

2024 Annual Report of the Integrity Commissioner

Karen E. Shepherd
Integrity Commissioner

January 2025

TABLE OF CONTENTS

MESSAGE FROM THE COMMISSIONER 3

YEAR IN REVIEW 5

MANDATE 6

INTEGRITY COMMISSIONER 7

LOBBYIST REGISTRAR..... 19

MEETINGS INVESTIGATOR 25

CONCLUSION 27

FINANCIAL STATEMENT 27

APPENDIX 1 28

APPENDIX 2 28

Message from the Commissioner

I am pleased to present my fifth annual report to Council. The Report coincides with the City's Mid-term Governance Review and thus details some of my activities and recommendations in that regard.

This year, I had the opportunity to meet one-on-one with Members of Council as part of my annual check-in. These meetings provide a great venue for discussing my priorities for the upcoming year, updating Members' declarations of interest as well as discussing their responsibilities under the Code of Conduct. I appreciate the time Members set aside for these meetings to discuss ethical issues.



As the Mid-term Governance Review was one of my main priorities this year, I used these meetings to seek preliminary input on my contribution to the Review. I was specifically interested in Members' views on the development of an Ethical Framework for Members' Staff, including the broad approach to responding to Council's request to address the issue of personal relationships between Members of Council and staff.

The Ethical Framework, developed for Council's consideration as part of Mid-term Governance, provides formalized guidelines for all staff who work in a Member's Office to ensure they are conducting themselves according to the highest ethical standards. The Framework proposes the Integrity Commissioner as an ethics executive for Members' staff. It clarifies the roles and responsibilities of all those involved in managing staff and provides ethical guidance to ensure a safe working environment. I believe the Framework developed by the City Clerk and myself, in consultation with Human Resources and the Office of the City Solicitor, addresses Council's original 2021 request to develop an ethical framework for Members' staff and the additional 2022 request to address the issue of personal relationships.

The best way to ensure that stakeholders understand the role of my Office and to create a culture of ethical responsibility is education. For this reason, I continue to put efforts into developing, improving and delivering education for stakeholders.

I continue to be pleased by the dedication of those subject to the codes of conduct which fall under my mandate. By seeking advice before taking action, they demonstrate a commitment to conducting themselves at the highest ethical standards. With sufficient information and time, I am able to provide my best fulsome advice for their consideration.

Compared to its inception, the Office is better-known and draws more engagement than ever from stakeholders. This trend began before I assumed the role and continues to be true three years into my tenure. Beyond requests from elected officials, my Office continues to receive a number of enquiries from a variety of stakeholders including lobbyists, public office holders, members of local boards and members of the public. Consequently, the volume of enquiries received by my Office remains high and are sometimes complex. The result is that more resources and time are required to respond. Accordingly, I encourage Members to reach out early and with as much information as possible. I will endeavor to respond to Members' enquiries with thorough and timely advice.

Looking forward, I will monitor the progress of Bill 241, the *Municipal Accountability Act, 2024*, introduced by the Ontario government on December 12, 2024. Bill 241 proposes changes to the municipal accountability framework, including potential standardization of municipal codes of conduct and integrity commissioner investigation processes.

The cost of maintaining the high ethical standards to which the City of Ottawa holds itself has increased over the years and is outpacing the current capacity of my Office. This past year, my responsibilities expanded to include the new procedures established for Members of Council under the Donations to the City for Community Benefit Policy. In the coming year, my Office will be supporting the upgrade of the Lobbyist Registry system, monitoring the progress of Bill 241 and preparing for the implementation of the Ethical Framework at the start of the 2026-2030 Term of Council. In addition to the steady volume of enquiries and complaints, these new pressures could demand even more of the resources available to me.

I would like to acknowledge and thank the dedicated staff from the City Clerk's Office who support me in my three mandates. Their professionalism contributes greatly to the positive reputation of the Office of the Integrity Commissioner, and the work I have been able to achieve in my time in this role.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'KES', with a long horizontal flourish extending to the right.

Karen E. Shepherd
Integrity Commissioner, City of Ottawa

Year in review

1

Investigation

752

Lobbying Activities

14

Outreach

Presentations and publications

13

Complaints

Informal and formal

215

New Lobbyists

184

Enquiries

Questions and requests for guidance

Mandate

As the City’s “three-in-one” Commissioner, my mandate includes:

Integrity Commissioner

- Providing advice to Members of Council and members of local boards on their respective codes of conduct and their obligations under the *Municipal Conflict of Interest Act (MCIA)*
- Resolving complaints related to a potential breach of a code of conduct or the MCIA, either through informal resolution or formal investigation
- Offering education and training to Members of Council, members of local boards, the City administration and the public about matters within my jurisdiction

Lobbyist Registrar

- Administering the Lobbyist Registry
- Ensuring compliance with the Lobbyist Registry By-law and Lobbyists' Code of Conduct, investigating complaints and imposing sanctions as necessary
- Offering education and training to lobbyists, City staff, and Members of Council on their obligations under the Lobbyist Registry By-law

Meetings Investigator

- Receiving requests for investigation of closed meetings to the public of City Council, a local board or committee and investigating as required

Integrity Commissioner

As Integrity Commissioner for the City of Ottawa, I oversee three codes of conduct:

- Code of Conduct for Members of Council
- Code of Conduct for Members of Local Boards; and
- Code of Conduct for Citizen Members of the Built Heritage Committee.

I am also responsible for the application of the *Municipal Conflict of Interest Act* (MCIA).

