

Code of Conduct – Formal Complaint Process

1. Complaint made in writing and provided to Mayor's Executive Committee. Respondent(s) copied on the Complaint. Complaint must set out reasonable and probable grounds for the allegation that the Member has contravened the code of conduct, including a detailed description of the facts, as they are known, giving rise to the allegation.
2. Mayor's Executive Committee adds the Complaint to the agenda on the next available Council Meeting (closed session item) and notifies Respondent(s) of the date at which the Complaint will be heard by Council.
3. Council Meeting – Council will first hear from the Respondent(s). This may be done verbally or in writing, as chosen by the Respondent(s). Council then determines whether to:
 - a. Dismiss the Complaint (e.g. grounds are insufficient, vexatious, not in good faith, etc.)
 - i. Council passes a motion to dismiss the Complaint.
 - b. Investigate the Complaint (Council may obtain legal advice if required at the municipality's expense)
 - i. Seek a formal response from the Respondent(s) who may obtain legal advice at their own expense.
 - ii. Respondent(s) must provide a written response to all of Council within 30 days of the Complaint being sent and must copy Director of Legislative and Legal Services (LLS) / Chief Commissioner (CC).
 - iii. LLS/CC places the matter on closed session of the next available Council Meeting.
 - c. Retain an Independent Investigator to investigate the Complaint.
 - i. Investigator provides a report on findings to LLS/CC for placement on the next available Council Meeting (closed session) and also provides report to the Respondent(s).
4. Council Meeting – during closed session, hearing process takes place – Complainant presents their complaint, Respondent replies, Complainant makes concluding remarks if any, Respondent makes concluding remarks if any. Either Council or the Respondent may choose to have legal representation.
5. After hearing the matter, Council makes a decision to:
 - a. Dismiss the complaint – Council passes a motion.
 - b. Confirm breach of Code of Conduct and proceed to determining sanctions.

Proposed Formal Complaint Process – Code of Conduct Bylaw

