

THE CORPORATION OF THE TOWNSHIP OF HILTON

BY-LAW NO. 1324-22

Being a by-law to appoint Ironside Consulting Services Inc.  
as the Integrity Commissioner for the Township of Hilton.

WHEREAS the *Municipal Act*, 2001, S.O. 2001, c.25, as amended, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS Section 223.3 of the *Municipal Act*, 2001, S. O. 2001, c. 25, as amended, authorizes a municipality to appoint an Integrity Commissioner who reports to Council and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to any or all of the following:

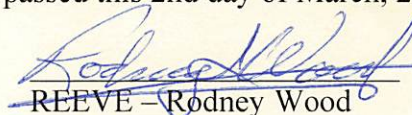
1. The application of the code of conduct for members of council and the code of conduct for members of the local boards.
2. The application of any procedures, rules and policies of the municipality and local boards governing the ethical behaviour of members of council and of local boards.
3. The application of sections 5, 5.1 and 5.2 of the *Municipal Conflict of Interest Act* to members of council and of local boards.
4. Requests from members of council and of local boards for advice respecting their obligations under the code of conduct applicable to the member.
5. Requests from members of council and of local boards for advice respecting their obligations under a procedure, rule or policy of the municipality, or of the local board, as the case may be, governing the ethical behavior of members.
6. Requests from members of council and of local boards for advice respecting their obligations under the *Municipal Conflict of Interest Act*.
7. The provision of educational information to members of council, members of local boards, the municipality and the public about the municipality's code of conduct for members of council and members of local boards and about the *Municipal Conflict of Interest Act*; and


WHEREAS Council deems it advisable to appoint an Integrity Commissioner for the Township of Hilton pursuant to the Act, as amended;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Township of Hilton does hereby enact as follows:

1. THAT Ironside Consulting Services Inc. be appointed as the Integrity Commissioner for the Corporation of the Township of Hilton with the term to commence as of the date of the passing of this by-law, and end on December 31, 2024 with the option to renew for an additional three year period.
2. THAT the Township of Hilton enter into an agreement with Ironside Consulting Services Inc. to perform the duties of Integrity Commissioner as noted in Schedule "A" attached.
3. THAT the Reeve and the Clerk be authorized to sign and execute, on behalf of the municipality, the Agreement with Ironside Consulting Services Inc.
4. THAT any By-law or portion thereof previously approved by Council which conflicts with this By-law shall be hereby repealed.
5. THAT this By-law shall take effect on the day of passing.

READ a first, second and third and final time and passed this 2nd day of March, 2022.

  
REEVE - Rodney Wood

  
CLERK - Valerie Obarymskyj

## **Proposal for Engagement of an Integrity Commissioner**

### **Work Program Methodology**

The following describes the proposed work methodology that is designed to ensure quality of work and cost-effectiveness. The proponent guarantees a timely response to all requests for services/work assignments and in most cases, can initially respond and begin an assignment within forty-eight hours.

### **Complaints Process and Protocol**

#### **Early Stage Complaints Resolution**

ICS Inc. understands the goal to resolve any complaint prior to commencing an inquiry and also that while individuals are encouraged to pursue an informal complaint procedure that this is not a precondition or a prerequisite to pursuing a formal complaint procedure.

A mediation process will be utilized in attempting the parties to resolve informal complaints. The parties will initially be approached individually and advised of the intended process and the Integrity Commissioner's role. Ground rules will be discussed including:

- Each party will be advised that one person speaks at a time and speaks in a calm, professional manner
- To acknowledge respect for each other and to build trust, each party will be asked:
  - To make a sincere commitment to listen to the other without interrupting, to try to understand the other person's point of view before responding
  - To not discuss the conversations during the process with others colleagues (maintain confidentiality)
  - To speak for themselves as individuals – not for others and trust that each is doing
  - To fair consideration of the other person's opinions
  - To consider the issues as the point of disagreement and not the other person
  - To not criticize negatively

The Integrity Commissioner will discuss each person's perspective of the conflict with them and ask them to consider this process to achieve resolution. Each person will be asked what their goals are – what they need/want as an outcome of this process.

The Integrity Commissioner will utilize effective Communication and relationship management and conflict resolution skills in the mediation process to support

resolution. Notes will be kept of the process and outcome but given it is informal, no report will be provided if resolution is achieved.

### **Investigation of Complaints and Alleged Breaches of the Code of Conduct**

Upon receipt of a compliant or inquiry, the proponent understands the role of the Integrity Commissioner is first to determine if it is within jurisdiction, and whether there is a procedure under other legislation or Township's policy to deal with the complaint. If this is the case, the complaint or inquiry will be referred to the appropriate person or agency.

If the complaint or inquiry is within the Integrity Commissioner's jurisdiction, a preliminary information report will be provided to an open meeting of Council as required by protocol (section 4.). Following the provision of the preliminary information report to Council, the investigation of the complaint within jurisdiction, will commence.

A thorough review of all relevant documentation will be undertaken prior to the investigation including:

- The Request for Investigation – Code of Conduct for Members of Council and Local Boards
- Copies of all documents and records submitted with the complaint
- Any relevant policies including the Code of Conduct

The complainant and the respondent will both be provided with copies of the Request for Investigation Form (a draft one can be developed if the Township does not already have one), and all documents and records submitted with the complaint.

The Integrity Commissioner will develop a list of interview questions based on an analysis of the information provided in the Request for Investigation and all documents and records submitted with the complaint.

