

2. OFFICE OF THE CITY CLERK 2019 ANNUAL REPORT

RAPPORT ANNUEL 2019 DU BUREAU DU GREFFIER MUNICIPAL

COMMITTEE RECOMMENDATIONS

That City Council:

- 1. Receive this report;**
- 2. Amend the *Records Retention and Disposition By-law* (By-law No. 2003-527) to incorporate revisions to Schedule “A”, as outlined in this report and described in Documents 5, 6 and 7; and**
- 3. Approve the goals identified for the 2020-2021 Departmental French Language Services Operational Plans.**

RECOMMANDATIONS DU COMITÉ

Que le Conseil municipal :

- 1. prenne acte du présent rapport;**
- 2. modifie le *Règlement sur la conservation et le déclassé des dossiers* (n° 2003-527) pour intégrer les révisions à l'annexe A énoncées dans le présent rapport et décrites dans les documents 5, 6 et 7; et,**
- 3. approuve les objectifs définis dans les Plans opérationnels 2020-2021 des directions générales concernant la prestation des services en français.**

DOCUMENTATION/DOCUMENTATION

- 1. City Clerk's report, dated 22 May 2020 (ACS2020-OCC-GEN-0001).**

Rapport du Greffier municipal, daté le 22 mai 2020 (ACS2020-OCC-GEN-0001).

**Report to
Rapport au:**

**Finance and Economic Development Committee
Comité des finances et du développement économique
2 June 2020 / 2 juin 2020**

**and Council
et au Conseil
10 June 2020 / 10 juin 2020**

**Submitted on May 22, 2020
Soumis le 22 mai 2020**

**Submitted by
Soumis par:
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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2020-OCC-GEN-0001

SUBJECT: Office of the City Clerk 2019 Annual Report

OBJET: Rapport annuel 2019 du Bureau du greffier municipal

REPORT RECOMMENDATIONS

That the Finance and Economic Development Committee recommend that City Council:

- 1. Receive this report;**

2. Amend the *Records Retention and Disposition By-law* (By-law No. 2003-527) to incorporate revisions to Schedule “A”, as outlined in this report and described in Documents 5, 6 and 7; and
3. Approve the goals identified for the 2020-2021 Departmental French Language Services Operational Plans.

RECOMMANDATIONS DU RAPPORT

Que le Comité des finances et du développement économique recommande que le Conseil municipal :

1. prenne acte du présent rapport;
2. modifie le *Règlement sur la conservation et le déclassé des dossiers* (n° 2003-527) pour intégrer les révisions à l'annexe A énoncées dans le présent rapport et décrites dans les documents 5, 6 et 7; et,
3. approuve les objectifs définis dans les Plans opérationnels 2020-2021 des directions générales concernant la prestation des services en français.

EXECUTIVE SUMMARY

The Clerk is a mandatory statutory officer appointed by City Council under the *Municipal Act, 2001*. At the City of Ottawa, in addition to fulfilling legislative requirements under the Act, the City Clerk leads the Office of the City Clerk and ensures that all statutory obligations are administered to fully comply with provincial legislation, particularly as it relates to matters such as elections, access to information and privacy, information management, accessibility, intergovernmental affairs, French language services, archives, Council meetings, the Council-approved Accountability Framework and municipal governance.

The Office of the City Clerk was established as a standalone entity on August 29, 2019, when the former Office of the City Clerk and Solicitor was separated into two distinct functions. The City Clerk now reports directly to the City Manager, while Legal Services reports to the General Manager of the Innovative Client Services Department.

The Office of the City Clerk 2019 Annual Report fulfills reporting requirements under the [Delegation of Powers Policy](#) for “[e]very delegation of a power or duty of Council [to] be accompanied by a corresponding accountability and transparency mechanism,” as well

as certain mandatory reporting requirements set out in the *Delegation of Authority By-law*. The report includes the following attachments and information:

- The 2019 Report on the Archives (Document 1);
- The 2019 Report on French Language Services (FR – Document 2, EN – Document 3);
- The 2019 Report on MFIPPA (the *Municipal Freedom of Information and Protection of Privacy Act*) (Document 4);
- The 2019 Report on Information Management (Document 5);
- Office of the City Clerk Initiatives for 2020-2022 (Document 8); and
- Information regarding the City Clerk's exercise of delegated authority in 2019 as "Head" for the purposes of the *Ombudsman Act* (Discussion section of the report).

