

NO: R107

COUNCIL DATE: June 10, 2019

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **June 4, 2019**

FROM: **General Manager, Corporate Services**

FILE: **2210-20-16**

SUBJECT: **Creation of an Ethics Office**

RECOMMENDATION

The Corporate Services Dept recommends that Council:

1. Receive this report for information;
2. Authorize staff to commence the process to facilitate the selection of an independent expert who will assist Council in the development of a Council Code of Conduct, as well as coordinate all anticipated workshops and prepare a final draft for Council's endorsement;
3. Authorize staff to bring forward in due course a corporate report with bylaws creating:
 - a) a Council Code of Conduct;
 - b) an independent Ethics Commissioner's office; and
4. Authorize staff to bring forward a corporate report in due course that outlines enhancements to the City's Lobbyist Registry as outlined in this report.

INTENT

The purpose of this report is to provide Council with information on the City's existing framework for ethical conduct. This information is intended to inform Council and identify best practices for establishing an independent Surrey Ethics Commissioner's office and enhanced Lobbyist Registry Policy.

BACKGROUND

At the February 11, 2019 Regular Council Public Hearing meeting, Council unanimously adopted a motion directing staff to bring forward a corporate report identifying current City policies, as well as Provincial and Federal legislation related to fair and transparent governance. In particular, staff was directed to consider additional accountability measures in the form of introducing an independent ethics commissioner and an enhanced lobbyist registry.

Current Trends in Canadian Provinces

Canada is experiencing a trend of increasing codification of ethical conduct at the local government level. Provincial governments have the constitutional responsibility for local governments whereas the Federal government has responsibility over the Criminal Code and the Canadian Charter of Rights and Freedoms. Consequently, the rules for ethical conduct at the local government level are set by the Provincial government, except for criminal conduct and violations of the Charter of Rights and Freedoms. At present, there is no legislation in British Columbia mandating a specific type of ethical framework for municipalities.

The public expects a high standard of ethical conduct from elected officials and municipal staff. These expectations have been incorporated into a variety of rules at the Federal, Provincial and local levels of government. A number of Provincial governments across Canada have stepped in to impose mandatory ethical frameworks on municipalities.

- As of March 1, 2019, all municipalities in Ontario are legislated by the Ontario Provincial government to adopt Council Codes of Conduct policies within their respective municipal organization and to appoint an integrity commissioner (in each municipality) to oversee these policies.
- As of July 23, 2018, all municipalities in Alberta are required, at a minimum, to implement a Councillor Code of Conduct within their respective municipal organization.

Existing Surrey Policies Related to Fair and Transparent Governance

In addition to Provincial and Federal legislation, the City has several well-established fair and transparent governance policies and practices that pertain to both staff and Council, while certain policies pertain strictly to either staff or Council.

The key policies, their description, regulators, and intended subject (staff and/or Council) are provided in Table 1 of Appendix "I".

Absent from this list is a Council Code of Conduct with oversight from an independent ethics commissioner, including the necessary municipal bylaws required to establish an ethics commissioner's office. In the absence of Provincial legislation, the City of Surrey has an opportunity to lead by example by establishing an ethical framework that creates the most value for the organization, rather than reacting to a future Provincial mandate, as was the case in Ontario.

DISCUSSION

Best practices in governance encourage municipalities to establish a framework to deal with matters of ethical conduct. This framework includes both setting standards of expected behaviour and creating processes to determine whether behaviour has fallen short of these standards.

Surrey's Existing Practice

The City's policies have been developed to ensure the highest level of compliance with external legislation and in a manner that appropriately conforms to the City's values of Community, Innovation, Integrity, Service, and Teamwork.

The City's practice has been to ensure that updates to internal policies reflect any changes to pertinent legislation that may be integral to each policy. The City is also obligated to appropriately communicate its policies to staff and Council (as well as volunteers, contractors, and other external representatives under certain policies). This obligation includes the provision of staff training for any major new policy, or when significant changes are made to existing internal policies and/or external legislation.

It is recommended that the City maintains its current practice on managing its internal policies.

Establishing an Independent Surrey Ethics Commissioner's Office

Based on a strategic review of large progressive municipalities across Canada, the common requirements for an independent ethics commissioner's office include the following:

- The establishment of a Council Code of Conduct; and
- A municipal bylaw to appoint an ethics commissioner

Table 2 within Appendix "II" compares four major cities across Canada that have established on independent ethics commissioner's office (Toronto, Winnipeg, Regina, and Calgary).

