

3. Office of the City Clerk 2021 Annual Report
Rapport annuel 2021 du Bureau du greffier municipal

COMMITTEE RECOMMENDATIONS

That City Council:

1. Receive this report; and
2. Approve the amendments to Schedule “A” of the *Records Retention and Disposition By-law* as outlined in this report and set out in Documents 7 and 8.

RECOMMANDATIONS DU COMITÉ

Que le Conseil municipal :

1. prenne acte du présent rapport; et
2. approuve les modifications apportées à l'annexe « A » du *Règlement sur la conservation et le déclassé des dossiers*, comme il est décrit dans le présent rapport et défini dans les documents 7 et 8.

DOCUMENTATION/DOCUMENTATION

1. M. Rick O'Connor, City Clerk, dated February 16, 2022, (ACS2022-OCC-GEN-0007)

M. Rick O'Connor, greffier municipal, daté le 16 février 2022, (ACS2022-OCC-GEN-0007)

SUBJECT: Office of the City Clerk 2021 Annual Report

File Number: ACS2022-OCC-GEN-0007

**Report to Finance and Economic Development Committee on 1 March 2022
and Council on 9 March 2022**

Submitted on February 16, 2022 by M. Rick O'Connor, City Clerk

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Ward: City wide

OBJET : Rapport annuel 2021 du Bureau du greffier municipal

Dossier : ACS2022-OCC-GEN-0007

Rapport au Comité des finances et du développement économique

le 1er mars 2022

et au Conseil le 9 mars 2022

Soumis le 16 février 2022 par M. Rick O'Connor, greffier municipal

**Personne-ressource : Kiel Anderson, gestionnaire, Politiques et Activités
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Quartier : À l'échelle de la Ville

REPORT RECOMMENDATIONS

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

- 1. Receive this report; and**
- 2. Approve the amendments to Schedule "A" of the *Records Retention and***

Disposition By-law as outlined in this report and set out in Documents 7 and 8.

RECOMMANDATIONS DU RAPPORT

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

1. prenne acte du présent rapport; et
2. approuve les modifications apportées à l'annexe « A » du *Règlement sur la conservation et le déclassé des dossiers*, comme il est décrit dans le présent rapport et défini dans les documents 7 et 8.

EXECUTIVE SUMMARY

The City 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 and Committee meetings, the Council-approved Accountability Framework and municipal governance.

The Office of the City Clerk 2021 Annual Report provides an update regarding activities and initiatives of the office during the past year, and 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 also includes the following attachments and information:

- The 2021 Report on the Archives (Document 1);
- The 2021 Report on the Elections Office (Document 2);
- The 2021 Report on French Language Services (FR – Document 3, EN – Document 4);

- The 2021 Report on Information Management (Document 5);
- The 2021 Report on MFIPPA (the *Municipal Freedom of Information and Protection of Privacy Act*) (Document 6);
- Update on Office of the City Clerk Initiatives for 2020-2022 (Document 9); and
- Information regarding the City Clerk's exercise of delegated authority in 2021 as "Head" for the purposes of the *Ombudsman Act* (Discussion section of the report).

In addition, staff recommend amendments to Schedule "A" of the *Records Retention and Disposition By-law* as outlined in this report and set out in Documents 7 and 8.

RÉSUMÉ

Le greffier municipal est titulaire d'une charge créée par une loi et est nommé par le Conseil municipal en vertu de 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 prévues par la loi soient exécutées conformément à la législation provinciale, notamment en ce qui a trait à des questions comme les élections, l'accès à l'information et le respect de la vie privée, la gestion de l'information, l'accessibilité, les affaires intergouvernementales, les services en français, les archives, les réunions du Conseil et des comités, le cadre de responsabilisation approuvé par le Conseil et la gouvernance municipale.

Le rapport annuel 2021 du Bureau du greffier municipal présente une mise à jour sur les activités et les initiatives du Bureau au cours de l'année écoulée. Il satisfait à la disposition de la [Politique sur la délégation de pouvoirs](#), selon laquelle « chaque 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 en matière de préparation de rapports définies dans le *Règlement municipal sur la délégation de pouvoirs*.