In addition to receiving this report, staff recommend that Council amend the *Records Retention and Disposition By-law* (By-law No. 2003-527), which establishes a schedule for the retention and disposition of records in the custody or under the control of the City of Ottawa. As a result of routine business developments, proposed modifications to the records retention and disposition schedule are identified by the Office of the City Clerk in the course of its Information Management service delivery with clients. The proposed modifications are brought forward to Council on an annual basis for approval. Proposed amendments to Schedule "A" of the *Records Retention and Disposition By-law* are set out in Document 6. The proposed draft amending by-law is provided as Document 7.

Furthermore, as described in the Discussion section of this report and in Documents 2 and 3, it is also recommended that Council approve the goals identified for the 2020-2021 Departmental French Language Services (FLS) Operational Plans. As per Bilingualism Policy requirements, each year since 2013, City departments are required to prepare operational plans that describe future goals and standards for the improvement of services provided in French. These plans are approved by Council. The FLS Unit within the FLS Branch is responsible for the coordination of these multi-year plans, the development of the goals and reporting to Council on progress and completion.

RÉSUMÉ

Le greffier est titulaire d'une charge créée par une loi et est nommé par le Conseil municipal conformément à la *Loi de 2001 sur les municipalités*. À la Ville d'Ottawa, en plus de respecter les exigences de la Loi, le greffier municipal dirige le Bureau du greffier municipal et veille à ce que toutes les obligations statutaires soient assumées conformément à la législation provinciale, particulièrement en ce qui a trait à des questions comme les élections, l'accès à l'information et à la vie privée, la gestion de l'information, l'accessibilité, les affaires intergouvernementales, les services en français, les archives, les réunions du Conseil, le cadre de responsabilisation approuvé par le Conseil et la gouvernance municipale.

Le Bureau du greffier municipal a été instauré en tant qu'institution autonome le 29 août 2019, lors de la séparation des fonctions de l'ancien Bureau du greffier municipal de celles du chef du contentieux. Le greffier municipal relève maintenant directement du directeur municipal, alors que les Services juridiques relèvent du directeur général des services novateurs pour la clientèle.

Le Rapport annuel 2019 du Bureau du greffier municipal répond aux exigences relatives à la [politique sur la délégation de pouvoirs](#) selon laquelle «[t]oute délégation d'un pouvoir ou d'une attribution du Conseil doit être assortie d'un mécanisme approprié de transparence et de reddition de comptes » ainsi qu'à certaines exigences obligatoires décrites dans le *Règlement municipal sur la délégation de pouvoirs*. Le rapport comprend les pièces jointes et les renseignements suivants :

- 2019 Report on the Archives (document 1);
- 2019 Report on French Language Services (en français – document 2, en anglais – document 3);
- 2019 Report on MFIPPA (la *Loi sur l'accès à l'information municipale et la protection de la vie privée*) (document 4);
- 2019 Report on Information Management (document 5);
- Office of the City Clerk Initiatives for 2020-202 (document 8);

- De l'information concernant l'exercice de pouvoirs délégués par le greffier municipal en 2019 à titre de « chef » aux fins de la *Loi sur l'ombudsman* (dans la section « Analyse » du rapport).

En plus de recevoir le présent rapport, le personnel recommande au Conseil de modifier le *Règlement sur la conservation et le déclasséement des dossiers* (Règlement n° 2003-527), qui établit le calendrier de conservation et de déclasséement de tous les documents dont la Ville d'Ottawa a la garde ou le contrôle. En raison du développement régulier des entreprises, les modifications proposées au calendrier de conservation et de déclasséement des documents sont déterminées par le Bureau du greffier municipal dans le cadre de sa prestation de service en matière de gestion de l'information auprès des clients. Les modifications proposées sont soumises à l'approbation du Conseil annuellement. Les modifications proposées à l'annexe A du *Règlement sur la conservation et le déclasséement des dossiers* sont présentées dans le document 6. L'ébauche du projet de modification du règlement est jointe en tant que document 7.

En outre, comme décrit dans la section « Analyse » du présent rapport ainsi que dans les documents 2 et 3, il est également recommandé que le Conseil approuve les objectifs définis relativement aux Plans opérationnels de la Direction des services en français (DSF) de 2020-2021. Conformément aux exigences de la Politique de bilinguisme, les directions générales de la Ville doivent préparer chaque année depuis 2013 des plans opérationnels décrivant les objectifs et les normes à respecter pour améliorer les services fournis en français. Ces plans sont approuvés par le Conseil. L'Unité des SEF de la DSF est responsable de la coordination de ces plans pluriannuels, de l'élaboration des objectifs et des rapports à soumettre au Conseil municipal sur les progrès accomplis et les activités terminées.