Council Code of Conduct

Based on staff's review, municipal Council Codes of Conduct across Canadian municipalities have established consistent standards of behaviour for members of a municipal Council, and rules following a finding of misconduct.

Council codes of conduct are typically additional rules to supplement existing conflict of interest rules set out in Provincial legislation. In the City of Surrey's case, the *Community Charter* establishes the rules for a financial conflict of interest. The intention of these rules is to prevent Council members from having divided loyalties when spending public money. In most cases, with few specified exceptions, a Council member is disqualified from voting on a matter in which he or she has a conflict of interest as defined in the *Community Charter*.

Codes of conduct typically contain rules related to different behaviour than the *Community Charter*. Examples of rules in codes of conduct include accepting gifts, misuse of insider information, abuse of office and misuse of staff time. Some codes of conduct include rules about activities deemed to be incompatible with public office, contact with lobbyists, disclosure of business relations, or maintaining respect for Council, the municipal organization and its processes. Codes may include rules regarding enforcement, alternatively, the rules may only reference the by-law establishing the ethics commissioner, which itself would set out in more detail the specific powers of the commissioner to enforce the provisions of the code of conduct.

Based on the best practices review, it is recommended that a Council Code of Conduct be established for the City of Surrey and that Council lead its development, facilitated by a third-party expert.

Independent Ethics Commissioner

As indicated in Appendix II, independent ethics commissioner offices are becoming common in large progressive cities across Canada. In order to appoint an ethics commissioner, Council must adopt a bylaw. The bylaw must establish the roles, responsibilities and powers of the ethics commissioner.

Generally, an ethics commissioner is an independent officer who will perform one, some or all of the following four functions:

1. **Advisory:** An ethics commissioner may give practical advice on ethical situations to Council as a whole or an individual Council member. The goal of this function is to avoid more serious problems or to mitigate a problem that has already arisen.
2. **Investigative:** An ethics commissioner may be given the power to investigate allegations of misconduct in relation to Mayor and Council. Through this process, the goal is to verify the facts surrounding any allegation of wrong doing.
3. **Educational:** An ethics commissioner may provide ongoing training to Council on proper ethical conduct. Training is meant to give individuals and institutions the ability to make good decisions when confronted with an ethical dilemma.
4. **Sanction/Discipline:** Typically, commissioners are given the power to report their findings and make recommendations to Council.

The details of the City of Surrey's ethics commissioner, including his or her roles, responsibilities and powers will be further detailed during the development of the by-law as described above. Based on the summary in Appendix II, it is common for an ethics commissioner to have the following:

- A fixed term;
- The ability to maintain confidential records; and
- An independent budget.

As is done in other municipalities across Canada, it would also be appropriate for a bylaw to set out an impartial process for selecting an ethics commissioner. Table 2 in Appendix "II" reflects the selection processes used by the Cities of Toronto, Winnipeg, Regina, and Calgary.

At this time, the City of Calgary's approach is recommended as the selection committee includes member(s) of the public. Given that a major objective of establishing an ethics commissioner's office is to demonstrate fair and transparent governance, the inclusion of Surrey citizen(s) ensures an additional layer of transparency in establishing such an office.

Estimated Cost

The cost of maintaining a municipal ethics commissioner's office varies based on the size of the city, the size of the municipal organization, the scope of the commissioner's mandate, and the number of complaints received. Table 2 in Appendix "II" provides comparisons of cost between four Canadian cities (Toronto, Winnipeg, Regina, Calgary).

Given the size of Surrey's population and the number of City staff, it is suggested that a Surrey ethics commissioner be compensated by retainer as is done in most Canadian municipalities.

While it is difficult to ascertain Surrey's annual cost at this time, it is roughly estimated that the cost may be upwards of \$200,000 per year. This cost will be brought forward into the base 2020 budget, should the recommendations of this report be approved by Council.

