to maintain the confidentiality of the complainant. If disclosure of the complainant's identity is necessary to ensure that a thorough investigation is conducted, the <i>Integrity Commissioner</i> will ask the complainant for permission to</u></p>	<p>68. Every reasonable effort will be made to maintain the confidentiality of the reporter. However, the reporter's identity may be disclosed to ensure that a thorough</p>	<p>To clarify the procedure for complainants who do not want their identity disclosed.</p>

	<u>disclose their identity or give the option to withdraw complaint. The complainant's identity may be disclosed as required by law.</u>	investigation is conducted. The identity may be disclosed to parties on a need-to-know basis, including as required by law.	
19	<u>66.3 The Integrity Commissioner may initiate an investigation if there are reasonable grounds for believing that a violation of this Bylaw may have occurred.</u>	New provision.	To enable the <i>Integrity Commissioner</i> to initiate an investigation when it is reasonable and it is in the best interests of the <i>City and Council</i> .
20	68. Delete		To remove redundancy as the subject matter is now covered in s. 66.2 on maintaining confidentiality of complainants. S. 68 is limited to reporter protection of <i>City</i> employees and <i>Members'</i> staff. Therefore, confidentiality protections for all complainants are better addressed in s. 66.2.
21	69. Delete	69. No <i>City</i> employee or person acting on behalf of the <i>City</i> shall take any action in reprisal, oral or written, against a reporter submitting a report in good faith. Where	Delete because it is a section directed at the actions of <i>City</i> employees, which this Bylaw does not govern. <i>Members</i> are prohibited from actions of reprisal in section 70.

		<p>management is informed or becomes aware of possible reprisals against an individual as a result of a report under this policy, management must inform the City auditor. A reporter who believes they are being retaliated against should contact the City Auditor's Office. The allegations of reprisals will be the subject of immediate investigation. Where the investigation substantiates the allegations of reprisals, the City Manager will be informed and the employee(s) deemed to have violated this Bylaw will be subject to disciplinary action</p>	
<p>22</p>	<p>72. The <i>Integrity Commissioner</i> must determine whether the conduct described in the report is within the <i>Integrity Commissioner's</i> authority to investigate and whether the information given in the <u>complaint</u> provides reasonable grounds for believing that a violation of this Bylaw or <i>City</i> policy governing <i>Member</i> conduct <u>may have occurred</u>.</p>	<p>72. The <i>Integrity Commissioner</i> must determine whether the conduct described in the report is within the <i>Integrity Commissioner's</i> authority to investigate and whether the information given in the report provides reasonable grounds for believing that a violation of this Bylaw or <i>City</i> policy</p>	<p>To clarify the language of the provision.</p>

		governing <i>Member</i> conduct.	
23	<p>73.(1) <u>Complaints must be submitted no later than:</u></p> <p>(a) <u>90 days after the alleged Bylaw violation occurred;</u> or</p> <p>(b) <u>90 days after the complainant became aware of the alleged Bylaw violation;</u></p> <p><u>whichever is later.</u></p> <p><u>(2) Despite subsection (1), the Integrity Commissioner may accept complaints after the 90 day deadline at their sole discretion.</u></p>	<p>73. The <i>Integrity Commissioner</i> may reject any report received (a) more than 180 days after the date of the reported incident, or (b) more than 180 days after the reporter became aware of the incident, or (c) after the date of a municipal election which intervenes between the reported event and the date the report is received by the Commissioner.</p>	<p>To make the limitation period for submitting complaints more consistent with codes of conduct in other municipalities. In Edmonton and Winnipeg the time period is 60 days. In Toronto the time period is 6 weeks.</p>
24	<p>75. The Integrity Commissioner may request further information from the <u>complainant and/or the Member</u> before determining whether or not there are reasonable grounds for believing that a violation of this Bylaw or a <i>City</i> policy governing <i>Member</i> conduct may have occurred.</p>	<p>75. The <i>Integrity Commissioner</i> may request further information from the reporter before determining whether or not there are reasonable grounds for believing that a violation of this Bylaw or a <i>City</i> policy governing <i>Member</i> conduct may have occurred.</p>	<p>To clarify that the <i>Integrity Commissioner</i> may make initial enquiries of a <i>Member</i> in assessing whether to undertake a formal investigation.</p>
25	<p>76(1) If the <i>Integrity Commissioner</i> is of the opinion that there are no reasonable grounds for believing that a violation of this Bylaw or a <i>City</i> policy governing <i>Member</i></p>	<p>76. If the <i>Integrity Commissioner</i> is of the opinion that there are no reasonable grounds for believing that a violation of this</p>	<p>To clarify the communication process when a complaint is dismissed to ensure <i>Members</i> are</p>

