



2023 Annual Integrity Commissioner Report

Date	June 12, 2024
To	Mayor Masters and City Councillors
From	Executive Committee
Service Area	Office of the City Clerk
Item #	CR24-66

RECOMMENDATION

That City Council receive and file this report.

HISTORY

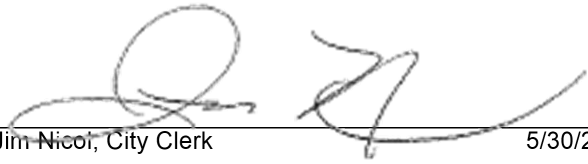
At the May 29, 2024 meeting of the Executive Committee, the Committee considered the attached report EX24-36 from the City Clerk's Office.

Angela Kruk, Integrity Commissioner, addressed the Committee.

The Committee adopted a resolution that City Council receive and file this report at its June 12, 2024 meeting.

Respectfully submitted,

EXECUTIVE COMMITTEE



Jim Nicol, City Clerk 5/30/2024

ATTACHMENTS

EX24-36 2023 Annual Integrity Commissioner Report
Appendix A - 2023 Annual Integrity Commissioner Report



2023 Annual Integrity Commissioner Report

Date	May 15, 2024
To	Executive Committee
From	City Clerk's Office
Service Area	Office of the City Clerk
Item No.	EX24-36

RECOMMENDATION

The Executive Committee recommends that City Council receive and file this report at its May 22, 2024 meeting.

ISSUE

To provide City Council with the Integrity Commissioner's annual report.

IMPACTS

Financial Impact

The cost for producing the attached 2023 Annual Report (Appendix A) was \$1,981.00.

Other Impacts

There are no policy, strategic priority, legal, labour, environmental, Indigenous, or community well-being impacts respecting this report.

OTHER OPTIONS

None with respect to this report.

COMMUNICATIONS & ENGAGEMENT

None with respect to this report.

DISCUSSION

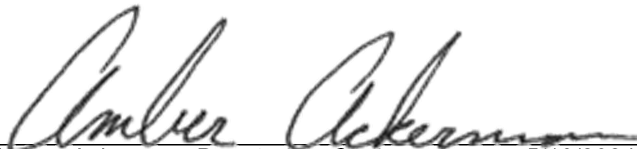
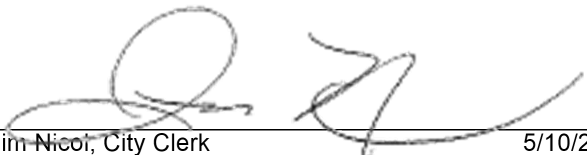
The attached report (Appendix A) outlines the investigations undertaken by the Integrity Commissioner for the period January 1, 2023 – December 31, 2023.

DECISION HISTORY & AUTHORITY

The Code of Ethics Bylaw, Bylaw No. 2017-4 provides that the Integrity Commissioner provide an annual report on all substantiated complaints received during the calendar year.

Respectfully Submitted,

Respectfully Submitted,


Amber Ackerman, Deputy City Clerk 5/10/2024
Jim Nicol, City Clerk 5/10/2024

Prepared by: Amber Ackerman, Deputy City Clerk

ATTACHMENTS

Appendix A - 2023 Annual Integrity Commissioner Report

2023 ANNUAL REPORT

INTEGRITY COMMISSIONER

CITY OF REGINA

The Code of Ethics Bylaw, 2017

January 1, 2023 - December 31, 2023

Angela Kruk

I. INTRODUCTION

This annual report covers the period of time from January 1, 2023 to December 31, 2023 summarizing the work undertaken by my office in the role of Integrity Commissioner for the City of Regina.

II. MANDATE OF THE INTEGRITY COMMISSIONER

Every municipality in Saskatchewan is required to adopt a code of ethics to guide the conduct of members of Council.

The City of Regina Code of Ethics Bylaw No 2017-4 (“Code”) requires the City to appoint an Integrity Commissioner to undertake the duties and responsibilities assigned to the office pursuant to the Code.

The duties and responsibilities of the Integrity Commissioner for the City of Regina include:

- a) Provide advance rulings and recommendations to members on questions of compliance with the Code;
- b) Receive, assess and investigate written complaints under the Code;
- c) Report to Executive Committee and Council on violations of the Code;
- d) Recommend sanctions or corrective actions where a violation has been found;
- e) Upon request, provide training and educational sessions to members of Council; and
- f) Report annually to the Executive Committee and Council.

