



Subject: Code of Conduct Review

Department: Corporate Services

Division: Clerks

Report #: CPS-2025-006

Meeting Date: 2025-01-27

Recommendations

That report CPS-2025-006, Code of Conduct Review, be received; and

That Council direct staff to bring forward an update to the Town of Orangeville’s Code of Conduct for Council, Local Boards and Committees.

Overview

The purpose of this report is to inform Council of *Bill 241, Municipal Accountability Act, 2024* and to gain Council direction with respect to the Code of Conduct review scheduled for Q1 of 2025.

Background

On February 26, 2024, Council directed staff to hire an Integrity Commissioner through a recruitment process as Orangeville’s current Integrity Commissioner contract was coming to its end of term. On August 12, 2024, Council passed a by-law appointing Principles Integrity as the Town of Orangeville’s Integrity Commissioner for a five (5) year term commencing August 15, 2024.

The Integrity Commissioner responsibilities include, but are not limited to:

- Investigating complaints and alleged breaches of the Code of Conduct; and
- Serving as an advisor to individual Members of Council in relation to the Code of Conduct; and
- Reviewing the Code of Conduct and making recommendations on an annual basis.

The purpose and intent of the Code of Conduct is to establish general standards of conduct to supplement the legislative parameters within which the members must operate. These standards should serve to enhance public confidence that the Town’s

elected and appointed representatives operate from a base of integrity, justice and courtesy. The Code of Conduct does not replace members' roles, responsibilities, actions and behaviours required by various statutes, by-laws and policies.

The Town of Orangeville's current Code of Conduct was established by Council on May 9, 2016 (Attachment 1). This Code of Conduct includes, but is not limited to, the following behaviours:

- general standards of conduct
- responsibilities of Council, local board and committee members
- respect for decision-making processes
- receiving gifts and benefits
- handling confidential information
- use of Town property, services and other resources
- election campaign work
- conduct at Council meetings
- business relations
- conduct with staff
- respect for others

In report CPS-2024-050, Integrity Commissioner Appointment, staff advised Council that upon appointment of Principles Integrity, staff will work with the Integrity Commission to update the Code of Conduct. Staff are currently working with Principles Integrity to review and update the Code of Conduct for the Town of Orangeville.

On December 12, 2024, the Minister of Municipal Affairs and Housing, Paul Calandra, introduced *Bill 241, Municipal Accountability Act, 2024* to strengthen municipal governance and accountability. The bill would amend the *Municipal Act* and *City of Toronto Act*, establishing a new and standardized code of conduct and integrity commissioner framework proposed to be in place for the 2026 term of Council.

Analysis/Current Situation

If *Bill 241, Municipal Accountability Act, 2024* passes, the bill would:

- Enable the creation of a standard municipal code of conduct and standard municipal integrity commissioner investigation processes to help ensure consistency across all Ontario municipalities; and
- Create a role for the Integrity Commissioner of Ontario in municipal code of conduct and integrity commissioner matters, including providing training to municipal integrity commissioners; and
- Establish a mechanism to remove and disqualify members of council and certain local boards for a period of four years for the most serious code of conduct violations following a recommendation from the local integrity commissioner, a concurring report from the Integrity Commissioner of Ontario, and a unanimous vote of council.

Minister Paul Calandra stated, “If passed, important work to develop the regulations to support this new framework would lie ahead, and I remain committed to engaging with you throughout that process. Our intention is to have these changes in effect for the new term of councils beginning in Fall 2026 to ensure there is adequate opportunity for local implementation.”

Staff are recommending that Council direct staff to bring forward the update to the Town of Orangeville’s Code of Conduct for Council, Local Boards and Committees in the interim as it is already near completion and ready to be presented.

Staff worked with Principles Integrity in Q3 and Q4 of 2024 to develop a new draft Code of Conduct. Principles Integrity provided the basis for the code. They currently serve as Integrity Commissioner for over 60 municipalities and has considerable experience in code and policy development.

The current working draft includes, but is not limited to, the following:

- avoidance of conflicts of interest
- gifts, benefits and hospitality
- member’s role in supporting community events
- confidential information
- use of Town resources
- election campaigns
- improper use of influence
- business relations
- member conduct
- media communications
- respect for Town By-laws and Policies
- respectful workplace
- conduct respecting staff
- employment of Council relatives/family members
- not undermine, work against Council decisions
- reprisals and obstructing
- acting on advice of Integrity Commissioner
- informal complaint procedure
- formal complaint procedure

The working draft also includes commentary to provide clarity around interpretation of the information included in the Code of Conduct.

Corporate Implications

This report will not generate direct implications. If future actions related to this report will have a corporate impact, a report will be presented to Council for approval, if required.

Conclusion

The Minister of Municipal Affairs and Housing, Paul Calandra, introduced *Bill 241, Municipal Accountability Act, 2024* to strengthen municipal governance and accountability, which is scheduled to be in effect at the beginning of Fall 2026, however if an election is called prior to the passage of the bill, it will not become law, and the work to draft the code would only commence after passage of the legislation.

The proposed new standardized code from the province would not be implemented until the new term of Council commencing in 2026. To date, staff have already completed most of the work for the updated draft with our integrity commissioner prior to the announcement by the province. This draft will be ready to present to Council in February 2025. With over 1.5 years remaining in this term, staff are recommending that Council direct staff to bring forward the updated draft Code of Conduct Council for approval in Q1 of 2025.

Strategic Alignment

Strategic Plan

Strategic Goal: Future-Readiness

Objective: Due Diligence – Confirm applicable governance and policy regimes.

Notice Provisions

Not Applicable.

Respectfully submitted,

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Attachment(s): 1. Code of Conduct for Council, Local Boards and Committees