Le rapport contient également les pièces jointes et l'information suivantes :

- Rapport de 2021 sur les Archives (document 1);
- Rapport de 2021 sur le Bureau des élections (document 2);

- Rapport de 2021 sur les services en français (FR - document 3 et EN - document 4);
- Rapport de 2021 sur la gestion de l'information (document 5);
- Rapport de 2021 sur la *Loi sur l'accès à l'information municipale et la protection de la vie privée* (document 6);
- Mise à jour sur les initiatives du Bureau du greffier municipal pour 2020-2022 (document 9);
- Information portant sur l'exercice de pouvoirs délégués par le greffier municipal en 2021 à titre de « chef » aux fins de la *Loi sur l'ombudsman* (dans la section du rapport consacrée à l'analyse).

De plus, le personnel recommande d'apporter des modifications à l'annexe « A » du *Règlement sur la conservation et le déclassé des dossiers*, comme il est décrit dans le présent rapport et défini dans les documents 7 et 8.

BACKGROUND

City Clerk's statutory role and mandate

The City Clerk is a mandatory statutory officer appointed by City Council under Section 228 of the *Municipal Act, 2001* (the Act). 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 and Committee meetings, the Council-approved Accountability Framework and municipal governance.

Specifically, 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;
- 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 Print, Mail and Operations Branch].

The Office of the City Clerk 2021 Annual Report: A compilation of mandatory branch updates from 2021

The Office of the City Clerk 2021 Annual Report provides information regarding activities and initiatives of the office in 2021. The report combines a number of 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*.

The report also provides an update relating to the Clerk’s exercise of delegated authority as the Council-appointed “Head” under the *Ombudsman Act*. This is a largely administrative function similar to the role of the “Head” of the institution set out in other legislation, such as the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA).

The Discussion section of this report provides some highlights of activities undertaken by services and branches that traditionally provide annual reports to Council, as well as information regarding the City Clerk's exercise of delegated authority in 2021. Separate annual reports for certain services and branches [the Archives, the Elections Office, French Language Services (FLS), the ATIP Office's MFIPPA report and IM] are provided as attachments.

The Discussion section also provides information regarding the recommended amendments to Schedule "A" of the *Records Retention and Disposition By-law*.

Furthermore, Document 9 provides updates on some of the Office of the City Clerk's key initiatives for 2020-2022 that were included in the [Office of the City Clerk 2019 Annual Report](#) and the [Office of the City Clerk 2020 Annual Report](#).

DISCUSSION

The Office of the City Clerk 2021 Annual Report fulfills reporting requirements within the Delegation of Powers Policy and *Delegation of Authority By-law* by providing the following documents and information:

- The 2021 Report on the Archives (Document 1);
- The 2021 Report on the Elections Office (Document 2);
- The 2021 Report on French Language Services (FR – Document 3, EN – Document 4);
- The 2021 Report on Information Management (Document 5);
- The 2021 Report on MFIPPA (Document 6); and
- Updates on Office of the City Clerk Initiatives for 2020-2022 (Document 9).

Highlights of the reports are provided below. In addition, information is provided regarding the City Clerk's exercise of delegated authority in 2021 as "Head" for the purposes of the *Ombudsman Act*.

2021 Report on the Archives (Document 1)

The Archives Branch oversees the City's responsibilities under sections 253 and 254 of the *Municipal Act, 2001* (the Act) to preserve and provide access to its records, and as such is the guardian of corporate records that document the rights, privileges, and obligations of the City and its residents. The Archives also collaborates with the Information Management (IM) Branch to respond to Section 255 of the Act – regarding retention periods/destruction of records – to advise which civic records have archival value and authorize their transfer to the Archives, as well as to assist in determining records retention periods and to authorize the destruction of records without archival value.

To fulfill these legislated responsibilities, Archives staff work across the following functions/programs: Continuous Disposition Authorities (for determining archival value in post-amalgamation civic records); Preservation (secure storage); Pre-amalgamation discovery (identifying and indexing pre-amalgamation archived records); Reference Services (which focuses on access to records); and Exhibits and Outreach (to connect with residents and promote the City's archival holdings). As well, to fulfill its secondary mandate, the Archives also manages a Community Records program that selectively acquires archival material from Ottawa's residents and organizations and seeks to build relationships with the city's diverse communities.