The Code very specifically was intended not to apply to allegations that a member of Council has violated the conflict of interest obligations under *The Cities Act* and the Integrity Commissioner’s jurisdiction therefore does not include investigating allegations related to a conflict of interest by a member of Council.

I was appointed as Integrity Commissioner for the City of Regina beginning January 1, 2022, for a four year term.

The purpose of the Code is to outline basic ethical standards and values for members, guiding their behaviour as they are fulfilling their duties and responsibilities as elected officials.

There are seven ethical principles that form the bedrock for the Code:

1. Honesty

2. Objectivity
3. Respect
4. Transparency & accountability
5. Confidentiality
6. Leadership & the public interest
7. Responsibility

The Code expands upon each of these seven principles to form the ethical basis upon which members are expected to perform, recognizing that:

1. As public officials, the actions of each member have an impact on the lives of residents and property owners in the City of Regina;
2. Members are expected to discharge their duties and responsibilities with a commitment to the highest of ethical standards; and
3. The conduct of elected officials has an impact on the quality of public administration and on the governance, reputation and integrity of the City of Regina.

III. WORK OF THE INTEGRITY COMMISSIONER

1. Advisory Function

I did not receive any requests from members of Council on questions of compliance with the Code.

2. Education

I did not deliver any educational sessions to Council in 2023.

3. Complaints

In 2023, I received a total of 15 formal complaints and ten inquiries or informal complaints.

Of the 15 formal complaints, seven of them related to the same conduct, submitted by seven different complainants. After consulting with the Complainants and the member of Council, I combined all of the complaints into one single investigation.

Formal complaints are those that are submitted using the form prescribed under the Code and which must comply with section 20 of the Code in terms of the information that must be submitted with them.

Inquiries or informal complaints are essentially inquiries or concerns raised by a person, which do not comply with section 20 of the Code and are not filed using the formal process. Informal complaints can be submitted as formal complaints at any time, if all of the information described in section 20 is complied with.

a. Inquiries

Of the ten inquiries received, nine came from members of the public and one came from a media request.

Three of the inquiries related to matters that were not about a member of Council, over which I have no jurisdiction. Although the receipt of an inquiry does not require the Integrity Commissioner to conduct an assessment as to whether or not the inquiry will be investigated, as a matter of courtesy, I respond to every inquiry, typically describing the role of the Integrity Commissioner and redirecting them to a more appropriate person to contact, where possible.

Of the seven inquiries that related to conduct of a member of Council, there were two members of Council identified individually and the other five inquiries related to displeasure with Council as a whole or multiple members of Council.

One of the inquiries turned into a formal complaint.

b. Formal Complaints/Request for Investigation

All of the formal complaints were handled in accordance with the complaint process described in the Code.

Of the 15 formal complaints received in 2023, 12 were investigated (seven as one complaint), one was withdrawn by the Complainant and two were not investigated.

Of the 12 complaints investigated, one resulted in a finding that a member of Council contravened the Code and the remaining complaints did not.

One of the formal complaints was investigated by an alternate Integrity Commissioner, Randy Langgard, appointed to investigate a singular complaint as a result of a conflict of interest declared by myself. Upon conclusion of the investigation, Mr. Langgard found that Councillor Stevens had contravened section 27(2) of the Code by disclosing a confidential document to unintended recipients. Mr. Langgard's investigation report was

presented to Council, recommending that Councillor Stevens receive a reprimand for violating the Code and that he provide a written apology to Councillor Nelson. Council decided not to impose any sanctions against Councillor Stevens, as it is entitled to do under the Code. I have included the complaint investigated by Mr. Langgard in the statistics reported in this Annual Report.

My office received seven complaints that related to the same incident in 2023. Although these seven complaints were submitted by seven different complainants, since the complaints were all related to the same conduct, after consulting with the Complainants and the Respondent, I investigated all seven together in one investigation.

Every formal complaint goes through an initial complaint classification process pursuant to section 21 of the Code. People are sometimes unhappy or disagree with the conduct of members of Council, but not all disagreements or differences of opinion relate to a member's obligations under the Code. The initial review process under section 21 is meant to identify complaints that are not related to ethical obligations under the Code and to redirect any matters more appropriately dealt with elsewhere.

