

Toronto Parking Authority Board of Management

Jonathan Batty, Integrity Commissioner

February 8, 2021



Agenda

1. Introduction
2. Accountability Principles for Board Members
3. Formal Requirements
4. Common Questions
5. Resources



Introduction

Mandate of the Integrity Commissioner

- To provide confidential advice
- To educate
- To provide policy advice
- To investigate complaints

Accountability Principles

- You are public office holders.
- You are expected to:
 - Act in accordance with standards of conduct for public office, not private business.
 - Prioritize the public interest.
 - Promote trust and confidence in the Board.
- To perform your functions with integrity, you must:
 - Serve and be seen to serve in a conscientious and diligent manner.
 - Avoid improper use of influence and conflicts of interest.
 - Uphold both the letter and spirit of your Code of Conduct, the MCIA, Council policies.

Formal Requirements

- *Code of Conduct for Members of Local Boards (Restricted Definition)* [Code of Conduct]
 - Approved by Council, applicable to all Boards in Toronto.
- *Municipal Conflict of Interest Act* [MCIA]
 - Ontario legislation applicable to all municipal councils and their boards.

Formal Requirements

Code of Conduct

- Do not accept gifts/benefits connected with your role (Article IV).
- Do not disclose confidential information or use it for personal gain (Article V).
- Do not use Board resources for personal or business-related purposes or to support candidates in any election campaign (Articles VI and VII).
- Do not use your position to obtain personal gain or benefits, or personal gains and benefits, for friends and business associates (Article VIII).
- Do not supply goods or services to the TPA (Article IX).

Formal Requirements

Code of Conduct (cont'd)

- Do not allow future employment to affect how you carry out your duties (Article X).
- Do not take on a role or job that conflicts with your duties (Article X.1).
- Treat Staff, other Members, and the Public with respect. Act with decorum. Do not abuse, harass, bully, or intimidate (Articles XI, XII and XIV).
- Do not communicate with lobbyists who are not registered on the Toronto Lobbyist Registry (Article XIII).
- Follow City and Board policies (Article XV).

Formal Requirements

Municipal Conflict of Interest Act

- Do not participate in votes or any actions leading to a vote if you (or your parent, child or spouse) have a pecuniary interest (Section 5).
- Disclose your pecuniary interests verbally and in writing (Section 5.1).
- Do not use your position to influence decisions if you (or your parent, child or spouse) have a pecuniary interest. (section 5.2).



Common Questions

- Who do I ask if I have a question about the Code of Conduct or MCIA?
- When should I ask for advice about the Code of Conduct or MCIA?
- What do I do if I think someone has breached the Code of Conduct or MCIA?
- What happens if I breach the Code of Conduct or MCIA?
- How do I declare a pecuniary interest under the MCIA?

Resources: www.toronto.ca/integrity



ICT

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Do you have conduct concerns about a member of Council or local board?

[Make a Complaint](#)

The Integrity Commissioner is responsible for providing advice, complaint resolution and education to members of City Council and local boards (restricted definition) on the application of the City's codes of conduct, the Municipal Conflict of Interest Act (MCIA) and other bylaws, policies and legislation governing ethical behaviour. The Integrity Commissioner also provides policy recommendations to City Council, local boards (restricted definition) and City staff.

The Office of the Integrity Commissioner

- [About the Office](#)
- [Twitter Use Policy](#)
- [Expense Disclosure](#)

Publications

- [Integrity Commissioner Reports](#)
- [Gift Disclosure Registry for Members of Council](#)
- [Integrity Commissioner Announcements](#)

Resources

- [Members of Council](#)
- [Members of Local Boards](#)
- [Members of Adjudicative Boards](#)
- [Advice and Case Summaries](#)

Contact Information

Office Contact

375 University Ave., Suite 202
Toronto ON
M5G 2J5

Telephone: 416-392-3826

Email: integrity@toronto.ca

Integrity Commissioner

Jonathan Batty

Email: Jonathan.Batty@toronto.ca

[@TO_Integrity](#)

Related Information

[City of Toronto Act, 2006](#)

[Toronto Municipal Code: Chapter 3](#)

[Memorandum of Understanding: Four Accountability Offices](#)

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Resources: www.toronto.ca/integrity

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Members of Local Boards (Restricted Definition): Conduct Standards & Resources

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While we aim to provide fully accessible content, there is no text alternative available for some of the content on this site. If you require alternate formats or need assistance understanding any of our content, please contact us at 416-392-3826 or at integrity@toronto.ca.

Conduct Standards

Guidance

List of Local Boards (Restricted Definition)

Sample Advice

The public expects the highest standards of conduct from citizen members who are appointed to local boards by Council to act on its behalf. The standards are set out in the [Code of Conduct for Members of Local Boards \(Restricted Definition\)](#) and the [Municipal Conflict of Interest Act](#).

The Integrity Commissioner is available to members of Local Boards (Restricted Definition) to answer questions and provide advice about meeting the standards.

Local Board appointees can seek advice by calling or emailing the Integrity Commissioner or the Office as follows:

- Call or email the Office at 416-392-3826 or integrity@toronto.ca
- Call or email the Commissioner directly at 416-397-7770 or Jonathan.Batty@toronto.ca.

