



Town of Newmarket
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Accountability and Transparency Measures 2019 Information Report to Council

Report Number: INFO-2020-27

Department(s): Legislative Services

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Distribution Date: July 23, 2020

In accordance with the Procedure By-law, any member of Council may make a request to the Town Clerk that this Report be placed on an upcoming Committee of the Whole agenda for discussion.

Purpose

This report is intended to provide Council with an update on matters concerning the offices of the Ombudsman, Integrity Commissioner, and Closed Meeting Investigator, and the Freedom of Information process.

Background

Currently at the municipal level, the infrastructure for accountability and transparency includes a range of oversight and reporting requirements. Sections 223.1 through 223.24 of the Municipal Act, 2001 set out several accountability and transparency measures municipalities are required to follow. Combined with other legislation such as the Municipal Freedom of Information and Protection of Privacy Act, these measures provide a framework to ensure consistency and openness in municipal processes.

The Town of Newmarket has several different accountability and transparency offices and/or measures currently in place.

1. **The Customer Complaints Policy** provides processes for the Town to address complaints related to services delivered by the Town.
2. **The Provincial Ombudsman** reviews complaints that are escalated by a complainant for services provided by the municipality. The Provincial Ombudsman also provides closed meeting investigations in the event of a complaint regarding a closed meeting of Council.

3. **The Integrity Commissioner** is an independent officer who reviews complaints of Council and Committee member conduct. The Integrity Commissioner also provides proactive advice, education and training upon request from Council or a Member.
4. **The Freedom of Information process** under the Municipal Freedom of Information and Protection of Privacy Act allows members of the public to request copies of Town records, thereby increasing transparency. In addition to the Freedom of Information process, the Town's Routine Disclosure Policy allows staff to disclose certain types of records to the public without going through the formal legislated process.
5. **The Open Data portal** provides access to various datasets including financial reporting and mapping data.

Previous Accountability and Transparency Measures reports:

- [Report 2016-22](#) - Accountability and transparency measures between 2014 and 2016.
- [Report 2018-01](#) - Accountability and transparency measures for 2017.
- [Report 2019-01](#) – Accountability and Transparency Measures for 2018

This report provides the annual update on these matters for 2019.

Discussion

Complaint Policy

No formal complaints were submitted to staff through the Customer Complaint Policy in 2019. This means all complaints were resolved at the departmental level.

Ombudsman

There were no formal investigations by the Provincial Ombudsman in 2019. The Ombudsman publishes statistics on cases received regarding municipalities in their annual report, which is published in the second quarter. Previous annual reports can be found [here](#).

Closed Meeting Investigator

There were no closed meeting investigations in 2019.

Integrity Commissioner

The Town's Integrity Commissioner Mr. Robert Swayze did not receive any complaints regarding Council or Committee member conduct in 2019. He provided advice to one

member of Council and provided training for the BIA on the Code of Conduct as it now applies to Boards and Committees.

Freedom of Information (FOI) Requests

In addition to the summary below, Attachment 1 provides statistics and summary information on FOI Requests filed with the Town for 2019.

- 43 FOI Requests received
- Average Response time: 12 days
- Shortest Response time: less than one day
- Longest Response time: 73 days

2019 saw an overall decrease in requests, with the majority of requests completed within the 30 day legislated period. The 73 day response time was due to the requirement to notify a third party of the request. With two staff now responding to FOI requests staff have been able to meet our required legislated timeframes.

Staff continue to post certain FOI requests on the website as a transparency measure.

Routine Disclosure

In addition to formal Freedom of Information requests, staff respond to informal requests for information. Legislative Services Staff responded to 10 requests for information related to various planning matters.

Conclusion

Staff continue to be proactive regarding disclosure of information and continue to work on ensuring the Town considers public transparency when making decisions.

Business Plan and Strategic Plan Linkages

This report relates to long term financial sustainability through continued evaluation and analysis of the Town's service levels and continuous improvement of our accountability and transparency measures.

Consultation

The Integrity Commissioner was consulted in the drafting of this report.

Human Resource Considerations

None.

Budget Impact

None.

Attachments

Attachment 1 – FOI Statistics 2019

Contact

For more information contact Sarah Niezen, Records and Projects Coordinator at sniezen@newmarket.ca

Approval

Kiran Saini, Deputy Clerk

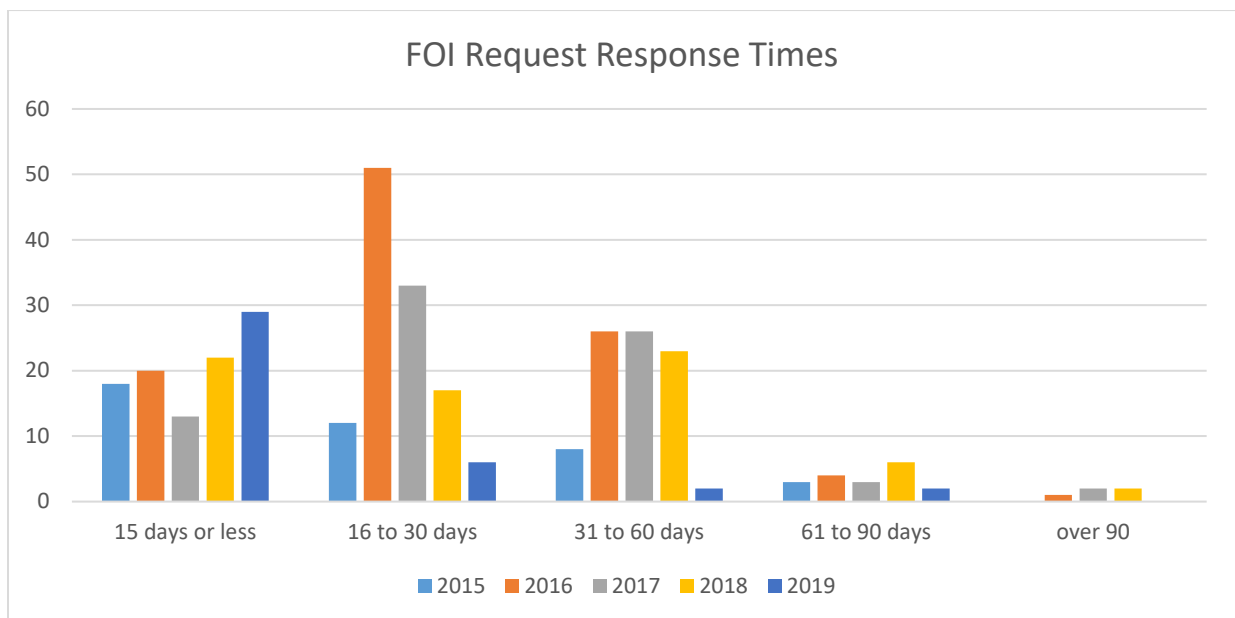
Lisa Lyons, Director of Legislative Services/ Town Clerk

Esther Armchuk, Commissioner of Corporate Services

Attachment 1 – FOI Statistics 2019

Number of FOI Requests received per month

	2015	2016	2017	2018	2019
January	2	6	1	11	2
February	4	0	4	5	4
March	5	5	14	10	8
April	4	6	5	6	6
May	5	9	4	8	3
June	8	2	4	2	3
July	3	2	8	2	4
August	1	4	8	8	3
September	1	7	9	5	1
October	1	3	4	6	3
November	5	5	18	5	6
December	1	2	4	1	0
Total	40	51	83	69	43



Attachment 1 – FOI Statistics 2019