In all areas within my authority, I have a responsibility to provide guidance to members of Council and local boards. I also provide education to City Council, local boards, City staff and the public.

2024 IN BRIEF

Advice

A vital part of my mandate is providing advice to Members of Council and members of local boards respecting their obligations under their respective codes of conduct, the *Municipal Conflict of Interest Act* and related policies such as the Community, Fundraising and Special Events Policy.

Below, I highlight several subjects on which I provided guidance in 2024. This information should not be considered a substitute for contacting the Integrity Commissioner. I encourage Members of Council, members of local boards, and Citizen Members of the Built Heritage Committee to reach out with specific questions or concerns.

Codes of Conduct

Letters of support

A trend that continues from my 2023 Annual Report is Members continuing to receive requests from individuals, organizations, and local businesses about providing letters of support, reference or recommendation.

Generally, the Code of Conduct for Members of Council does not prohibit Members of Council from providing letters of support, reference or recommendation. Nevertheless, I urge Members to exercise caution when using their office or status as an elected official to influence a decision. It is also important to avoid preferential treatment which may occur through the inappropriate use of personal connections.

Members are not obliged to provide letters of support. I caution Members only to provide such letters if they have sufficient knowledge of the requester and are comfortable providing their name in support.

A business requested a Member sign a letter of reference. The business intended to include the letter in their portfolio and use it for projects in Ottawa and other municipalities.

In recognition of the influence the Member holds in the City of Ottawa, I recommended against the Member providing a reference that could be used for City of Ottawa projects.

With respect to providing a reference that could be used for work in other municipalities, I strongly recommended against signing a generic letter. I noted that, should the Member wish to provide a reference, the letter should be specific, detailing the name of the requester and reasons why recommendation is being offered. This limits the use of the letter to its intended purpose.

I further recommended the Member send the letter directly to the intended recipient. This practice allows the Member to maintain control over the letter's use.

Outside activities/employment

On a few occasions this past year, Members sought advice about taking on volunteer opportunities or employment, in addition to their position as a Member of Council.

Generally speaking, the Code of Conduct does not prohibit Members of Council from seeking outside employment or volunteer positions. That said, there is a risk in those opportunities that intersect with programs and services offered by the City of Ottawa or where there is potential for improper use of a Member's elected office.

It is understood that Members of Council do not have a defined workday or standard work hours. Any outside employment must be separate from a Member's role/responsibilities as municipal elected official.

Volunteer positions and outside employment may create conflicts of interest for the Member. Under the *Municipal Conflict of Interest Act*, when a Member is an employee or member of a body that has a pecuniary interest in a matter before Council, the Member has an obligation to refrain from attempting to influence decisions and recommendations and refrain from participating and voting on the matter.

A Member sought guidance respecting a temporary employment opportunity with no connection to the City of Ottawa.

It was established that the employment opportunity had been presented to the Member because of previous work experience and not influenced by the Member's status as an elected official.

Seeing no improper use of the Member's influence in obtaining the employment opportunity and confirming the employment would not interfere in the Member's role as an elected official, I advised the Member that there was nothing in the Code of Conduct that would preclude the Member from accepting the offer of employment.

Although it seemed unlikely that an indirect conflict of interest would arise, the Member was also cautioned to be attuned to any scenario where a potential conflict of interest could exist.

Disrespectful communications and/or unreasonable requests

This year, Members reached out for guidance on their responsibilities when faced with disrespectful and/or unreasonable communications from constituents, whether on social media platforms or through email/phone calls.

While the Code of Conduct for Members of Council sets out Members' broad duty to "serve and be seen to serve the interests of their constituents and the City in a conscientious and diligent manner..."¹, the provision does not set a specific service standard regarding constituent requests and enquiries. As long as Members uphold their responsibilities under the Code, it is at Members' discretion how and to what extent they engage with constituents on policy matters.

Neither Members of Council nor their staff should be subjected to disrespectful communications, unreasonable requests, and/or aggressive/hostile behaviour from residents. Members of Council and their staff are entitled to a safe and respectful work environment.

¹ Code of Conduct for Members of Council, Section 4 (General Integrity). As described in the Integrity Commissioner's [Interpretation Bulletin on the Use of Social Media](#), the entirety of the Code of Conduct for Members of Council and the Code of Conduct for Members of Local Boards applies to the social media activity of Members of Council and members of local boards, respectively.

The [Public Conduct Policy](#) provides Members of Council with the means to initiate a course of action in cases of unreasonable behaviour and/or frivolous and vexatious action. In accordance with that Policy, Members of Council consult with the City Clerk, City Solicitor and Integrity Commissioner regarding cases of such behaviour that the Member wishes to address. The Integrity Commissioner provides advice to the Member respecting any proposed action under the policy as it relates to the Member's obligations under the Code of Conduct for Members of Council.

A Member received multiple letters from a resident that was disrespectful in tone and contained inappropriate messages. However, the resident requested that the Member provide them with specific Ward-related information. The Member's Office sought guidance on how to proceed.

I worked with the Member's Office to get a clear understanding of the nature of the resident's communications, and to clarify whether the Member wished to introduce restrictions on the resident's communications in accordance with the Public Conduct Policy.

I consider it reasonable that the Member and their staff would not want to engage with a resident in response to a letter that is disrespectful in tone and contains inappropriate messages. Elected officials and their staff are entitled to a safe and respectful work environment and should not be subjected to such correspondence from residents.