In 2021, the Archives' activities included:

- Processing and indexing more than 1,775 boxes and 17,633 individual records as part of its Pre-amalgamation discovery program, in collaboration with the IM Branch.
- Moving the COVID-19 Collection project forward, which seeks records from the community documenting their experience of the pandemic. To date, the Archives has received more than 125 offers from Ottawa's residents.
- Producing or mounting 33 exhibitions and presenting 22 outreach activities to connect with Ottawa residents and visitors.
- Launching the Tapestry Project in partnership with the Friends of the City of Ottawa Archives, to develop relationships with racialized, Indigenous, immigrant and ethnic communities, and LGBTQ2S+ communities.

With respect to annual reporting requirements for the Archives, Subsection 8(2) of Schedule “C” within the *Delegation of Authority By-law* requires that a report be made to the appropriate Standing Committee about the exercise of delegated authority regarding 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.

The Archives is committed to supporting the City’s obligations with respect to recordkeeping and the municipality’s duty to document. As a result, the Archives Branch annual report also identifies a number of risks associated with staffing levels and how they are expected to impact operations, statutory compliance, and/or strategic initiatives.

2021 Report on the Elections Office (Document 2)

As described in Document 2, the Elections Office completed a Council-directed review of the City’s signs by-laws as they related to election signs, and conducted the City’s first appointment process since amalgamation to fill the Council vacancy in Ward 4 (Kanata North). In addition, the Elections Office continued planning and preparing for the 2022 Municipal Elections that will take place on October 24, 2022.

As described in the [Office of the City Clerk 2020 Annual Report](#), and as is past practice, staff are reviewing election-related by-laws, policies, and procedures in advance of the 2022 Municipal Elections. In addition, and at the time of writing of this report, COVID-19 remains an ongoing concern and election planning for 2022 must shift to recognize the realities of COVID-19. As such, staff are reviewing the election processes that were successfully implemented in the 2020 Cumberland By-election to determine if and how these processes could be implemented in the 2022 Municipal Elections, including the possibility of implementing an alternative method of voting on a city-wide scale.

The Office of the City Clerk will bring forward a report to City Council in Q1 of 2022 that will address the above-noted matters.

2021 Report on French Language Services (Documents 3 and 4)

In 2021, the City of Ottawa worked to continually demonstrate its commitment to providing quality services to staff and residents in French and English while managing the impacts of the COVID-19 pandemic. French Language Services (FLS) adapted to

address demands and challenges raised by COVID-19 while continuing to support all City departments in the delivery of municipal services in French to residents and City employees.

The Translation Services Unit (TSU) – which provides City departments with translation, comparative revision, proofreading, terminology, and simultaneous interpretation services, and oversees the coordination of more than 30 external translation service providers – saw an increase in demand and urgent requests in 2021 due to the pandemic.

Despite the additional pressures of the pandemic on translation services, TSU staff continued to operate and meet operational needs in a fully virtual model in 2021. The TSU translated 13,453,362 words, which represents a 17 per cent increase from the 11,467,423 words translated in 2020. The TSU received 30,825 requests for services in 2021, which represents an increase of 3.5 per cent compared to the 29,750 requests processed in 2020.

To address the above-noted increased demands and ensure adequate timelines associated with the quickly changing COVID-19 landscape, a process was implemented to provide translation services 24 hours a day, seven days a week, through an agreement with an external provider.

FLS was also present in the community and continued to strengthen important relationships with its partners and stakeholders through collaborations and engagement activities, as described in Documents 3 and 4. In addition, the branch continued its efforts to encourage service excellence through various activities conducted in French to promote and create awareness of the Bilingualism Policy for employees.

FLS also supports the French Language Services Advisory Committee (FLSAC), which had its three-year work plan approved by Council on March 25, 2020. Due to the COVID-19 pandemic, virtual FLSAC meetings continued in 2021 and the committee received presentations from staff in various departments in 2021, as further described in Documents 3 and 4.

