

2023 ANNUAL REPORT

INTEGRITY COMMISSIONER

CITY OF SASKATOON

*The Code of Ethical Conduct for Members of City
Council Bylaw, 2019*

January 1, 2023 - December 31, 2023

Angela Kruk

I. INTRODUCTION

This annual report covers the period of time from January 1, 2023 to December 31, 2023, summarizing the work undertaken by the Office of the Integrity Commissioner for the City of Saskatoon.

II. MANDATE OF THE INTEGRITY COMMISSIONER

Every municipality in Saskatchewan is required to adopt a code of ethics to guide the conduct of members of Council.

The City of Saskatoon Code of Ethical Conduct for Members of Council, 2019 Bylaw No 9537(“Code”) was amended by Council in May of 2023, taking into consideration recommendations made in my 2022 Annual Report.

The Code requires Council to appoint an Integrity Commissioner to undertake the duties and responsibilities assigned to the office pursuant to the Code.

The duties and responsibilities of the Integrity Commissioner for the City of Saskatoon include:

- a) Provide advance rulings and recommendations to members on questions of compliance with the Code;
- b) Receive, assess and investigate written complaints under the Code;
- c) Report to Governance & Priorities Committee and Council on violations of the Code;
- d) Recommend sanctions or corrective actions where a violation has been found;
- e) Provide written content to Council members or for the City website, explaining the role of Integrity Commissioner or obligations under the Code;
- f) Upon request, provide training and educational sessions to members of Council;
- g) Provide advice and recommendations to Council on amendments to the Code;
- h) Publish an annual report on the work of the Integrity Commissioner;

The Integrity Commissioner’s jurisdiction does not include investigating allegations related to a conflict of interest by a member of Council.

I was appointed as Integrity Commissioner for the City of Saskatoon beginning January 1, 2022, for a four year term.

The purpose of the Code is to outline basic ethical standards and values for members, guiding their behaviour as they are fulfilling their duties and responsibilities as elected officials.

There are seven ethical principles that form the bedrock for the Code:

1. Honesty
2. Objectivity
3. Respect
4. Transparency & accountability
5. Confidentiality
6. Leadership & the public interest
7. Responsibility

The Code expands upon each of these seven principles to form the ethical basis upon which members are expected to perform the duties of their office, recognizing that:

1. As public officials, the actions of each member of Council have an impact on the lives of residents and property owners in the City of Saskatoon;
2. Establishing a Code of Ethical Conduct for members of Council reflects the City's corporate values of courage, integrity, respect, safety and trust and the principles of transparency and accountability;
3. Members are expected to discharge their duties and responsibilities with a commitment to the highest of ethical standards;
4. The conduct of elected officials has an impact on the quality of public administration and on the governance, reputation and integrity of the City of Saskatoon; and
5. Ethics and integrity are at the core of public confidence in government and the political process, and members of Council are expected to perform their duties of public office and arrange their private affairs in a manner that promotes public confidence, avoids conflicts of interest, and avoids the improper use or the appearance of improper use of influence of their office.

III. WORK OF THE INTEGRITY COMMISSIONER

1. Advisory Function

If requested, the Integrity Commissioner may provide members of Council with oral or written advance rulings and recommendations, specific or general advice on questions of

compliance with the Code, except on questions related to conflicts of interest arising under sections 114 - 119 of *The Cities Act*.

I received one request for an advance ruling from a member of Council that related to the gift and benefit section of the Code, specifically related to the exemption for tickets to events.

I did not receive any requests for advice from members of Council on questions of compliance with the Code.

2. Education

I did not deliver any education sessions for Council in 2023.

3. Code Amendments

In my 2022 Annual Report, I made three recommendations for Code amendments, all of which were incorporated into the Code by Council in 2023.

4. Complaints

I received three formal complaints in 2023. I received six inquiries or informal complaints.

Formal complaints are those that are submitted using the form prescribed under the Code and which must comply with section 87 of the Code in terms of the information that must be submitted with them.

Inquiries or informal complaints are essentially inquiries or concerns raised by a person which do not comply with section 87 of the Code and are not filed using the formal process. Informal complaints can be submitted as formal complaints at any time, if all of the information described in section 87 is complied with.

a. Inquiries

Of the six inquiries received in 2023, all came from members of the public.