I recommended sending the resident notice before formally invoking any communication restrictions under the Public Conduct Policy. Among other matters, I recommended the notice state that, should the resident continue with such correspondence, the Member may consider restrictions under the Public Conduct Policy including reducing or ceasing responses for a period of time.

Fundraising activities

Members have increasingly approached my Office for guidance on a variety of fundraising activities. In some cases, the Member sought to host an event to raise funds for a local charity/organization. I also received questions about seeking sponsorships or funding for community projects and initiatives.

It is clear that Members are committed to improving and supporting their communities. That said, Members must be cautious when leveraging their position as an elected official for the benefit of the community. It is important that Members do so in accordance with the Code of Conduct.

Accordingly, Members must refrain from approaching individuals or organizations associated with active lobbying files in the Lobbyist Registry. Members are encouraged to document all requests for funding and clearly state what the funds will be used for.

Members must also be cautious about the financial aspects of a fundraising event or initiative. It is critically important that Members ensure proper documentation of all donations, sponsorships and funds raised. The best of intentions do not justify the mismanagement of funds.

A Member sought to host an event that involved selling tickets through an online ticket platform and accepting cash funds during the event. Event proceeds were to go to a local charity.

In addition to the general requirements set out in the Community, Fundraising and Special Events Policy (e.g. not to solicit or accept sponsorships from lobbyists or those associated with active lobbying files), this event required tailored Terms and Conditions.

For example, the online ticket platform used to sell tickets operated on an external website and required a transfer of funds to a City account. The Member was encouraged to file documentation that clearly demonstrated that all funds raised through the platform were deposited in a City account.

In respect of funds raised during the event (e.g. 50/50 draw), the Member was encouraged to track tickets sold/funds raised and ensure two individuals signed-off on the final account.

Travel

Members of Council are often invited by other governments or conference organizers to travel to participate in conferences, workshops, etc. In some cases, the travel is sponsored by the government or conference organizer. The Code of Conduct recognizes sponsored travel as a benefit a Member may receive. However, where the Member is accepting sponsored travel to attend a conference or event in an official capacity, the Code of Conduct does not require disclosure of the benefit in the Gifts Registry. This exception recognizes that travel connected to the business of the City, while a benefit to the Member, is valuable to the municipality as well.

There are times where a Member may be offered sponsored travel that is not considered directly linked to their position or the business of the City of Ottawa. Members of Council are encouraged to reach out before accepting sponsored travel to confirm whether disclosure of sponsored travel is required.

A Member was invited to attend a workshop and offered sponsored travel by the event organizers.

In this case, the sponsored travel was offered by a municipal organization. Further, the Member was sitting on an advisory group for the municipal organization, whose area of study would be the focus of the workshop.

As the Member was attending the workshop in an official capacity, the sponsored travel fell within the exceptions listed in Section 13 (Gifts, Benefits and Hospitality), which meant that food, lodging, transportation, and entertainment provided by the event organizers did not require disclosure.

Municipal Conflict of Interest Act

As part of the 2022-2026 Governance Review, City Council approved proactive disclosure of their conflicts of interest under the *Municipal Conflict of Interest Act* (MCIA). Under these changes, Members are now required to file an annual disclosure of the Member's private interests and the private interests of the Member's parent(s), spouse, and child(ren).

This past year, seven Members of Council provided an update to their conflict-of-interest disclosure form. This demonstrates that Members are mindful of their obligations under the MCIA.

Annual touchbase meetings with Members of Council provide me with an opportunity to discuss any conflicts identified by the Member on their disclosure form. The ongoing conversation is a useful reminder that the public interest must always be placed ahead of private interests.

The MCIA sets out the following 4 principles:

1. The importance of integrity, independence and accountability in local government decision-making.
 2. The importance of certainty in reconciling the public duties and pecuniary interests of members.
 3. Members are expected to perform their duties of office with integrity and impartiality in a manner that will bear the closest scrutiny.
 4. There is a benefit to municipalities and local boards when members have a broad range of knowledge and continue to be active in their own communities, whether in business, in the practice of a profession, in community associations, and otherwise.
-

Not all conflicts are as easy to identify as those that directly impact the Member. For instance, Members frequently seek guidance about taking on a board position, typically voluntary in nature, for a community or local organization.

As a member of a Board, a Member has an indirect conflict of interest in any matter in which the organization has a pecuniary (financial) interest (either positive or negative). In those instances, the Member must refrain from: (1) taking part in the discussion; (2) voting on the matter; and (3) attempting to influence the decision before, during or after the meeting(s).

Members must also refrain from attempting to influence any decision or recommendation of City staff in any matter in which the organization has a pecuniary interest.

Complaints

As Integrity Commissioner, I am responsible for receiving requests from City Council, a Member of Council, or a member of the public about whether a Member of Council or a member of a local board has failed to observe or uphold the obligations set out in their respective code of conduct.

Each code includes a Complaint Protocol which sets out the process for receiving, investigating, and reporting on complaints. The Complaint Protocol includes two complaint processes: informal and formal.

Informal complaints

Informal complaints are generally managed through a complainant-led process. The process typically begins with the complainant addressing the behaviour that they believe contravenes the Code of Conduct directly with the Member. If appropriate, I may mediate/facilitate a discussion between the two parties. The outcome of the informal complaint process depends entirely on the willingness of both parties to participate in an informal discussion. Not all complaints are suitable for the informal process and not every informal complaint leads to a resolution that is acceptable to both parties.

