

Office of the Integrity Commissioner – Questions & Answers

What are the Commissioner's main duties?

All Board Trustees are subject to the Toronto District School Board, Board Member Code of Conduct (the "Code of Conduct"). The mandate of the Integrity Commissioner is to ensure that the code of behaviour and ethics governing Trustees is objectively applied. Duties of the Integrity Commissioner include conducting inquiries into requests made by a member of the public, staff of the Board, or a Member of the Board, into whether or not a Member has contravened the Code of Conduct. Upon consent of the parties, the Integrity Commissioner may also participate in the role of mediator of issues relating to an informal complaint.

What is the extent of the Integrity Commissioner's authority?

The Board has adopted a Complaint Protocol for the Board Member Code of Conduct (the "Complaint Protocol"), that sets out the scope of the Integrity Commissioner's authority over matters addressed by the Code of Conduct. The Protocol describes the process for two types of complaints that would be covered by existing legislation or mechanisms. An allegation that may involve a contravention of the Criminal Code of Canada is a police matter, and would not be investigated by the Integrity Commissioner. Likewise, the Integrity Commissioner would not investigate a complaint of alleged conflict of interest involving a Trustee, as a remedy is provided under the Municipal Conflict of Interest Act. Contact the Integrity Commissioner to determine if the matter is governed by the Code of Conduct.

Who can file a complaint?

Members of the public, staff of the Board, as well as other Members of the Board, can file complaints against a Board Trustee under the Complaint Protocol.

What is the process for filing a complaint?

Individuals can file a complaint by following the steps set out in the Complaint Protocol. The Complaint Protocol was adopted in June 2015 by the Board and has a proposed review date of 2016.

How is the complaint investigated?

Where an informal resolution cannot be achieved, and if after filing a formal complaint with the Integrity Commissioner, she/he deems it to be a complaint with respect to non-compliance with the Code of Conduct, an investigation is undertaken. The Trustee is given a copy of the complaint and asked to respond in writing to the complaint, with a copy of this response being provided to the complainant. The process could involve the Integrity Commissioner conducting interviews with the complainant, the Trustee, staff of the Board and anyone who may have information relevant to the investigation. The Commissioner may enter a TDSB work location and may examine any documents or electronic materials relevant to the complaint. Generally, within 90 days of filing the complaint, the Integrity Commissioner will submit a report to Board, detailing any

contravention of the Code of Conduct and any recommendations. The Board determines what action will be taken.

Does the Integrity Commissioner investigate complaints about TDSB staff, superintendents, teachers or principals?

The Integrity Commissioner does not have any authority over TDSB administration, employees, including Board staff. The activities of the Integrity Commissioner relate only to the actions and behavior of Board Trustees in relation to the rules of the Code of Conduct.

Can an anonymous complaint be filed?

The Complaint Protocol makes no provision for anonymous complaints or for withholding the complainant's name from the Trustee against whom the complaint is made. However, the Complain Protocol does include an informal complaint procedure that allows the Integrity Commissioner to have an informal discussion with the Member of the Board in an attempt to resolve the issue. An individual who brings forward an informal complaint may request that their name not be disclosed to the Trustee.

How is the public informed of the Commissioner's activity?

The Commissioner publishes an annual report and it is posted to the TDSB website.