



Office of the Integrity Commissioner

Integrity Commissioner-Recommended 2019 Operating Budget & Plan

Budget Briefing to Budget Committee

budget

—2019—



February 6, 2019



Overview and Highlights

2019 – 2021 Integrity Commissioner-Recommended Operating Budget and Plan



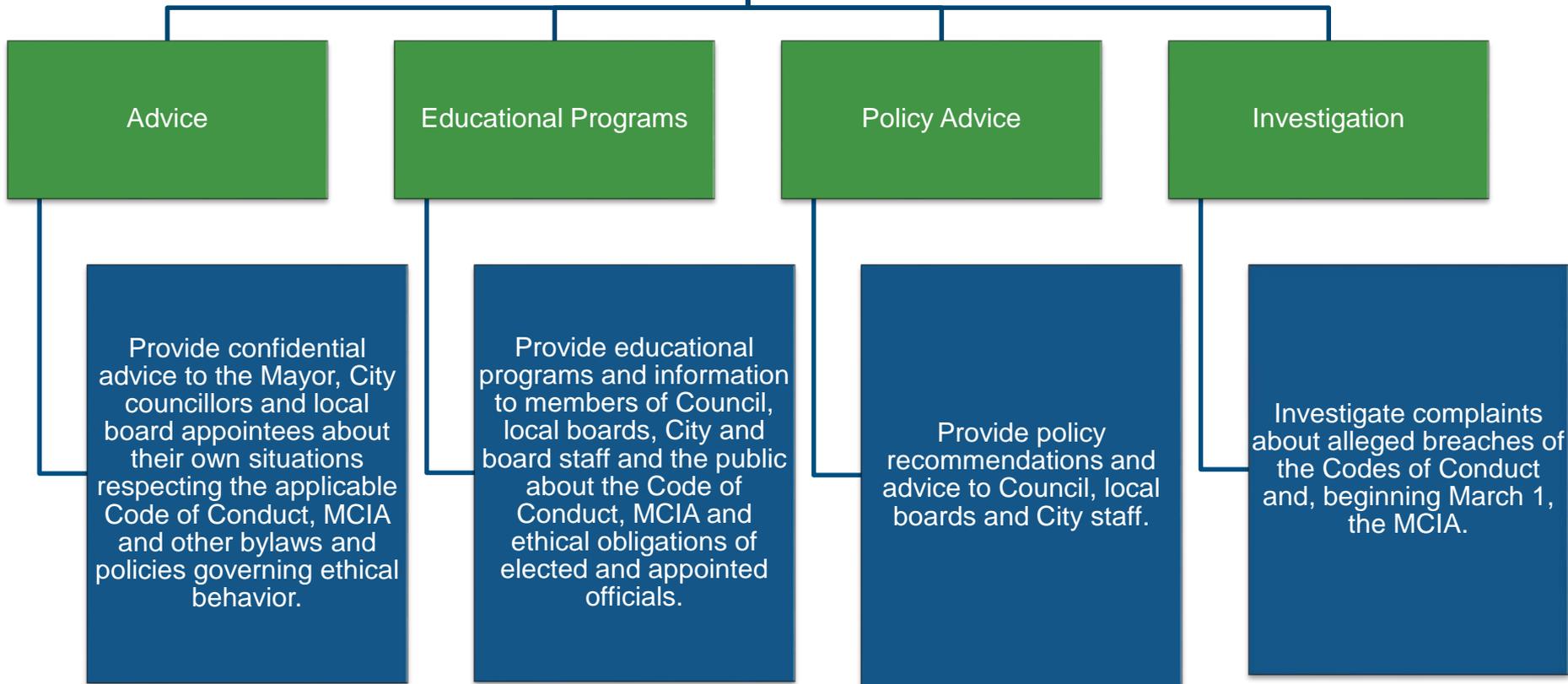
Service Area Overview



Our Services



The Office of the Integrity Commissioner
The Integrity Commissioner, a required independent officer of City Council, is responsible for providing advice, complaint resolution and education respecting the Code of Conduct, the *Municipal Conflict of Interest Act* (MCIA) and ethical obligations of elected and appointed City officials.





