

TO: LAMBTON SHORES COUNCIL
FROM: DEPUTY MAYOR DOUG COOK
RE: MUNICIPAL AFFAIRS CODE OF CONDUCT TELECONFERENCE
DATE: JUNE 8, 2021

The teleconference involved approximately 15 Mayors/Council Representatives from the Western Ontario Region and was based on the following Consultation Questions:

- 1) What changes do you feel are needed to the existing requirements for the content of municipal codes of conduct?
- 2) The Association of Municipalities of Ontario (AMO) has made recommendations to improve accountability for members of council, including:
 - Increased financial penalties;
 - Suspension for certain violations;
 - Removal from office in certain circumstances
 - Better training and standards for integrity commissioners

Which of AMO's recommendations do you think would help improve accountability for council members?

- 3) Do you have any additional suggestions for a more effective enforcement and a broader range of penalties for violations of the code of conduct?
- 4) Under what circumstances do you believe additional or stronger penalties for violating a code of conduct would be appropriate?

The participants had the following comments to the above questions:

Question #1) Changes to the existing code of conduct requirements:

- There should be a Provincial standard for Codes of Conducts, to maintain consistency, rather than each municipality having their own code of conduct.
- Standardized Integrity training should be completed at least once each term of council.

Question #2) Of the 4 AMO recommendations, the consensus seemed to be "Better training and standards for integrity commissioners", due to the inconsistencies seen in the handing down of penalties for similar council code violations on various councils. This relates to the Provincial standards as discussed in Question #1.

Question #3) Suggestions for more effective enforcement:

- Rather than each municipality appointing its own Integrity Commissioner, there should be a pool of Integrity Commissioners available on a rotating basis so Council members and/or the public does not form a “pattern of punishment” based on dealing with only one IC.
- Council should be arm’s length from the Integrity Commissioner’s recommendations so that the IC’s recommendations are enforced.
- For certain or continual violations, there should be anonymity for the complainant.
- Spouse and/or partners of councilors who violate the code of conduct by speaking publicly about council business would fall under the Integrity Commissioner and any penalties would be applied against the councilor.
- Vexatious complaint penalties brought by fellow councilors should not be dealt with by Council, but enforced by the IC.

Question #4) Stronger penalties for violating the Code of Conduct:

- Longer suspensions for repeat violations coupled with increased financial penalties.
- Violence, including domestic or sexual.
- Harassment or racial slurs either verbal or posted on social media.
- Support for hate groups either verbal or posted on social media.
- If a staff member would be terminated for the same infraction as a Council member under investigation by the IC, then the Council member should be removed from Council.
- Continual infractions by a Councilor, or the number of infractions during a council term.
- If public trust of Council is lost because of an infraction.