



INTEGRITY COMMISSIONER REPORT FOR ACTION

Office of the Integrity Commissioner - 2016 Operating Budget

Date: December 21, 2015
To: Budget Committee
From: Valerie Jepson
Integrity Commissioner
Wards: All
Reference:

SUMMARY

This report details information related to the 2016 Operating Budget for the Office of the Integrity Commissioner (the "Office" or the "OIC") and recommends a full-year 2016 budget of \$793.3 thousand for consideration by the Budget Committee. This includes base budget pressures of \$51.4 thousand and enhancements of \$314.1 thousand.

RECOMMENDATIONS

The Integrity Commissioner recommends that:

Budget Committee recommends to Executive Committee that:

1. City Council approve the 2016 operating budget of \$793.3 thousand for the Office of the Integrity Commissioner.

FINANCIAL IMPACT

Approval of the Office of the Integrity Commissioner's 2016 operating budget request will result in an inclusion of \$793.3 thousand in the 2016 annual budget of the City of Toronto.

DECISION HISTORY

As provided for by the *City of Toronto Act, 2006* and Chapter 3 of the Toronto Municipal Code, the Integrity Commissioner is independent of the City administration. This report is therefore submitted directly to Budget Committee for consideration and recommendation to Council. (Reference: City of Toronto Act, 2006, s. 158(2), s. 159(1); Chapter 3 of the Toronto Municipal Code, ss. 3-10.)

COMMENTS

BACKGROUND

The City of Toronto appointed its first Integrity Commissioner on a part-time basis in 2004. Shortly after the Office was created, the Honourable Justice Denise E. Bellamy released her report into the Toronto Computer Leasing, and Toronto External Contract, Inquiries. Justice Bellamy commended the decision of City Council to create an Integrity Commissioner but she made several recommendations to enhance the role, including that the Commissioner be full-time and have sufficient staff to ensure timely advice-giving and investigations.

Until September 2014, the position of Commissioner was part-time and the office was staffed by a single administrative assistant.

Council approved a full time commissioner commencing in September 2014. In the 2015 budget process the Commissioner requested Council approve the addition of two new positions (an investigator and an outreach co-ordinator) and an external budget for investigative support. Council approved the addition of one new position.

Further enhancements are required to enable the Commissioner to fulfill the duties required by City Council. The Commissioner therefore renews the unfulfilled requests previously made in the 2015 Budget process:

- a budget for contingency funding for external investigative and legal support; and,
- creation of one new position: an Outreach Coordinator and related setup costs.

These requests continue to build on Council's prior decision to approve a full-time commissioner and are intended to enhance the capacity of the Office to fulfill its statutory duties among all stakeholder groups in a timely and efficient manner.

WORK OF THE OFFICE

Duties of the Integrity Commissioner

The *City of Toronto Act, 2006* and Chapter 3 of the Municipal Code require the Commissioner to perform four main duties:

1. Provide confidential advice to 45 members of Council and more than 1000 appointees to Local Boards (Restricted Definition);

2. Provide education and outreach to Council and more than 100 Local Boards (Restricted Definition) about the standards of conduct;
3. Provide comprehensive policy reports to Council and more than 100 Local Boards (Restricted Definition) on matters of integrity and ethics; and,
4. Complete investigations when there are allegations of breach.

In addition to the above duties, the Commissioner and staff respond to informal inquiries and requests for information from members of the public and other interested groups. The volume of work on the Office has steadily increased in recent years. See Appendix A for a summary of statistical information relating to the work of the OIC.

WHAT WILL THE PROPOSED ENHANCEMENTS ACHIEVE?

Timely and Efficient Response to Complaints

A core function of the Integrity Commissioner is to receive and deal with complaints. In a complaint driven model, it is difficult to accurately predict the resourcing required to respond to volume and complexity of complaints. Complaints should be addressed efficiently and in a timely manner.

The addition of the Investigator (in place effective August 2015) has and will continue to enhance the capacity of the Office to respond to complaints efficiently. More resources are needed. At present, there is no buffer in the current budget (through staff or external services) to properly respond to high volumes, large or complex cases or issues, or time sensitive matters.

Rather than adding additional staff to deal with anticipated capacity issues, the Commissioner recommends establishing a non-salary budget for external support. An external support budget will only be utilized to respond to high demand for investigation support and will provide the Commissioner with necessarily flexibility to quickly respond to major or complex investigations.

Efficient Use of the Commissioner's Time

Another function of the Integrity Commissioner is to ensure that members of Council and Local Boards (Restricted Definition) are aware of the standards of conduct that apply to them. The Commissioner is actively involved in carrying out all of the responsibilities of the Office, including providing education and outreach activities.

The Commissioner recommends the addition of a new outreach coordinator position to allow the Commissioner to focus her time on core duties such as investigations and advice giving (rather than planning and coordinating outreach activities, uploading information to the Office website, etc.).

Addressing a gap in awareness among Local Boards (Restricted Definition)

Further, the new outreach position will help to address a gap in awareness among the more than 100 Local Boards (Restricted Definition). Considering the high number of Local Boards, there appears to be a very low level of awareness of the standards of conduct among Local Boards (Restricted Definition). There have been only six requests for advice from Local Boards (Restricted Definition) in the past three years. This number is out of proportion when one considers that there are more than 1000 appointees.

The proposed Outreach Coordinator will enable the Integrity Commissioner to develop strategies and content to efficiently deliver outreach among all the OIC's stakeholders and, in particular, among the Local Board (Restricted Definition) sector. This will include recommending web and social media content, maintaining the website, building up necessary outreach resources (with an initial focus on the needs of Business Improvement Areas), planning and strategizing an outreach approach and managing all of the related logistical and planning functions.

SUMMARY

The Office of the Integrity Commissioner 2016 budget request of \$793.3 thousand net, includes:

Base budget pressures of \$51.4 thousand net, which include:

Budgetary provisions for progression pay increases and benefit adjustments, salary budget to actual adjustments and economic factor adjustments for non-payroll items. These are partially offset by the reversal of one-time non-recurring office configuration costs relating to a new position approved in 2015.

Annualization impact for a new Integrity Officer position approved in 2015.

New/enhancement request of \$314.1 thousand, which include:

Part-year salary and benefit for 1.0 full-time Outreach Coordinator position of \$82.7 thousand

One-time set up cost of \$81.4 thousand relating to office configuration/moving expenses, office equipment and furnishings, etc.

Legal and investigative costs of \$150.0 thousand.

These result in an increase of \$365.6 thousand or 85.5% from the 2015 Approved Operating Budget of \$427.8 thousand net.

CONTACT

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SIGNATURE

Valerie Jepson, Integrity Commissioner

ATTACHMENTS

Appendix A: Statistics

Attachment 1: 2016 Operating Budget - Accountability Officers