



INTEGRITY COMMISSIONER REPORT FOR ACTION

Investigation Report on Violation of Code of Conduct: Councillor Rob Ford

Date: January 28, 2016
To: City Council
From: Valerie Jepson, Integrity Commissioner
Wards: All Wards
Reference:

SUMMARY

In April and May 2015, Councillor Ford's constituency newsletter, the "Ward 2 Newsletter", included an advertisement for a campaign fundraiser. A member of the public filed a complaint alleging that including the advertisement was contrary to Articles VI (Use of City Property) and VII (Election Campaign Work) of the Code of Conduct for Members of Council (the "Code of Conduct").

In the attached report, I find that when Councillor Ford included the advertisement in his newsletter, he used City resources for a purpose related to an election campaign, which is contrary to City policies and the Code of Conduct.

I also find that Councillor Ford contravened Article XV of the Code of Conduct (Failure to Adhere to Council Policies and Procedures) because he failed to disclose his use of personal funds to pay for the newsletter, which I find is a core part of councillors' constituency work and is subject to City policies. Councillor Ford has previously been warned that using personal funds for his Council work without disclosure is contrary to City policies and the Code of Conduct.

Councillor Ford cooperated with this investigation and made no objection to the core principle that City resources should not be used for campaign purposes. However, in my view, a penalty that contains a component of deterrence is warranted because a prior clear warning has been insufficient to correct Councillor Ford's behaviour

In consideration of these factors, I recommend that Council adopt a finding that Councillor Ford's conduct contravened the Code of Conduct and that as a consequence for including an election advertisement in his constituency newsletter and the resultant use of City resources, Council suspend the remuneration (excluding benefits) paid to

Councillor Ford for three (3) days. The value of a three day suspension of remuneration is approximately \$900.

I also recommend that Council direct Councillor Ford to report all personal funds paid by him with respect to the newsletter and if he fails to disclose such funds by February 28, 2016, his remuneration (excluding benefits) be suspended for an additional three (3) days.

RECOMMENDATIONS

The Integrity Commissioner recommends that:

1. Council find that Councillor Ford contravened Articles VI (Use of City Resource), VII (Election Campaign Work), and XV (Failure to Adhere to Council Policies and Procedures) when he included a campaign fundraiser advertisement in his newsletter in April and May 2015 and that Councillor Ford failed to disclose his personal expenses for the newsletter.
2. Council suspend the remuneration (excluding benefits) paid to Councillor Ford for three (3) days.
3. Council direct Councillor Ford to report all personal funds paid by Councillor Ford with respect to the newsletter and if he fails to disclose such funds by February 28, 2016, his remuneration (excluding benefits) be suspended for an additional three (3) days.

FINANCIAL IMPACT

This report has no financial impact.

DECISION HISTORY

Council has not previously considered this matter.

COMMENTS

In April 2015, a member of the public filed a formal complaint alleging that Councillor Rob Ford contravened Articles VI (Use of City Property) and VII (Election Campaign Work) of the Code of Conduct for Members of Council when he included an advertisement for a campaign fundraiser in his constituency newsletter.

The complaint was received and investigated in accordance with the Code of Conduct Complaint Protocol for Members of Council. The attached report outlines the findings, conclusions, and the rationale for the recommendations set out above.

CONTACT

Valerie Jepson, Integrity Commissioner
Email: vjepson@toronto.ca
Tel: (416) 397-7770; Fax: (416) 696-3615

SIGNATURE

Valerie Jepson, Integrity Commissioner

ATTACHMENTS

Attachment 1: Investigation Report Regarding Conduct of Councillor Rob Ford (18 pages)