

## **The Corporation of the Town of Parry Sound**

### **By-law 2018 - 6875**

**Being a bylaw to authorize the passage of a new Code of Conduct respecting the behaviour of Members of Council in the performance of their duties and responsibilities as elected community representatives and the behaviour of Local Board/Committee members and to repeal by-laws 2012-6138, 2014-6467 and 2016-6597.**

**Whereas** Section 8 (9) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides a municipality has the capacity, rights, powers and privileges of a natural person; and

**Whereas** Section 11 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, authorizes municipalities to pass by-laws regarding Accountability and Transparency of the municipality and its operations and of its local boards and committees their operations; and

**Whereas** Subsection 223.2 (1) of the Municipal Act 2001, S.O. 2001, c.25, as amended, authorizes municipalities to establish codes of conduct for members of the council of the municipality and of local boards and committees of the municipality; and

**Whereas** Subsection 223.3 (1) authorizes a municipality to appoint an Integrity Commissioner who would be responsible for performing in an independent manner the functions assigned by Council, Local Boards and Committees with regard to the application of a Code of Conduct; and

**Whereas** Subsection 223.4 (5) of the Municipal Act 2001, S.O. 2001, c.25, as amended, authorizes penalties for a contravention of the code of conduct; and

**Whereas** on March 1, 2019 the Integrity Commissioner is responsible for the application of Sections 5, 5.1 and 5.2 of the *Municipal Conflict of Interest Act, as amended* to members of Council and of Local Boards and Committees about obligations under the code of conduct, procedures, rules, policies or the Municipal Conflict of Interest Act, as amended and the provision of education information to members of Council, Local Board and Committees of Council about the *Municipal Conflict of Interest Act, as amended*; and

**Whereas** the Code of Conduct sets minimum standards for the behaviour of Council Members, Local Boards and Committee and Committees of Council members in carrying out their functions and has been developed to assist all members to:

1. Understand the standards of conduct that are expected of them and the law that applies in relation to these standards;
2. Fulfill their duty to act honestly and exercise reasonable care and diligence; and
3. Act in a way that enhances public confidence in local government; and

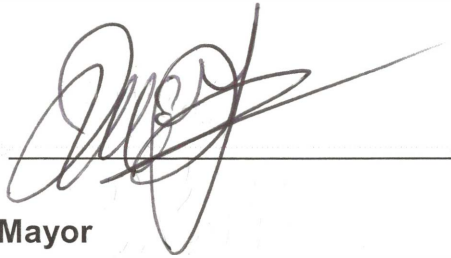
**Whereas** the Council of the Corporation of the Town of Parry Sound deems it expedient to publish a new Code of Conduct for Council, Boards and Committees to incorporate amendments to the *Municipal Act* and the *Conflict of Interest Act of Bill 68, Modernizing Ontario 's Municipal Legislation Act*.

**Now Therefore The Council Of The Corporation Of The Town Of Parry Sound Enacts As Follows:**

1. That this Council does hereby adopt the new Code of Conduct for Council, Boards and Committees provided in Schedule "A", attached.
2. That this by-law repeals By-laws 2012-6138, 2014-6467 and 2016-6597
3. That this By-law shall come into force and take effect upon receiving the final

passing thereof except for the application of the *Conflict of Interest Act*, as amended that will come into effect March 1, 2019 wherein the Town's Integrity Commissioner will be responsible for investigating an undeclared conflict of interest.

**Read a First** time this 6th day of November, 2018



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**Mayor**



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**Deputy Clerk / CAO**

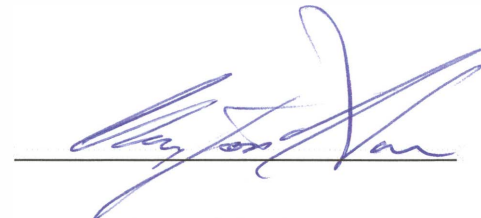
**Read a Second and Third** time, **Passed, Signed and Sealed**

this 6<sup>th</sup> day of November, 2018



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**Mayor**



A handwritten signature in blue ink, identical to the one above, featuring a large loop at the top and a long horizontal stroke extending to the right, positioned above a solid horizontal line.

**Deputy Clerk / CAO**



## **Code of Conduct – Council, Boards and Committees**

### **Statement of Commitment**

Council and its Members are the leaders of the Municipality both inside and outside its geographic boundaries. Especially in an age of social media and electronic messaging, strong positive management of the reputation of the Municipality is needed. The statements and behaviour of Council affect the Municipality's reputation as a place to live and do business. Conflict and inappropriate conduct among Members, staff, officers, local boards and committees and the public adversely affects the Municipality's reputation and is to be avoided. Put differently, Council has a strong role to protect and promote the Municipality and its reputation as an excellent place to live, work and do business.