BACKGROUND

Clerk's Statutory Role and Mandate

The Clerk is a mandatory statutory officer appointed by City Council under Section 228 of the *Municipal Act, 2001*. The Act sets out the Clerk's duties as follows:

- a) to record, without note or comment, all resolutions, decisions and other proceedings of the council;

- b) if required by any member present at a vote, to record the name and vote of every member voting on any matter or question;
- c) to keep the originals or copies of all by-laws and of all minutes of the proceedings of the council;
- d) to perform the other duties required under this Act or under any other Act; and
- e) to perform such other duties as are assigned by the municipality.

At the City of Ottawa, in addition to fulfilling the legislative requirements under the Act, the City Clerk leads the Office of the City Clerk and ensures that all statutory obligations are administered to fully comply with provincial legislation, particularly as it relates to matters such as elections, access to information and privacy, information management, accessibility, intergovernmental affairs, French language services, archives, Council meetings, the Council-approved Accountability Framework and municipal governance.

The “New” Office of the City Clerk

The Office of the City Clerk was established as a standalone entity on August 29, 2019, when the former Office of the City Clerk and Solicitor was separated into two distinct functions. The City Clerk now reports directly to the City Manager, while Legal Services reports to the General Manager of the Innovative Client Services Department.

The Office of the City Clerk includes the following programs and services:

- Council and Committee Services [includes the Mayor Support Services Branch and Council Support Services Branch];
- Legislative Services [includes the Archives Branch, the Corporate Accessibility Branch and the Information Management Branch (IM)];
- Municipal Elections and French Language Services (FLS);
- Office of Protocol and Intergovernmental Affairs; and
- Policy and Business Operations Services [includes the Access to Information and Privacy Branch (ATIP), the Policy Branch and the Technical Solutions Branch].

The Office of the City Clerk 2019 Annual Report: A compilation of mandatory branch updates from 2019 and the Office’s priorities for 2020-2022

In previous years, branches of the former Office of the City Clerk and Solicitor submitted separate annual reports pursuant to requirements under the [Delegation of Powers Policy](#) that “[e]very delegation of a power or duty of Council shall be accompanied by a corresponding accountability and transparency mechanism,” as well as certain mandatory reporting requirements set out in the *Delegation of Authority By-law*.

These annual reports included as follows:

- **The Annual Report on French Language Services** – Providing Council with an update on the implementation of the Bilingualism Policy and French-language complaints and highlighting City accomplishments in the delivery of quality bilingual services to both the public and staff.
- **The Information Management and Archives Annual Report and *Records Retention and Disposition By-law* amendments** – Providing an update regarding the City’s Information Management (IM) and Archives programs. The practice of reporting annually to Council on the IM program started in 2013, when the Office of the City Clerk and Solicitor assumed responsibility for the IM Branch. The combined report on the IM and Archives programs started in 2016, when the Office of the City Clerk and Solicitor took on the Archives Branch.
- **The MFIPPA Year-End Report** – Outlining the operations and responsive metrics of the Access to Information and Privacy (ATIP) Office. As an “institution” defined under the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), the City may appoint a “Head” of the “Institution” who is responsible for overseeing the administration of and for decisions made under the statute. At the City of Ottawa, Council has, by by-law, designated the Mayor as the Head of the Institution for these purposes. In turn, the Mayor has provided his written delegation to the City Clerk to address all matters with respect to this Act.
- **The City of Ottawa Municipal Accessibility Plan (COMAP) Update** – As required under the *Integrated Accessibility Standards Regulation* (IASR) of the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA), this annual status report from the Corporate Accessibility Branch provides an update on the progress of the City’s strategy to prevent and remove barriers to accessibility.

This is the first annual report from the Office of the City Clerk that compiles most of the above-noted reports into this one report to Committee and Council. A separate COMAP update report will be brought forward separately to the Finance and Economic Development Committee and Council in Q4 2020.

This report also provides information relating to the Clerk's exercise of delegated authority as the Council-appointed "Head" under the *Ombudsman Act*. This largely administrative function is similar to the role of the "Head" of the institution set out in other legislation, such as MFIPPA.