Next Steps – Ethics Commissioner's Office

Based on the above, from a sequencing perspective, the following approach is suggested:

1. Staff to facilitate the selection of an independent expert that will assist Council in the development of a Council Code of Conduct, as well as coordinate all anticipated workshops and prepare a final draft for Council's endorsement;

Followed by:

2. The bylaw required for the selection of an independent Surrey Ethics Commissioner be presented to Council for approval that includes:
 - a. a fixed term; and
 - b. the establishment of a panel, for the selection of an Independent Ethics Commissioner, comprised of:
 - i. Council members;
 - ii. Legal counsel;
 - iii. Recruitment firm; and
 - iv. Member(s) of the public.

Strengthening the City of Surrey's Lobbyist Registry

On February 11, 2019, Council also adopted a second motion that directed staff to explore an enhanced Lobbyist Registry that is more expansive and includes senior staff.

The City's current Lobbyist Registry Policy was adopted by Council in 2008. The City's existing Lobbyist Registry is voluntary and limited to the City's development application process. The purpose of the Lobbyist Registry Policy is to foster transparency in the lobbying of City staff and Council through public disclosure. The list of existing registered lobbyists who have agreed to participate in the City's Lobbyist Registry program is available to the public. While the voluntary Lobbyist Registry does increase transparency, it is difficult to assess its efficacy in curtailing unethical conduct.

A best practice approach to a municipal Lobbyist Registry is one that promotes and enhances the integrity of a City's decision making by displaying lobbying activities to the public and regulating lobbyists' conduct. It includes the following functions and activities:

1. A Lobbyist Registry Bylaw that regulates Lobbyist activities based on the following principles:
 - a. The City government's duty to make decisions in the public interest should not be improperly influenced by paid lobbyists;
 - b. Open and unfettered access to City government is a vital aspect of local democracy;
 - c. Lobbying Councillors and staff is a legitimate activity;
 - d. Public office holders and the public should be able to know who is attempting to influence City government;
 - e. Public disclosure of lobbying activity and standards of conduct for lobbyists are important to the integrity of City government decision making; and
 - f. A system for the registration of lobbying activity and the regulation of the conduct of lobbyists should not impede access to the City government.
2. A Lobbyist Code of Conduct that requires Lobbyists to be open, honest, ethical and professional while dealing with public office holders and staff; and
3. Maintain an online registry of lobbyists and lobbying activities that may be searched by anyone at any time.

In British Columbia, there is no express authority in the *Community Charter* or the *Local Government Act* for the City to require businesses to register their lobbying activities. If Council wishes to make it mandatory for any lobbyist to identify themselves in the Lobbyist Registry, Council must rely on its general bylaw making powers for the authority to create this program. In this regard, under Section 8 of the *Community Charter*, Council may by bylaw regulate in relation to business, which includes lobbying. Accordingly, staff recommends that Council authorize staff to bring forward a by-law that makes registration with the City's Lobbyist Registry mandatory for more types of lobbying. The exact exercise of these powers will be carefully considered in the preparation of the bylaw to ensure it is consistent with the requirements of the *Community Charter*.

Next Steps – Lobbyist Registry

To ensure that an expanded Lobbyist Registry resonates with the public and achieves effective compliance, it is recommended that the City engage with key stakeholders, including Council, staff, lobbyists and members of the public to obtain helpful feedback on improving the system, including the development of a Lobbyist Registry bylaw and a Lobbyist Code of Conduct.

Such an expansion of the policy would require clarifying the definition of lobbying, developing guidelines, training staff and Council, and communicating pertinent information to the public.

There are also cost implications associated with an expanded Lobbyist Registry associated with its administration and the regulation of its associated policies.

Staff will develop a plan for Council's consideration that carefully sets out the requirements of an expanded Lobbyist Registry with estimated cost to administer and regulate the program as well as a timeline for implementation that coincides with the introduction of an Ethics Commissioner bylaw as outlined in this report.

Funding

Any financial impacts within the 2019 fiscal year pertaining to the initiatives outlined in this report will be absorbed by the Corporate Services Department through operational savings. As part of the 2020 budgeting process, staff will put forward recommendations for permanent funding on a go forward basis.

CONCLUSION

There is a growing interest in municipal ethics regimes across Canada. This report provides background information on the existing ethical framework at the City and is intended to inform Council and identify best practices for establishing a Code of Conduct, a Surrey Ethics Commissioner's Office and an enhanced Lobbyist Registry. If approved by Council, Surrey would be the first municipality in British Columbia to create an independent ethics commissioner's office.