We, the Council Members of the Corporation of the Town of Parry Sound, appointed members to Local Boards and appointed members of Committees of Council, are committed to discharging our duties conscientiously and to the best of our ability.

### **Application of the Code of Conduct**

This Code applies to Members of the Council of The Corporation of the Town of Parry Sound in the performance of their duties and responsibilities as elected community representatives, as well as Members of Council Committees, Town Committees and Local Boards, including members of the public appointed to boards and committees.

### **Definitions**

**Complaint** – means an alleged contravention of this Council Code of Conduct.

**Discrimination** means - any behaviour by any person that is directed at or is offensive to another person on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, gender identify, gender expression, age, disability, marital status, or family status, and any other grounds under the provisions of the *Ontario Human Rights Code*.

**Municipality** – means The Corporation of the Town of Parry Sound

**Members** – means Members of Parry Sound Council, Members of Council Committees, Town Committees and Local Boards of the Town of Parry Sound.

**Advisory Committee** means a committee established to provide advice to Council as mandated in the Committee's Terms of Reference.

**Statutory Committee/Board** means a committee/board established by by-law and/or pursuant to Provincial Legislation. They shall function according to requirements of the by-law or provincial legislation.

**Ad-hoc I Special Project Committee** means a committee established from time to time to deal with a specific issue and disband at the completion of the project or upon final report to Council. Citizen appointments may be made by Council as required under the Terms of Reference.

**Inter-Agency Committees** have representation appointed by a number of agencies and have Terms of Reference agreed to by all parties including an endorsement by the Town of Parry Sound Council.

**Town Committee** - means any advisory or other committee, subcommittee or similar entity of which at least 50 per cent of the Members are also Members of one or more Councils or local boards.

**Local Board** - means a local board established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities but does not include the following:

- a) A society as defined in subsection 2(1) of the *Child and Family Services Act, 2017*;
- b) A board of health as defined in subsection (1) of the *Health Protection and Promotion Act*;
- c) A Committee of management established under the *Long-Term Care Homes Act, 2007*;

- d) A police service board established under the *Police Services Act, 2018*;
- e) A corporation established in accordance with Section 203 of the *Municipal Act, 2001*.

**Integrity Commissioner** -The person or persons appointed by Town Council By-Law in accordance with Section 223.3 of the *Municipal Act, 2001, as amended*, and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to the application of the Code of Conduct for Members of Council, Local Boards and Committees. (See Section 16)

**Staff** – means all full-time and part-time persons hired by the Municipality, including the Chief Administrative Officer, Directors, Managers, Supervisors, Salaried Employees, Administrative Staff, contract and temporary employees, students and co-op placement staff.

**Workplace harassment** means -

- (a) engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, or
- (b) workplace sexual harassment.

**Workplace sexual harassment** means -

- (a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- (b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

## **1. Statement of Principle**

A written Code of Conduct helps to ensure that the Members of Council, Committees and Local Boards of the municipality share a common basis of acceptable conduct. These standards are designed to provide a reference guide and a supplement to the legislative parameters within which the Members must operate. These standards for

Members exist to enhance public confidence that the Town of Parry Sound's elected and appointed representatives will serve the public with integrity, justice and courtesy. Members are responsible for making honest statements. No Member shall make a statement when they know that statement is false. No Member shall make a statement with the intent to mislead Council Members and the public.

The Town of Parry Sound's Code of Conduct is a general standard that augments Provincial laws and municipal policies and by-laws that govern conduct. It is not intended to replace personal ethics.

This Code of Conduct is consistent with the existing statutes governing the conduct of Members. (i.e. the *Municipal Act, 2001*, the *Municipal Conflict of Interest Act* and the *Municipal Freedom of Information and Protection of Privacy Act*). The *Criminal Code of Canada* also governs the conduct of Members of Council. Members are expected to uphold the letter and spirit of the laws of Canada, Ontario and the laws and policies adopted by Council.

All Members to whom this Code of Conduct applies shall serve their constituents in a conscientious and diligent manner. No Member shall use the influence of office for any purpose other than the exercise of his or her official duties. Members shall seek to avoid conflicts of interest, both apparent and real. Members shall perform their duties and arrange their private affairs in a manner that promotes public confidence and will bear public scrutiny.

## **2. Gifts and Benefits**

No Member shall accept a fee, advance, gift or personal benefit that is connected directly or indirectly to the performance of his or her duties of Office, unless permitted by law. Members shall make decisions based on impartial and objective assessment, free from the influence of gifts, favours, hospitality and entertainment.