The Discussion section of this report provides some highlights of activities undertaken by branches that traditionally provide annual reports to Council, as well as information regarding the City Clerk's exercise of delegated authority in 2019. A separate annual report for each branch (the Archives, FLS, the ATIP Office's MFIPPA Report and IM) is provided as an attachment to this report. The Discussion section also provides context with respect to the proposed updates to the *Records Retention and Disposition By-law* being brought forward for Council consideration in Recommendation 2 of this report.

Furthermore, this report includes, as Document 8, some of the Office of the City Clerk's key initiatives for 2020-2022 and how the planned initiatives relate to City Council's Term of Council Priorities.

DISCUSSION

The Office of the City Clerk 2019 Annual Report fulfills reporting requirements within the Delegation of Powers Policy and *Delegation of Authority By-law* by providing the following attached documents:

- The 2019 Report on the Archives (Document 1);
- The 2019 Report on French Language Services (FR – Document 2, EN – Document 3);
- The 2019 Report on MFIPPA (Document 4);
- The 2019 Report on Information Management (Document 5), with proposed amendments to Schedule "A" of the *Records Retention and Disposition By-law* amendments (Document 6) and the proposed draft amending by-law (Document 7); and

- Office of the City Clerk Initiatives for 2020-2022 (Document 8).

In addition, this report provides information regarding the City Clerk's exercise of delegated authority in 2019 as "Head" for the purposes of the *Ombudsman Act*. This information is provided below, along with highlights of the above-noted attached documents.

2019 Report on the Archives (Document 1)

In 2019, the City of Ottawa Archives continued to support the governance of the City of Ottawa through its mandated role as corporate memory of the City.

With new technologies emerging and a vast information "landscape" at the City, the biggest risk to the Archives is if City decisions are not properly documented, classified and preserved as records. In partnership with Information Management and the Access to Information and Privacy (ATIP) Office, the Archives continues to raise awareness among staff about their recordkeeping obligations – whether statutory requirements, historically significant matters, or both.

Ongoing projects included the identification of approximately two million legacy pre-amalgamation inactive files to be archived. The Archives also improved its appraisal process for corporate records by increasing its direct engagement with business units.

Community engagement in 2019 included exhibitions and displays such as the Confederation Line launch exhibit, the Key to the City recipients display revamp and the Francophone RendezVous exhibit/special event. The Archives also improved descriptions of current archival material and increased the online availability of descriptions for researchers.

Subsection 8(2) of Schedule "C" within the *Delegation of Authority By-law* requires that a report be made to the appropriate Standing Committee at least once per calendar year regarding the exercise of delegated authority with respect to agreements related to the long-term deposit of library and archival materials in the City Archives. Document 1 includes information regarding the exercise of this delegated authority.

2019 Report on French Language Services (Documents 2 and 3)

In 2019, French Language Services (FLS) continued to support the delivery of services in both official languages to residents and City employees. To that end, FLS provided

guidance and support to departments regarding the preparation of French Language Operational Plans, which describe goals for improving the departmental provision of services in French.

In January 2020, all City departments reported having completed the implementation of the 2018-2019 goals as adopted in the report titled, “2017 Report on French Language Services,” which was approved by Council on [April 11, 2018](#).

As described in Documents 2 and 3, three new corporate-wide goals are proposed for 2020-2021 operational plans as well as an additional goal to be completed by the Office of the City Clerk and the Department of Recreation, Cultural and Facility Services. Each department will produce a progress report in 2021 and a final report in 2022 with the objective of attaining full compliance by the end of that cycle.

FLS supports the French Language Services Advisory Committee (FLSAC), which began its new four-year mandate in 2019 with Councillor Jean Cloutier appointed as Council Liaison. During its first few months, FLSAC provided recommendations to City staff on various initiatives and commented on the 2020 City Budget as well as the 2019-2022 Term of Council Priorities. FLSAC will adopt its 2019-2022 work plan in 2020 and begin to work on its initiatives.

The FLS Unit is responsible for managing, investigating and responding to all complaints received by the City regarding the quality and provision of French-language services. The number of French-language complaints received increased from 34 complaints in 2018 to 42 complaints in 2019. This still remains below the five-year average of 46 complaints per year. In resolving complaints, FLS relies on a collaborative approach to help all relevant stakeholders ensure progress in the provision of services in French.