Rob Costanzo
General Manager, Corporate Services

Appendix "I": Existing City of Surrey Policies and Provincial and Federal Legislation Related to Fair and Transparent Governance

Appendix "II": Comparison of Major Canadian Cities that have established an Independent Ethics Commissioner Office

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Table 1: Existing City of Surrey Policies and Provincial and Federal Legislation Related to Fair and Transparent Governance

	Legislation/Enactment/Policy	Topic	Regulator	Target Audience
1	Criminal Code (federal)	Criminal or quasi-criminal behaviour	Police and BC Prosecution Service (Ministry of Attorney General)	Staff & Council
2	Offence Act (British Columbia)			
3	Local Government Act	Financial Matters	Inspector of Municipalities (Ministry of Municipal Affairs & Housing)	
4	Auditor General for Local Government Act	Accountability	Office of the Auditor General for Local Government	
5	Freedom of Information and Protection and Privacy Act	Confidentiality and Transparency	Office of the Information and Privacy Commissioner for British Columbia	
6	Human Rights Code (British Columbia)	Fairness	British Columbia Human Rights Tribunal	
7	Professional Codes of Conduct	Conduct	Relevant professional association	
8	Purchase & Expenditure Authorization By-law	Procurement and spending authorization	Purchasing – City of Surrey	
9	Respectful Workplace Policy	Employee and Council Conduct	HR – City of Surrey	
10	Human Rights Policy	Fairness	HR – City of Surrey	
11	Lobbyist Registry Policy	Lobbying	City of Surrey	
12	Various	Fairness	Office of the Ombudsperson	
13	Code of Conduct Bylaw	Employee Conduct	HR – City of Surrey	
14	Serious Complaints Policy	Fairness and Accountability	HR – City of Surrey	
15	Electronic Communications Acceptable Usage Policy	Employee Conduct	HR – City of Surrey	
16	Fit for Duty Corporate Practice	Employee Conduct	HR – City of Surrey	
17	Conflict of Interest Policy	Employee Conduct	HR – City of Surrey	
18	Occupational Health & Safety Policy	Employee Conduct	HR – City of Surrey	
19	Collective Agreement	Employee Conduct	HR – City of Surrey Union	
20	Community Charter	Financial Conflict of Interest	Courts	Council Only
21	Interference of Duties of Municipal Employees	Separation of roles	Council	
22	Council Procedure By-law	Councillor Conduct	Council	

Each of the above noted legislations, enactments and policies are explained in more detail, numbered correspondingly in the same sequence provided in Table 1 above.

1. **Criminal Code**: The *Criminal Code* governs staff and members of Council in relation to influence peddling, bribery and fraud, municipal corruption, whistleblowing and interference with the performance of official acts. The content of the Criminal Code is set by the federal government. However, the decision to prosecute a municipal official or staff member is made by a provincial prosecutor. Investigations into criminal behaviour are typically undertaken by police, although many administrative or employment bodies may refer a matter to the applicable police department after an internal investigation.
2. **Offence Act**: Under the *Offence Act*, any person may be prosecuted for an offence when they have contravened any provision of an enactment. This catch-all legislation can result in consequences for individuals who violate a wide assortment of enactments such as election financial disclosure acts and provincial employment codes. As with the Criminal Code, in most cases, these offences will be investigated by the police and any decision to pursue the offence in court will be made by an independent provincial prosecutor.
3. **Inspector of Municipalities**: The Inspector of Municipalities (the “Inspector”), part of the Ministry of Municipal Affairs & Housing, is responsible for oversight of local government financial matters and approval of certain local government decisions. The office is established under the *Local Government Act*. The Inspector is responsible for approving loan authorizations and development cost charge bylaws, reviewing the audited financial statements of municipalities and approving the creation of local government corporations. The goal is to ensure the financial health and stability of all local governments, thereby improving their accountability to the electorate. Technically, the Inspector has the authority to hold inquiries into the conduct of municipal business, although the office has rarely exercised the power. The *Local Government Act* contemplates that an inquiry may be conducted after a complaint.
4. **Auditor General for Local Government**: The Office of the Auditor General for Local Government (AGLC) was established in 2012. It was created to assist local governments deliver their services more efficiently, effectively and economically. The empowering legislation, the *Auditor General for Local Government Act*, gives the AGLC the power to conduct performance audits of the City’s operations. One of the mandates of the AGLC is to evaluate the sufficiency of the procedures in place to monitor the economy, efficiency and effectiveness of municipal operations. The AGLC has issued reports on procurement, asset management, police budgets, and managing risk in the employment context. The AGLC only makes recommendations; it is the responsibility of the respective local Council to adopt the recommendations.
5. **The Freedom of Information and Protection and Privacy Act**: The Office of the Information and Privacy Commissioner for British Columbia (“OIPC”) is responsible for overseeing the provincial *Freedom of Information and Protection and Privacy Act* (the “FIPPA”). Under FIPPA, public bodies, including the City, are accountable for their information practices. The legislation imposes limits on when the City can collect, use and disclose “personal information”. The public is also entitled to access records held by the City, subject to the requirements of FIPPA. If people feel that their privacy rights have been compromised or they have been improperly denied access to information, they can make a