This year, one informal complaint was addressed through a mediated session.

Formal complaints

As required by the Complaint Protocol, formal complaints must be submitted on the appropriate form, with a signed affidavit, and include information to support the allegation(s) made against a member including dates, locations, other persons present and all other relevant information.

The formal process is not intended to be onerous, but it does involve more than simply sending an email. My Office is available to accommodate individuals who require assistance with any part of the process.

Upon receiving a formal complaint, I conduct an intake analysis to determine if the matter is, on its face, a complaint with respect to non-compliance with the relevant code of conduct, whether the complaint is within my jurisdiction to investigate, and if there are sufficient grounds for an investigation. After consideration of these conditions, I determine if further investigation is warranted.

During the 2024 reporting cycle, I managed a total of 12 formal complaints, one of which remained under review at the end of the previous reporting cycle (2023). Five complaints were dismissed at the intake stage because they were either outside my jurisdiction or did not establish sufficient grounds for an investigation. Another complaint was dismissed after I received a substantive response from the Member and

determined there were no grounds for further investigation. Appendix 1 summarizes the formal complaints that were dismissed and my reasons for dismissing them.

I conducted one investigation into four complaints during the 2024 reporting period. City Council received my report concerning the conduct of Councillor Kelly on November 27, 2024 and accepted my recommendations.

Two formal complaints remained under review at the end of the 2024 reporting cycle.

Education and Outreach

A core element of my mandate is education: for Members of Council, for City staff and for the public.

IntegriTalk

IntegriTalk is a short bulletin for Members of Council that focuses on a different aspect of the Accountability Framework, reinforces Members' applicable responsibilities and offers practical guidance for upholding their obligations. During the 2024 reporting period I issued bulletins on the following subjects:

- 2024 Budget and Conflicts of Interest (October 2023)
- Tickets and Invitations (Part 1) – Source (January 2024)
- Tickets and Invitations (Part 2) – Disclosure (March 2024)
- Tickets and Invitations (Part 3) – Festivals and multi-day events (May 2024)
- Member-organized community events (June 2024)
- The Lobbyist Registry By-law and Members' Staff (September 2024)

Presentations

This year I had the opportunity to make presentations to the following stakeholders:

- Carleton University Law and Ethics class (November 2023)
- Ottawa Investment Board (February 2024)
- Manotick BIA (February 2024)
- Advisory Committees (April 2024)
- Carleton University Law and Ethics class (April 2024)
- Senior Leadership Team (May 2024)
- Members' staff (September 2024)

2024 IN NUMBERS

Trends

This past year I received a total of 12 complaints (formal and informal). While there has been some fluctuation annually over the past five years, the total number of complaints each year remains high.

The total above reflects those complaints that are filed in keeping with the requirements and procedure set out in the Complaint Protocol. It does not reflect the number of communications/emails to my Office requesting my intervention to address an issue or grievance. In the past year, the majority of complaint-like communications concerned service-related matters involving a Member's office or conduct on a social media platform.

Overall, the amount of time and effort spent on complaints and compliance continues to be high.

With respect to enquiries, the total number was also down slightly during the 2024 reporting period. However, an increase I am pleased to report is the number of enquiries from Members about the application of the codes of conduct (e.g., Members asking about their responsibilities under the Code in any given scenario). As I noted in my opening remarks, Members of Council and members of local boards are reaching out to the Office when in doubt. This demonstrates their commitment to conducting themselves at the highest ethical standards.

Integrity Commissioner statistics

Table 1 - Total complaints within the Integrity Commissioner's jurisdiction respecting the Code of Conduct

Complaints	
Outstanding from 2023	1
New complaints	12
Formal complaints	11
Informal complaints	1

Table 2 - Outcome of formal complaints managed in 2024

Outcome of formal complaints	
Dismissed at intake	5
Sustained after investigation	4
Ongoing/under review	2

Table 3: Total enquiries by source (October 1, 2023 to September 30, 2024)

Enquiries by source	
Elected officials	102
City staff	14
Local board members	9
Lobbyists	14
Members of the public	36
Media	3
Other Integrity Commissioners' offices	2

Table 4: Total enquiries by type (October 1, 2023 to September 30, 2024)

Enquiries by type	
Basic request for information	25
Questions	
Code of conduct	52
Gifts and tickets	18
Lobbying	22
Representing constituent/Ward interests	6
Sponsorships and benevolent activities	19
Conflict of interest	11
Complaint-like communications	2
Out of jurisdiction	25

Lobbyist Registrar

2024 IN BRIEF

Compliance

Letters of Direction

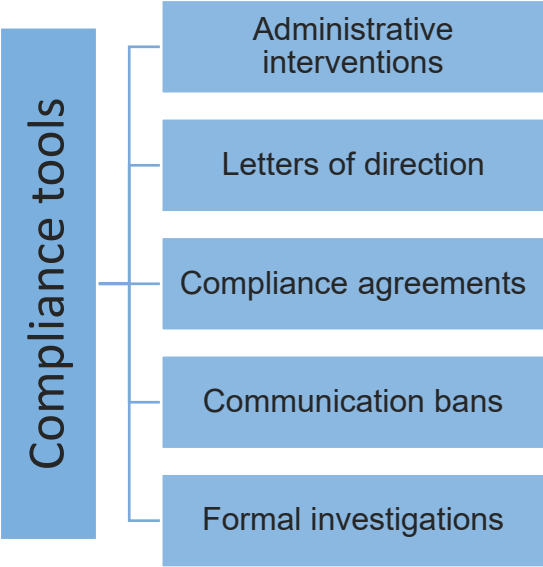
I issued three Letters of Direction during the 2024 reporting cycle. The first Letter concerned a breach of the post-employment restriction on lobbying and was resolved following the receipt of clarifying information from the lobbyist. The second and third Letters were issued after lobbyists who had active lobbying files offered tickets to public office holders.