The FLS Unit also plays a supporting role to Human Resources Services, which is the lead department in the designation of bilingual positions and second language training. Advice provided by FLS allows managers to make informed decisions about the designation of bilingual positions in their units. In 2019, 16 per cent of the City’s positions were designated bilingual. This number is consistent with the last five years.

The Translation Services Unit (TSU) is responsible for the coordination and translation of City documents and simultaneous interpretation services for all City departments. In

2019, TSU translated more than eight million words and received 30,219 requests for service, which represents an average of 122 requests a day.

In 2019, FLS was present in the community and continued to strengthen important relationships with its partners and stakeholders. FLS also continued its efforts to encourage service excellence through activities conducted in French to promote and create awareness of the Bilingualism Policy for employees.

The City of Ottawa remains committed to delivering quality services in both official languages and will continue to be responsive to the needs of its Francophone and Francophile community and staff.

2019 Report on MFIPPA (Document 4)

In 2019, the ATIP Office completed a total of 828 requests under the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) for general records and personal information.

In addition to the responsibilities under MFIPPA, the City Clerk also administers access requests related to the *Personal Health Information Protection Act, 2004* (PHIPA), which establishes rules for the collection, use and disclosure of personal health information for Health Information Custodians (e.g. Public Health, Paramedic Services, etc.) operating within the Province of Ontario. In 2019, the ATIP Office completed 14 requests for personal health information under PHIPA on behalf of Ottawa Public Health.

Overall, the ATIP Office completed 842 access to information requests under MFIPPA and PHIPA in 2019.

It should be noted that the Ottawa Paramedic Service, which received 544 requests for personal health information in 2018, processes its own PHIPA requests and reports separately to the Information and Privacy Commissioner of Ontario (IPC).

Training and Awareness

The ATIP Office regularly offers MFIPPA training to raise awareness and reduce the risk of privacy breaches. Training is important as breach incidents tend to result from human error due to a lack of guidance and knowledge about privacy and security. In 2019, all new supervisors were provided an overview of MFIPPA matters including access to information procedures, privacy obligations and privacy breach protocols. In

addition, PHIPA training sessions were conducted for Paramedic Services. The ATIP Office also provided advice on access and privacy implications for several departmental policies, procedures and services.

2019 Statistical Summary

A summary of the ATIP Office statistics is provided in Document 4. It is based on data included in the City of Ottawa's 2019 annual statistical reporting to the IPC, which was submitted on February 28, 2020, in accordance with statutory provisions.

Amendments to the Personal Health Information Protection Act, 2004

Recent amendments to PHIPA now require Health Information Custodians (HICs) to submit an annual report to the IPC. Specifically, in accordance with Section 6.4 of *Ontario Regulation 329/04*, on or before March 1 in each year beginning in 2019, HICs are required to provide to the IPC an annual report that includes the number of times in the previous calendar year that each of the following occurred:

1. Personal health information in the custodian's custody or control was stolen.
2. Personal health information in the custodian's custody or control was lost.
3. Personal health information in the custodian's custody or control was used without authority.
4. Personal health information in the custodian's custody or control was disclosed without authority.

Document 4 also includes information as it relates to this new mandatory reporting requirement for the four HICs at the City of Ottawa: the Employee Assistance Program, Long-term Care, Ottawa Public Health, and the Ottawa Paramedic Service.

2019 Report on Information Management and proposed amendments to the *Records Retention and Disposition By-law* (By-law No. 2003-527) (Documents 5, 6 and 7)

In 2019, the Information Management Branch (IM) continued to reduce information-related operational risk. This work included an analysis of Office of the Auditor General (OAG) reports to determine how IM could better support the broader management

capabilities of governance and risk management, since records are used to prove compliance, avoid penalties and to support and inform business decisions and actions.

The analysis showed that a significant benefit to business operations could be achieved by documenting policies, processes and instructions, providing communications or training to staff on the business records requirements, and monitoring staff compliance. This work will continue through 2020 with IM creating a plan for increasing compliance by providing training, communications and client feedback.

