

Information Report



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| Service Area | Corporate Services |
| Date | Friday, November 3, 2023 |
| Subject | April 2022 to March 2023 Ontario Ombudsman Complaints and Investigations Regarding the City of Guelph |

Executive Summary

Purpose of Report

To report on complaints received and investigations undertaken by the [Ontario Ombudsman](#) regarding the City of Guelph between April 1, 2022 and March 31, 2023.

Key Findings

Between April 1, 2022 and March 31, 2023, the Ontario Ombudsman received 9 complaints regarding the City of Guelph. All cases have since been closed, and no investigations under the Ombudsman Act occurred. This is a 36% reduction in complaints compared to 2021/2022.

Strategic Plan Alignment

This report aligns with the Strategic Plan's Working Together for Our Future pillar by providing transparency regarding City operations and complaints, which relates to the strategic priority of running an effective, fiscally responsible and trusted local government.

Additionally, this report aligns with and achieves the corporate value of integrity by releasing all information regarding complaints and investigations conducted by the Ontario Ombudsman regarding the City of Guelph.

Financial Implications

None.

Report

Details

On [March 22, 2021](#) City Council delegated authority to the City Clerk to act as the head of the municipality under [section 1.1 of the Ontario Ombudsman Act](#). As the head of the municipality, the City Clerk is notified by the Ontario Ombudsman if an investigation into a complaint received regarding the City is initiated. The City Clerk reports on this delegated authority annually through an information report.

No investigations under the Ombudsman Act took place with regard to complaints filed between April 1, 2022 and March 31, 2023.

The Role of the Ontario Ombudsman

The Ontario Ombudsman is an independent and impartial officer of the Ontario Legislature. The Ombudsman has the authority to review and investigate complaints about the administrative conduct of public sector bodies, including municipalities and councils.

The Ontario Ombudsman has complete oversight regarding all of Ontario's 444 municipalities. As identified in the [Ombudsman's Annual Report 2022-2023](#), the primary role of the Ombudsman is to review the fairness of the municipality's processes and procedures without intervening in political decisions or the authority of locally appointed officers.

For example, complaints received by the Ombudsman regarding integrity commissioner investigations are reviewed to ensure that a fair process was followed but not to redo the work of the integrity commissioner or act as an appeal body for integrity commissioner decisions.

The Ombudsman's Office is an office of last resort – meaning that complaints must first go through all other existing channels, processes and appeal mechanisms before the Ombudsman will consider them.

Closed Meeting Investigations

The Ontario Ombudsman acts as the closed meeting investigator for all municipalities in Ontario except those that have appointed their own closed meeting investigator.

Beginning in 2007 and continuing to the present, Guelph City Council has appointed [Local Authority Services](#) as its local closed meeting investigator. Currently, Local Authority Services contracts closed meeting investigations to [Aird and Berlis LLP](#) to conduct closed meeting investigations on its behalf.

As the City has appointed its own investigator, the Ontario Ombudsman does not oversee closed meeting investigations in the City of Guelph.

Cases Received Between April 1, 2022 and March 31, 2023

Between April 1, 2022 and March 31, 2023, the Ontario Ombudsman received 9 complaints regarding the City of Guelph. All cases have since been closed, and no investigations under the Ombudsman Act occurred. The number and general subject area of the complaints has been provided by the Ombudsman's Office as summarised below. To respect complainant confidentiality, as required under [section 7.3 \(1\) of the Ombudsman Act](#), no specific details on these cases can be released to City of Guelph staff, the public or City Council. The subject areas are provided by the Ombudsman's Office and do not necessarily correlate with specific City departments or divisions.

| General Subject Area | Number of Cases |
|-----------------------------|------------------------|
| By-law Enforcement | 2 |

| | |
|-------------------------------------|---|
| Council/Committees | 2 |
| Infrastructure | 2 |
| Permits/Licensing | 1 |
| Service Restriction/Trespass Notice | 1 |
| Taxes/Fees | 1 |

Financial Implications

None.

Consultations

None.

Attachments

None.

Departmental Approval

None.

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