Budget Highlights

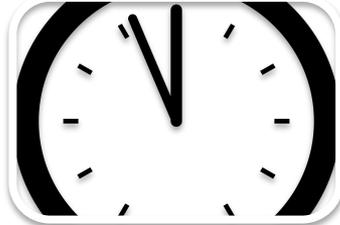


Our Experience in 2018



- Resolved the majority of the 196 requests for advice to members of Council and 21 different local boards in two days or less.
- Received 15 formal complaints and 4 informal complaints about members of Council and local boards.
- Concluded 80% of new formal complaints received.
- Concluded investigations in an average of 277 days (tracked since 2015).
- Carried out complex policy review, consultation and interpretation bulletin development.
- Carried out several outreach activities and responded to 427 inquiries from the public, City staff and media.
- Struggled to complete investigations in a timely manner and unable to respond adequately to high volumes or complex resources due to insufficient resources.

Our Key Service Levels



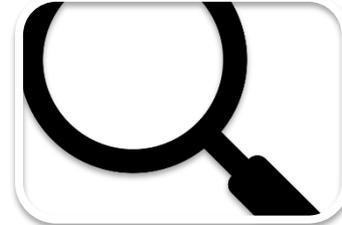
Provide advice to members within two business days.



Raise awareness of the Code of Conduct with all members of Council and local boards.



Provide policy recommendations to Council and boards.



Investigate complaints in a timely manner.

Key Service Deliverables

- Provide timely, practical advice to members of Council and local boards about compliance with the Code of Conduct and the Municipal Conflict of Interest Act (MCIA).
- Review and investigate complaints about alleged Code of Conduct and MCIA contraventions in a timely and procedurally-fair manner.
- Provide education and outreach to improve awareness of the Code of Conduct, MCIA and the Integrity Commissioner as a resource.
- Provide policy recommendations about matters of ethics and integrity.



- While the Commissioner is able to provide advice in a timely manner, the same is not true for investigations. The Commissioner has recommended additional resources since 2015. The chronic under-resourcing of the Office will become an acute problem as a result of new responsibilities under the MCI Act.
- The volume and complexity of advice requests is anticipated to increase in 2019 due to the Integrity Commissioner's new duties under the Municipal Conflict of Interest Act (MCI Act). Demands on the investigation capacity of the Office will also increase due to new duties to investigate and, in appropriate cases, bring to Court MCI Act contraventions.
- Current resource levels are insufficient to enable the Office to fulfill its new statutory mandate. It is important to note that in addition to the members of Council, there are approximately 1000 members of Toronto's local boards who must be able to obtain advice promptly and to have investigations about their conduct completed in a timely manner.

Addressing Challenges



- \$0.190 million for external investigative and legal support
 - enable the Office to respond in a timely manner to complex cases, high volumes and to meet statutory time limits.
 - used on an as-needed basis and enable future integrity commissioners to properly assess whether additional permanent resources are necessary.
- Funding to convert one existing position to a legal counsel role to enhance the Office's expertise to carry out duties under the MCI A.

Service Performance Measures (2018 Activities)