Members shall decline any personal gift where the acceptance of such gift would imply a contractual agreement with or obligation to the donor. In particular, Members shall decline any gift, payment, hospitality or entertainment paid for by a person or persons seeking to do business with the Town or of anyone known to the Member to be lobbying a Member on behalf of such a person.

This section does not apply to tokens, mementoes, souvenirs, or such gifts or benefits up to and including a value of \$300.00 that are received as an incident of protocol or social obligation that normally accompanies the responsibilities of office. Tokens, mementoes, souvenirs or gifts with a value of greater than \$300.00 shall be the property of the municipality.

This section does not apply to compensation authorized by law; services provided without compensation by persons volunteering their time; a political contribution otherwise reported by law, in the case of Members running for office; food, lodging, transportation and entertainment provided by provincial, regional and local governments (or political subdivisions of them); the federal government, a foreign government within a foreign country; or a conference, seminar or event organizer, where the Member is either speaking or attending in an official capacity.

No Member shall seek or obtain by reason of his or her office any personal privilege or advantage with respect to Town services not otherwise available to the general public and not consequent to his or her official duties.

### **3. Confidentiality**

All information, documentation or deliberation received, reviewed or taken in closed session of Council and its Committees and Local Boards are confidential.

Members shall not disclose or release by any means to any Member of the public either in verbal or written form any confidential information acquired by virtue of their office, except when required by law to do so.



Where a matter has been discussed at a closed session meeting and the information remains confidential, no Member shall disclose the content of the matter or the substance of deliberations of the closed session meeting.

Members shall not permit any persons other than those who are entitled thereto to have access to information that is confidential. Particular care should be exercised in ensuring confidentiality of the following types of information:

- Labour relations and personnel matters;
- Information about suppliers provided for evaluation which might be useful to other suppliers;
- Matters relating to the legal affairs of the Town of Parry Sound;
- Information that infringes on the rights of others (i.e. sources of complaints where the identity of the complainant was given in confidence);
- Items under litigation or negotiation;
- Price schedules in contract tender or Request for Proposal submissions if so specified;
- Information deemed to be “personal information” under the *Municipal Freedom of Information and Protection of Privacy Act*; and
- Statistical data required by law not to be released (e.g. certain census or assessment data).

This list is provided as an example and is not exclusive. It is recommended that requests for information be referred to the Office of the Clerk to be addressed as either an informal request for access to municipal records, or as a formal request under the *Municipal Freedom of Information and Protection of Privacy Act*.

#### **4. Use of Town Property**

Subject to Section 5, no Member shall use for personal purposes any Town property, equipment, services, supplies or services of consequence, other than for purposes connected with the discharge of Town duties or associated community activities of which Town Council has been advised.

No Member shall obtain financial gain from the use of Town developed intellectual property, computer programs, technological innovations or other patentable items, while an elected official or thereafter. All such property remains the exclusive property of the Town of Parry Sound.

No Member shall use information gained in the execution of his or her duties that is not available to the general public for any purposes other than his or her official duties.

## **5. Use of Town Technology Resources**

The Town of Parry Sound licenses the use of computer software from a variety of vendors. The Town does not own the software or its documentation. Software is normally copyrighted, and no individual may copy or distribute the software unless expressly permitted to do so under the applicable licence.

## **6. Work of a Political/Personal Nature**

Members shall comply with Town Policy "Use of Corporate Resources" for election purposes and no Member shall use Town facilities, services or property for his or her re-election campaign. Further, no Member shall use the services of Town employees for his or her re-election campaign, during hours in which the employees are in the paid employment of the Town.

No Member shall use Town facilities, services or property for his or personal business gain. No Member shall use the services of Town employees for his or her personal business during the hours in which the employees are in the paid employment of the Town.

## **7. Conduct at Meetings**

Members shall conduct themselves with decorum at Council, Committee and Local Board meetings.

Respect for deputations and for fellow Members and staff requires that all Members show courtesy and not distract from the business of Council, Committees and Local Boards during presentations and when other Members have the floor.

## **8. Representing the Town**

Members shall make every effort to participate diligently in the activities of the Agencies, Committees and Local Boards to which they are appointed.

## **9. Respect for the Role of Staff**

Members shall be respectful of the fact that staff work for the Town as a body corporate and are charged with making recommendations that reflect their professional expertise and corporate perspective.

Members must not falsely or maliciously injure the professional reputation of staff members.

Members shall be respectful of the fact that staff carry out the directions of Council and administer the policies of the municipality and are required to do so without any undue influence from any individual Member or group of Members of Council.

