



**STAFF REPORT  
ACTION REQUIRED  
with Confidential Attachment**

**Appointment of Interim Ombudsman**

<b>Date:</b>	October 28, 2015
<b>To:</b>	City Council
<b>From:</b>	City Manager
<b>Wards:</b>	All
<b>Reason for Confidential Information:</b>	Personal matters about an identifiable person. Labour relations or employee negotiations.
<b>Reference Number:</b>	

**SUMMARY**

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The purpose of this report is to seek Council authority to appoint an interim Ombudsman commencing on November 17, 2015 as the term for the current Ombudsman concludes on November 16, 2015.

**RECOMMENDATIONS**

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**The City Manager recommends that:**

1. City Council appoint as interim Ombudsman the person identified in confidential Attachment 1 to this report, pursuant to an Agreement to the satisfaction of the City Manager, effective November 17, 2015 and ending December 31, 2015.
2. City Council authorize the public release of the name and summary profile of the interim Ombudsman contained in confidential Attachment 1 upon approval of the appointment of the interim Ombudsman and at the conclusion of the November 3 and 4, 2015 Council meeting.

**Financial Impact**

There are no financial implications resulting from the implementation of the recommendations in this report.

## **DECISION HISTORY**

At its meeting held on October 22, 2007, City Council established an independent Ombudsman for the City of Toronto as required by the *City of Toronto Act, 2006* including the powers, jurisdiction and operating framework for the function.

<http://www.toronto.ca/legdocs/mmis/2007/ex/reports/2007-06-25-ex10-cc-dit10.pdf>

City Council at its meeting on September 24, 2008 appointed a Toronto Ombudsman.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2008.CC24.2>

City Council at its meeting on October 30, 2012 adopted to extend the term of the Toronto Ombudsman to November 16, 2015 on the same terms and conditions and subject to the City Manager negotiating an agreement with Ombudsman by November 16, 2012.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.CC27.13>

City Council at its meeting on July 9, 10 and 11, 2014 instructed the City Manager to amend the notice provisions of the Ombudsman's employment agreement, with the agreement of the Ombudsman, in order to provide six (6) months' notice to the other if they do not wish to extend the term of the agreement.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.CC54.2>

City Council at its meeting on March 31, April 1 and 2, 2015 directed an external review of the four Accountability Officers' operations and a report will be forthcoming to the December 2015 Council meeting.

<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-78506.pdf>

## **ISSUE BACKGROUND**

The current Ombudsman's employment agreement concludes on November 16, 2015.

City Council at its meeting on March 31, 2015 directed an external review of the Accountability Officers' operations and pending completion of this review, it is necessary to appoint an interim Ombudsman.

## **COMMENTS**

The Toronto Ombudsman is responsible for investigating public complaints about decisions, actions or recommendations made or omitted in the course of implementing City policies and administering City services. The Ombudsman is a statutory function required under the *City of Toronto Act, 2006* and reports directly to Council.

The employment term of Toronto's Ombudsman, Fiona Crean, will conclude on November 16, 2015. The appointment of an interim Ombudsman is required, pending the outcome of the Council directed external review of the City's Accountability Officers. The appointment of an interim Ombudsman requires a 2/3 majority vote (30 Members) of City Council.

A formal recruitment process will be deferred until Council has had the opportunity to consider the findings arising from the external review that is underway. A report to the December 2015 Council meeting is anticipated.

## **CONTACT**

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## **SIGNATURE**

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Peter Wallace  
City Manager

## **ATTACHMENT**

Confidential Attachment