Advice

Amount of Advice Issued to Members of Council and Local Boards

	2016	2017	2018
Advice Provided	184	193	196

Response Time for Advice Provided to Members of Council



Response Time for Advice Provided to Members of Local Boards

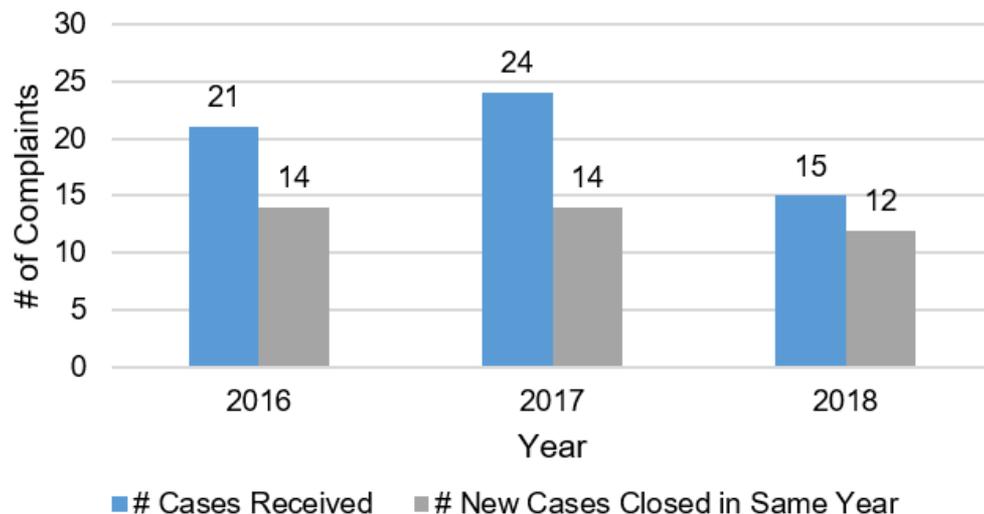


Service Performance Measures (2018 Activities)



Complaints

Number of Formal Complaints Received and Closed in Year Received



Days Taken to Close Complaints (Tracked Since 2015)

Complaint Type	Number of Cases	Average Number of Days	Median Number of Days	Least Number of Days	Most Number of Days
Investigated Complaints	20	277	258	139	514
Dismissed without Investigation	33	50	37	12	244

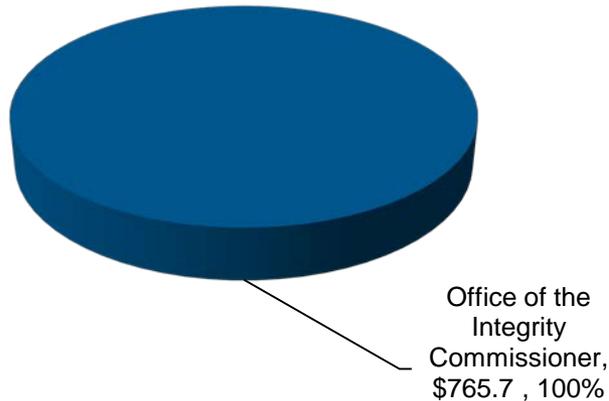


Operating Budget Overview

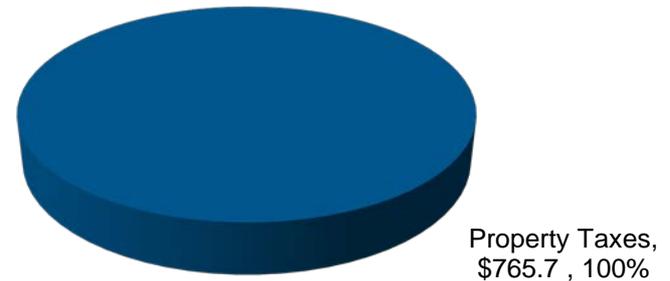
2019 Integrity Commissioner-Recommended Operating Budget By Program and Funding Source



By Service



By Funding Source



2019 Integrity Commissioner-Recommended Net Operating Budget vs 2018



(In \$000s)	2018		2019			Changes	
	Budget	Projected Actual*	Base	New / Enhanced	Total Integrity Commissioner-Recommended Budget		
Office of the Integrity Commissioner	\$	\$	\$	\$	\$	\$	%
Gross Expenditures	517.6	517.6	575.7	190.0	765.7	248.2	47.9%
Revenue					0.0	0.0	-
Total Net Expenditures	517.6	517.6	575.7	190.0	765.7	248.2	47.9%
Approved Positions	3.0	3.0	3.0	0.0	3.0	0.0	

* Year-End Projection Based on Q3 2018 Variance Report

Key Cost Drivers



Office of the Integrity Commissioner (In \$000s)	Total Changes	
	\$	Position
Base Expenditure Changes		
Prior year impacts	(14.0)	
Inflationary Factors	0.4	
Salaries & Benefits	19.3	
Other Base Expenditure changes	52.5	
Base Revenue Changes		
Service Changes		
	58.2	