Additional examples of IM services and supports to staff in 2019 are as follows:

- Existing construction records from Stage 1 LRT had to be captured and processes needed to be developed for Stage 2. IM provided guidance and direction on the innovative use of SharePoint sites to manage these records;
- The OAG noted issues in Corporate Real Estate Office (CREO) recordkeeping processes. IM held intact training sessions involving all CREO staff, including managers. IM also assisted in updating recordkeeping procedures;
- Human Resources Services (HR) switched to a decentralized model, allowing HR staff to be more mobile and work closer to the teams they support. IM met with HR to discuss security and handling practices for confidential files and recordkeeping processes;
- A full review of Fire Services and its processes was completed. As a result of the review, IM assembled a project team that completed more than 30 tasks to assist Fire Services in meeting its recordkeeping requirements; and
- Community and Social Services staff from their four different locations met with IM to discuss their procedures and standards. The procedures and standards were reviewed and updated.

In 2019, Information Technology Services (ITS) rolled out Office 365 (O365).

SharePoint continues to be rolled out to the entire corporation with the goal of replacing shared drives. IM intends to leverage these tools by replacing BIMS, the current electronic records application, with a SharePoint records add-on software. The project launched in November 2019 and is anticipated to be complete by the end of 2021. The new application will allow for records to be managed 'in place' – meaning that users will be able to manage records in a variety of O365 applications.

IM will also continue to work with ITS to build robust SharePoint Online sites that will integrate with the new records software. This work is of critical importance because so much work at the City occurs via email or other electronic documents. To ensure proper decision-making, transparency, accountability and risk management, user adoption of their new SharePoint sites will be paramount.

RMS is the current physical records application and was built in-house by ITS staff. Originally intended as a temporary solution, RMS has successfully managed the City's physical records for nearly 20 years. This application has reached end of life and is currently being rebuilt in-house on the O365 platform. Like the BIMS replacement, the replacement of RMS is critical to the organization's success. The business of many important services such as Planning Services, Building Code Services, Ottawa Public Health, and Community and Social Services continue to rely upon physical records to serve residents.

Recommended Amendments to the Records Retention and Disposition By-law (By-law No. 2003-527)

The City's *Records Retention and Disposition By-law* (By-law No. 2003-527), as amended, establishes a schedule for the retention and disposition of records in the custody or under the control of the City of Ottawa. In addition, the by-law provides the City with the legal authority to destroy redundant official business records, administrative duplicates and temporary records.

The *Records Retention and Disposition By-law* was approved by Council in October 2003, and the records retention and disposition component (Schedule "A") has been revised on an annual basis. Schedule "A" is comprised of a timetable that plans the life of a record from the time of its creation, through its maintenance stages as an active record (stored either on-site or electronically), to an inactive record (stored either off-site or electronically), to its final disposition through destruction or permanent retention. The records retention and disposition schedule aligns with the corporate records classification scheme. In short, City departments are required to classify their official business records accordingly. Both Schedule "A" and the classification scheme require ongoing review and modification to accommodate changing legislation, user needs and program changes.

As a result of such routine business developments, proposed modifications to the records retention and disposition schedule are identified by the Office of the City Clerk in the course of its IM service delivery with clients. The proposed modifications are brought forward to Council on an annual basis for approval. This process ensures that the City's records management framework reflects the organization and the types of official business records the City needs to retain. The proposed amendments to Schedule "A" are provided in Document 6, with the draft amending by-law attached as Document 7.

2019 City Clerk's exercise of delegated authority as the Council-appointed "Head" under the *Ombudsman Act*

In January 2016, the Ontario Ombudsman received a mandate to investigate decisions made by municipalities and to make recommendations based on the findings. The Ontario Ombudsman has described its role and approach with respect to municipalities as follows [emphasis added]:

"Since 2016, Ontarians have been able to complain to us about any aspect of municipal government and administration, and **we handle these cases just as we have handled those related to the provincial government for more than 40 years: Resolving them informally wherever possible, by helping people navigate local bureaucracy or making inquiries with relevant officials.** In many cases, our intervention assists both parties, resulting in clearer processes for all. ... The Ombudsman has always encouraged municipalities to have their own accountability officers **and clear processes for handling complaints, since local issues are best handled at the local level.** Our Office does not replace these officers; our role is to ensure they are working as they should, and to intervene as warranted in areas where they cannot reach."¹

The *Ombudsman Act* provides for a municipality to designate a "head of a public sector body that is a municipality," for the purposes of the Act. Under the legislation, this "Head" largely acts in an administrative role as a point of contact between the Ontario Ombudsman's Office and the municipality.

