

July 30, 2018

To: His Worship the Mayor  
And Members of City Council

Re: Integrity Commissioner for the City of Regina

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### RECOMMENDATION

That this report be received and filed.

### CONCLUSION

Mr. Randy Langgard has been appointed to the position of Integrity Commissioner for the City of Regina.

The Integrity Commissioner is a neutral, independent officer appointed by the City to investigate and adjudicate potential violations of the City's *Code of Ethics Bylaw, 2017* which applies to Council members. The Integrity Commissioner also provides advice and guidance to Council members on ethics matters that fall within the bylaw.

Mr. Langgard's biography is attached as Appendix A.

### BACKGROUND

In late 2016, *The Cities Act* was amended to require that all city councils adopt a code of ethics bylaw outlining a process for dealing with violations of the bylaw by Council members. To comply with this, City Council passed Bylaw 2017-4, *The Code of Ethics Bylaw, 2017*, which:

- Incorporates a code of ethics for Council members;
- Provides for a process for investigating and adjudicating complaints which uses the services of an integrity commissioner; and
- Provides for possible sanctions for violations of the code.

There is no legislative requirement to have an integrity commissioner. However, City Council decided that this type of independent position was preferable to the alternative of having City Council or Administration investigate such complaints. The position of integrity commissioner is not unique to the City of Regina. Similar roles exist in other municipalities across Canada, most prominently in Ontario.

An advertisement was run province-wide in late 2017 inviting interested applicants to apply for the position of Integrity Commissioner. The Selection Panel was comprised of the City Solicitor and the City Clerk, with support provided by the Legal Department.

## DISCUSSION

### **Duties of the Integrity Commissioner**

Integrity Commissioner's duties include:

#### ➤ **Advisory**

The Integrity Commissioner provides written and oral advance rulings to individual Council members on questions of compliance with *The Code of Ethics Bylaw, 2017*.

#### ➤ **Complaint Investigation and Adjudication**

Upon receipt of a complaint, the Integrity Commissioner assesses the validity of the complaint to determine if it is within the mandate or jurisdiction of the Integrity Commissioner to investigate, based on the provisions of *The Code of Ethics Bylaw, 2017*. This includes a determination as to whether the complaint has merit or whether the complainant should be referred to another process or forum to deal with the complaint.

Where the Integrity Commissioner has determined that the complaint is within his jurisdiction to investigate and, if substantiated, would constitute a violation of *The Code of Ethics Bylaw, 2017* the Integrity Commissioner will investigate the complaint and follow the processes outlined in *The Code of Ethics Bylaw, 2017*. These processes include preparing an investigation report and recommending sanctions or actions where the complaint is substantiated.

Where the complaint is substantiated, the Integrity Commissioner will submit the report to the Executive Committee of Council for consideration. After this, Council is required to respond to the investigation report and may, where the Integrity Commissioner has determined there has been a violation of *The Code of Ethics Bylaw, 2017*, impose censure, sanctions and corrective actions that have been recommended by the Integrity Commissioner or any other censure, sanctions or corrections actions allowed by law. For a detailed review of the complaint and reporting process please see *The Code of Ethics Bylaw, 2017*.

#### ➤ **Educational**

The Integrity Commissioner may provide training or educational sessions to Council members on the role of the Integrity Commissioner and the obligations and responsibilities of Council members under *The Code of Ethics Bylaw, 2017*.

#### ➤ **Making Complaints about Council Members**

Council members are required to follow *The Code of Ethics Bylaw, 2017*. If citizens wish to complain about conduct or ethical behavior that falls within the jurisdiction of *The Code of Ethics Bylaw, 2017* they can contact the Integrity Commissioner to make a written complaint. The complaint form that is required is available on [Regina.ca](http://Regina.ca).

Please note that the Integrity Commissioner does not have any authority to investigate or adjudicate complaints with respect to the following:

- City employees;

- Complaints regarding conflict of interest pursuant to sections 114-119 of *The Cities Act* respecting conflict of interest; or
- Complaints of violations of the *Criminal Code*.

Complaints need to be in writing and need to set out the basis for the complaint as well as information about the complainant. Anonymous complaints will not be accepted.

## RECOMMENDATION IMPLICATIONS

### Financial Implications

Mr. Langgard's contract is effective July 1, 2018 and expires on December 31, 2020. He is paid through an annual fee plus hourly rates for work that is performed. He receives an annual fee of \$2,000 for 2018, \$5,000 for 2019 and \$2,500 for 2020 plus an hourly rate of \$375 for investigation, education and advisory services.

### Environmental Implications

None with respect to this report.

### Policy and/or Strategic Implications

The appointment of an Integrity Commissioner is in direct response to the requirements prescribed in *The Cities Act* respecting the ethical behavior of elected members.

### Accessibility Implications

None with respect to this report.

## COMMUNICATIONS

All members of City Council have been apprised of this appointment.

Information on the role of the Integrity Commissioner and contact information for Mr. Langgard will be available on [Regina.ca](http://Regina.ca) or by contacting the Office of the City Clerk at 306-777-7162.

## DELEGATED AUTHORITY

There is no delegated authority as this appointment is made concurrent with the authority provided in *The Cities Act* and Section 15 of *The Code of Ethics Bylaw, 2017*.

Respectfully submitted,



Chris Holden

City Manager