Two of the inquiries related to matters that were not about a member of Council, over which I have no jurisdiction and four of them related to the conduct of a member of Council.

Although the receipt of an inquiry does not require the Integrity Commissioner to conduct an assessment as to whether or not the inquiry will be investigated, as a matter of courtesy, I respond to every inquiry, typically describing the role of the Integrity Commissioner and redirecting them to a more appropriate person to contact, where possible.

One of the inquiries turned into a formal complaint.

b. Formal Complaints/Request for Investigation

Of the three formal complaints received by my office in 2023, one of them was withdrawn by the Complainant and one of them was not investigated as it related to conduct that was not regulated by the Code. One of the complaints was investigated, but the investigation was still ongoing when this report was being written and therefore will be reported on in the 2024 Annual Report.

Every formal complaint goes through an initial complaint classification process pursuant to section 88 of the Code. People are sometimes unhappy or disagree with the conduct of members of Council, but not all disagreements or differences of opinion relate to a member's obligations under the Code. The initial review process under section 88 is meant to identify complaints that are not related to ethical obligations under the Code and to redirect those matters more appropriately dealt with elsewhere.

In other words, not all formal complaints will be investigated.

If a complaint is not, on its face, a matter that relates to non-compliance with the Code, then the Integrity Commissioner will not investigate it.

If the complaint is, on its face, a matter related to non-compliance with the Code and there is not another forum, policy or process more appropriate to deal with it, then the complaint must be investigated by the Integrity Commissioner.

In situations where I decide not to investigate a formal complaint, I will provide brief reasons to the complainant.

Formal complaints that are not investigated, are generally not disclosed to the member of Council who was the subject of the complaint. However, the Integrity Commissioner may disclose a summary of the complaint to the member of Council for educational or informational purposes, provided confidential information is protected.

The investigation process in the Code requires the Integrity Commissioner to issue a written report for all investigations that are concluded. The recipient of the written report will differ, depending on the conclusion of the investigation. Investigation reports that result in a finding of non-compliance with the Code, will be provided to the member of Council, complainant, Governance and Priorities Committee, Council and are released publicly. Investigation reports that result in a finding that there has been no violation of the Code are provided to the member of Council and the complainant only and are not released publicly.

c. Historical Summary

Following is a snapshot of the complaints handled by my office over the last two years:

Reporting Period	Informal Complaints Received	Formal Complaints Received	Investigations	Result	Sanctions
2022	4	0	0	--	--
2023	6	3	1	pending	---

d. General Observations from 2023

The concerns raised to me by members of the public in 2023 through informal and formal complaints, can largely be condensed into two main themes: i) responsiveness of Council members; and ii) respectful communication by Council members.

Members of the public reach out to their locally elected members of Council to express concerns or voice their opinion on matters that directly impact their lives, their families and their livelihood. In many cases, they just need to know they are being heard by the decision makers.

There is no question that a member of Council is permitted and even encouraged to engage in political debate and to form opinions on topics relevant to residents, even controversial opinions in some cases. However, section 10 of the Code provides boundaries to the effective communication made by members of Council. Those communications must be made in a manner that treats people with respect; without demeaning, belittling or devaluing them. The use of derogatory language towards others must be avoided and people must be treated with courtesy.

If opinions and debates are directed at the issues and topics, rather than the people communicating them, members will be able to engage in meaningful debate and discussion within the parameters of the Code.

IV. CLOSING REMARKS

Municipal Councils are often called upon to make difficult decisions that have a very direct impact on individual residents. The ethical principles contained in the Code can and should act as a guide for Council members in communicating with people during community engagement and discussion, to keep communications respectful and productive.

I commend the members of Saskatoon City Council, City administration and the citizens of Saskatoon, for their level of cooperation with my office over the last year, which shows me that there is a universal commitment to the ethical principles underlying the Code of Ethics Bylaw.

I look forward to another year of cooperation and commitment to the ethical principles underlying the Code.

All of which is respectfully submitted.

Angela Kruck

Integrity Commissioner
February 24, 2024