These contraventions are reported by public office holders or through proactive disclosure requirements under the Lobbyist Registry By-law (“the By-law”) and Code of Conduct for Members of Council. I am pleased to note that public office holders are aware of the rules set out in the By-law and are taking steps to ensure compliance.

Complaint Protocol

My Office developed a new form for reporting incidents of non-compliance with the By-law, which provides users with a more expedient means of obtaining relevant information regarding an alleged breach. The form is scheduled to be published shortly.

The escalating compliance scheme set out in the By-law is used to address potential contraventions, and to ensure that lobbyists are aware of and comply with their registration and conduct requirements.



Update on post-employment restrictions

In 2022, City Council approved post-employment lobbying restrictions for the City of Ottawa. Post-employment restrictions, or “cooling-off periods”, are designed to manage the period between the time a public office holder leaves their position and the time they can approach their former workplace as a lobbyist.

Does the post-employment restriction prevent me from seeking employment?

The restriction does not limit your employment options, only your ability to lobby the City for the specified period.

The restriction applies to decision-makers whose former roles grant them access to contacts and institutional knowledge that may provide an undue advantage when lobbying.

The table below lists the number of former public office holders captured by the post-employment restrictions to-date:

Type of Named Public Office Holder	December 14, 2022 to September 30, 2023	October 01, 2023 to September 30, 2024
General managers	1	3
Directors and managers	2	8
Councillors’ Assistants	28	18
Non-management junior staff	3	7

At the time the restriction was introduced, I received several enquiries seeking clarity regarding their application. I also addressed one related breach where a lobbyist was unaware they were subject to then newly-enforced restrictions. The matter was resolved by issuing a Letter of Direction and meeting with the lobbyist, who committed to abiding by the restriction. The following May, I published an Interpretation Bulletin providing more information on the application of the new rules. No further enquiries regarding the restriction have come into my Office since the bulletin was published.

As discussed in my update in the Mid-term Governance report, I believe that the post-employment restrictions are functioning as intended and have no changes to recommend.

Education and Outreach

This year, my education and outreach efforts focused on creating resources for public office holders. I published several internal bulletins for City Staff and Members of Council. The bulletins included an IntegriTalk on the application of the By-law to Councillors' Assistants and email templates to aid in informing lobbyists of the requirement to register.

I also commenced work on short videos to act as resources for new lobbyists and public office holders.

Lobbyist Registrars and Commissioners Network (LRCN)

The main conference of the LRCN took place from September 23-25, and was hosted in Ottawa by the Federal Commissioner of Lobbying, bringing together lobbying regulators from federal, provincial, and municipal governments. I was pleased to host this year's opening reception at Ottawa City Hall and would like to highlight the participation of Elder Claudette Commanda, who delivered a Territorial Welcome, and Mayor Mark Sutcliffe, who spoke on the importance of lobbying regulation to the City of Ottawa.

The conference featured several discussion sessions, where Commissioners and Registrars shared best practices on emerging issues regarding lobbying regulation. In one session, participants discussed the range of thresholds for in-house lobbying registration in their respective, federal, provincial and municipal regimes and considered the merits of registration by default.

I note that since its inception, the City of Ottawa's By-law has required all lobbyists to register by default, regardless of classification. This position was further strengthened in an amendment to the By-law in 2022, when the following item was added under Section 6:

A person who has lobbied as defined by this By-law is a lobbyist, and must abide by the requirements of the By-law and the Code of Conduct.

Conference attendees also had the opportunity to speak with representatives of the Organisation for Economic Co-operation and Development (OECD), who delivered a presentation on their *2024 Recommendation on Transparency and Integrity in Lobbying and Influence*. Their updated recommendations reflect the growing concern around the exercise of influence outside of traditional lobbying, including items relating to "post public office and employment risks".

The Year Ahead

I am encouraged to note that the City's Lobbyist Registry By-law continues to stay abreast of international standards. As the next year unfolds, I intend to consider more of the practices shared during the LRCN and the recommendations of the OECD.

As I reported in the previous year, my Office continues to work on an upgrade to the existing Lobbyist Registry platform. I expect the upgrade to be a major focus this year as the process evolves.

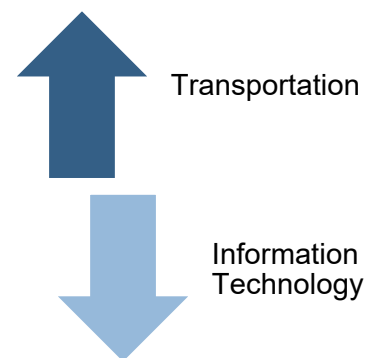
2024 IN NUMBERS

Trends

My Office continues to receive questions and requests for advice from lobbyists regarding the requirement to register, likely motivated by public office holders as they carry out their “duty to inform”. I also noted instances of lobbyists seeking proactive advice regarding the provision of gifts and the application of the By-law to specific communications. Some enquiries were about complex corporate relationships, which required extended analysis to determine the proper application of the By-law.