In other words, not all formal complaints will be investigated.

If a complaint is not, on its face, a matter that relates to non-compliance with the Code, then the Integrity Commissioner will not investigate it.

If the complaint is, on its face, a matter related to non-compliance with the Code and no other forum, policy or process is more appropriate to deal with it, then the complaint must be investigated by the Integrity Commissioner.

In situations where I decide not to investigate a formal complaint, I will provide brief reasons to the complainant.

Under the current process described in the Code, formal complaints that are not investigated, are not disclosed to the member of Council who was the subject of the complaint, but may be anonymized and included in an annual report.

Of the 15 formal complaints received, 12 were from members of the public and three were from other members of Council. Of the three complaints that were not investigated, I declined jurisdiction on one of them as the conduct complained of occurred at a Council meeting; another related to matters that were not regulated by the Code; the third was withdrawn by the Complainant.

The investigation process in the Code requires the Integrity Commissioner to issue a written report for all investigations that are concluded. The recipient of the written report will differ, depending on the conclusion of the investigation. Investigation reports that result in a finding of noncompliance with the Code, will be provided to the member of Council, complainant, Executive Committee, Council and are released publicly. Investigation reports that result in a finding that there has been no violation of the Code are provided to the member of Council and the complainant only and are not released publicly.

The combined investigation for two of the complaints submitted at the end of 2022 was completed in 2023. This investigation resulted in a finding that Councillor Stevens and Councillor LeBlanc contravened sections 13(1) and section 13(2) of the Code by pursuing a court application against the City Manager, Niki Anderson, seeking to compel her to include a \$24.9 million line item into the proposed 2023 City of Regina budget as per the direction of motion MN22-3. My final investigation report was provided to Executive Committee, Council and was released publicly. It included a recommendation on sanctions against Councillors LeBlanc and Stevens to provide a written apology to the City Manager. Council did not accept my recommendation on sanctions and chose not to impose any sanctions on Councillors LeBlanc and Stevens, which Council is entitled to do under the Code.

c. Historical Summary

Following is a brief summary of the complaints handled by my office over the last two years:

Reporting Period	Informal Complaints Received	Formal Complaints Received	Investigations	Result	Sanctions
2022	25	8	2 (1 investigation included 2 complaints)	3 violations (2 related to the same conduct)	None
2023	10	15	5 (7 complaints were investigated together)	1 violation	None

d. General Observations from 2023

A common theme showing up in many of the formal and informal complaints received by my office in 2023 involved concerns related to the lack of respectful communication by a member of Council.

Unquestionably, a member of Council is permitted and even encouraged to engage in political debate and to form opinions on topics relevant to residents, even controversial opinions in some cases. However, section 10 of the Code provides boundaries to the effective communication made by members of Council. Those communications must be made in a manner that treats people with respect; without demeaning, belittling or devaluing them. The use of derogatory language towards others must be avoided and people must be treated with courtesy.

If opinions and debates are directed at the issues and topics, rather than the people communicating them, members will be able to engage in meaningful debate and discussion within the parameters of the Code.

IV. RECOMMENDATIONS

My 2022 Annual Report contained three recommendations to Council:

1. Provide the Integrity Commissioner with express authority to review the conduct of a member at council and committee meetings;
2. Modify the complaint process to provide discretion to the Integrity Commissioner to provide anonymized complaints to the member of Council if the complaint is not investigated; and
3. Code modernization.

I continue to encourage Council to consider these amendments to the Code.

V. CLOSING REMARKS

The level of engagement some Regina residents have in municipal politics is encouraging. The Ombudsman Saskatchewan 2022 Annual Report indicates that citizens are taking a greater interest in local politics. As they should, given that decisions made at the municipal level have a high degree of impact on individual citizens and local businesses. Engagement between local elected officials and the electorate is critical to the effective management and future growth of any municipality.

I commend the members of Regina City Council and City administration, for their level of cooperation with my office over the last year, which shows me that there is a universal commitment to the ethical principles underlying the Code of Ethics Bylaw.

I look forward to another year of engagement and cooperation.

All of which is respectfully submitted.

Angela Kruk

Integrity Commissioner

February 24, 2024