complaint to OIPC. The FIPPA regulations apply to both elected officials and employees of a public body. In 2011, Councillor Brian Skakun of Prince George was found guilty of releasing a confidential report and fined \$750. The Court of Appeal dismissed an appeal of the conviction.

6. **Human Rights Code**: The British Columbia *Human Rights Code* (the “Code”) protects people from discrimination in the areas of employment, housing, services, membership in unions and associations. A variety of the City’s operations are impacted by the requirements of the Code. For example, the City’s recreation programs must not discriminate based on any protected personal characteristics, for example by imposing conditions on a person’s participation when these same conditions are not placed on others who do not share the characteristic. Under the Code, a person who feels they have experienced discrimination may file a complaint with the British Columbia Human Rights Tribunal.
7. **Professional Codes of Conduct**: Individuals who are members of professional associations must engage in ethical conduct that is consistent with their professional obligations. There are professional codes of conduct which apply to lawyers, engineers and other professionals. Violations of these codes may result in termination of an individual’s membership with their professional associations, or other penalties including suspension and fines. The regulatory body is the relevant professional association.
8. **Purchase and Expenditure Authorization By-law**: The City’s Purchase and Expenditure Authorization By-law has safeguards to ensure integrity in relation to City purchases. Lobbying is currently banned in the City’s RFP and competitive procurement processes.
9. **Respectful Workplace Policy**: Council adopted the Respectful Workplace Policy on May 8, 2006. The Respectful Workplace Policy applies to employees and elected officials, among others. The City commits to providing an environment where employees and elected officials are treated with respect and dignity, while contributing to a productive, inclusive and professional atmosphere. The Respectful Workplace Policy includes processes to be followed in the event of an alleged contravention by an employee or elected official. Where the alleged disrespectful behaviour involves an elected official, a number of Designated Management Employees may appoint an external investigator to investigate the complaint.
10. **Human Rights Policy**: Council adopted the Human Rights Policy at the same time as the Respectful Workplace Policy. The Human Rights Policy deals with prohibited harassment and discrimination. The policy includes an informal process for minor issues and a formal investigation process. The Human Rights Policy has a separate referral process where the complaint relates to behaviour of a senior manager.
11. **Lobbyist Registry Policy**: The Policy is applicable to paid lobbyists who must disclose the nature and purpose of their clients’ businesses. It is discussed in more detail later in this report.

12. **Office of the Ombudsperson**: The Office of the Ombudsperson is an independent statutory body created by the Province. The office has oversight over local public authorities, including municipalities. Its mandate is to ensure that local government bodies have acted fairly and reasonably, and that their actions were consistent with relevant legislation, policies and procedures. The Ombudsperson educates the public and authorities on issues of administrative fairness. Complaints are also investigated. The Office has the ability to initiate its own investigation, even when no complaint has been made. The Ombudsperson's remedies are limited to making recommendations on corrective actions.