In 2023, I reported 189 new lobbyist registrations, highlighting a plateau in growth from 2022. With 215 new registrations this year, that pattern has been reversed.

The increase in registrations may be related to changes in the top three most popular subject matters for lobbying, which have shifted dramatically. This year, transportation, garbage/recycling and infrastructure have taken the top spots—a change from last year’s top three of affordable housing, planning and water. The new top three reflects high-priority items that came before Council this year, and I am encouraged to see that registrations remain closely linked with the interests of organizations doing business in Ottawa.



Lobbyist Registry statistics

Table 5: Total number of enquiries

Enquiries	
Technical support	39
Questions and advice	35
Interventions	18

Table 6: Total number of new lobbyists

New lobbyists	
Total new lobbyists	215
In-house	126
Consultant	85
Voluntary	4

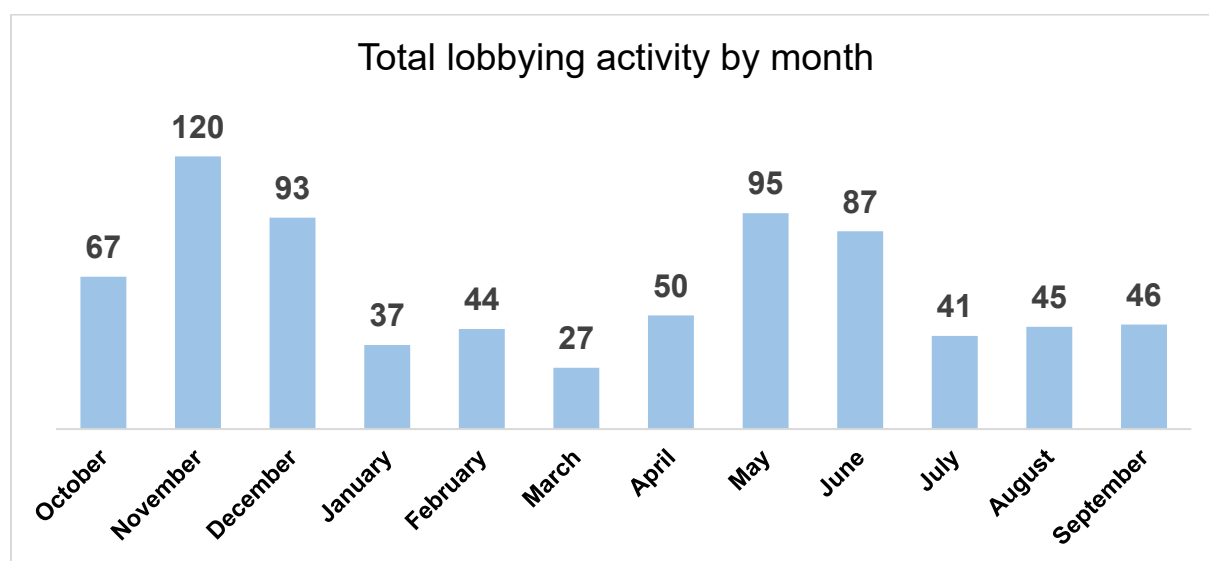


Figure 1: Total lobbying activity by month, 2023-2024

Table 7 - Top ten registered subject matters

Top ten registered subject matters	Files
1. Transportation	24
2. Garbage/Recycling	21
3. Infrastructure	21
4. Planning and development	20
5. Water/Sewer	16
6. Information technology	11
7. Affordable housing	10
8. Construction	9
9. Economic development	9
10. Environment	9

Meetings Investigator

2024 IN BRIEF

Compliance

The *Municipal Act, 2001* requires that all meetings of City Council, its committees and local boards be open to the public, except as permitted by specific discretionary and mandatory exceptions.

The exceptions permit closed meetings of City Council, a local board or committee of either, to discuss a number of matters including, but not limited to: labour relations or employee negotiations, litigation or potential litigation affecting the municipality or local board, advice that is subject to solicitor-client privilege, and personal matters about an identifiable individual.

Anyone who feels that a meeting or part of a meeting of City Council, a local board, or a committee of either was closed to the public for the wrong reason, or that other rules for closed meetings were not upheld, may submit a request for investigation to my Office. There is no fee for submitting a request.

In my capacity as Meetings Investigator, I receive such requests and investigate as required. At the end of an investigation, I submit my findings and recommendations in a public report to City Council or the local board.

When a violation of the open meeting rules has been reported, City Council (or the local board) is required to pass a resolution stating how it intends to address the report.

During the 2024 reporting cycle, the Office received one inquiry that questioned whether a quorum of Members had held improper closed meetings that materially advanced the decision making of a Standing Committee of Council. After careful consideration of the information available to me, both from the complainant and in the public realm, I determined there were insufficient grounds to suggest improper meetings had been held.

I also received several requests for guidance from City staff and Members of Council about briefings involving a quorum of Members of Council. It is not possible to provide



Recipe for a meeting

Any gathering, formal or informal, where the following two conditions are met is considered a meeting:

- ✓ A quorum of members of a body are present.
- ✓ Discussion materially advances the business or decision-making of the body.



advance rulings that a planned gathering will not violate the open meeting requirements. Such a determination relies as much on the intent and purpose of the gathering as it does on what occurs in the course of the gathering.

That said, there are steps that can be taken to prevent a violation of the open meeting rules. For instance, I always advise that Members refrain from discussing matters or making preliminary decisions that could lead to specific outcomes at Committee or Council. If possible, I suggest that briefings be open to media.