The complainant will first be interviewed; then the respondent and then potential witnesses. All those interviewed will be provided with the same introductory information at the beginning of the interview including:

- A review of the process
- Confirmation that all parties will be treated fairly and that complaints shall be treated as confidential to the extent possible and in accordance with the Municipal Act
- That all records off the investigation will be kept confidential and access limited to those in the City with a need to know for the purposes of conducting a full investigation
- The purpose – to gather information and determine facts of the matter as to whether or not the Code has been contravened

- That it is Council's role and not the Integrity Commissioner's to determine the actions/penalties, resulting from a finding of contravention of the Code
- That the Integrity Commissioner's report to Council on the investigation of complaints are public documents. The report will be provided in an open meeting of Council. Provision of individual investigative reports will include the background concerning a complaint and recommendations will be provided to the Township's Council for its consideration, in accordance with section 223.6 of the Municipal Act, 2001.

When interviewing, the Integrity Commissioner will consider the demeanour of individuals to establish credibility. Where a number of witnesses are identified, the concept of the balance of probabilities can be considered to establish grounds for considering the validity of the complaint.

Conclusions shall consider the credibility of those interviewed; for example, whether or not they gave their statement in a direct and straightforward way, seemingly without embellishment or whether or not there were significant discrepancies between all those interviewed as to the versions of events raised in the complaint.

As a result of the conclusions reached, the findings will identify if there is evidence and/or credible witnesses to substantiate the allegations identified in the complaint and as such if the Integrity Commissioner believes there has been a violation of the Code.

#### Reporting the Results of an Investigation

ICS Inc. understands that the Integrity Commissioner will report the findings to an open meeting of Council and if the report relates to a local board, to both Council and the local board. The report shall contain all requirements noted in the protocol including the provision of the final report to the complainant and the respondent (the member whose conduct it concerned).

#### **Review Code of Conduct (Council and Elected Board)**

A draft Code of Conduct can be provided for consideration by the various Councils and will be reviewed at least annually and at any time questions or issues arise related to the interpretation of the meaning of the Code that may identify sections that lack clarity or completeness. The proponent recommends seeking out Codes from other Municipalities for review and consideration in the annual review process. Any recommended amendments to the Code will be accompanied by statements of rationale and source references will be defined.

### **Advisor to Members of Council**

ICS Inc. understands the role of Integrity Commission and can provide advice to individual members of Council relating to the Code of Conduct and any procedures, rules and policies of the municipality governing ethical behavior. ICS Inc. will keep abreast of related issues and topics on the internet and review and analyze any information found or provided by staff and proactively act as an educator for Council, the Administration and the Public. An education session can be provided as requested and information submitted by way of the annual report, posted on-line.

ICS Inc. is also in the process of seeking membership in the newly formed Association of Integrity Commissioners of Ontario.

### **Provision of Annual Reports to City Council**

ICS Inc. understands the requirement to submit an annual report to Council summarizing activities in accordance with section 223.6 of the Municipal Act.



## MEMORANDUM

**TO:** Hilton Township

**FROM:** Antoinette Blunt, Integrity Commissioner  
President, Ironside Consulting Services Inc

**DATE:** Report Submitted: 2 March 2022

**SUBJECT:** Report of the Integrity Commissioner  
Covering the period from February 6, 2020 to March 2, 2022

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### **Appointment**

On February 6, 2019, the Council of Hilton Township appointed Antoinette Blunt, President, Ironside Consulting Services Inc. as the Municipality's first Integrity Commissioner. The appointment was effective February 6, 2019, according to By-Law No. 1233-19.

### **Municipal Act, 2001**

Section 223.6 (1) of the Municipal Act states, that " If the Commissioner provides a periodic report to the municipality on his or her activities, the Commissioner may summarize advice he or she has given but shall not disclose confidential information that could identify a person concerned. 2006, c. 32, Sched. A, s. 98."

### **Activities, Expenditures During Period and Total Since Appointment**

There were no requests for advice or inquiries during this reporting period. There were no expenditures during this reporting period and none since date of appointment.



## FEE SCHEDULE 2022

Hourly Rate: \$225/hour

Telephone  
Consultation/Responding  
to Questions Via Email:

Minimum fee of 20 minutes time (\$75.00)

Projects: Costs for projects (i.e. reviews, reports, strategic planning) may be estimated in a lump sum with fees determined based on nature of assignment, research required and time requirements.

Workshops/Training:

Fees to be determined with client and will include research and development of materials, presentation and disbursements. Fees are based in part on number of participants.

Collective Bargaining:

Hourly rate is charged.

Disbursements:

Separately invoiced at cost and may include items such as:

- Courier fees, Supplies
- Travel expenses (gas, air fare, taxi, car rental, etc.), meals and accommodation expenses for out-of-town assignments
- Mileage charged at \$.59/km

Notes:

1. HST at 13% (Unless client is HST exempt)
2. Hourly fee is charged for one-way travel time.
3. Accounts are invoiced at least monthly (Travel by air invoiced as expenses incurred) and depending on project, could be invoiced partially at the beginning of the project and periodically throughout the project as various components of work are completed.
4. Payment is due upon receipt of invoice.
5. Services cancelled with less than 24 hours' notice are subject to payment of full fees and any disbursements incurred that cannot be reversed.

**Business Number: 87739 0922 RT0001**