On November 9, 2016, Council considered the 2014-2018 Mid-term Governance Review and approved delegating to the City Clerk and Solicitor the powers and duties

¹ Office of the Ontario Ombudsman, "[2018-2019 Annual Report](#)." Page 37.

as “head of a public sector body that is a municipality” for the purposes of the *Ombudsman Act*. This delegated authority remains with the City Clerk following the separation of the former Office of the City Clerk and Solicitor. Under Schedule “C” of the *Delegation of Authority By-law*, the City Clerk is required to report on the exercise of the delegated authority to the appropriate Standing Committee at least once in each calendar year.

In 2019, the City Clerk had regular contact with the Ontario Ombudsman’s Office in the largely administrative capacity as “Head”. Most of this contact occurred, and continues to occur, as follows: The Ombudsman’s Office contacts the City Clerk upon receiving a complaint and seeks details regarding steps that were taken by the City to provide service and/or address an issue through the City’s internal complaint process before the matter reached the Ombudsman. Accordingly, the Clerk provides background and documentation relating to the matter or directs the Ombudsman’s Office to the appropriate City staff contact who has the relevant information. This approach has been successful in assisting the Ombudsman’s Office with its inquiries and ensuring the Ombudsman is aware of the City’s service delivery, responsiveness and attempts to address any issues at the local level through the complaint process.

The City of Ottawa is the largest municipality under the Ontario Ombudsman’s mandate, as the Ombudsman does not investigate complaints about matters within the jurisdiction of the City of Toronto’s Ombudsman. The Ontario Ombudsman’s 2018-2019 Annual Report notes that the Ombudsman’s Office received 125 “cases,” or complaints, related to the City of Ottawa in 2018-2019.² None of these cases resulted in a formal investigation by the Ombudsman’s Office. The City has not been subject to a formal investigation by the Ombudsman’s Office since the Office received its mandate to oversee municipalities.

Office of the City Clerk Initiatives for 2020-2022 (Document 8)

On December 11, 2019, City Council considered the staff report titled, “[Proposed 2019-2022 Term of Council Priorities](#),” and approved seven strategic priorities: Economic Growth and Diversification; Integrated Transportation; Thriving Communities;

² The top municipalities by case volume were Toronto (381 cases, which were referred as the Ontario Ombudsman does not investigate complaints about matters within the mandate of the Toronto Ombudsman), Niagara Region (217 cases), Ottawa (125 cases), Hamilton (114 cases) and Peel Region (87 cases).

Environmental Stewardship; Service Excellence Through Innovation; Sustainable Infrastructure; and Thriving Workforce.

The Office of the City Clerk is not the lead or collaborating department for specific actions connected to the seven priorities, as set out in the 2019-2022 City Strategic Plan. However, the Office's mandate and core operations will contribute to successful outcomes for the priorities.

The tables provided in Document 8 are a snapshot of some of the Office of the City Clerk's key initiatives with respect to resources, importance and impact, and how they relate to specific strategic priorities. Updates on the initiatives will be provided in the Office of the City Clerk 2020 Annual Report.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

As this is largely an administrative report, no consultation was undertaken.

COMMENTS BY THE WARD COUNCILLOR(S)

This is a city-wide report.

LEGAL IMPLICATIONS

There are no legal impediments associated with this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

ACCESSIBILITY IMPACTS

As noted in this report, the City of Ottawa 2019 Municipal Accessibility Plan (COMAP) will be brought forward to the Finance and Economic Development Committee in Q4 2020.

TERM OF COUNCIL PRIORITIES

This report describes how a number of initiatives undertaken by the Office of the City Clerk support Council's Term of Council Priorities (2019-2022).

SUPPORTING DOCUMENTATION (*Held on file with the City Clerk*)

Document 1 – 2019 Report on the Archives

Document 2 – 2019 Report on French Language Services – FR

Document 3 – 2019 Report on French Language Services – EN

Document 4 – 2019 Report on MFIPPA

Document 5 – 2019 Report on Information Management

Document 6 – Amendments to Schedule "A" of the *Records Retention and Disposition By-law*

Document 7 – Draft Amending By-law (for Schedule "A" changes to the *Records Retention and Disposition By-law*)

Document 8 – Office of the City Clerk Initiatives for 2020-2022

DISPOSITION

Should Council approve Recommendation 2 of this report, the Office of the City Clerk will prepare the amending by-law for enactment. The Information Management Branch would also forward the amending by-law to the City's External Auditor for approval.

Staff will undertake other planned initiatives as set out in this report and pursuant to any Council direction.