	<p>conduct has occurred, the <i>Integrity Commissioner</i> will advise the <u>complainant and Member</u> in writing, setting out reasons for the decision, and dismiss the complaint. <u>The Integrity Commissioner's decision is final.</u></p> <p><u>(2) If the Integrity Commissioner is of the opinion that there are reasonable grounds for believing that a violation of this Bylaw or a City policy governing Member conduct has occurred, the Integrity Commissioner will issue a notice of investigation and proceed with a formal investigation in accordance with sections 81 to 87.</u></p>	<p>Bylaw or a <i>City</i> policy governing <i>Member</i> conduct has occurred the <i>Integrity Commissioner</i> will advise the reporter in writing, setting out reasons for the decision, and close the file.</p>	<p>informed of the outcome.</p>
<p>26</p>	<p><u>76.1 A Member may provide the Integrity Commissioner with written advice given by the Ethics Advisor regarding the incident being investigated. The Integrity Commissioner, upon confirmation of the advice by the Ethics Advisor, must consider such advice in investigating the complaint, or in any subsequent related complaint.</u></p>	<p>New provision.</p>	<p>To clarify the practice of the <i>Integrity Commissioner</i> when investigating complaints on matters for which the Ethics Advisor has given a <i>Member</i> advice.</p>
<p>27</p>	<p>Delete sections 77 and 78 and replace with the following:</p> <p><u>77. When a complaint concerns the conduct of a Member's staff:</u> <u>(a) if the conduct was undertaken on the Member's behalf directly or indirectly by demand, request, inducement, encouragement or aid the Integrity Commissioner will proceed with a formal</u></p>	<p>77. When the report concerns the conduct of a <i>Member's</i> staff and: (a) the conduct was not undertaken on the <i>Member's</i> behalf; (b) the staff is not employed by the <i>City</i> in the Office of the Mayor; and</p>	<p>After consultation with the City auditor's office, it is recommended that all Bylaw complaints should be conducted by the <i>Integrity Commissioner</i>. The amendment makes consistent treatment of <i>Members'</i> staff, including the <i>Mayor's</i> staff.</p>

	<p><u>investigation in accordance with sections 81 to 87;</u> <u>(b) if the conduct was not undertaken on the Member's behalf, directly or indirectly, by demand, request, inducement, encouragement or aid, the Integrity Commissioner must refer the complaint to the Member concerned and advise the complainant in writing that the complaint is dismissed.</u></p>	<p>(c) the file is not closed pursuant to section 76; then the <i>Integrity Commissioner</i> will advise the reporter that the report is being referred to the <i>Member</i> concerned. The <i>Integrity Commissioner</i> must refer the report to the <i>Member</i> concerned and will take no further action except as directed by the <i>Member</i>.</p> <p>78. When the report concerns the conduct of staff in the Office of the Mayor, and the file is not closed pursuant to section 76, the <i>Integrity Commissioner</i> will advise the reporter that the report is being referred to the <i>City Auditor</i>.</p>	<p>To clarify that conduct undertaken on a <i>Member's</i> behalf includes indirect forms of behaviour. To make s. 77 consistent with the proposed s. 40.1 on improper use of influence.</p>
<p>28</p>	<p><u>87.1 At any time after a notice of investigation has been issued, the Integrity Commissioner may refer the complaint to the Ethics Advisor, who will take steps, in consultation with the complainant and the Member, to resolve the issue informally.</u></p> <p><u>87.2 If the Ethics Advisor at any time concludes that an informal resolution is not possible, the Ethics Advisor must return the complaint to the Integrity Commissioner to commence or</u></p>	<p>79. When the <i>Integrity Commissioner</i> is of the opinion that there are reasonable grounds for believing that a violation of this Bylaw or a <i>City Policy</i> governing <i>Member</i> conduct may have occurred the <i>Integrity Commissioner</i> must determine whether the circumstances of the report require a</p>	<p>To clarify the process of informal resolution with the <i>Ethics Advisor</i>, and to move the process to a more logical place in the Bylaw after the process for formal investigation has been explained.</p>