Public trust can quickly erode when elected officials make decisions behind closed doors. It is important that residents have confidence that the business of Council is advanced in an open and transparent manner.

2024 IN NUMBERS

Closed Meeting statistics

From October 1, 2023 to September 30, 2024, Council and its Committees went into closed session 10 times to consider 12 matters. Appendix 2 provides details of the body holding the closed meeting, date, reason for resolving *in camera* and open meeting exception(s) cited.

Table 8: Closed sessions of Council and Committees

Closed sessions of Council and Committees	
Council	7
Standing Committee	
Audit	1
Finance and Corporate Services	1
Joint Transit Commission – Light Rail Sub-Committee	1

Conclusion

This past year, all three of my mandates were engaged, be it guidance, education or complaints. Though the volume of enquiries and complaints dropped slightly, combined with the volume of policy work related to the Mid-term Governance Review, the workload of the Office remained steady.

The major focus of the upcoming year will be the Lobbyist Registry application project and the proposed legislative amendments in Bill 241.

Financial Statement

The Integrity Commissioner’s Office is funded through the Office of the City Clerk. As of September 1, 2021, the Integrity Commissioner’s remuneration consists of a \$25,000 annual retainer and a per diem of \$250 per hour to a daily maximum of \$1,250.

As I noted in my 2023 Annual Report and as demonstrated in the financial breakdown below, the \$150,000 budget and part time staff allocated to the Office to fulfill my mandatory statutory function meets or exceeds the budget established for this Office twelve years ago. The resulting staff pressures and cost overages continue to be absorbed by the Office of the City Clerk. I will continue to work with the Office of the City Clerk to ensure the Office is properly resourced.

The following is a breakdown for the period of October 1, 2023 to September 30, 2024.

Table 9 - Financial Statement October 1, 2023 to September 30, 2024

	Q4 2023	Q1 2024	Q2 2024	Q3 2024	TOTAL
Retainer		\$25,440			\$25,440
Salary*	\$34,344.00	\$35,997.60	\$24,422.40	\$38,414.40	\$133,178.40
Ancillary Costs	\$3,515.49	\$717.61	\$688.92	\$1,961.48	\$6,883.50
External Services	\$7,495.14	\$1,019.63	\$1,428.71	\$1,230.27	\$11,173.75
Hours Logged	135	141.5	126.5	151	554

*includes tax less eligible municipal rebates

Appendix 1

During the 2024 reporting cycle, a total of six formal complaints were dismissed. Five were dismissed at the intake stage and one after I received a substantive response from the Member. The following summaries detail my reasons for dismissing each formal complaint.

Conduct towards delegations during Committee meeting

A resident raised concerns that the conduct of two Members of Council towards public delegations at a Committee meeting was in breach of the Code of Conduct. The resident also expressed concern that the Chair did not stop the behaviour.

A resident alleged that two Members were in breach of the Code of Conduct for their treatment of public delegations during a Committee meeting. The complaint identified behaviour including eye rolling, head shaking, covering of eyes with hands, looks of incredulity, dramatically applauding some delegations, and making what the complainant characterized as dismissive comments about a delegation's presentation. The complainant questioned whether the Members were open-minded to hearing from delegations and felt that the Members did not treat members of the public with respect and without abuse, bullying or intimidation.

The complaint further noted that the Chair did not intervene to stop the behaviour and other Committee members appeared to be laughing at what was transpiring.

Generally speaking, I respect Council's statutory responsibility to establish rules of procedure to govern its meetings and the Chair's duty to enforce decorum and orderly conduct during meetings. I believe my authority to intervene in matters related to the management of Council and Committee meetings must be limited to extenuating circumstances and/or a request from Council.

With respect to a Member's "open-mindedness", it must be established that a Member has pre-determined their position on the matter and is unwilling to listen to or entertain other viewpoints or relevant facts.

A review of the Committee meeting revealed the Members engaging with the delegations by acknowledging and responding to their comments. With respect to the allegation of bullying/intimidation, in reviewing the Members' actions, I considered the exchanges to be part of political debate on the matter which did not meet the threshold for bullying or intimidation.

I determined there were insufficient grounds to justify exercising my authority to investigate the in-meeting conduct.

Unauthorized disclosure of personal information

A resident complained about the unauthorized disclosure of their personal information by a Member of Council. The resident also took issue with the manner in which the Member responded to their concerns.

The resident initially emailed my Office with their complaint and immediately requested accommodation with the formal complaint process. Through a series of emails and telephone calls, the resident's allegations were established. After considering the complainant's submissions and supporting documentation, I determined there were insufficient grounds to proceed with a formal inquiry.

Specifically, the documentation revealed the Member had not disclosed personal information outside of the Member's Office. The documentation further revealed that the resident had issued persistent and repeated demands of the Member when they believed their personal information had been shared. Though the Member's response was curt, I determined the allegation that the Member acted in a "vile and rude manner" in response to these demands was not substantiated.

Inaccurate public statements about an organization's business relationship with the City

A representative of an organization alleged that a Member made inaccurate statements about the organization including the circumstances surrounding the dissolution of the organization's partnership with the City. The events occurred during a live radio interview and on social media.

The complaint listed several statements the Member made during a live radio interview that the complainant maintained were false. The complaint also identified information in a social media post alleged to be half-truths. The complainant alleged that the Member's statements were intended to minimize the City's actions and decisions that led to the termination of the partnership.

