



INTEGRITY COMMISSIONER REPORT ACTION REQUIRED

Report on a Protocol for Member Involvement in Other Wards

Date:	January 18, 2010
To:	Executive Committee
From:	Integrity Commissioner
Wards:	All
Reference Number:	

SUMMARY

On September 28, 2005, Council adopted a report from the former Integrity Commissioner recommending that Council reaffirm the principle that a Member of Council may intervene on a ward matter in another Member's ward, that the City Manager in consultation with the Integrity Commissioner prepare a Protocol for Council on Members of Council intervening on a ward matter in another Member's ward, and amendments to the *Code of Conduct for Members of Council* reflecting the Protocol's standards for intervention on a ward matter in another Member's ward.

This report completes Council's direction by proposing a Protocol that is aligned with the work done by the former Integrity Commissioner. *The Code of Conduct for Members of Council* does not require amendment at this time, because it includes a requirement that Members of Council follow protocols and policies put in place by Council.

The City Manager's office has been consulted and is content that the proposed Protocol be brought to Council by the Integrity Commissioner.

RECOMMENDATION

The Integrity Commissioner recommends that Council:

1. Adopt the *Protocol for Member Involvement in Other Wards*, attached as Appendix 1.

Financial Impact

This report will have no financial impact.

DECISION HISTORY

At its meeting on February 1, 2 and 3, 2005, City Council resolved to request that the Integrity Commissioner consider whether “it is appropriate for a Member of Council personally, or through a staff member or other representative, to intervene on a ward matter in another member’s ward, and if so, under what circumstances.”

His report and recommendations (attached as Appendix 2) were provided to Council at its meeting on September 28, 2005. Council adopted the following resolution, as recommended by the Integrity Commissioner:

“[T]hat Council:

- (1) affirm the principle that a Member of Council may intervene on a ward matter in another Member’s ward,
- (2) direct the City Manager (in consultation with the Integrity Commissioner) to prepare for Council a Protocol on Members of Council intervening on a ward matter in another Member’s ward,
- (3) direct the City Manager (in consultation with the Integrity Commissioner) to prepare for Council amendments to the Code of Conduct for Members of Council reflecting the Protocol’s standards for intervention on a ward matter in another Member’s ward.

In accordance with Council’s request, this Report attaches a proposed Protocol (Appendix 1) which formalizes the earlier recommendations made by the Integrity Commissioner.

ISSUE BACKGROUND

In 2004, the Chief Administrative Officer for the City of Toronto (now the City Manager) adopted a staff protocol to address Councillor requests for staff attendance at ward meetings. A copy of the 2004 Staff Protocol for Councillor Requests is attached as Appendix 3 to this report. At that time, there was no companion protocol for Members of Council. Some Members of Council felt that a greater degree of certainty ought to be brought to the issue and City Council by motion at its meeting on February 1, 2 and 3, 2005, requested the Integrity Commissioner to consider the question of Member involvement in other Member’s wards.

The Integrity Commissioner consulted with Members of Council and researched the issue. He reported to Council on September 28, 2005 that the prevailing view is that

Councillors should be able to become involved in other wards, but that a protocol ought to be observed when Councillors are asked to get involved.

The Integrity Commissioner reported that it is not “possible or prudent” to write a set of rules which could cover every fact situation. He proposed that a set of principles be created to provide guidance and allow some flexibility. The proposed Protocol, which is attached as Appendix 3, is based upon this recommendation.

COMMENTS

Council requested that the City Manager prepare a protocol in consultation with the Integrity Commissioner. This request was made prior to the passage of the *City of Toronto Act, 2006* and the Accountability Framework passed by Council in 2009. Following consultation with the City Manager’s office in January 2010, it was decided that the Integrity Commissioner should bring the proposed Protocol to Council through the Executive Committee.

No amendment to the *Code of Conduct for Members of Council* is necessary at this time. Article XV requires Members of Council to observe the terms of “all policies and procedures established by City Council.”

CONTACT

Integrity Commissioner
Phone: 416-397-7770; Fax: 416-392-3840
Email: jleiper@toronto.ca

SIGNATURE

Attachments:

- Appendix 1: Protocol for Member Involvement in Other Wards
- Appendix 2: Report to Council by former Integrity Commissioner
David Mullan on Involvement of Members in Matters Arising in Other
Members’ Wards, September 15, 2005
- Appendix 3: 2004 Staff Protocol for Member Requests