In This Section

[Resources for Elected & Appointed Officials](#)

[Advice & Case Summaries](#)

[Members of City Council:
Conduct Standards & Resources](#)

**[Members of Local Boards
\(Restricted Definition\): Conduct
Standards & Resources](#)**

[Members of Adjudicative Boards:
Conduct Standards & Resources](#)

Contact Information

Office Contact

375 University Ave., Suite 202
Toronto ON

Resources: Declaring an Interest

The MCIA Interpretation Bulletin is available at this link:

<https://www.toronto.ca/wp-content/uploads/2019/02/9632-2019-02-14-MCIA-Interpretation-Bulletin.pdf>



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Interpretation Bulletin
Municipal Conflict of Interest Act
Members of Council & Local Boards (Restricted Definition)

Identifying and Declaring Pecuniary Interests at Meetings

Purpose and Scope of the Bulletin

1. The purpose of this Interpretation Bulletin is to assist members of Council and local boards (restricted definition) (referred to as "a member" or "members" in this Bulletin) to understand their duty to identify, recuse themselves from and disclose pecuniary (or financial) interests.
2. This Bulletin provides guidance about members' obligations set out in sections 5 and 5.1 of the *Municipal Conflict of Interest Act* ("MCIA" or "Act").
3. This Bulletin does not address members' other duties under section 5.2 of the MCIA which prohibits members from using their office to attempt to in any way influence any decision or recommendation in matters in which they have a pecuniary interest, or the applicable code of conduct.
4. Members should seek confidential advice from the Integrity Commissioner to address their specific interests and concerns, as they arise. The Act indicates that when reviewing MCIA complaints, a Court may consider whether the member sought and followed the advice of an Integrity Commissioner.

Disclosure and Recusal Obligations

5. When a matter comes before a meeting of Council or the board for which a member and/or his or her parent, child, or spouse, has a pecuniary interest, either directly or indirectly, the MCIA requires that the member:
 - a. verbally disclose the pecuniary interest prior to any consideration of the matter at the meeting;
 - b. not take part in the discussion of, or vote on any question with respect to, that matter;



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Resources: Declaring an Interest

A fillable version of the form can be found at this link:
https://www.toronto.ca/wp-content/uploads/2019/02/9610-CCO_Declaration-of-Interest-Form_fillable.pdf



Fact Sheet

February 12, 2019

Guidelines for Making a Declaration of Interest

1. Plan ahead

- Review agenda materials in advance to identify items in which you have a direct or indirect pecuniary interest.
- Allow enough time to seek the advice of your own counsel or the Integrity Commissioner if you are unsure.
 - The Clerk, secretary, or solicitor for the City or board cannot give you this advice.
 - *Exception:* The Integrity Commissioner does not have authority for members of the library board, police services board or board of health.
- Prepare your written declaration in advance. Use the form provided if available to ensure all of the required information is collected.

2. Make Your Declaration in the Meeting

- If you prepare your written declaration in advance, you can read from it to make your verbal declaration at the appropriate time in the meeting.
- If you make your verbal declaration before preparing a written declaration, be sure to complete the written declaration and hand it to the clerk/secretary before you leave the meeting.
 - If you board is supported by the City Clerk's Office, the secretary will be able to provide a blank form.

3. How is it recorded?

- Your declaration is recorded in the minutes of the meeting at which you make the declaration.
 - For those bodies where agendas and minutes are posted by the City Clerk to [toronto.ca/council](https://www.toronto.ca/council), your written declaration will be attached to the minutes for viewing online.
- In addition, the City or board is required to maintain a public register of declared interests.
 - The City Clerk makes the registry available online at [toronto.ca/council](https://www.toronto.ca/council) for bodies the City Clerk supports.
 - For other boards, check with the secretary for information about the register.

4. If you leave the meeting without completing the written declaration

- Complete and submit the written declaration to the Clerk/secretary as soon as possible after the meeting for processing.



Declaration of Interest

Member's Name	
Meeting Date	Name of Committee or Board
Item Number	Agenda Item Title

I declare a direct or indirect pecuniary interest in the agenda item noted above in accordance with section 5 of the Municipal Conflict of Interest Act.

The nature of my interest is as follows:

Declaration Date	Signature of Member
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Clerk/Secretary Use Only:

Received (Date and Time)	Received by
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The Integrity Commissioner is available to provide advice on a Member's obligations under the Municipal Conflict of Interest Act.
Contact: 416 392-3826 | integrity@toronto.ca



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[toronto.ca](https://www.toronto.ca)

Call **3-1-1**

Contact Information

Office of the Integrity Commissioner,
City of Toronto

375 University Avenue, Suite 202
Toronto ON M5G 2J5

Telephone: 416-392-3826
Email: integrity@toronto.ca

Jonathan Batty
Integrity Commissioner

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Email: Jonathan.Batty@toronto.ca

Twitter: [@TO_Integrity](https://twitter.com/TO_Integrity) | **Website:** www.toronto.ca/integrity