	<p><u>continue a formal investigation. The <i>Ethics Advisor</i> will not provide any information to the <i>Integrity Commissioner</i> about the informal process except that the complaint was not resolved.</u></p>	<p>formal investigation or whether the issues involved can be more promptly and efficiently resolved informally by the <i>Ethics Advisor</i>. In the latter case the <i>Integrity Commissioner</i> will refer the report to the <i>Ethics Advisor</i>, who will take steps, in consultation with the reporter and the <i>Member</i>, to resolve the issue informally.</p> <p>80. If any concerned party is unwilling to participate in an informal process to resolve the complaint, or if the <i>Ethics Advisor</i> at any time concludes that an informal resolution is not possible, the <i>Ethics Advisor</i> must return the file to the <i>Integrity Commissioner</i> to commence a formal investigation. The <i>Ethics Advisor</i> will indicate to the <i>Integrity Commissioner</i> only that the matter could not be resolved by the <i>Ethics Advisor</i>, and will not provide the <i>Integrity Commissioner</i> with any report or</p>	
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		assessment on the issue.	
29	<u>81. A formal investigation will be commenced by the Integrity Commissioner serving a notice of investigation, the complaint and any supporting material on the Member personally or by e-mail.</u>	81. A formal investigation will be commenced by the Integrity Commissioner serving personally or by e-mail the Member whose conduct is at issue with the report complaint and any supporting material together with a notice of intention to conduct an investigation and any supporting material.	To clarify the process to commence a formal investigation.
30	82. The Member will have 10 business days, subject to the Integrity Commissioner's discretion to extend the timeline, from the date of service of notice of investigation to deliver to the Integrity Commissioner a written response to the complaint together with any submissions that the Member chooses to make.	82. The Member will have 10 days, subject to the Integrity Commissioner's discretion to extend the timeline, from the date of service of notice of intention to conduct an investigation to deliver to the Integrity Commissioner a written response to the report together with any submissions that the Member chooses to make.	To clarify that the timeline for a Member to deliver a written response to a complaint is 10 business days.
31	82.1 <u>Except for the purposes of obtaining legal or other confidential professional advice, failure by the Member to keep confidential all documents and records the Integrity Commissioner provides to the Member in the investigation may</u>	New provision.	To require that the documents shared in an investigation are kept confidential by the Member except for the purposes of obtaining legal or

	<u>result in an adverse finding against the <i>Member</i> and may be considered in the report to Council.</u>		other confidential professional advice.
32	<p>83. The <i>Integrity Commissioner</i> will provide the complainant with a copy of the response and submissions received from the <i>Member</i> on a strictly confidential basis. <u>If the complainant wishes to respond to the <i>Member's</i> response and submission, they must do so within 10 business days of receiving the copy of the response and submission, subject to the <i>Integrity Commissioner's</i> discretion to extend the timeline.</u></p> <p>83.1 <u>Except for the purposes of obtaining legal or other confidential professional advice, failure by the complainant to keep confidential all documents and records the <i>Integrity Commissioner</i> provides to the complainant in the investigation may result in the dismissal of the complaint.</u></p>	<p>83. The <i>Integrity Commissioner</i> will provide the reporter with a copy of the response and submissions received from the <i>Member</i> on a strictly confidential basis, and request a reply in writing within 10 days, subject to the <i>Integrity Commissioner's</i> discretion to extend the timeline.</p> <p>New provision</p>	<p>To require that the documents shared in an investigation are kept confidential by the complainant, except for the purposes of legal or other confidential professional advice, and to enable the <i>Integrity Commissioner</i> to dismiss the complaint for failure to comply.</p> <p>To clarify that the timeline for a complainant to provide a written response is 10 business days.</p>
33	84. The <i>Integrity Commissioner</i> may request any person whose evidence is necessary to the investigation to provide it in <u>a statutory declaration sworn or affirmed and declared before a lawyer, notary public or commissioner of oaths.</u>	84. The <i>Integrity Commissioner</i> may request any person whose evidence is necessary to the investigation to provide it in an affidavit.	To clarify for complainants how they can provide a statutory declaration.
34	87. In the 90 days prior to the date of a Municipal election, the <i>Integrity Commissioner</i> may suspend any investigation underway, decline to commence an investigation or proceed with	87. In the period 90 days prior to the date of a Municipal election, the <i>Integrity Commissioner</i> may suspend any	To clarify the procedure for investigations in the 90 days prior to a municipal election.