Where a Member has a concern about personnel matters, he or she should speak with the Mayor and/or the Chief Administrative Officer about the concern or alternatively raise the issue with Council during a closed or in camera session.

Members must not invite or pressure any member of staff to engage in partisan political activity nor subject staff to discrimination or reprisal for refusing to engage in such activities.

## **10. Business Relations**

No Member shall borrow money from any person who regularly does business with the Town unless such person represents an institution or company whose shares are publicly traded and who is regularly in the business of lending money.

No Member shall act as a paid agent before Council or any Committee or Local Board of Council or any Agency at which the Town is represented.

## **11. Expenses**

Members shall comply with the provisions of the Town's applicable policies relative to per diem payments and expenses governing reimbursement for attendance at conferences, seminars, training courses and workshops.

Members shall be reimbursed for their out-of-pocket expenses incurred in accordance with approved Town policies while attending official functions and representing the Town in their official capacity.

## **12. Encouragement of Respect for the Town and its By-Laws and Policies**

Members shall encourage public respect for the Town and its by-laws and policies. Members shall abide by the provisions of any policies adopted by Council, committees or local Boards which apply to the conduct of Members.

## **13. Discrimination and Harassment**

Members have a duty to treat members of the public, one another, and staff and one another with respect and without abuse, bullying or intimidation.

All persons shall be treated fairly in the workplace in an environment free of discrimination and of personal and sexual harassment. Members are not to engage in

any course of conduct or make comments that would constitute workplace harassment or workplace sexual harassment.

Members are responsible for communications that may constitute harassment, whether in person, in writing, by public comment and on-line, including via social media.

#### **14. Duties of the Integrity Commissioner**

In addition to conducting investigations regarding alleged breaches of the Code, the Integrity Commissioner shall have the following responsibilities;

- a) Provide information to Council as to their obligations under the Code;
- b) Provide advice to individual members regarding specific situations as they relate to the application of the Code;
- c) Provide advice to Council on other policies and procedures that relate to the ethical behaviour of members;
- d) Provide information to the public regarding the Code and the obligations of Members under the Code;
- e) **After March 1, 2019**, an Elector, or a person demonstrably acting in the public interest, may apply in writing to the Integrity Commissioner for an inquiry to be carried out concerning an alleged contravention under the *Municipal Conflict of Interest Act* Sections 5, 5.1 or 5.2. Prior to that date complainants regarding an alleged contravention of the *Municipal Conflict of Interest Act* should review the matter with their own legal counsel; and
- f) Provide an annual report to Council on the activities of the Integrity Commissioner by no later than March 31<sup>st</sup> of each year. Should no complaints be received within a calendar year, the Clerk shall report to Council accordingly and no annual report shall be made by the Integrity Commissioner.

#### **15. Advice**

Members seeking information about their responsibilities under this Code of Conduct are encouraged to request advice from the Integrity Commissioner.

A request by a Member for advice from the Integrity Commissioner under the Code of Conduct, any procedure, rule or policy of the municipality or of the local board, as the case may be, or for advice respecting their obligations under the *Municipal Conflict of Interest Act (After March 1, 2019)* shall be made in writing. If the Integrity Commissioner provides such advice, that advice shall be in writing.

Advice provided by the Integrity Commissioner to a Member may be released with the member's written consent. If a member releases only a part of the advice provided to the member by the Commissioner, the Commissioner may release part, or all of the advice provided to the Member without obtaining the Member's consent.

## **16. Complaints**

### ***Informal Complaint Procedure***

An individual who has identified or witnessed behaviour or activity by a Member that appears to be in contravention of the Code may address their concerns in the following manner:

Contact the Integrity Commissioner by telephone (705-746-2101 – Municipal Office) and leave a message or send an email using the contact information on the parry sound website. Search for "Integrity Commissioner" and the direct contact information is contained on that page.

The Integrity Commissioner may advise the following:

- a) Advise the Member that their behaviour or activity may contravene the Code;
- b) Encourage the Member to stop the prohibited behaviour or activity;
- c) If applicable, confirm to the member your satisfaction or dissatisfaction with his or her response to the concern identified;
- d) Keep a written record of the incidents including dates, times, locations, other persons present, and any other relevant information, including steps take to resolve the matter;
- e) If not satisfied with the response received through the informal process, an individual may proceed with a formal complaint through the Clerk's Office as outlined in this Code. Please see Process Flow Chart for Informal Complaint Procedure attached as Schedule

“II”. Any formal complaint must go through the Clerk’s Office first before being provided to the Integrity Commissioner.

