

## Appointment of Integrity Commissioner

Presented To: City Council

Meeting Date: April 29, 2025

Type: Correspondence for Information Only

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Recommended by: General Manager of Corporate Services

## Report Summary

This report provides information to City Council regarding the appointment of an Integrity Commissioner for the City of Greater Sudbury. A by-law appears on the agenda to authorize the appointment of Principles Integrity for the term of May 13, 2025 to May 12, 2030.

## Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

This report refers to operational matters and has no direct connection to the Strategic Plan and Community Energy and Emissions Plan.

## Financial Implications

The anticipated cost for the services of the Integrity Commissioner is funded within existing approved budgets.

## Background

The *Municipal Act, 2001*, was amended in 2018 to provide that, effective March 1, 2019, all municipalities in the province are required to appoint an Integrity Commissioner responsible for providing the following in relation to members of municipal Councils and local boards:

- The application of the code of conduct for members;
- The application of any procedures, rules and policies governing the ethical behaviour of members;
- The application of provisions of the *Municipal Conflict of Interest Act* to members;
- Requests from members for advice respecting a member's obligations under the code of conduct;
- Requests from members of council and of local boards for advice respecting their obligations under a procedure, rule or policy governing the ethical behaviour of members;

- Requests from members of council and of local boards for advice respecting their obligations under the *Municipal Conflict of Interest Act*; and,
- Educating members, the municipality and the public about the municipality's codes of conduct for members of council and members of local boards and about the *Municipal Conflict of Interest Act*.

The term of the City's agreement with the current Integrity Commissioner expires on May 12, 2025. In anticipation of the expiry, staff prepared and issued a request for proposals ("RFP") for the services. The City's RFP was communicated to numerous firms in the province already providing integrity commissioner services to other municipalities. The City received six detailed proposals from the following firms:

- ADR Chambers Inc.
- Kushneryk Morgan LLP
- Lerner LLP
- Principles Integrity
- Sage Analytics Inc.
- Seabrook Workplace Law/Parker Law Joint Venture

### **Evaluation Process**

The proposals were evaluated by a group comprised of an Assistant City Solicitor, the Manager of Clerk's Services/Deputy Clerk and the City Solicitor and Clerk. The evaluation process consisted of a number of different steps. The evaluation team reviewed and scored the written proposals using evaluation criteria based on the following principles:

1. Previous municipal governance, procedural and/or ethics experience;
2. Knowledge of municipal government and an understanding of Council and/or local board operations and policies;
3. Knowledge of municipal law as relates to the accountability and transparency provisions in the Act;
4. Ability to provide services in a flexible and responsive manner;
5. Ability to develop trust, engage in respectful interaction and maintain credibility with City Council, staff and media;
6. Ability to maintain confidentiality and independence;
7. Experience receiving and managing complaints and conducting fair and impartial investigations which include the use of alternative dispute resolution processes
8. Experience drafting written advice and reports for individual and public review;
9. Ability to provide written advice and develop and deliver educational services; and
10. Efficient use of municipal funds.

This first stage of the evaluation included scoring of qualifications and experience, the proponent's proposed workplan and financial proposal. Financial proposals were to include applicable rates and costs for travel to Sudbury where required.

The next stage of the evaluation consisted of an interview process with proponents scoring the highest in the first stage of evaluation. Based on the scoring of the initial evaluation, two of the proponents proceeded to this step being ADR Chambers Inc. and Principles Integrity.

The interview process used is similar to that used in recruitment processes. It comprised of a presentation delivered by proponents on a topic related to Integrity Commissioner services followed by a number of questions from the evaluation team regarding the proponent's experience in delivering similar services and how they propose to manage the services.

Based on the cumulative score from the evaluation process which included the technical proposal, the financial proposal and the interview, Principles Integrity was identified as the successful proponent scoring the highest among the proposals received.

### **Principles Integrity**

Principles Integrity is a partnership formed in 2017 focused on accountability and governance matters for municipalities. It is comprised of two principals being Ms. Janice Atwood and Mr. Jeffrey Abrams, both of whom have been providing integrity commissioner services to municipalities since the partnership's formation. Principles Integrity currently serves as integrity commissioner for over 60 municipalities and other public bodies including but not limited to Mississauga, Orillia, Pickering, Hamilton, Aurora, Collingwood and the Regions of York, Durham and Peel.

In addition to having provided integrity commissioner services in Ontario for many years, both Mr. Abrams and Ms. Atwood have significant municipal experience having spent much of their careers in the municipal sector. Throughout his career, Mr. Abrams was employed in municipal clerk or solicitor roles for a number of municipalities including Toronto, Vaughan the Regional Municipality of York. Ms. Atwood also has extensive experience in municipal government with City Solicitor roles at the Cities of Hamilton and Vaughan.

As part of the proposal, the services would be provided by both Mr. Abrams and Ms. Atwood allowing for agile and responsive services and minimizing the potential for scheduling and workload conflicts.

Both principals have experience delivering all aspects of integrity commissioner services including advice to members of Council and the public, the conduct of educational sessions and, where informal resolution methods are unsuccessful, the conduct of investigations in a fair, independent and impartial manner.

### **NEXT STEPS**

It is recommended that City Council approve the appointment of Principles Integrity as the City of Greater Sudbury's Integrity Commissioner. A bylaw appears on the agenda to appoint Principles Integrity for a term of five years from May 13, 2025 to May 12, 2030.