



Hamilton

**REPORT 17-001**  
**GOVERNANCE REVIEW SUB-COMMITTEE**  
**Monday, February 6, 2017**  
**3:00 p.m., Council Chambers**  
**Hamilton City Hall**

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**Present:** Councillors M. Pearson (Chair), J. Partridge, L. Ferguson and A. VanderBeek

**Absent with Regrets:** Councillor M. Green - Personal

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**THE GOVERNANCE REVIEW SUB-COMMITTEE PRESENTS REPORT 17-001 AND RESPECTFULLY RECOMMENDS:**

**1. Bill 8 – Ontario Ombudsman’s expanded authority update (LS16023(a)/CL16012(a)) (City Wide) (Item 5.1)**

- (a) That Report LS16023(a)/CL16012(a), attached as Appendix “A” to Report 17-001, respecting Bill 8 – Ontario Ombudsman’s expanded authority update, be received; and,
- (b) That the Status Quo option (de-centralized complaints resolution process) be endorsed.

**2. Ward Budgets (FCS16074(a)) (City Wide) (Item 8.1)**

That Report FCS16074(a) respecting Ward Budgets, be received.

That the Administration Coverage Allowance in the Ward Budgets be adjusted annually by the same rate to reflect employee-related inflationary increases.

**FOR THE INFORMATION OF COUNCIL:**

**(a) CHANGES TO THE AGENDA (Item 1)**

The Committee Clerk advised there was one change to the agenda.

**1. FOR DISTRIBUTION**

Item 8.1 Ward Budgets (FCS16074(a)) – Appendix “A”

The February 6, 2017 Agenda of the Governance Review Sub-Committee was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no Declarations of Interest.

**(c) APPROVAL OF MINUTES (Item 3)**

**(i) September 15, 2016 (Item 3.1)**

The Minutes of the September 15, 2016 meeting of the Governance Review Sub-Committee, were approved.

**(d) CONSENT ITEMS (Item 5)**

**(i) Bill 8 – Ontario Ombudsman’s expanded authority update (LS16023(a)/CL16012(a)) (City Wide) (Item 5.1)**

The item respecting Bill 8 – Ontario Ombudsman’s expanded authority update, was lifted from the Table.

For disposition of this matter, refer to Item 1.

**(e) ADJOURNMENT (Item 12)**

There being no further business, the Governance Review Sub-Committee meeting was adjourned at 3:49 p.m.

Respectfully submitted,

Councillor M. Pearson, Chair  
Governance Review Sub-Committee

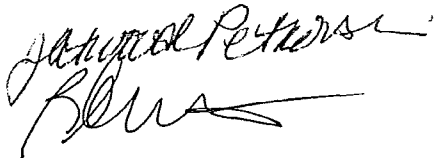
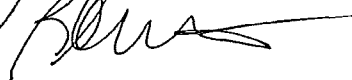
Lisa Chamberlain  
Legislative Coordinator



Hamilton

# INFORMATION REPORT

CITY MANAGER'S OFFICE  
CLERK'S OFFICE AND LEGAL SERVICES

<b>TO:</b>	Chair and Members of the Governance Review Sub-Committee
<b>COMMITTEE DATE:</b>	February 6, 2017
<b>SUBJECT/REPORT NO:</b>	Bill 8 - Ontario Ombudsman's expanded authority update - Report No. LS16023(a)/CL16012(a) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Janice Atwood-Petkovski, City Solicitor Rose Caterini, City Clerk
<b>SUBMITTED BY:</b>	Janice Atwood-Petkovski City Solicitor, City Manager's Office ext. 4636  Rose Caterini City Clerk, City Manager's Office ext. 5409
<b>SIGNATURE:</b>	 

**Council Direction: N/A**

### Information:

Staff provided information by report LS16023/CL16012 dated September 15, 2016 about the Ontario Ombudsman's expanded powers to investigate decisions, recommendations, and actions of City administration and its boards and agencies, which came into force January 2016.

In that report, staff provided options for committee's consideration:

- A Centralized Automated Complaints Resolution process: based on model of Lobbyist Registry, estimated one-time cost of \$100,000 for development of a web based program + 1 FTE operational cost (\$90,000/yr). Time estimate to implement: approximately 8-14 months
- Status Quo: De-centralized complaints resolution processes: dozens of processes currently in place across City, so starting point is City-wide Audit to address gaps, and staff training. Time estimate to implement: 12-18 months

*OUR Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.*

*OUR Mission: WE provide quality public service that contribute to a healthy, safe and prosperous community, in a sustainable manner.*

*OUR Values: Accountability, Cost Consciousness, Equity, Excellence, Honesty, Innovation, Leadership, Respect and Teamwork.*

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LS16023(a)/CL16012(a) (City Wide) Page 2 of 3**

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- A City-Appointed Ombudsman (similar to the Integrity Commissioner): cost based on similar comparable retainers for current City Integrity Commissioner and Lobbyist Registrar. Time estimate to implement: 2-4 months

The report was tabled in order to allow for a review of the volume and nature of Hamilton complaints generated in the first full year of the Ombudsman's expanded authority. On December 16, 2016 staff from Legal, Audit and Clerks met with staff from the Ontario Ombudsman's office to understand the experience under the expanded authority.

The Ontario Ombudsman considers itself an office of last resort, and strongly encourages municipalities to put a local complaint mechanism in place. Where a municipality has a local ombudsman, the Ontario Ombudsman directs inquiries to that individual for review, investigation and resolution.

*"The Ombudsman's role is not to replace local accountability mechanism or to intervene in municipal council decision: rather, we review how local policies and procedures are applied and followed. Complaints are best addressed at the local level by those directly involved in the issue....We encourage all municipalities to have strong and accessible processes to deal with complaints and appeals, and to establish local accountability officers such as integrity commissioners, auditors general and ombudsman."*

The following summarizes the complaints received by the Ontario Ombudsman, under the expanded jurisdiction of investigating complaints about administrative processes, services and programs, during the first year, 2016.

Total Complaints:	94	of which 74 were closed without investigation as set out below and 20 remain open
Closed files:	33	Information & referral
	12	public sector, non-jurisdictional
	10	exercising discretion not to proceed, finding no investigation warranted
	7	resolved with Ombudsman intervention with City administration
	6	unable to contact complainant to follow up
	5	resolved without Ombudsman intervention
	1	other statutory remedy available

20 complaint files remain open

Complaints fall into the following categories, in rank order of highest volume to lowest volume:

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1. By-laws
2. Ontario Works
3. Housing
4. Council / Committees
5. Parking