***Formal Complaint Procedure***

Where a member of Council or local board, an employee of the Town or a member of the public has reasonable grounds to believe that a Member has breached this code, a complaint may be submitted to the Town Clerk on the formal “Complaint Form” attached as Schedule “I”.

All formal complaints should include:

- a) An explanation as to why the issue raised may be a contravention of the Code;
- b) Any evidence in support of the allegation must be included;
- c) Any witnesses in support of the allegation must be identified;
- d) The name of the Member alleged to have breached the Code, the date, time and location of the alleged contravention and any other information as necessary to investigate the complaint.

The Complaint Form shall be filed with the Town Clerk by mail or in person who shall confirm that the information is complete. The Clerk will forward the Complaint Form to the Integrity Commissioner within 2 business days who will determine whether the matter is, on its face, a complaint with respect to non-compliance with the Code and not covered by other legislation or policies. The Clerk shall advise Council in a confidential report that a formal complaint has been received and has been forwarded to the Integrity Commissioner who will process it in accordance with Section 223.3 of the *Municipal Act, 2001, as amended*.

Please see Process Flow Chart for Formal Complaint Procedure attached as Schedule “III”.

***Investigations***

The Integrity Commissioner shall take all steps necessary to promptly investigate the complaint within his or her jurisdiction, including entering any Town office for such purpose and consultation with Town staff with access to all information and records



described in subsections 3 and 4 of Section 223.4 of the Municipal Act and may retain independent professional services if required.

1. The Integrity Commissioner shall make every effort to complete an investigation within 60 days.
2. If the Integrity Commissioner requires more than 60 days to complete an investigation, the following shall be notified accordingly:
  - a) The complainant;
  - b) The individual to whom the complaint relates; and
  - c) The Mayor in the case of a complaint concerning another Member; or the three longest serving members of Council in the case of a complaint concerning the Mayor.

### ***Confidentiality***

1. The Integrity Commissioner shall carry out all enquiries in a manner which will ensure that the individual to whom the complaint relates is treated fairly and all complaints shall be treated as confidential to extent possible and in accordance with the Municipal Act.
2. All records of investigations shall be kept confidential and access limited to those in the Town with a need to know for the purposes of conducting a full investigation.

### ***Opportunity for Resolution***

If at any time, following the receipt of a formal complaint or during the inquiry process, the Integrity Commissioner believes that an opportunity to resolve the matter may be successfully pursued without a formal inquiry, and both the complainant and the Member agree, efforts may be made to achieve an informal resolution.

### ***Termination of Inquiry when Regular Election Begins***

If the Integrity Commissioner has not completed an inquiry before nomination day for a regular election, as set out in Section 31 of the *Municipal Elections Act*, 1996, the Integrity Commissioner shall terminate the inquiry on that day. If an inquiry is so terminated, the Integrity Commissioner shall not commence another inquiry in respect of the matter unless, within six weeks after voting day in a regular election as set out in

Section 5 of the *Municipal Elections Act*, 1996, the person or entity who made the request or the Member or former Member whose conduct is concerned makes a written request to the Integrity Commissioner that the inquiry be commenced.

***Other Rules that Apply During Regular Election***

The following rules apply during the period of time starting on nomination day for a regular election, as set out in Section 31 of the *Municipal Elections Act*, 1996, and ending on voting day in a regular election, as set out in section 5 of that *Act*:

1. There shall be no requests for an inquiry about whether a member of council or of a Local Board has contravened the Code of Conduct applicable to the Member.
2. The Integrity Commissioner shall not report to the Municipality or Local Board about whether, in his or her opinion, a member of council or of a Local Board has contravened the Code of Conduct applicable to the Member.
3. The Municipality or Local Board shall not consider whether to impose the penalties referred to in the Section ***Actions by Council*** on a member of council or of a local board or committee.

***Response of the Integrity Commissioner to Complaint Outside Jurisdiction***

If the complaint received by the Integrity Commissioner is deemed not to be a complaint with respect to non-compliance with the Code, the Integrity Commission shall advise the complainant in writing as follows:

- a) **Criminal Matter** – if the complaint is an allegation of a criminal nature consistent with the *Criminal Code of Canada*, the complainant shall be advised that pursuit of such an allegation must be made through the appropriate police service;
- b) **Municipal Conflict of Interest** – if the complaint has an allegation with respect to matters under the *Municipal Conflict of Interest Act*, up to February 28, 2019 the complainant shall be advised to review the matter with their own legal counsel. However, commencing **March 1, 2019** the Integrity Commissioner shall have the authority to investigate any written request for an inquiry to be carried out concerning an alleged contravention of Section 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act* by

a member of council, a member of a local board or committee. (2017, c. 10, Sched. 1, s. 21)

c) **Municipal Freedom of Information and Protection of Privacy** – if the complaint is more appropriately addressed under the *Municipal Freedom of Information and Protection of Privacy Act*, the complainant shall be referred to the person designated the Freedom of Information (FOI) Head for the Town of Parry Sound. Should they be dissatisfied with the response by the FOI Head may then lodge a complaint with the Office of the Information and Privacy Commissioner (IPC); and

d) **Discrimination or Harassment** – if the complaint is an allegation of discrimination or harassment, the complainant may be advised to file a complaint as set out in the Town of Parry Sound’s Human Resource Policy “Respect in the Workplace (Harassment and Violence) C-4.2” or to file a complaint directly with the Ontario Human Rights Tribunal. If the matter is covered by other Council Policies with a complaint procedure or legislation, the complainant will be advised and directed to proceed in a manner as considered appropriate by the Integrity Commissioner.

### ***Reporting the Results of an Investigation***

1. The Integrity Commissioner shall report his/her findings to an open meeting of Council and where the enquiry relates to a local board the report will be submitted to both Council and the local board.
2. If the Integrity Commissioner determines that there has been no contravention of the Code of Conduct or that a contravention occurred although the Member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgement made in good faith, the Integrity Commissioner shall so state in the report and shall recommend that no penalty be imposed.
3. The Commissioner shall give a copy of the final report to the complainant and the member whose conduct is concerned 15 days prior to the Council meeting at which time it will be considered.
4. All Reports to Council by the Integrity Commissioner on the investigation of complaints are public documents.

5. The Integrity Commissioner shall be responsible for ensuring the above procedures are followed with respect to requests for enquiries and for conducting investigations and if a contravention has occurred to make suggestions for penalties. Council shall be responsible for determining penalties where appropriate.

### ***Actions by Council***

In reviewing the final report, Council will determine whether it will impose any of the following penalties on a Member if the Integrity Commissioner reports that it is his/her opinion that the Member has contravened the Code:

- Issue a motion or reprimand; or
- Suspension of the remuneration paid to the Member in respect of his/her services as a Member for a period of up to 90 days; or such other recommendation put forth by the Integrity Commissioner.

Council may also consider the following actions:

- Removal from membership of a Committee or Local Board;
- Removal as Chair of a Committee or Local Board;
- Require repayment or reimbursement of moneys received;
- Return of property or reimbursement of its value;
- Request for an apology to Council, the Requestor or other relevant party;
- Revocation of travel or other budget;
- Request for resignation;
- Trespass Order restricting access to municipal facilities except for Council Meetings; or
- Such other recommendation put forth by the Integrity Commissioner.

### ***Protection from Retaliation***

Any employee who files a complaint of a contravention of the Code of Conduct will not be subjected to any form of penalty or reprisal provided the complaint is made:

- In good faith; and

- In the reasonable belief of the complainant that a contravention of the Code of Conduct has occurred.

### ***Exclusions***

None.

## **17. Respect for Code of Conduct**

Members should respect the process for complaints made under the Code of Conduct.

Members shall not act in reprisal or threaten reprisal against a person who makes a complaint or against a person who provides information to the Integrity Commissioner during an investigation.

### ***References and Related Policies***

The *Municipal Act, 2001*, the *Municipal Conflict of Interest Act*, the *Municipal Freedom of Information and Protection of Privacy Act*, the *Municipal Elections Act, 1996*, the *Ontario Human Rights Code*; and the *Occupational Health and Safety Act*.

The Town of Parry Sound's Procedural By-law, Town Policies:

- Policy - Accountability & Transparency;
- By-law for Sales & Other Disposition of Land;
- Policy - Provision of Notice;
- Policy – Staff/Council Relations
- By-law(s) of Delegation by Council of Powers & Duties;
- By-law for Purchase of Goods & Services;
- By-law for Hiring of Employees;
- Protocol Policy for Complaints Related to Members of Council, Local Boards and Committees;
- Policy for Workplace Respect (Violence & Harassment) – Employee Manual
- Town of Parry Sound Strategic Plan.

### ***Review Cycle***

The Municipality will review the Code of Conduct as often as it deems reasonably necessary and will post the most current version of the Code on its website at [www.parrysound.ca](http://www.parrysound.ca).<sup>i</sup>

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<sup>i</sup> T:\A - Administration - General\A09 - Policies and Procedures\Administration Department\Code of Conduct-Council Boards Committees\2018\JB-ATT#2-Code of Conduct-AD2018 (HGE Revisions)-Final.docx



## Formal Complaint Form - Council Code of Conduct

### Town of Parry Sound - Appendix "I"

This form will be used to request an Integrity Commissioner to review a complaint of an alleged contravention of the Code of Conduct.

