

**Integrity and Ethics Office Report to
Regular Meeting of Council
2018 June 25**

**ISC: UNRESTRICTED
C2018-0811
Page 1 of 3**

Integrity and Ethics Office Annual Report

EXECUTIVE SUMMARY

The Terms of Reference for the Ethics Advisor and the Integrity Commissioner approved by Council in July 2016 require them to submit an Annual Report to Council.

This the second annual report on the activities of the City of Calgary Integrity and Ethics Office. It covers the 12-month period ending 2018 April 30.

INTEGRITY COMMISSIONER AND ETHICS ADVISOR'S RECOMMENDATION:

That Council:

1. Receive for information the Annual Report of the Ethics Advisor and Integrity Commissioner.

PREVIOUS COUNCIL DIRECTION AND BACKGROUND

The Terms of Reference approved by Council in July 2016 require each of the Ethics Advisor and the Integrity Commissioner to publish "an annual report to provide Council and Calgarians with information about the activities of the Ethics Advisor and Integrity Commissioner during the preceding year" (M2016-0566)

ANNUAL REPORT

This the second annual report on the activities of the City of Calgary Integrity and Ethics Office. It covers the 12 month period ending 2018 April 30.

Work of the Integrity Commissioner

The year ending 2018 April 30 saw more than twice as many complaints to the Integrity Commissioner as the previous year. The increased numbers were attributable to the October 2018 municipal election and the campaign leading up it. Allowing complaints to be made by email directly to the Integrity Commissioner, which took effect during the year, undoubtedly helped to elevate the numbers.

When the Integrity and Ethics Office was established it was thought that the main conduit for complaints to the Office would be the existing City Whistle Blower Program. In fact, during the first year only four of 17 complaints were made through that program. Most of the others came through ordinary mail. To facilitate reporting, Council approved the change to allow electronic complaints as recommended in the last annual report from this Office. The change appears to have been effective. In the most recent twelve months, of a total of 38 complaints only three were made through the Whistle Blower Program while the remainder were received by email.

Most of the complaints, 21 out of 38, were directly or indirectly related to campaigns for the Municipal Election. The complaints concerned language used by Council Members orally, the text of written materials, the placement of signs and a number of other matters, in almost every case occurring either during campaign events or in campaign materials. All of these complaints fell outside the scope of authority of the Integrity Commissioner because the Ethical Conduct Policy only applies to the conduct of Members of Council "in the discharge of their office." Campaigning for re-election is not a requirement of carrying out the office.

Three complaints were made by Members of Council concerning the conduct of other members during the course of Council meetings. One of the complaints concerned conduct of which the complainant was unaware during the meeting and could not raise it as a Point of Privilege to be

**Integrity and Ethics Office Report to
Regular Meeting of Council
2018 June 25**

**ISC: UNRESTRICTED
C2018-0811
Page 2 of 3**

Integrity and Ethics Office Annual Report

decided by the Chair or the meeting on appeal from the Chair. The day following the meeting the complainant observed the conduct on a video recorded during the meeting and then made the complaint. The Integrity Commissioner dealt with that complaint but declined to deal with the others because the Council Procedure Bylaw provides for Member conduct to be controlled within the meeting itself.

Conduct of individuals employed by a Member was the subject of two complaints. They were referred to the Member concerned to be dealt with as the Member determined.

One complaint arising from public comments made by Members is being deferred for consideration by the incoming Integrity Commissioner because a conflict compels the current Commissioner to recuse himself.

All other complaints concerned matters arising from decisions of Council and therefore not within the Commissioner's authority, or concerned conduct which was not deemed to be in violation of the Ethical Conduct Policy. As a result no complaints during the year required a report to Council.

Work of the Ethics Advisor

Throughout the reporting period the Ethics Advisor provided advice to Members of Council on a confidential basis.

In May through July 2017 the Ethics Advisor prepared the new Ethical Conduct Policy to govern the conduct of Members of Council. She also prepared a Context and Commentary for the Policy, which provided background information and interpretive guidance to Members. The Ethical Conduct Policy CP2017-03 was approved by Council on 2017 July 24 and the Context and Commentary was received by Council on that date.

In October-November 2017 the Ethics Advisor prepared orientation materials for Members of Council, and provided orientation to new Members along with the Integrity Commissioner.

From December 2017-May 2018 the Ethics Advisor provided advice to Council on the steps necessary to ensure compliance with the new Code of Conduct for Elected Officials Regulation AR 200/2017. She also drafted a new *Code of Conduct for Elected Officials Bylaw*, which updates, revises and consolidates the previous Ethical Conduct Policy CP2017-03 and Integrity Commissioner Complaints Policy CP2016-08. The *Code of Conduct for Elected Officials Bylaw* was approved by Council on 2018 May 28.

Integrity and Ethics Office Report to
Regular Meeting of Council
2018 June 25

ISC: UNRESTRICTED
C2018-0811
Page 3 of 3

Integrity and Ethics Office Annual Report

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Not applicable

Financial Capacity

Current and Future Operating Budget:

Not applicable

Current and Future Capital Budget:

Not applicable

Risk Assessment

Not applicable

REASON(S) FOR RECOMMENDATION(S): Not applicable
--