In response to the allegations, the Member confirmed that the comments in question were based on information provided by, and obtained in conversations with, City staff. The Member provided documentary evidence in support of that statement.

After considering the totality of the information provided by the complainant and the respondent, I determined the Member's comments were consistent with the City's position on the matter and that there was no evidence to suggest the Member was not acting in good faith when the Member made the public statements. I determined there were insufficient grounds to continue investigating the matter and dismissed the complaint.

Refusal to represent the views of a resident

A resident alleged a Member had contravened the Code of Conduct when, through an email exchange with the resident, the Member refused to represent the resident's views on a policy matter. The resident alleged the Member's comments failed to serve their interests as a constituent and indicated that the Member did not have an open mind about the policy matter.

I dismissed the complaint on the basis that the allegations did not amount to a contravention of the Code. Members of Council are elected to provide leadership and judgment on matters before them. They serve as the voice of their collective communities and are expected to place the public good ahead of personal profit or benefit. I believe that the objections expressed in the formal complaint were a matter of dissatisfaction with representation and did not amount to a breach of the Code of Conduct.

As part of my analysis, I carefully considered the choice of words of both parties and the context of the email exchange. I determined that emails from both the resident and the Member included tone, criticisms or exaggerated statements that reflected the personal opinions of the two parties and did not provide a basis to investigate the Member's conduct.

Insufficient details or information

A resident alleged that a Member of Council acted inappropriately in their dealings with several individuals conducting business in the Member's Ward.

The complainant was a third party and, as such, did not have direct knowledge or evidence to support the allegations. The complainant advised they had spoken with individuals who would affirm the Member had made inappropriate requests or threats during their dealings with the Member. The complaint spoke in general terms, only identifying one specific instance, and did not include any details or documentation to support the allegation that the Member had acted inappropriately.

I advised the complainant that the core issue in the complaint was a policy matter, but that the Code of Conduct continued to apply to Members' behaviour. I further advised that in order to properly investigate the matter, I required specific details and information about the alleged misconduct, including the names of witnesses. Without sufficient information, I could not properly assess the need for an inquiry. I advised the complainant that I remained open to considering any further details or information they wished to provide. The complainant did not come back with any additional information and the file was closed.

No useful purpose to investigate

A resident filed an incomplete formal complaint respecting the conduct of a Member of Council. Although information on how to complete the form was provided, the resident did not follow-up until several months later.

The Complaint Protocol requires that formal complaints be filed on the appropriate form and accompanied by a sworn affidavit. In this case, the formal complaint was not complete, and the complainant was advised what steps were necessary to complete it. Around the same time, I received four other complete formal complaints with similar allegations which led to an inquiry and report to Council. Months later, the complainant followed-up with my Office to advise they were still having difficulty completing the form.

At that time, I was finalizing my report to Council on the four other complaints. Though the formal complaint was not complete, I accepted the complaint and conducted an intake analysis. Following that review, I determined the allegations were either outside of my jurisdiction or were largely addressed in my pending report to Council. As a result, following publication of my report to Council, I advised the complainant that their formal complaint was dismissed as it served no useful purpose to reinvestigate the matter.

Appendix 2

From October 1, 2023 to September 30, 2024, Council and its Committees went into closed session 10 times to consider 12 matters. The body holding the closed meeting, date, reason for resolving *in camera* and open meeting exception(s) cited were as follows:

Audit Committee

November 27, 2023: Office of the Auditor General (OAG) – Audit of Cybersecurity

- Security of the property of the City

Finance and Corporate Services Committee

June 4, 2024: Cybersecurity Update Q2

- Security of the property of the City

Joint Transit Commission and Light Rail Sub-Committee

May 31, 2024: Cartridge Bearing Assembly Review

- Litigation or potential litigation affecting the City
- Receiving of advice that is subject to solicitor-client privilege

City Council

November 17, 2023: Light Rail Transit (LRT) Legal Updates

- Litigation or potential litigation affecting the City
- Receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose

February 21, 2024:

Hydro Ottawa Holding Inc. – Hydro Ottawa Holding Inc. Corporate Restructuring

- a trade secret or scientific, technical, commercial, financial or labour relations information

Emergency and Protective Services – Corporate Security and Protective Measures Briefing

- Security of the property of the City

Finance and Corporate Services Department. – Bilingualism Policy –
Exception - Chief Information Security and Digital Risk Officer

- Personal matters about an identifiable individual, including staff
- Labour relations or employee negotiations

March 6, 2024: Staffing Update – City Clerk

- Personal matters about an identifiable individual, including staff
- Labour relations or employee negotiations

April 17, 2024: Organizational Change and Renewal

- Personal matters about an identifiable individual, including staff
- Labour relations or employee negotiations

June 12, 2024: Light Rail Transit (LRT) Legal Updates

- Litigation or potential litigation affecting the City
- Receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose

June 25, 2024: Light Rail Transit (LRT) Legal Updates and Related Remedial Matters

- Litigation or potential litigation affecting the City
- Receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose

July 10, 2024: Stage 1 Light Rail Transit (LRT) - Legal Update

- Litigation or potential litigation affecting the City
- Receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose

City Council and its Committees are not required to go *in camera* every time an exception applies. During the current reporting period, there were two instances where an *in camera* item was listed on the agenda, but the item was approved without moving into closed session:

City Council

- December 6, 2023: Office of the Auditor General (OAG) – Audit of Cybersecurity
- September 18, 2024: Appointment of Associate Medical Officer of Health