Submit completed request to: Clerk  
Town of Parry Sound  
52 Seguin Street  
Parry Sound, Ontario P2A 1B4

### Applicant Information

Last Name:	First Name:
Street # and Name:	Town/City:
Postal Code:	Phone #:
Alleged Violator:	E-mail Address:

### Details of Alleged Contravention

Date of alleged contravention:
Provision of the Code of Conduct allegedly contravened:



Facts constituting the alleged contravention (use separate page if required):

Names and contact information of any witnesses:

Signature:

Date Prepared (year/month/day):

**For Office Use Only**

Date Received (year/month/day): \_\_\_\_\_

Request Number: \_\_\_\_\_

Comments: \_\_\_\_\_

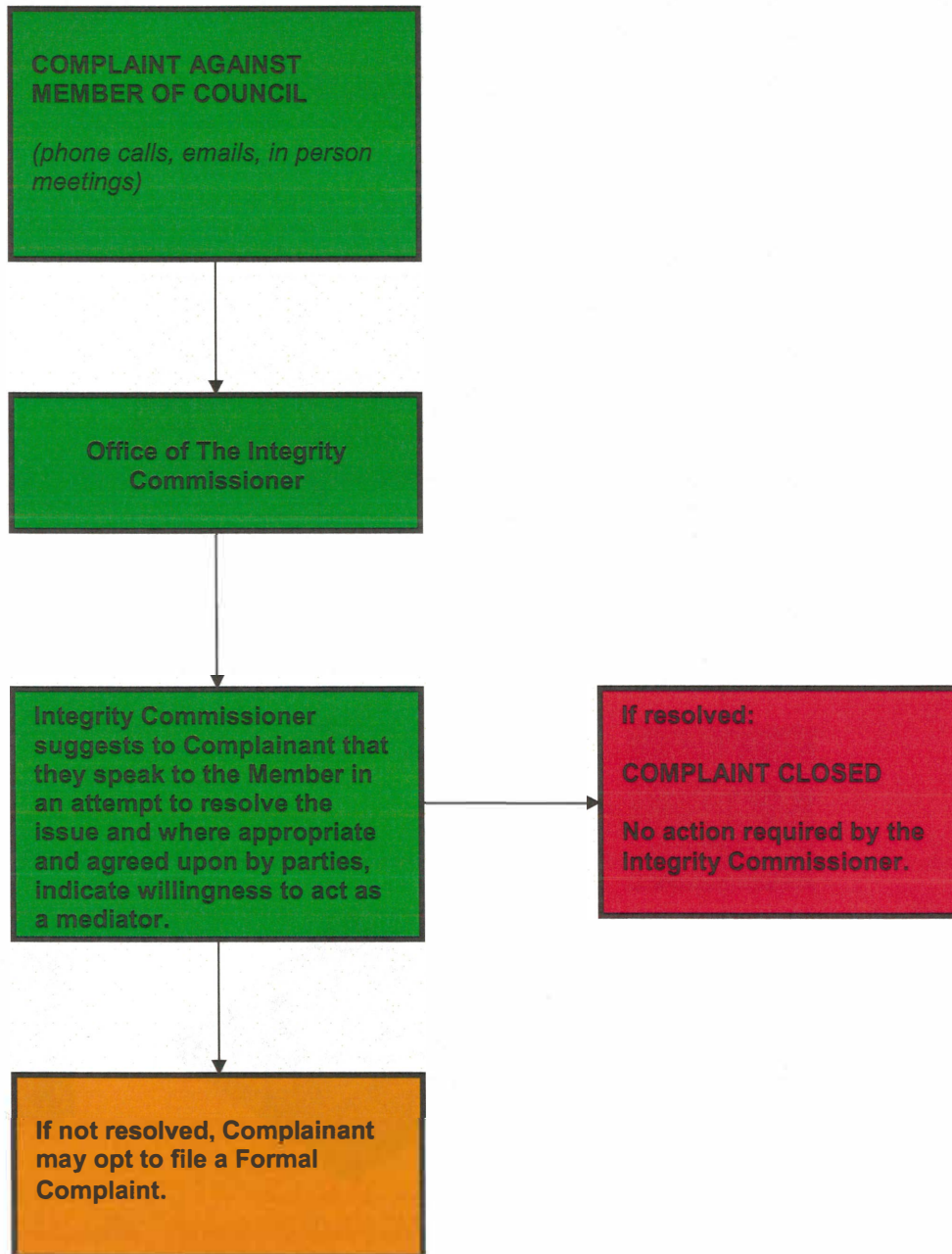