Existing Acts and Policies Pertaining to Staff Only

13. **Code of Conduct By-law**: City staff is governed by a comprehensive Code of Conduct By-law. The Code prohibits accepting any gifts or favours and receiving commissions or rewards from any persons involved in any matter whatsoever with the City. Staff is prohibited from granting any special consideration, treatment or advantage to any persons in their dealings with the City or benefit from the use of any insider information. Breaches of the Code of Conduct By-law by staff may result in disciplinary action, dismissal or criminal charges.
14. **Serious Complaints Policy (Whistleblowers Policy)**: The policy establishes a process whereby employees may report any conduct that is inconsistent with the City's by-laws and policies without fear of retaliation. The policy establishes a confidential process for reporting, investigating and responding to serious complaints, including unethical use of City funds or property. As specified in the policy, external resources may be used to investigate the complaint.
15. **Electronic Communications Acceptable Usage Policy**: The policy sets out the acceptable use standard for electronic communications. The Policy requires compliance with FIPPA and establishes a protocol for reporting privacy breaches. Other standards include limiting the use of City property to municipal business.
16. **Fit for Duty Corporate Practice**: The policy reaffirms that the City is committed to providing a safe, desirable and engaging workplace. In order to achieve this goal, all City employees are prohibited from performing their duties when their judgment may be impaired by any substance.
17. **Conflict of Interest Policy**: Employees are prohibiting from engaging in any activities in which they may have a conflict of interest. Some of the regulated behaviours include outside employment, acquiring significant property, the use of City property for personal convenience or profit and representing the City in any dealing directly or indirectly with any relatives or business associate.
18. **Occupational Health & Safety Policy**: The City is committed to creating a safe and healthy work environment that is compliant with the requirements of *Workers Compensation Act* and the Workers' Compensation Board (WorkSafeBC) Occupational Health & Safety Regulation. These obligations limit behaviour such as workplace violence, threats and intimidation.

19. **Collective Agreement**: The collective agreements negotiated between the City and its unionized workforce contain various obligations and procedures for correcting behaviour that falls short of these standards.

Existing Acts and Policies Pertaining to Council Only

20. **Community Charter**: British Columbia has comprehensive rules governing members of Council in relation to financial conflicts of interest, use or disclosure of confidential or inside information, and strict limits on accepting gifts (Division 6). The *Community Charter* incorporates rules that prohibit councillors from acting where they have a conflict of interest, except in certain situations. A locally elected official who has a direct or indirect pecuniary interest in a matter and contravenes the ethical standards provisions in the *Community Charter* may be disqualified from holding public office. Alternatively, illegally adopted by-laws may be subject to challenge in court.
21. **Interference of Duties of Municipal Employees**: This policy establishes that Council is responsible for setting the City's policies and staff is responsible for the administration of these policies.
22. **Council Procedure By-law**: The Council Procedure By-law imposes a number of obligations on councillors in how City business is conducted. In particular, the Council Procedure By-law imposes restrictions on closed council meetings and the use of confidential information. Furthermore, the By-law sets out the rules of decorum for councillors during a Council meeting. A councillor is obliged to refrain from speaking disrespectfully of any person, using offensive words, and disturbing or interrupting any person who is speaking.

Table 2: Comparison of Major Canadian Cities that have established an Independent Ethics Commissioner Office

City:	Toronto	Winnipeg	Regina	Calgary	Surrey
Population	2,930,000	749,534	228,928	1,336,000	550,000
Size of Organization (Full-time and Part-time staff)	34,500	10,000	2,700	13,000	4,500
Ethics Commissioner Office Annual Budget	\$517,600	\$125,000	\$50,000	\$371,000	N/A
Existing Code of Conduct for Council & Staff	Yes, both for staff and Council	Yes, both for staff and Council	Yes, both for staff and Council	Yes, both for staff and Council	Yes, applies to staff only
Role of Ethics Officers	Advisory, Investigative & Educational	Advisory, Investigative & Educational	Advisory, Investigative & Educational	1 person Advisory & Educational, 1 person investigative	N/A
Year Created	2004	2015	2017	2016	N/A
Engagement Method	Permanent, Full-time	On retainer (engaged as required)	On retainer (engaged as required)	On retainer (engaged as required)	N/A
Term	5 years	2 years	2 years	2 years	N/A
Selection Process	By recruitment firm and selection panel, appointed by the Mayor.	Selection through competitive Request for Expression of Interest process.	By the City Solicitor with approval of the City Clerk.	By committee including legal counsel, two councillors, the Mayor and a member of the public.	N/A

Toronto

The City of Toronto's ethics office is the oldest municipal office in Canada. It was voluntarily created in response to a public inquiry into questionable spending. The legislative authority for the creation of an integrity commissioner is clearly set out in Ontario's provincial legislation. Legislative amendments adopted by the Province of Ontario required Toronto to have an Integrity Commissioner, an Ombudsman, a Lobbyist Registrar and an Auditor General (known collectively as Accountability Officers). It took five years to set up these offices. Toronto's size and the provincial requirements contribute to an extensive ethical framework. The 2018 budget and staffing obligations of Toronto's Accountability Officers are as follow:

Accountability Office	Budget	Staffing
Auditor General	\$6.5 million	36 positions
Ombudsperson	\$1.93 million	12 positions
Lobbyist Registrar	\$1.20 million	8.3 positions
Integrity Commissioner	\$517,600	3 positions

Each Accountability Office has a different mandate. The Auditor General conducts reviews of City services and how public funds are used. The Ombudsman receives and investigates complaints about staff conduct in any municipal department, agency, corporation or adjudicative body. The Lobbyist Registrar ensures the public disclosure of lobbying activities and oversees the regulation of lobbyists' conduct.

The Integrity Commissioner provides confidential written and oral advice to the Mayor, councillors and local board appointees. Complaints about breaches of the Code of Conduct are made to the Integrity Commissioner pursuant to the Council-approved complaint protocols. The protocols include a formal and informal complaint process. Should the Integrity Commissioner find a contravention, she can recommend various penalties be imposed by Council. The sanctions that may be imposed range from suspension of remuneration to a reprimand or demand for an apology.

Calgary

The City of Calgary's integrity office includes both an Integrity Commissioner and an Integrity Advisor. The Integrity Commissioner is responsible for investigating and adjudicating potential ethical misconduct; whereas, the Integrity Advisor performs educational and advisory services for Council.

The Integrity Commissioner receives, investigates and adjudicates complaints in accordance with the "Code of Conduct for Elected Officials Bylaw". The Integrity Commissioner decides how and whether such complaints will be pursued. The Commissioner may dismiss the complaint, conduct

further investigations and make a decision on the complaint. At the conclusion of the process, the Integrity Commissioner makes recommendations to Council on the appropriate consequence or sanction if improper conduct is identified. For example, the Integrity Commissioner asked Mayor Naheed Nenshi to apologize to city staff and Calgarians after he was recorded in Boston making untrue statements about the City's actions towards Uber.

The City of Calgary also has a separate Ethics Advisor who provides advice and guidance to members of Council on matters of conduct. The Ethics Advisor provides advice to members of Council individually, but also advises on general questions of conduct relevant for all members of Council. The Ethics Advisor will not provide an opinion on the appropriateness of a Council member's conduct unless asked to do so by that Council member, but can provide advice to all members of Council where it appears to her to be appropriate or useful to do so. The Ethics Advisor may assist in the resolution of complaints related to Council conduct referred by the Integrity Commissioner. Until recently, the Ethics Advisor was a Professor of Ethics from the University of Calgary's Faculty of Law.

Regina

The Integrity Commissioner is an independent officer appointed by the City of Regina to investigate and adjudicate potential violations of the City's "Code of Ethics Bylaw". Any person may complain to the Integrity Commissioner if they feel that a Council member has violated the Code of Ethics. In addition, the Integrity Commissioner provides advice and guidance to Council members on ethical matters.

Upon receiving a complaint, the Integrity Commissioner assesses the complaint's validity and determines if the complaint is within the mandate or jurisdiction of the Integrity Commissioner to investigate. If the Integrity Commissioner determines that the complaint is within his jurisdiction to investigate and, if substantiated, constitutes a violation, the Integrity Commissioner will investigate the complaint. After the investigation is complete, the Integrity Commissioner will prepare an investigation report and, where the complaint is substantiated, recommend sanctions or further actions.

The report is submitted to the Executive Committee of Council. After receipt of the report, Council is required to respond and may impose censure, sanctions and corrective actions recommended by the Integrity Commissioner or any other corrective actions allowed by law.

Winnipeg

In Winnipeg, the Integrity Commissioner is an independent position appointed by Council for a fixed two-year term, renewable up to five times. The Integrity Commissioner's role is to assist councillors in understanding their ethical obligations under *The Municipal Council Conflict of Interest Act*, the municipal Code of Conduct and any other by-laws, policies or Acts governing the behaviour of Council. The Integrity Commissioner also oversees the voluntary Lobbyist Registry and investigates complaints made about members of Council which relate to alleged violations of the Code of Conduct. There is both a formal and informal complaint resolution process.