New / Enhanced Services



Office of the Integrity Commissioner (\$000s)	2019			Incremental Impact			
	Gross	Net	Position	2020 Plan		2021 Plan	
				Net	Position	Net	Position
Enhancement to Legal and Investigative Service Budget	190.0	190.0	0.0	4.1	0.0	4.3	0.0
Total	190.0	190.0	0.0	4.1	0.0	4.3	0.0



Appendices



2018 Service Performance – Key Accomplishments



	Key Accomplishments
Advice	<ul style="list-style-type: none"> • Provided advice to members of Council within two business days or less 87% of the time. • Provided advice to members of local boards within two business days or less 78% of the time. • Provided 155 pieces of advice to 42 members of Council. • Provided 41 pieces of advice to 21 members of Local Boards. • Responded to 427 inquiries from the public, City staff and media, which was a higher than average volume.
Investigations	<ul style="list-style-type: none"> • Completed 80% of the new formal complaints received in 2018. • Issued three investigation reports to Council. • Maintained an average completion time of 277 days for investigated cases.
Educational Programs	<ul style="list-style-type: none"> • Met with six local boards to provide outreach and awareness of the Code of Conduct. • Issued eight direct outreach letters to members of Council. • Participated in 10 external outreach events.
Policy Advice	<ul style="list-style-type: none"> • Attended two and hosted one meeting of Municipal Integrity Commissioners of Ontario (MICO). • Provided administrative and leadership support to MICO. • Concluded two significant policy reviews (i.e. Review of the Local and Adjudicative Board Codes of Conduct; and, Personal Trading Policy for the Toronto Investment Board). • Preparation and policy review for upcoming <i>Municipal Conflict of Interest Act</i> changes. • Issued six interpretation bulletin to members.

Enhancement Request



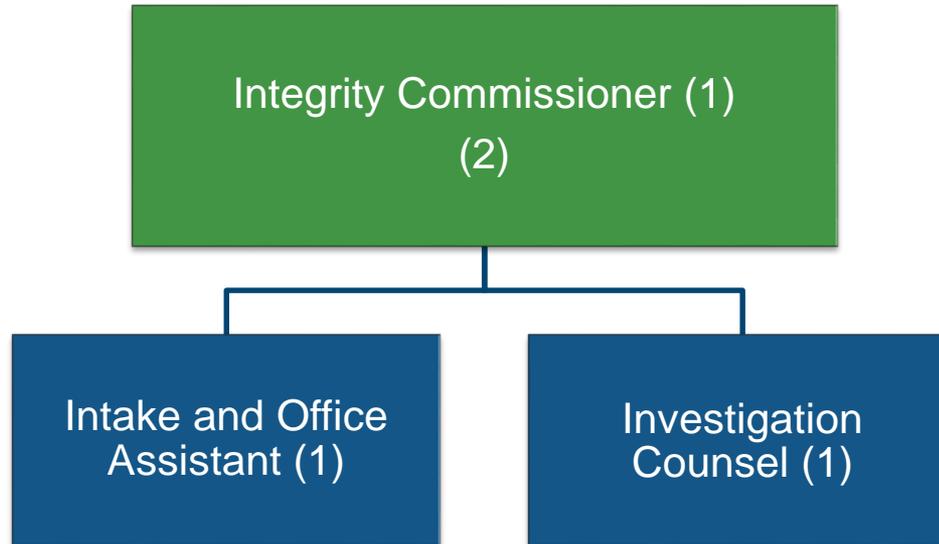
Service Objectives:

- To fulfill the Office's expanded statutory mandate by providing timely advice to members of Council and local board appointees about their own situations respecting the Municipal Conflict of Interest Act.
- To complete cases within the time limit set by Provincial legislation.
- To protect the independence of the Office, enabling it to respond appropriately within its own budget to high volumes, complex cases and court needs.
- To maintain service levels and ensure a seamless transition in September 2019 when City Council appoints a new Integrity Commissioner.