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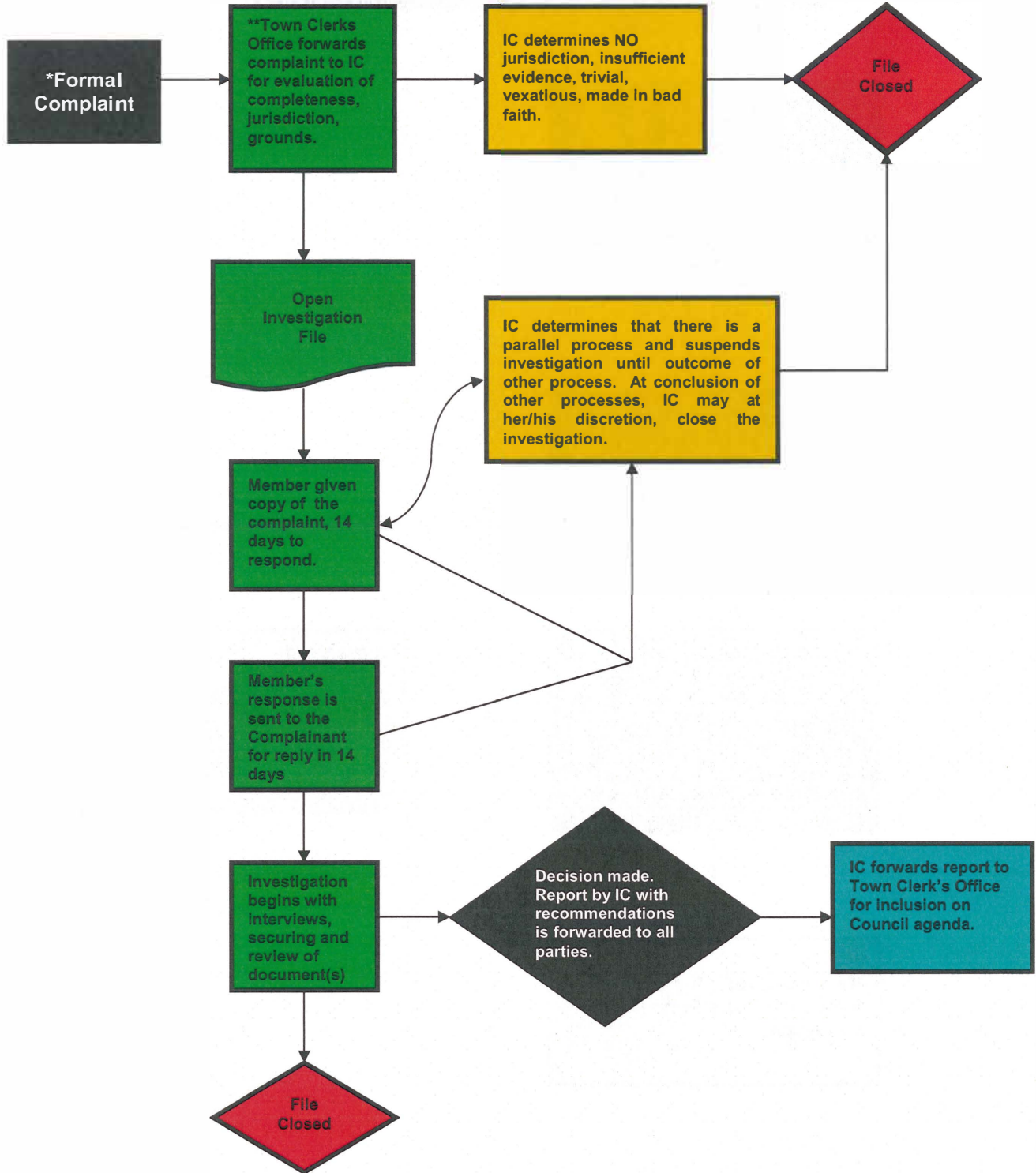
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*Personal information contained on this form is collected under the authority of the Municipal Freedom of Information and Protection of Privacy Act and will be used for the purpose of responding to a complaint review request.*

**THE INFORMAL COMPLAINT PROCESS**



# THE FORMAL COMPLAINT PROCESS



\* A Formal Complaint must be made using the Town's Complaint Form  
 \*\* All formal complaints are received by the Town Clerk's office and then forwarded to the Integrity Commissioner's office for evaluation of jurisdiction, completeness and/or investigation