

## Synopsis of Code of Ethics Complaints.

**Item:** Code of Ethics Complaints against Municipal Council, Administration and Hamlet of Pasqua Lake Board members.

**Preamble:**

On July 14th, 2020, a large number of complaints were submitted by four (4) individuals to the R.M. office and received by the Administrator. The complaints were Code of Ethics violations alleged against the Reeve, all of the R.M. Council, Administrator, 1 person of the office staff and the Board members of the Organized Hamlet of Pasqua Lake.

Since these complaints were broad in the fact they included all of the R.M. Council, staff and a Hamlet Board, it was incumbent upon Council to seek an external mediator to review and assess the complaints respectively. As such, R.M. Council, by way of resolution, hired Early Resolution - ADR Consultancy to oversee the review process and to provide a summation of their findings.

**Process:**

The mediator, through the R.M. office, arranged interviews with each of the corresponding respondents during the week of October 19th, 2020. A schedule of times was coordinated for each of the respondents, either individually or as per group, depending on the nature or directive of the alleged breach. All scheduled meetings were arranged to be conducted at the R.M. board room, which would ensure privacy. However, the four (4) complainants decided to move their interviews to a location in Regina.

The interviews were fairly intensive and constructive in the manner of the mediator asking relevant questions to understand the respondents' position and for the respondent to explain their side of the situation as it pertained to the alleged complaint. Once interviews were completed from all parties involved, the mediator compiled the findings and the ensuing outcomes with recommendations as deemed necessary.

The R.M. office received the package of the mediator's findings and summary on December 1, 2020. The package contained an individual breakdown of each of the complainants issues, grouped together under the respective complainant's name and outcomes as to whether the complaint was "founded" or "unfounded" and a series of applicable recommendations if justified.

### **Summary of Report:**

There was a total of **36** Code of Ethics complaints submitted by the four (4) individuals as identified by the mediator.

Complainant #1 = 14 complaints.

Complainant #2 = 18 complaints.

Complainant #3 = 3 complaints.

Complainant #4 = 1 complaint.

Total = **36** complaints.

In his summation, the mediator identified each of the allegations as either "founded" or "unfounded" based on the investigation and analysis, along with a compilation of facts. The following is the findings and outcome from the mediator. Of those **36** alleged complaints -

**28** complaints were deemed - **Unfounded**

**6** complaints were deemed - **Founded**

**1** complaint was **inconclusive**.

**1** complaint was **split** between the two respondents. (note - *same complaint was levied against 2 Hamlet board members - complaint against 1 member was deemed **founded**, same complaint against the other member was deemed **unfounded***).

Complainant #1 - **10** complaints unfounded ; **3** complaints founded; **1** complaint inconclusive.

Complainant #2 - **15** complaints unfounded ; **3** complaints founded.

Complainant #3 - **3** complaints unfounded.

Complainant #4 - **1** complaint - Split between two (2) persons - **1** founded / **1** unfounded.

### **Conclusion:**

As a result of the mediator's findings it is evident the vast majority 28 (78 %) of alleged complaints were deemed "**unfounded**". This would be a positive for the R.M. and corresponding respondents, as the allegations being unfounded indicated there was no evidence of wrong doing or inappropriate actions.

However, of those 36 complaints, 6 (17%) were deemed to be **founded**. This would indicate to the Municipality, there are some areas for improvement. This outcome should be taken in a positive light, as it shows where these improvements and respective recommendations could be implemented.

**Conclusion:**

The following are four (4) recommendations citing #105 and #115 from complainant #1 and complainant #2 respectively, that have been noted by the mediator. Since the recommendations have the same wording and content for both complainants allegations, which apply to the few complaints that were deemed "founded", they have been combined and paraphrased with brevity for ease of reading. The complaints from complainant #3 were all deemed "unfounded" and as such required no recommendations.

**Recommendations:**

1. Take steps to ensure elected officials do not have their role and purpose undermined by other elected officials by being by-passed in the ordinary course of conducting municipal business.
2. Municipal governments are expected to abide by obligations of posting "Not Approved" organized hamlet minutes in a timely manner, or take steps to amend policy.
3. Ensure clear language when contracting out work whether by tender or bidding process for large / small projects to ensure correct delivery and conditions.
4. Consider enhancing ability to resolve emergent disputes early by offering matter to third party resolution. Facilitation and mediation as opposed to arbitration or litigation to minimize potential for escalation of a complaint.