Key Priority Actions:

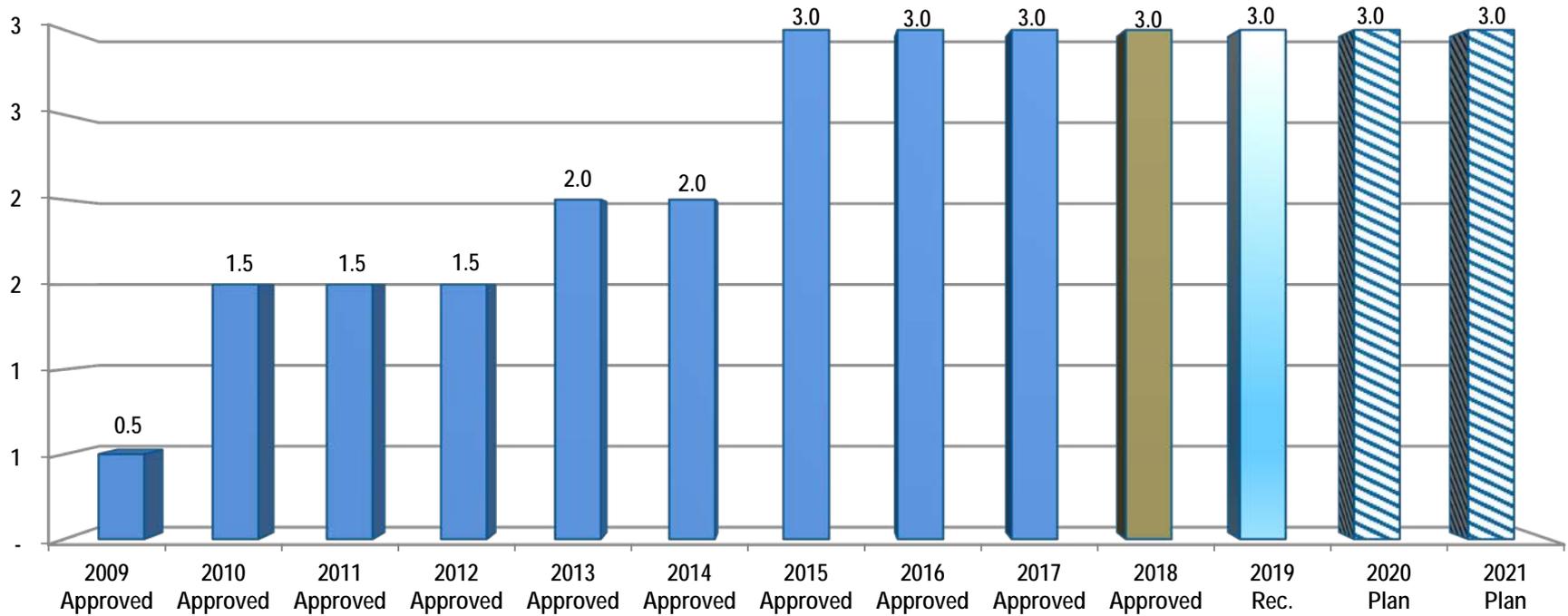
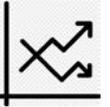
- ✓ Establish a budget of \$0.190 million for external legal and investigative support to enable the Office to respond on an as-needed basis to high case volumes and complex cases. The Commissioner will also require representation should she bring forward an application to the Court pursuant to the MCIA.

2019 Organizational Chart for the Office of the Integrity Commissioner



Budget	Category	Senior Management	Management with Direct Reports	Management without Direct Reports / Exempt Professional & Clerical	Union	Total
Operating	Permanent	1.0	0.0	2.0	0.0	3.0
	Temporary					0.0
Capital	Permanent					0.0
	Temporary					0.0
Total	Total	1.0	0.0	2.0	0.0	3.0

Staffing Trend (Excludes Capital Positions)



Vacancy Analysis



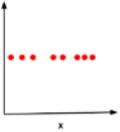
Agency Name	2016			2017			2018			
	# of Vacancies	Vacancies % of Total Approved Position	Approved Position	# of Vacancies	Vacancies % of Total Approved Position	Approved Position	# of Vacancies as at Sept 30	# of Vacancies Projections to Dec 31	Vacancies % of Total Approved Position	Approved Position
Operating	0.0	0.0%	3.0	0.0	0.0%	3.0	0.0	0.0	0.0%	3.0
Capital										
Total	0.0	0.0%	3.0	0.0	0.0%	3.0	0.0	0.0	0.0%	3.0