The FLS Unit within the FLS Branch is responsible for managing, investigating, and responding to all official complaints received by the City through the Corporate Complaints Procedure regarding the quality and provision of French-language services.

The number of French-language complaints received in 2021 was 60. This represents an increase of 28 complaints from the 32 complaints received in 2020, and is above the 2017-2021 five-year average of 43 complaints per year.

Staff have identified that the 2021 increase in complaints is largely attributed to the City's provision of French-language services at the City's COVID-19 vaccination clinics, which was the largest bilingual mass vaccination campaign in the City of Ottawa's history. In 2021, OPH and the City of Ottawa administered approximately 1,253,572 COVID-19 doses at 16 community clinics, 84 school-based clinics, 121 mobile clinics, 54 pop-up clinics, 14 neighbourhood vaccination hubs, six First Nations, Inuit & Métis clinics, and various long-term care, retirement homes and congregated care settings.

Staff note that 24 of the 60 complaints received in 2021 were related to services in French received at the above-noted vaccination clinics. FLS received the bulk of these complaints between mid-March and the end of July 2021. Following the corrective action that was implemented, complaints decreased at the end of 2021, and no complaints have been received since December 7, 2021.

In resolving complaints, FLS relies on a collaborative approach to help all relevant stakeholders create conditions that ensure progress in the provision of services in French. Additional information regarding the types of complaints received in 2021, as well as the corrective measures that were taken to ensure residents could be served in their official language of choice, is provided in Documents 3 and 4.

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 2021, 16 per cent of the City's positions were designated bilingual. This number is consistent with the last five years.

Extended timeline for completion of goals identified for the 2020-2021 Departmental French Language Services Operational Plans to the end of 2022

Each year, as per Bilingualism Policy requirements, each department prepares annual operational plans describing 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.

As part of the [Office of the City Clerk 2020 Annual Report](#), and due to the impacts of the COVID-19 pandemic, City Council approved extending the timeline for completion of the current goals for all departments to the end of 2022, at which time a final report will be produced by each department.

Following this, a final report on 2020-2022 Operational Plan achievements will be outlined in the Office of the City Clerk 2022 Annual Report, which will be brought forward to City Council in 2023. Staff believe that this approach will alleviate some of the current pressures within the organization while continuing to ensure the organization's commitment to the improvement of services provided in French.

Additional information related to the City-wide service delivery in both official languages is provided in Documents 3 and 4.

2021 Report on Information Management and proposed amendments to Schedule “A” of the *Records Retention and Disposition By-law* (Documents 5, 7 and 8)

In 2021, IM's services to clients continued during the pandemic, with priority on essential service areas such as Building Code Services, the Planning Branch, and Community and Social Services. IM has continued to support the recordkeeping demand for Ottawa Public Health.

In addition, the branch provided support and assistance with respect to recordkeeping matters through activities that included as follows:

- Working to support staff as they moved to new Microsoft 365 tools, including SharePoint Online; and
- Working with clients who, due to working from home, were accelerating their plans to transition from physical recordkeeping into a SharePoint Online environment.

As discussed in Document 5, the current systems used by the City to manage records – RMS for physical records and BIMS for electronic records – are being replaced simultaneously, with this work continuing in 2022. The IM annual report also identifies a number of resourcing risks, how these risks have been documented, and how they are expected to impact operations, statutory compliance, and/or strategic initiatives.

Records Retention and Disposition By-law

Section 255 of the *Municipal Act, 2001* provides that a municipality may establish retention periods during which the records of the municipality must be retained and preserved. In general, a record of the municipality may be destroyed if a retention period for the record has been established and the retention period has expired. The City's revised *Records Retention and Disposition By-law* (By-law No. 2021-183) was approved by Council in October 2021. The records retention and disposition component of the by-law, Schedule "A," has been revised on a regular basis.

Schedule "A" includes 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 is aligned with the Corporate Records Classification Scheme (CRCS). City departments are required to classify their official business records according to the CRCS.

Both the schedule and the classification scheme require ongoing review and modification to accommodate changes in legislation, user needs and program changes. As a result of such routine business developments, 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 and are brought forward to Council on a regular 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 creates and needs to retain.

