



**BOARD**  
**Report No. 24-025**

**25 April 2024**

**UPDATE ON INTEGRITY COMMISSIONER LEGISLATION AND  
CONTRACT EXTENSION**

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**PURPOSE:**

1. To provide an update on the legislation regarding Integrity Commissioners and to authorize an extension to the current Integrity Commissioner contract.

**STRATEGIC LINKS:**

2. The appointment of an Integrity Commissioner, signals the Board's ongoing commitment to ensuring operations and decision-making are carried out to the highest possible ethical standards in alignment with the Social Responsibility pillar of the 2023-2027 Strategic Plan.

**CONTEXT:**

3. In April 2023, the Board appointed an Integrity Commissioner for a one-year term in accordance with [Policy P.073.GOV Board Member Code of Conduct](#). This appointment was compliant with the legislation in effect at the time. However, it was also concurrent with the Ministry of Education initial consultations on *Bill 98, The Better Schools and Outcomes Act, 2023*, which received royal assent in June 2023. This Bill which amended the *Education Act* made changes to the process for appointing Integrity Commissioners. The Bill established a framework for establishing an impartial Integrity Commissioner-led process for resolving code of conduct complaints within school boards.

In March 2024, the Ministry released draft regulations clarifying the intentions behind the amendments and providing recommendations on the minimum qualifications for Integrity Commissioners (ICs) appointed by school boards to investigate code of conduct complaints. The regulations also provide for Integrity Commissioner-led processes and procedural requirements to address code of conduct complaints. The regulations have not yet been finalized, but are expected to be approved in the next six to twelve months.

In the interim, the Board is in need of an Integrity Commissioner and staff recommend an extension of the current contract with SC Consulting. This temporary measure ensures continuity and stability until the final regulations are proclaimed.

## **KEY CONSIDERATIONS:**

### **4. Role of the Integrity Commissioner**

Since 2021, the Board has effectively utilized the services of an Integrity Commissioner (IC), whose office receives, reviews, and mediates or investigates complaints under the Board's Code of Conduct policy. This process promotes accountability and adherence to established standards within the organization. Additionally, the IC plays a pivotal role in offering guidance and recommendations to the Board on ethics and integrity, fostering a culture of transparency and responsible decision-making. Moreover, they provide confidential advice to individual trustees, aiding them in navigating ethical issues encountered in their official duties. The IC further contributes to effective governance by advising the Board on policies, procedures, professional development, and legislative changes.

### **5. Bill 98 – New Regulation - Integrity Commissioner Qualifications and Code of Conduct Complaint Process**

On 27 February 2024 the Ministry released a new draft regulation, Integrity Commissioner Qualifications and Code of Conduct Complaint Process, on Ontario's Regulatory Registry. The proposed new regulation aims to:

- Create a roster of pre-approved ICs, enabling boards to select and appoint an IC from this roster. To facilitate this, the Ministry plans to engage an executive search firm to identify qualified candidates, with input from trustees' associations;
- Propose specific qualifications for ICs, emphasizing experience in investigation, adjudication, and knowledge of relevant sectors;
- Specify the process of notice and referral of complaints, including timelines and parties involved;
- Outline procedures for investigating and determining code of conduct complaints and an appeal process with defined timelines and guidelines; and
- Address the financial aspect by proposing regulations governing Integrity Commissioner fees.

Trustees were invited to provide feedback on the regulation and that feedback was consolidated and sent to the Ministry. The feedback from the District was similar to that provided by [Ontario Public School Board Association \(OPSBA\)](#).

Staff anticipate that the new regulation will come into effect in late fall or early winter of the 2024-2025 school year and will necessitate changes to both Policy P.073.GOV and [Policy P.141.GOV Integrity Commissioner](#).

### **6. Appointment Process**

The [Integrity Commissioner policy](#) provides that the Board shall appoint an Integrity Commissioner for a two-year term renewable for up to six years in total. The appointment is made by approval of the majority of Board members present and voting, at a regular or special meeting of the Board.

Recognizing that the Board has an established relationship with the current Integrity Commissioner, and that there will be a need to revisit the appointment process after the regulation has been passed, it seems prudent to extend the current contract rather than initiating a new process, which takes several months to complete.

Staff has confirmed that the Integrity Commissioner, Suzanne Craig, Principal of SC Consulting, is aware of the pending legislative changes and is amenable to extending the contract to provide the necessary services, as needed and as required.

### **RESOURCE IMPLICATIONS:**

7. The annual cost for the Integrity Commission can vary with the volume of work, For the 2023-2024 year to date, the cost is approximately \$85,000.00. This is a budgeted item and staff will ensure an appropriate amount is committed within the 2024-2025 budget.

### **COMMUNICATION/CONSULTATION ISSUES:**

8. Should the appointment be confirmed, the appropriate communication with the system will be undertaken.

### **RECOMMENDATION:**

THAT the Board appoint Suzanne Craig (SC Consulting) as the Integrity Commissioner effective 25 April 2024 for a period of up to one year.

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Michèle Giroux  
Executive Officer, Corporate Services

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Pino Buffone  
Director of Education and Secretary of  
the Board