2019 Key Complement Changes



Office of the Integrity Commissioner	2018 Approved Staff Complement	2019 Complement Changes									
		Prior Year Impact	Operating Impacts of Capital Projects	Capital Project Delivery	Base Changes	Efficiencies	Service Changes	Total 2019 Base Budget	New/Enh Service Priorities	Total 2019 Staff Recommended Budget	Change from 2018 Approved
Operating	3.0				0.0			3.0		3.0	
Total complement	3.0				0.0			3.0		3.0	

Operating Budget Variance



Office of the Integrity Commissioner

2018 Year-to-Date September 30 Variance and Year-End Variance Projection Summary (In \$ Millions)

Accountability Office In \$ Millions	2017 Variance					2018 YTD September 30 Variance					2018 YE Projection Variance				
	Gross		Net		Alert	Gross		Net		Alert	Gross		Net		Alert
	\$	%	\$	%		\$	%	\$	%		\$	%	\$	%	
Office of the Integrity Commissioner	(0.0)	(1.1%)	(0.0)	(1.1%)	ⓐ	(0.0)	(0.1%)	(0.0)	(0.1%)	ⓐ	0.0	0.0%	0.0	0.0%	ⓐ
Net Variance	Year End	ⓐ	Ⓡ		Year-to-Date	ⓐ	Ⓨ	Ⓡ		Year End	ⓐ	Ⓡ			
		<=100% > 100%				85% - 105%		0% -85% >105%			<=100% > 100%				

2019 Integrity Commissioner-Recommended Operating Budget Changes



(In \$000s)	Total	
	\$	Positions
2018 Council Approved Operating Budget (Net)	517.6	3.0
Base Expenditure Changes		
Prior Year Impacts		
Other Prior Year Impacts	(14.0)	
Economic Factors		
Divisional Economic Factors	0.4	
Salaries and Benefits		
COLA	5.0	
Progression Pay	7.9	
Benefits adjustments	6.4	
Other Base Expenditure Changes		
Integrity Commissioner Transition Cost	10.1	
Position Conversion	42.4	
Sub-Total Base Expenditure Changes	58.2	
Base Revenue Changes		
Sub-Total Base Revenue Changes		
Service Changes		
Sub-Total Service Changes		
Total Base Changes	58.2	
New & Enhanced Services		
Enhancements to Legal and Investigative Service Budget	190.0	
Sub-Total New & Enhanced Services	190.0	
Total 2019 Integrity Commissioner-Recommended Operating Budget (Net)	765.7	3.0

2020 & 2021 Plan



Office of the Integrity Commissioner Description (\$000s)	2020 - Incremental Increase					2021 - Incremental Increase				
	Gross	Revenue	Net	% Change	Position	Gross	Revenue	Net	% Change	Position
Known Impacts:										
Prior Year Impact										
Annualization of 2019 Service Efficiencies										
Annualization of 2019 Service Changes										
Annualization of 2019 New/Enhanced										
Other Prior Year Impacts	(10.1)		(10.1)	(1.3%)						
Salaries and Benefits										
COLA & Progression Pay	6.8		6.8	0.9%		5.1		5.1	0.7%	
Other Adjustments	2.3		2.3	0.3%		0.2		0.2	0.0%	
Other Base Changes (specify)										
Economic Factors	0.4		0.4	0.0%		0.4		0.4	0.1%	
IDC/IDR Changes										
Volume Changes										
Contributions to Reserves										
Other Base Changes										
Sub-Total	9.5		(0.6)	(0.1%)		5.7		5.7	0.7%	
Anticipated Impacts:										
Anticipated Impacts (Base)										
Anticipated Service Changes										
Anticipated New / Enhanced	4.1		4.1	0.5%		4.5		4.5	0.6%	
Other (specify)										
Sub-Total	4.1		4.1	0.5%		4.5		4.5	0.6%	
Total Incremental Impact	13.6		3.5	0.5%		10.2		10.2	1.3%	