Staff recommend that Council approve the amendments to Schedule "A" of the *Records Retention and Disposition By-law* as outlined in this report and set out in Documents 7 and 8.

2021 Report on MFIPPA (Document 6)

In 2021, the ATIP Office completed a total of 622 requests under the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) for general records and personal information. The ATIP Office received 582 requests under MFIPPA.

Despite the ongoing pandemic, the provincial Information and Privacy Commissioner (IPC) made it clear that "institutions" under MFIPPA, such as the City of Ottawa, were expected to continue to respond to access to information requests.

While the ATIP Office maintained its operation in order to ensure compliance with its enabling legislation, and delays in processing requests were kept to a minimum, the pandemic continues to have a tangible effect on the ability for operational staff to retrieve responsive records in a timely manner. As such, the time to respond to requests was affected such that 62 per cent of requests were completed within the initial 30-day time period, compared to 52 per cent in 2020. In addition, 72 per cent of requests were completed within the extension timeframes prescribed under MFIPPA.

While operational staff have been reminded that the City's statutory obligation to adhere to access to information legislation remained in place despite the ongoing pandemic, the ATIP Office is mindful of the disruptive effect that the pandemic continues to have on operations and the ability for staff to retrieve records in a timely manner.

In addition, the time it takes to complete requests can be particularly affected by factors such as complexity of files and requests for a broad scope of information and large volume of records, or instances where the ATIP Office must consult with an affected third party.

In addition to the responsibilities under MFIPPA, the City Clerk also administers formal 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. Ottawa Public Health, Paramedic Services, and Long Term Care) operating within the Province of Ontario.

In 2021, the ATIP Office completed three requests for personal health information under PHIPA on behalf of Ottawa Public Health. It should be noted that the Ottawa Paramedic Service processed 618 requests for personal health information in 2021 under PHIPA, while Long Term Care processed 23 requests.

Overall, the ATIP Office completed 625 access to information requests under MFIPPA and PHIPA in 2021.

2021 statistical summary

A summary of the ATIP Office statistics is provided in Document 6. It is based on data included in the City of Ottawa's 2021 annual statistical reporting to the IPC, which was submitted on February 4, 2022, in accordance with statutory provisions.

The *Personal Health Information Protection Act, 2004* (PHIPA) requires 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, 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.

As such, Document 6 includes information as it relates to the mandatory reporting requirement for the three HICs at the City of Ottawa: Long Term Care, Ottawa Public Health, and the Ottawa Paramedic Service.

2021 operational summary

Online payment and electronic submission form

Recognizing that the pandemic has had a continued effect on operations, including intermittent closures of the City's Client Services Centres and a reduced complement of workers physically present in the office, the ATIP Office launched an online payment and electronic submission form in 2021.

Traditionally, requesters have been required to mail in or physically drop off the mandatory \$5 application fee along with the completed access to information request form to the ATIP Office. The online payment and electronic submission option allow requesters to pay their \$5 application fee and any associated request fees online using a credit card, and to submit the completed access to information request form electronically with the payment. The requester receives an auto-acknowledgment that the payment has been received and an ATIP Analyst will be assigned to the file.

The ATIP Office will continue to accept cash and cheques as well as paper-based requests through mail and the City's Client Service Centres.

Privacy Analysts

Following Council's approval of the Office of the City Clerk 2020 Annual Report, the ATIP Office established two temporary Privacy Analyst positions to advance the safeguarding of residents' privacy by protecting the sensitive personal information in the City's care. Among other matters, the Privacy Analysts provided support on the development of the City's Vaccination Policy; investigated privacy breaches and complaints regarding the misuse of personal information; and reviewed and made recommendations regarding the privacy impact of new and existing City services, programs, systems and technologies.

At this time, the Privacy Analysts remain temporary positions funded from existing resources; however, the Office of the City Clerk recognizes the need for these positions to be permanent resources in order to support the City's statutory obligation to handle personal information according to the responsibilities and requirements set out under MFIPPA.

Training and education

In addition to responding to staff inquiries by providing summary access and privacy advice, the ATIP Office offered intact training sessions virtually to departments across the City, including the Light Rail Office, Community and Social Services, and the City-wide New Manager/Supervisor Training sessions.

