



Town of Newmarket
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Accountability and Transparency Measures 2020 Information Report to Council

Report Number: INFO-2021-14

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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 the provisions for municipal 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.

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.

Discussion

Complaint Policy

No formal complaints were submitted to staff through the Customer Complaint Policy in 2020. This means all complaints were resolved at the departmental level.

Ombudsman

There were no formal investigations by the Provincial Ombudsman in 2020. The Ombudsman publishes statistics on cases received regarding municipalities in their annual report. The 2020-2021 annual report will be published later in the second quarter.

Closed Meeting Investigator

There were no closed meeting investigations in 2020.

Integrity Commissioner

The Town's Integrity Commissioner Mr. Robert Swayze did not receive any complaints regarding Council or Committee member conduct in 2020. He provided advice to one committee member.

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 2020.

- 44 FOI Requests received
- Average Response time: 27 days
- Shortest Response time: less than one day
- Longest Response time: 128 days

Routine Disclosure

In addition to formal Freedom of Information requests, staff respond to informal requests for information. Staff across the corporation have been responding to an increasing number of requests for public information and records in 2020. There have been many requests for planning and property related information in 2020.

Impact of Covid-19

With the ongoing Covid-19 pandemic the requirements for Accountability and Transparency have not changed. All of the Town's obligations under the Municipal Act and Municipal Freedom of Information and Privacy Act continued with the same requirements and same timelines.

With the working from home measures implemented in 2020 staff had encountered challenges in responding to FOI and routine disclosure requests quickly due to the need to attend the office to access paper records. This resulted in extended timeframes for responding to many of the requests. Staff faced these access and response time challenges across all municipalities.

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

None.

Human Resource Considerations

None.

Budget Impact

None.

Attachments

Attachment 1 – FOI Statistics 2020

Contact

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

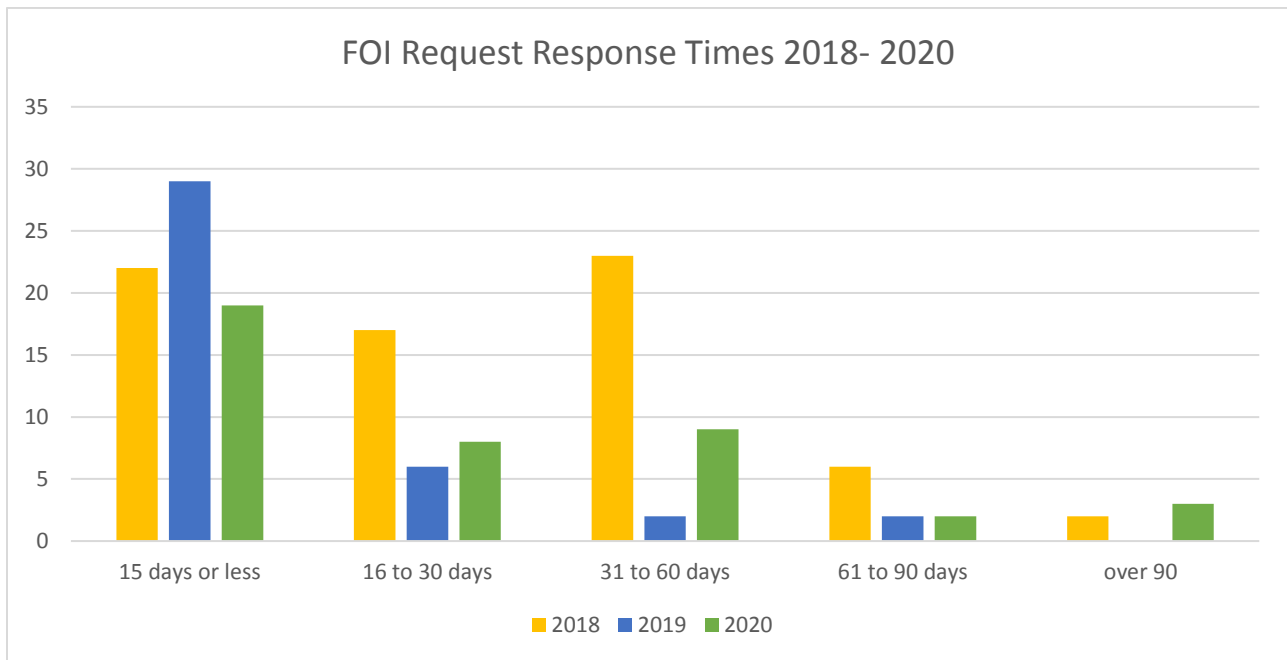
Approval

Kiran Saini, Deputy Clerk

Lisa Lyons, Director of Legislative Services/ Town Clerk
Esther Armchuk, Commissioner of Corporate Services

Attachment 1 - FOI Statistics – 2020

	2018	2019	2020
January	11	2	5
February	5	4	4
March	10	8	3
April	6	6	0
May	8	3	2
June	2	3	5
July	2	4	2
August	8	3	6
September	5	1	5
October	6	3	3
November	5	6	4
December	1	0	5
Total	69	43	44



Attachment 1 - FOI Statistics – 2020

