

City of Brampton Integrity Commissioner File 2017-06

INTERIM REPORT ON COMPLAINT

Interim Report

Subsection 5(4) of the Complaint Protocol provides that, “The Integrity Commissioner may make interim reports to Council where necessary ...”

This is such a report.

Section 223.5 of the *Municipal Act* requires that I maintain confidentiality. Subsection 223.6(2) provides that in a report on whether a Member has contravened the Code, I may disclose such matters as in my opinion are necessary for the purposes of the report.

It is not necessary to identify the parties in this interim report.

The Complaint

The Complainant alleges that the Respondent contravened Rule No. 15 (decorum) of the Code of Conduct for Members of Council.

The Complainant is a constituent of the Respondent.

The issue arises from a noise complaint, made by the Complainant, about the users of a City facility.

The Respondent, as Councillor, became involved in the noise complaint.

The Complainant alleges generally that the Respondent was rude and unprofessional in the course of dealing with the noise complaint. The Complainant alleges specifically that the Respondent discussed the Complainant with other local residents and said disparaging things about the Complainant to local residents.

Status

The Complainant and the Respondent have very different recollections of what occurred. The Respondent denies the allegations.

In order to determine what actually occurred, it would be necessary to interview local residents about any communications they may have had with the Respondent about the Complainant.

Because this process would necessarily involve mention of the Complainant to local residents, I sought the Complainant’s consent to this course of action.

The Complainant consented to me attempting to interview a particular local resident – someone with whom the Respondent allegedly discussed the Complainant.

I have attempted repeatedly to contact this witness, both by telephone and in writing, without success. This has continued for months.

I will not close the file, but at the same time it is impossible to complete the investigation until I interview this witness.

Conclusion

The investigation file will remain open until I succeed in contacting the witness identified by the Complainant.

Respectfully submitted,



Guy Giorno
Integrity Commissioner
City of Brampton

July 10, 2018

APPENDIX: RELEVANT PROVISIONS OF COUNCIL CODE OF CONDUCT

Rule No. 15 Discreditable Conduct

1. Members shall conduct themselves with appropriate decorum at all times.

Commentary

As leaders in the community, members are held to a higher standard of behaviour and conduct, and accordingly their behaviour should be exemplary.