	<p><u>an investigation at their discretion. If the <i>Integrity Commissioner</i> decides the investigation should proceed, they will advise the <i>Member</i> in writing of the reasons for the decision.</u></p>	<p>investigation underway or decline to commence an investigation.</p>	
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<p>35</p>	<p><u>G.2 – Cooperating with Investigations</u></p> <p><u>87.3 Upon the notice of investigation being sent to the Member, evidence in the possession of the Member and/or their staff, including any records, shall be preserved pending the outcome of the investigation.</u></p> <p><u>87.4 The obstruction of an Integrity Commissioner's investigation by a Member is presumed to be a violation of this Bylaw.</u></p> <p><u>87.5 Failure to cooperate and participate in an investigation may result in an adverse finding against the Member and will be noted in the report to Council.</u></p>	<p>New provisions.</p>	<p>To prohibit obstruction of investigations or destruction of records during an investigation.</p>
<p>36</p>	<p>90(f) not less than 24 hours nor more than 48 hours prior to the start of the <i>Council</i> meeting at which the verbal report is to be considered, the <i>Integrity Commissioner</i> will provide a copy of the report, on a strictly confidential basis, to all <u>Members, the City Clerk and the City Solicitor and General Counsel. A breach of confidentiality under this section will be considered a violation of this Bylaw.</u></p> <p><u>(g) the Integrity Commissioner will provide their verbal report to Council at the closed meeting; and</u></p>	<p>90(f) not less than 24 hours nor more than 48 hours prior to the start of the <i>Council</i> meeting at which the verbal report is to be considered, the <i>Integrity Commissioner</i> will provide a copy of the decision, on a strictly confidential basis, to the <i>Member</i> or <i>Members</i> about whom the report was received;</p> <p>(g) all other <i>Members</i> of <i>Council</i> will receive the decision on a strictly confidential basis at the time the <i>Integrity</i></p>	<p>To provide a copy of the report to all <i>Members</i> 24-48 hours before the verbal report to allow more time to review reports.</p> <p>To provide a copy to the City Clerk and the City Solicitor and General Counsel in their role supporting <i>Members</i>.</p>

		<p><i>Commissioner</i> will provide their verbal report to <i>Council</i> at the closed meeting; and</p>	
<p>37</p>	<p>91(1) The <i>Integrity Commissioner's</i> <u>report</u> that a <i>Member</i> violated this Bylaw or a <i>City</i> policy governing <i>Member</i> conduct is final and may not be reviewed or reconsidered by <i>Council</i>.</p> <p>(2) <i>Council</i> must decide whether to adopt the <i>Integrity Commissioner's</i> recommendation as to sanction or whether to substitute a different lesser or greater sanction.</p>	<p>91. The <i>Integrity Commissioner's</i> decision that a <i>Member</i> violated this Bylaw or a <i>City</i> policy governing <i>Member</i> conduct is final and may not be reviewed or reconsidered by <i>Council</i>. <i>Council</i> must, however, decide whether to adopt the <i>Integrity Commissioner's</i> recommendation as to sanction or whether to substitute a different lesser or greater sanction.</p>	<p>To clarify the separate roles and functions of the <i>Integrity Commissioner</i> and <i>Council</i> when the <i>Integrity Commissioner</i> provides a report that a <i>Member</i> violated this Bylaw.</p>
<p>38</p>	<p>92. Sanctions that may be imposed for violating this Bylaw or a <i>City</i> policy governing <i>Member</i> conduct include, <u>but are not limited to</u>, the following:</p> <p>(a) a letter of reprimand addressed to the <i>Member</i>;</p> <p>(b) a request that the <i>Member</i> issue a letter of apology;</p> <p>(c) the publication of a letter of reprimand or request for apology by the <i>Integrity Commissioner</i>, and the <i>Member's</i> response;</p> <p>(d) a requirement that the <i>Member</i> attend training;</p> <p>(e) suspension or removal of the appointment of a <i>Member</i> as the <i>Deputy Mayor</i>;</p> <p>(f) suspension or removal of the <i>Mayor's</i> presiding duties under</p>	<p>92. Sanctions that may be imposed for violating this Bylaw or a <i>City</i> policy governing <i>Member</i> conduct include the following:</p> <p>(a) a letter of reprimand addressed to the <i>Member</i>;</p> <p>(b) a request that the <i>Member</i> issue a letter of apology;</p> <p>(c) the publication of a letter of reprimand or request for apology by the <i>Integrity Commissioner</i>, and the <i>Member's</i> response;</p>	<p>To clarify that the list of sanctions in s. 92 is not exhaustive. The <i>Integrity Commissioner</i> may recommend, and <i>Council</i> may impose, different or additional sanctions on a <i>Member</i> for violating the Bylaw provided that they are of the same proportionate effect as the sanctions listed.</p> <p>See attachments 2 and 3 for information about sanction compliance and</p>

