

COMMITTEE OF THE WHOLE (WORKING SESSION) JUNE 21, 2011

INTEGRITY COMMISSIONER REPORT ON COMMENTARY FOR RULE 1(B) FOR THE CODE OF ETHICAL CONDUCT FOR MEMBERS OF COUNCIL

Recommendation

The Integrity Commissioner recommends that Attachment A be received by Council and added as Commentary to Rule 1(b) of the Code of Ethical Conduct for Members of Council.

Contribution to Sustainability

N/A

Economic Impact

The receipt of this report has no economic implications for the City.

Communications Plan

This report will be placed on the public agenda of the Committee of the Whole (WS) meeting and the Commentary to Rule 1(b) will be added to the Code of Ethical Conduct for Members of Council and placed on the City of Vaughan website.

Purpose

Members of Council are required to adhere to the rules of the Code of Ethical Conduct for Members of Council. The purpose of the attached Commentary is to provide guidelines for Members of Council to follow in application of the Code.

Background - Analysis and Options

Members of Council, in the course of their day-to-day activities, encounter various issues from the public. It is appropriate and necessary for Members of Council to respond to the pragmatic queries and issues that they receive from the public.

The Framework and Interpretation of the Code of Ethical Conduct for Members of Council states that from time to time additional commentary and examples may be added to this document by the Integrity Commissioner. The attached Commentary provides guidance and clarity as to when, how and the extent to which a Member of Council must respond to the public, in the fulfillment of their obligations under Rule 1(b) of the Code.

Relationship to Vaughan Vision 2020/Strategic Plan

The report supports the Vaughan Vision 2020/Strategic Plan in Council's commitment to Openness and Transparency in the development of rules around ethical conduct for elected officials so they may carry out their duties with impartiality and equality of service to all.

Regional Implications

There are no direct Regional implications to the recommendations contained in this report.

Attachments

Attachment A – Commentary to Rule 1(b) of the Code of Ethical Conduct for Members of Council.

Report prepared by:

Suzanne Craig
Integrity Commissioner

Respectfully submitted,

Suzanne Craig
Integrity Commissioner

Recommended Amendments to the Code of Ethical Conduct Protocol:

Additional Commentary to the Code of Ethical Conduct

Commentary to follow Rule 1 (b)

Responding to Inquiries from the Public

Vaughan City Council is committed to overseeing the provision of responsive and accessible services including dealing with reasonable inquiries and requests for information in a timely manner. On occasion, an individual citizen may not be accepting of the response and may restate the inquiry in various ways, or may be rude or harassing in their delivery of the inquiry. There is a need to balance access to information against the need to protect the legitimate interests of the City; the need to respect approved policies and procedures of the City within civil and respectful discourse; and the need to respect the role of officers and employees of the municipality.

Members of Council who receive requests for information or inquiries from members of the public, City staff or other Members of Council may be guided by Protocol 03.26 "Response by City Staff to Requests for Information from the Public". In addition, complaints regarding staff may be forwarded to the appropriate City Commissioner or the City Manager.

This Code does not require Members of Council to provide a response to an inquiry or request for information that is frivolous or vexatious, unreasonable or harassing.

For example:

- the Member of Council is of the opinion on reasonable grounds that the inquiry is made for a purpose other than to obtain information;
- the inquiry has been made more than once and is being used for the purpose of revisiting an issue that has been previously addressed;
- the inquiry is articulated in such a way that it can be considered harassing or abusive;
- the Member is of the opinion, on reasonable grounds, that providing a response would interfere with the operations of the City;
- the inquiry is not an inquiry but rather a complaint.

Communication labelled "Private" and/or "Confidential" may be shared or disclosed as necessary or appropriate, taking into consideration the following:

- information may be disclosed to appropriate staff in order to respond to the issue or concern being communicated;
- information will not be treated as confidential where the communication was shared by the requestor or not made in a confidential manner (copied to others, or made in the presence of others);
- if the information is needed by an officer, employee, consultant or agent of the City who needs the information in the performance of her or his duties and if the information is necessary and proper in the discharge of the City's functions.