Modernizing services

The ATIP Office continues to expand and modernize services provided internally and externally. In 2021, the ATIP Office developed and made available on its corporate SharePoint site an online privacy breach reporting tool that any staff member corporate-wide may use to report a suspected privacy breach. The ATIP Office also refined the online screening and intake tool for Privacy Impact Assessments, which is available for all departments.

In 2021, the ATIP Office began working with IT Services and Information Management to move to a fully digital file management system. This process is expected to be complete in 2022.

2021 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’s [2020-2021 Annual Report](#) notes that, “We routinely emphasize the importance of resolving local issues at the local level wherever possible. The Ombudsman has always encouraged municipalities to have clear and robust complaints processes available to the public.”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 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 division 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 2021, 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 described in previous annual reports to Council: 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,

¹ Office of the Ontario Ombudsman, “[2020-2021 Annual Report](#).” Page 25.

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 2020-2021 Annual Report notes that the Ombudsman's Office received 93 "cases," or complaints, related to the City of Ottawa in 2020-2021.² 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.

Update on Office of the City Clerk initiatives for 2020-2022 (Document 9)

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; 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 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 [Office of the City Clerk 2019 Annual Report](#) provided 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. The status of key initiatives was updated in the [Office of the City Clerk 2020 Annual Report](#). Document 9 provides a further update regarding each initiative in 2021.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

² The top municipalities by case volume were Toronto (254 cases – however, the Ontario Ombudsman does not investigate complaints about matters within the mandate of the Toronto Ombudsman), Mississauga (170 cases), Ottawa (93 cases), Hamilton (63 cases) and Peel Region (46 cases).

LEGAL IMPLICATIONS

There are no legal impediments to approving the recommendations in this report.

COMMENTS BY THE WARD COUNCILLOR(S)

This is a citywide report.

CONSULTATION

As this is largely an administrative report that provides a summary of the actions and initiatives that occurred in the previous year, no consultation was undertaken.

ACCESSIBILITY IMPACTS

Throughout the response to COVID-19 in 2020 and 2021, the City has remained committed to meeting its obligations under the Ontario Human Rights Code and the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA). The Corporate Accessibility Branch monitors compliance and the City Clerk submits the Corporate AODA Compliance Report to the Province on a bi-annual basis. This includes 87 legislatively mandated Integrated Accessibility Standards Regulation (IASR) clauses of the AODA that apply to the City of Ottawa, 43 additional clauses for which the City follows the spirit and intent, and Council-approved accessibility direction.

In 2022, the Corporate Accessibility Branch delivered on important projects, including those in the new City of Ottawa Municipal Accessibility Plan (COMAP), which establishes the City's accessibility priorities until 2025. The Branch also continues to support Ottawa Public Health (OPH), the Human Needs Task Force and the Vaccination Task Force, including arranging for sign language interpretation at press conferences, sharing disability-related COVID-19 information through OPH, and ensuring that accessibility was considered in the City's delivery of mass vaccination.

Additionally, the Office of the City Clerk coordinates the City's Accessibility Advisory Committee (AAC), which continued to meet virtually during COVID-19. The City of Ottawa was one of the first municipalities in Ontario to arrange for accessible virtual meetings of its AAC.

More information on the activities of the Corporate Accessibility Branch and accessibility initiatives across the Corporation will be found in the forthcoming 2022 City of Ottawa

Municipal Accessibility Plan Update Report, which is expected to be submitted to the Finance and Economic Development Committee and Council in Q2 2022.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

RURAL IMPLICATIONS

As described in this report.

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

Document 1 – 2021 Report on the Archives

Document 2 – 2021 Report on the Elections Office

Document 3 – 2021 Report on French Language Services – FR

Document 4 – 2021 Report on French Language Services – EN

Document 5 – 2021 Report on Information Management

Document 6 – 2021 Report on MFIPPA

Document 7 – Draft revised Schedule "A" of the *Records Retention and Disposition By-law*

Document 8 – Changes made to Schedule "A" of the *Records Retention and Disposition By-law*

Document 9 – Update on Office of the City Clerk Initiatives for 2020-2022

DISPOSITION

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