	<p>section 154 of the <i>Municipal Government Act</i> R.S.A. 2000, c. M-26;</p> <p>(g) suspension or removal of the <i>Member</i> from some or all <i>Council</i> committees and bodies to which the <i>Member</i> was appointed by <i>Council</i>;</p> <p>(h) reduction or suspension of the <i>Member's</i> remuneration as defined in section 275.1 of the <i>Municipal Government Act</i>, R.S.A. 2000, c. M-26, corresponding to a reduction in duties, excluding allowances for attendance at council meetings;</p> <p>or</p> <p><u>(i) any other sanction that <i>Council</i> deems reasonable in the circumstances.</u></p>	<p>(d) a requirement that the <i>Member</i> attend training;</p> <p>(e) suspension or removal of the appointment of a <i>Member</i> as the <i>Deputy Mayor</i>;</p> <p>(f) suspension or removal of the <i>Mayor's</i> presiding duties under section 154 of the <i>Municipal Government Act</i> R.S.A. 2000, c. M-26;</p> <p>(g) suspension or removal of the <i>Member</i> from some or all <i>Council</i> committees and bodies to which the <i>Member</i> was appointed by <i>Council</i>;</p> <p>or</p> <p>(h) reduction or suspension of the <i>Member's</i> remuneration as defined in section 275.1 of the <i>Municipal Government Act</i>, R.S.A. 2000, c. M-26, corresponding to a reduction in duties, excluding allowances for attendance at council meetings.</p>	<p>additional possible sanctions.</p>
<p>39</p>	<p>Appendix "B"</p> <p>The <i>Integrity and Ethics Office</i> annual report must include the following information.</p>	<p>New provision.</p>	<p>See commentary for s. 8.1 above.</p>

	<ol style="list-style-type: none"> 1. <u>Statistics about Investigations</u> <ul style="list-style-type: none"> • The number of complaints received, dismissed, withdrawn, ongoing and reported to <i>Council</i>. • The number of investigations referred for informal resolution and the number successfully resolved. 2. <u>Investigation Trends</u> <ul style="list-style-type: none"> • Description of trends in the number and/or nature of complaints. 3. <u>Policy</u> <ul style="list-style-type: none"> • Description of policy development support provided to <i>Council</i>. • Description of interpretation bulletins provided to <i>Council</i>. • The number of memorandums and other guidelines prepared for <i>Council</i>. 4. <u>Education and Reporting</u> <ul style="list-style-type: none"> • Description of education support provided to <i>Council</i>. • The number of attendances by the <i>Integrity Commissioner</i> and/or <i>Ethics Advisor</i> at <i>Council</i> or <i>Council Committee</i> meetings. 5. <u>Office Administration</u> <ul style="list-style-type: none"> • Information about key administrative tasks undertaken by the office. 		
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	<p>The <i>Ethics Advisor</i> will not report statistics on advice to individual <i>Members of Council</i> as it is protected by solicitor-client privilege.</p> <p>The <i>Integrity and Ethics Office</i> will not report on attendance at closed meetings where their attendance is not reported in the agenda.</p>		
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